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LEGISLATIVE HISTORY

Public Law 11--77th Congress

Chapter 11--1st Session

H. R. 1776

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## DIGEST OF PUBLIC LAW 11

TO PROMOTE THE DEFENSE OF THE UNITED STATES. (LEND-LEASE ACT).

Authorizes the President, when in the interest of national defense, until June 30, 1943 (unless Congress otherwise determines to the contrary by majority vote), to authorize any Government agency (1 ) to manufacture or otherwise procure defense articles for the government of any country whose defense is deemed vital to the defense of the U. S.; (2) to sell, lease, lend, or otherwise dispose of defense articles to such governments, but not exceeding \$1,300,000,000 from previous appropriations; (3) to place or maintain such defense articles in good working order; (4) to give such governments defense information regarding these articles; and (5) to release for export any defense articles to such governments. "Defense article" is defined to include agricultural products. Requires that agreements with one government prohibit transfer of such defense articles and information to other governments without the President's approval. Requires Government agencies to report the exportation of such defense articles to Congress every 90 days. Provides that any money obtained from articles received under the bill shall, with Budget Bureau approval, revert to the appropriation from which expenditures were made as consideration from the articles received.





## INDEX AND SUMMARY OF HISTORY ON H. R. 1776

January 10, 1941 S. 275 introduced by Senator Barkley and was referred to the Senate Committee on Foreign Relations. Print of the bill. (Companion bill).

H. R. 1776 introduced by Rep. McCormack and was referred to the House Committee on Foreign Affairs. Print of the bill.

January 15, 1941 Hearings: House, H. R. 1776.

January 16, 1941 Ellender amendment to S. 275.

January 23, 1941 Taft and Johnson amendments to S. 275.

January 27, 1941 Bridges arendments to S. 275.

Hearings: Senate, S. 275, Pt. 1.

January 30, 1941 House Committee on Foreign Affairs reported on H. R. 1776. House Rept. 18, Pt. 1. Print of the bill as reported.

January 31, 1941 House Rules Committee reported H. Res. 89 for the consideration of H. R. 1776. House Rept. 18, Pt. 2 (Minority views).

February 3, 1941 House debate on H. R. 1776.

McNary amendment to S. 275.

February 4, 1941 House debate continued.

Hearings: Senate, S. 275, Pt. 2.

February 5, 1941 House debate continued.

February 6, 1941 House debate continued. Ball amendments to S. 275.

February 7, 1941 House debate continued.

February 8, 1941 House debate concluded. Passed House with amendments.

February 10, 1941 H. R. 1776 referred to the Senate Committee on Foreign Relations. Print of the bill as passed by the House. Murray amendment to S. 275.

February 11, 1941 Hearings: Senate, S. 275, Pt. 3.

February 13, 1941 Senate Committee on Foreign Relations reported H. R. 1776 with amendments. Senate Rept. 45, Pt. 1. Print of the bill as reported.

Taft amendments to H. R. 1776.



February 14, 1941 McCarran amendment to H. R. 1776.

February 17, 1941 Senate began debate on H. R. 1776.  
Lee and Capper amendments to H. R. 1776.  
Senate Rept. 45, Pt. 2, (Minority views).

February 18, 1941 Senate debate continued.  
Ellender amendment to H. R. 1776.

February 19, 1941 Senate debate continued.  
Russell, Lucas, Byrnes and Bridges amendments.

February 20, 1941 Senate debate continued.

February 21, 1941 Senate debate continued.  
Davis amendment to H. R. 1776.

February 22, 1941 Senate debate continued. Taft amendment to H. R. 1776.

February 24, 1941 Senate debate continued.

February 25, 1941 Senate debate continued.

February 26, 1941 Senate debate continued. Byrd and Vandenberg amendments.

February 27, 1941 Gillette amendments to H. R. 1776.

February 28, 1941 Senate debate continued. Maloney and Vandenberg amendments.

March 1, 1941 Senate debate continued. Brewster amendment.

March 3, 1941 Senate debate continued. Reynolds amendments.

March 4, 1941 Senate debate continued. O'Mahoney amendment.

March 5, 1941 Senate debate continued. Wiley, Taft, Russell, Danaher, and Butler amendments.

March 6, 1941 Senate debate continued. Adams, O'Mahoney, Johnson, Ellender, and Clark amendments.  
  
Print of the bill showing amendments agreed to. Amendments agreed to are shown in brackets and line type, and new matter agreed to in boldface type.

March 7, 1941 Senate debate continued. Walsh and Taft, and Tobey amendments.

March 8, 1941 Senate debate concluded. Passed Senate with amendments.  
Senate Conferees appointed.  
Print of the bill with amendments of the Senate numbered.





March 10, 1941 H. Res. 131 for the adoption of the Senate amendments to H. R. 1776

March 11, 1941 House agreed to H. Res. 131 and all Senate amendments to H. R. 1776.

Approved. Public Law 11.

Miscellaneous:

March 12, 1941 An estimate in the amount of \$7,000,000,000 to carry out provisions of H. R. 1776. House Document 139.

June 11, 1941 Operations under Lend-Lease Act. First Report. Senate Document 66.

September 15, 1941 Operations Under Lend-Lease Act. Second Report. Senate Document 112.

December 15, 1941 Operations under Lend-Lease Act. Third Report. Senate Document 149.

Amendments:

77th Congress Public Laws: 23, 282, 422 and 474. (Appropriation Acts).

78th Congress Public Laws: 9, 70, 132, 304, and 382.

79th Congress Public Laws: 31







77TH CONGRESS  
1ST SESSION

# S. 275

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## IN THE SENATE OF THE UNITED STATES

JANUARY 10, 1941

Mr. BARKLEY introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

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## A BILL

Further to promote the defense of the United States, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*  
3       That this Act may be cited as "An Act to promote the  
4       defense of the United States".

5       SEC. 2. As used in this Act—

6       (a) The term "defense article" means—

7           (1) Any weapon, munition, aircraft, vessel, or  
8       boat;

9           (2) Any machinery, facility, tool, material, or  
10       supply necessary for the manufacture, production, proc-

1        essing, repair, servicing, or operation of any article  
2        described in this subsection;

3            (3) Any component material or part of or equip-  
4        ment for any article described in this subsection;

5            (4) Any other commodity or article for defense.  
6        Such term "defense article" includes any article described  
7        in this subsection: Manufactured or procured pursuant to  
8        section 3, or to which the United States or any foreign  
9        government has or hereafter acquires title, possession, or  
10       control.

11        (b) The term "defense information" means any plan,  
12       specification, design, prototype, or information pertaining to  
13       any defense article.

14        SEC. 3. (a) Notwithstanding the provisions of any  
15       other law, the President may, from time to time, when he  
16       deems it in the interest of national defense, authorize the  
17       Secretary of War, the Secretary of the Navy, or the head  
18       of any other department or agency of the Government—

19            (1) To manufacture in arsenals, factories, and ship-  
20       yards under their jurisdiction, or otherwise procure, any  
21       defense article for the government of any country whose  
22       defense the President deems vital to the defense of the  
23       United States.

24            (2) To sell, transfer, exchange, lease, lend, or

1 otherwise dispose of, to any such government any defense  
2 article.

3 (3) To test, inspect, prove, repair, outfit, recondi-  
4 tion, or otherwise to place in good working order any  
5 defense article for any such government.

6 (4) To communicate to any such government any  
7 defense information, pertaining to any defense article  
8 furnished to such government under paragraph (2) of  
9 this subsection.

10 (5) To release for export any defense article to  
11 any such government.

12 (b) The terms and conditions upon which any such  
13 foreign government receives any aid authorized under sub-  
14 section (a) shall be those which the President deems  
15 satisfactory, and the benefit to the United States may be  
16 payment or repayment in kind or property, or any other  
17 direct or indirect benefit which the President deems  
18 satisfactory.

19 SEC. 4. All contracts or agreements made for the dis-  
20 position of any defense article or defense information pur-  
21 suant to section 3 shall contain a clause by which the foreign  
22 government undertakes that it will not, without the consent  
23 of the President, transfer title to or possession of such defense  
24 article or defense information by gift, sale, or otherwise,



1 or permit its use by anyone not an officer, employee, or  
2 agent of such foreign government.

3 SEC. 5. The Secretary of War, the Secretary of the  
4 Navy, or the head of any other department or agency of  
5 the Government involved shall, when any such defense arti-  
6 cle or defense information is exported immediately inform  
7 the department or agency designated by the President to  
8 administer section 6 of the Act of July 2, 1940 (54 Stat.  
9 714), of the quantities, character, value, terms of disposi-  
10 tion, and destination of the article and information so  
11 exported.

12 SEC. 6. (a) There is hereby authorized to be appro-  
13 priated from time to time, out of any money in the Treasury  
14 not otherwise appropriated, such amounts as may be neces-  
15 sary to carry out the provisions and accomplish the purposes  
16 of this Act.

17 (b) All money and all property which is converted  
18 into money received under section 3 from any government  
19 shall, with the approval of the Director of the Budget,  
20 revert to the respective appropriation or appropriations out  
21 of which funds were expended with respect to the defense  
22 article or defense information for which such consideration  
23 is received, and shall be available for expenditure for the  
24 purpose for which such expended funds were appropriated

1 by law, during the fiscal year in which such funds are  
2 received and the ensuing fiscal year.

3 SEC. 7. The Secretary of War, the Secretary of the  
4 Navy, and the head of the department or agency shall in all  
5 contracts or agreements for the disposition of any defense  
6 article or defense information fully protect the rights of all  
7 citizens of the United States who have patent rights in and  
8 to any such article or information which is hereby authorized  
9 to be disposed of and the payments collected for royalties on  
10 such patents shall be paid to the owners and holders of such  
11 patents.

12 SEC. 8. The Secretaries of War and of the Navy are  
13 hereby authorized to purchase or otherwise acquire arms,  
14 ammunition, and implements of war produced within the  
15 jurisdiction of any country to which section 3 is applicable,  
16 whenever the President deems such purchase or acquisition  
17 to be necessary in the interests of the defense of the United  
18 States.

19 SEC. 9. The President may, from time to time, promul-  
20 gate such rules and regulations as may be necessary and  
21 proper to carry out any of the provisions of this Act; and he  
22 may exercise any power or authority conferred on him by  
23 this Act through such department, agency, or officer as he  
24 shall direct.

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# A BILL

Further to promote the defense of the United States, and for other purposes.

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By Mr. BARKLEY

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JANUARY 10, 1941

Read twice and referred to the Committee on Foreign Relations

77TH CONGRESS  
1ST SESSION

# H. R. 1776



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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 10, 1941

Mr. McCORMACK introduced the following bill; which was referred to the Committee on Foreign Affairs.

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## A BILL

Further to promote the defense of the United States, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*  
3       That this Act may be cited as "An Act to Promote the  
4       Defense of the United States".

5       SEC. 2. As used in this Act—

6       (a) The term "defense article" means—

7               (1) Any weapon, munition, aircraft, vessel, or  
8       boat;

9               (2) Any machinery, facility, tool, material, or  
10       supply necessary for the manufacture, production, proc-

1        essing, repair, servicing, or operation of any article  
2        described in this subsection;

3            (3) Any component material or part of or equip-  
4        ment for any article described in this subsection;

5            (4) Any other commodity or article for defense.

6        Such term "defense article" includes any article described  
7        in this subsection: Manufactured or procured pursuant to  
8        to section 3, or to which the United States or any foreign  
9        government has or hereafter acquires title, possession, or  
10       control.

11        (b) The term "defense information" means any plan,  
12       specification, design, prototype, or information pertaining to  
13       any defense article.

14        SEC. 3. (a) Notwithstanding the provisions of any  
15       other law, the President may, from time to time, when he  
16       deems it in the interest of national defense, authorize the  
17       Secretary of War, the Secretary of the Navy, or the head  
18       of any other department or agency of the Government—

19            (1) To manufacture in arsenals, factories, and ship-  
20       yards under their jurisdiction, or otherwise procure, any  
21       defense article for the government of any country whose  
22       defense the President deems vital to the defense of the  
23       United States.

24            (2) To sell, transfer, exchange, lease, lend, or

1 otherwise dispose of, to any such government any defense  
2 article.

3 (3) To test, inspect, prove, repair, outfit, recondi-  
4 tion, or otherwise to place in good working order any  
5 defense article for any such government.

6 (4) To communicate to any such government any  
7 defense information, pertaining to any defense article  
8 furnished to such government under paragraph (2) of  
9 this subsection.

10 (5) To release for export any defense article to  
11 any such government.

12 (b) The terms and conditions upon which any such  
13 foreign government receives any aid authorized under sub-  
14 section (a) shall be those which the President deems  
15 satisfactory, and the benefit to the United States may be  
16 payment or repayment in kind or property, or any other  
17 direct or indirect benefit which the President deems  
18 satisfactory.

19 SEC. 4. All contracts or agreements made for the dis-  
20 position of any defense article or defense information pur-  
21 suant to section 3 shall contain a clause by which the foreign  
22 government undertakes that it will not, without the consent  
23 of the President, transfer title to or possession of such defense  
24 article or defense information by gift, sale, or otherwise,



1 or permit its use by anyone not an officer, employee, or  
2 agent of such foreign government.

3 SEC. 5. The Secretary of War, the Secretary of the  
4 Navy, or the head of any other department or agency of  
5 the Government involved shall, when any such defense arti-  
6 cle or defense information is exported immediately inform  
7 the department or agency designated by the President to  
8 administer section 6 of the Act of July 2, 1940 (54 Stat.  
9 714), of the quantities, character, value, terms of disposi-  
10 tion, and destination of the article and information so  
11 exported.

12 SEC. 6. (a) There is hereby authorized to be appro-  
13 priated from time to time, out of any money in the Treasury  
14 not otherwise appropriated, such amounts as may be neces-  
15 sary to carry out the provisions and accomplish the purposes  
16 of this Act.

17 (b) All money and all property which is converted  
18 into money received under section 3 from any government  
19 shall, with the approval of the Director of the Budget,  
20 revert to the respective appropriation or appropriations out  
21 of which funds were expended with respect to the defense  
22 article or defense information for which such consideration  
23 is received, and shall be available for expenditure for the  
24 purpose for which such expended funds were appropriated

1 by law, during the fiscal year in which such funds are  
2 received and the ensuing fiscal year.

3 SEC. 7. The Secretary of War, the Secretary of the  
4 Navy, and the head of the department or agency shall in all  
5 contracts or agreements for the disposition of any defense  
6 article or defense information fully protect the rights of all  
7 citizens of the United States who have patent rights in and  
8 to any such article or information which is hereby authorized  
9 to be disposed of and the payments collected for royalties on  
10 such patents shall be paid to the owners and holders of such  
11 patents.

12 SEC. 8. The Secretaries of War and of the Navy are  
13 hereby authorized to purchase or otherwise acquire arms,  
14 ammunition, and implements of war produced within the  
15 jurisdiction of any country to which section 3 is applicable,  
16 whenever the President deems such purchase or acquisition  
17 to be necessary in the interests of the defense of the United  
18 States.

19 SEC. 9. The President may, from time to time, promul-  
20 gate such rules and regulations as may be necessary and  
21 proper to carry out any of the provisions of this Act; and he  
22 may exercise any power or authority conferred on him by  
23 this Act through such department, agency, or officer as he  
24 shall direct.



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# A BILL

Further to promote the defense of the United States, and for other purposes.

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By Mr. McCORMACK

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JANUARY 10, 1941

Referred to the Committee on Foreign Affairs





# S. 275

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IN THE SENATE OF THE UNITED STATES

JANUARY 16, 1941

Referred to the Committee on Foreign Relations and ordered to be printed

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## AMENDMENT

Intended to be proposed by Mr. ELLENDER to the bill (S. 275)  
further to promote the defense of the United States, and for  
other purposes, viz: At the end of the bill add the following  
new section:

- 1        SEC. 10. Nothing contained in this Act shall be deemed
- 2        to authorize the employment or use of persons in the land
- 3        or naval forces of the United States at any place outside the
- 4        United States and its Territories and possessions.

77TH CONGRESS  
1ST SESSION

# S. 275

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## AMENDMENT

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Intended to be proposed by Mr. ELLENDER to the bill (S. 275) further to promote the defense of the United States, and for other purposes.

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JANUARY 16, 1941

Referred to the Committee on Foreign Relations and  
ordered to be printed





77<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# S. 275

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IN THE SENATE OF THE UNITED STATES

JANUARY 23, 1941

Referred to the Committee on Foreign Relations and ordered to be printed

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## AMENDMENT

(IN THE NATURE OF A SUBSTITUTE)

Intended to be proposed by Mr. TAFT to the bill (S. 275) further to promote the defense of the United States, and for other purposes, viz: Strike out all after the enacting clause and in lieu thereof insert the following:

1       The Reconstruction Finance Corporation is hereby  
2 authorized and directed, on the request of the President of  
3 the United States and the Federal Loan Administrator, to  
4 make loans to the Kingdom of Great Britain in any sums  
5 not exceeding a total of \$1,000,000,000, to the Dominion  
6 of Canada in any sums not exceeding a total of \$500,000,000,  
7 and to the Kingdom of Greece in any sums not exceeding  
8 \$50,000,000. Such loans shall only be made if the Presi-



1 dent and the Federal Loan Administrator in their requests  
2 certify that the borrower nation is unable to provide dollars  
3 for its purchases in the United States, and shall only be made  
4 for the purchase of merchandise (including arms, ammuni-  
5 tion, implements of war, tools, equipment, agricultural  
6 products, and other requirements of the borrower) pro-  
7 duced or manufactured in the United States or its posses-  
8 sions. The Reconstruction Finance Corporation shall re-  
9 quire adequate security for such loans, unless in the opinion  
10 of the Federal Loan Administrator security is not available  
11 or cannot practically be given. Promises to repay such  
12 loans may be in dollars or in specified kinds and amounts of  
13 shipping, merchandise, or other property estimated by the  
14 Federal Loan Administrator to be of equal value at the  
15 date of the loan. After the Reconstruction Finance Cor-  
16 poration has approved any such loan, it may guarantee  
17 orders given by the borrower up to the amount of such  
18 authorization.

19 SEC. 2. The aggregate amount of notes, bonds, de-  
20 bentures, and other such obligations which the Reconstruc-  
21 tion Finance Corporation is authorized to issue and have  
22 outstanding at any one time under the provisions of law  
23 in force on the date of enactment of this Act is hereby  
24 increased by \$1,550,000,000.



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# **AMENDMENT**

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(IN THE NATURE OF A SUBSTITUTE)

Intended to be proposed by Mr. TART to the bill  
(S. 275) further to promote the defense of  
the United States, and for other purposes.

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JANUARY 23, 1941

Referred to the Committee on Foreign Relations and  
ordered to be printed

77TH CONGRESS  
1ST SESSION

# S. 275

---

IN THE SENATE OF THE UNITED STATES

JANUARY 23, 1941

Referred to the Committee on Foreign Relations and ordered to be printed

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## AMENDMENT

(IN THE NATURE OF A SUBSTITUTE)

Intended to be proposed by Mr. JOHNSON of Colorado to the bill (S. 275) further to promote the defense of the United States, and for other purposes, viz: Strike out all after the enacting clause and insert in lieu thereof the following:

1       That this Act may be cited as the "National Defense  
2 Act of 1941".

3       SEC. 2. (a) The Congress hereby finds that the wars  
4 raging in Europe, Africa, and Asia constitute a grave menace  
5 to the peace and security of the United States and the West-  
6 ern Hemisphere; that a powerful Army and Navy versed  
7 in all of the methods of modern warfare are a prime neces-  
8 sity to our continued peace and security; that invaluable

1 experience was gained by certain neutral countries in using  
2 the recent war in Spain as a testing ground for their arms,  
3 ammunition, and implements of war; and that our Army  
4 and Navy should be afforded, as far as possible, a similar  
5 opportunity to acquire such experience.

6 (b) It is hereby declared to be the policy of this Act  
7 to provide for the making of loans to the Governments of  
8 Great Britain and her Dominions beyond the Seas to permit  
9 such Governments to buy defense articles in this country upon  
10 the condition that a complete record of the performance of  
11 such articles be furnished to our Army and Navy for their  
12 guidance and information.

13 SEC. 3. As used in this Act—

14 (a) The term “defense article” means—

15 (1) any weapon, munition, aircraft, vessel, or  
16 boat;

17 (2) any machinery, facility, tool, material, or sup-  
18 ply necessary for the manufacture, production, process-  
19 ing, repair, servicing, or operation of any article  
20 described in this subsection;

21 (3) any component material or part of or equip-  
22 ment for any article described in this subsection;

23 (4) any other implement of war.

24 Such term “defense article” includes any article described

1 in this subsection to which the United States has or here-  
2 after acquires title, possession, or control.

3 (b) The term "defense information" means any plan,  
4 specification, design, prototype, or information pertaining  
5 to any defense article.

6 SEC. 4. (a) The President is authorized to make loans,  
7 not to exceed \$2,000,000,000 in the aggregate, to the Gov-  
8 ernments of Great Britain and her Dominions beyond the  
9 Seas, if any such Government receiving such loan agrees (1)  
10 to use the entire proceeds of such loan to purchase defense  
11 articles manufactured or produced in the United States, (2)  
12 to furnish to the United States Army and Navy, for their  
13 guidance and information, a complete record of the efficiency  
14 and performance of defense articles so purchased, and (3)  
15 that it will not, without the consent of the President, transfer  
16 title to or possession of such defense article or of defense  
17 information by gift, sale, or otherwise, or permit its use by  
18 anyone not an officer, employee, or agent of such Govern-  
19 ment.

20 (b) The President is also authorized to communicate to  
21 any such Government any defense information pertaining to  
22 any defense article purchased by such Government under  
23 subsection (a) of this section.

24 (c) Upon certification by the Chief of Staff of the Army



1 in the case of military defense articles and military defense  
2 information, and by the Chief of Naval Operations in the  
3 case of naval defense articles and naval defense information,  
4 that the conditions with respect to any loan made under the  
5 authority of this section have been complied with, the  
6 President shall cancel such loan and all liability for repay-  
7 ment thereof shall terminate.

8       SEC. 5. The President shall, when any such defense  
9 article or defense information is exported, immediately inform  
10 the department or agency designated by him to administer  
11 section 6 of the Act of July 2, 1940 (54 Stat. 714), of the  
12 quantities, character, value, and destination of the article and  
13 information so exported.

14       SEC. 6. (a) There is hereby authorized to be appropri-  
15 ated, out of any money in the Treasury not otherwise appro-  
16 priated, the sum of \$2,000,000,000 to carry out the  
17 provisions and accomplish the purposes of this Act.

18       (b) All money which is received by the United States,  
19 or any department or agency thereof, from purchases made  
20 with the proceeds of any loan as provided in section 4 (a)  
21 shall be impounded and returned to the Treasury.

22       SEC. 7. The President shall in all agreements for the  
23 disposition of any defense article or defense information fully  
24 protect the rights of all citizens of the United States who  
25 have patent rights in and to any such article or information

1 which is hereby authorized to be disposed of and the pay-  
2 ments collected for royalties on such patents shall be paid to  
3 the owners and holders of such patents.

4 SEC. 8. The President may, from time to time, promul-  
5 gate such rules and regulations as may be necessary and  
6 proper to carry out any of the provisions of this Act; and  
7 he may exercise any power or authority conferred on him by  
8 this Act through such department, agency, or officer as he  
9 shall direct.

10 SEC. 9. All laws or parts of laws which are inconsistent  
11 with or in conflict with any provision of this Act are hereby  
12 repealed to the extent of such inconsistency or conflict.



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# AMENDMENT

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(IN THE NATURE OF A SUBSTITUTE)

Intended to be proposed by Mr. JOHNSON of Colorado to the bill (S. 275) further to promote the defense of the United States, and for other purposes.

---

JANUARY 23, 1941

Referred to the Committee on Foreign Relations and ordered to be printed





# S. 275

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## IN THE SENATE OF THE UNITED STATES

JANUARY 27, 1941

Referred to the Committee on Foreign Relations and ordered to be printed

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## AMENDMENT

Intended to be proposed by Mr. BRIDGES to the bill (S. 275) further to promote the defense of the United States, and for other purposes, viz: At the end of the bill insert the following new section:

1        SEC. . All power and authority conferred by sections  
2 3 and 8 of this Act shall terminate upon the expiration of  
3 two years after the date of its enactment; or upon the issu-  
4 ance of a proclamation by the President, or the passage  
5 of a concurrent resolution by the Congress, that the emer-  
6 gency created by the wars in Europe and China has ended;  
7 whichever first occurs.

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## AMENDMENT

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Intended to be proposed by Mr. Bridges to the bill (S. 275) further to promote the defense of the United States, and for other purposes.

---

JANUARY 27, 1941

Referred to the Committee on Foreign Relations and ordered to be printed

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IN THE SENATE OF THE UNITED STATES

JANUARY 27, 1941

Referred to the Committee on Foreign Relations and ordered to be printed

---

**AMENDMENT**

Intended to be proposed by Mr. BRIDGES to the bill (S. 275)  
further to promote the defense of the United States, and  
for other purposes, viz:

- 1       On page 2, lines 21 to 23, strike out "government of
- 2   any country whose defense the President deems vital to the
- 3   defense of the United States" and insert "governments of
- 4   Great Britain, her Dominions beyond the Seas, Greece,
- 5   China, and such other foreign countries as Congress may
- 6   hereafter designate by law".

1 of Staff of the Army, in the case of military defense articles  
2 and military defense information, shall first certify that such  
3 articles or information are not essential to the defense of  
4 the United States.

5 (b) The Secretary of War and the Secretary of the Navy  
6 shall, with respect to defense articles and defense informa-  
7 tion (described in subsection (a)) which are within their  
8 respective jurisdictions, furnish or cause to be furnished to  
9 the respective chairmen of the Committees on Military  
10 Affairs and the Committees on Naval Affairs of the Senate  
11 and House of Representatives a copy of each contract or  
12 agreement covering such defense articles or defense informa-  
13 tion to be released for export or to be communicated to any  
14 foreign government under certification as provided in sub-  
15 section (a). The copies of each such contract or agreement  
16 shall be transmitted to the respective chairmen of such com-  
17 mittees not later than twenty-four hours after such certifi-  
18 cation is made, and the chairman and members of each  
19 such committee shall consider such contracts or agreements  
20 confidential unless a majority of the members of such a  
21 committee shall direct that a particular contract or agree-  
22 ment, or a part thereof, be made public.





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## **AMENDMENTS**

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Intended to be proposed by Mr. BRIDGES to the bill (S. 275) further to promote the defense of the United States, and for other purposes.

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JANUARY 27, 1941

Referred to the Committee on Foreign Relations and  
ordered to be printed





## TO PROMOTE THE DEFENSE OF THE UNITED STATES

JANUARY 30, 1941.—Committed to the Committee of the Whole House on the state of the Union and ordered to be printed

Mr. BLOOM, from the Committee on Foreign Affairs, submitted the following

### REPORT

[To accompany H. R. 1776]

The Committee on Foreign Affairs, to whom was referred the bill (H. R. 1776) further to promote the defense of the United States by supplying material aid to those countries whose defense is vital to the defense of the United States, and for other purposes, having considered the same, report favorably thereon with amendments and recommend that the bill as amended do pass.

The amendments are as follows:

Page 3, line 2, strike out the period and insert in lieu thereof a comma and the following:

but no defense article not manufactured or procured under paragraph (1) shall in any way be disposed of under this paragraph, except after consultation with the Chief of Staff of the Army or the Chief of Naval Operations of the Navy, or both.

Page 3, after line 18, insert a new subsection as follows:

(c) Neither the President nor the head of any department or agency shall, after June 30, 1943, exercise any of the powers conferred by or pursuant to subsection (a), except to carry out a contract or agreement with such a government made before July 1, 1943.

Page 3 after subsection (c) insert a new subsection as follows:

(d) Nothing in this Act shall be construed to authorize or to permit the authorization of convoying vessels by naval vessels of the United States.

On page 4, line 3, after "Sec. 5." insert "(a)", and on page 4, after line 11 insert a new subsection (b) as follows:

(b) The President from time to time, but not less frequently than once every 90 days, shall transmit to the Congress a report of operations under this Act except such information as he deems incompatible with the public interest to disclose. Reports provided for under this subsection shall be transmitted to the Secretary of the Senate or the Clerk of the House of Representatives, as the case may be, if the Senate or House of Representatives, as the case may be, is not in session.

## GENERAL STATEMENT

This bill was introduced in the House of Representatives on January 10, 1941. Full and extensive hearings on the bill were held for nearly 2 weeks by your committee. The committee heard, in public session, Secretary of State Cordell Hull, Secretary of the Treasury Henry Morgenthau, Jr., Secretary of War Henry L. Stimson, Secretary of the Navy Frank Knox, the Director of the Office of Production Management, William S. Knudsen, Ambassador Joseph P. Kennedy, Mr. Norman Thomas, Mr. Hanford MacNider, Col. Charles A. Lindbergh, Gen. Hugh S. Johnson, Dr. Brooks Emeny, Mr. William R. Castle, Rev. Gerald Smith, Mr. John Burke, Mr. Benjamin C. Marsh, Mr. William J. Grace, Mr. William C. Dennis, Ambassador William C. Bullitt, Gen. John F. O'Ryan, Miss Dorothy Thompson, Minister to Norway Mrs. J. Borden Harriman, Mr. William Green, Mr. Louis Waldman, and Hon. Ernest W. Gibson. Statements were submitted by many others. The committee also heard, in executive session, Gen. George C. Marshall, Chief of Staff of the Army, Admiral Harold R. Stark, Chief of Naval Operations, and Gen. George H. Brett, Acting Chief of the Air Corps. Also appearances were made by Members of Congress.

From these hearings and the public discussion and debate on the bill, it has been clear to your committee that our national policy is and should be: (a) To keep out of war; and (b) for our own national security, to aid Britain and those other nations whose defense is vital to the defense of the United States by supplying them as quickly and as efficiently as possible with defense articles in a manner consistent with our democratic procedures.

In the considered opinion of your committee, the bill, as amended, squarely meets these objectives of our national policy. It is the considered view of your committee, insofar as human minds can evaluate the situation, that the probable effect of the bill will be to keep us out of war rather than to get us into it. It is also the judgment of your committee that the bill provides the most efficient way of supplying all possible material aid to those countries which are resisting aggression. It accomplishes this objective in a manner which is best for our national defense and wholly consistent with the Constitution and international law.

## ANALYSIS OF THE BILL

Section 1 of the bill contains the short title, "An Act to Promote the Defense of the United States." It requires no comment.

Section 2 of the bill contains the definition of the words "defense article" and "defense information." It should be noted that the term "defense article" includes not only all arms, munitions, and implements of war, but also other articles or commodities such as cotton, wheat, and all other agricultural products which may be necessary for defense purposes. This term does not include men nor does any other provision of the bill deal with the utilization of our armed forces.

The term "defense article" is also by the terms of the bill intended to include not only articles manufactured or procured especially for any foreign country under the bill but also articles to or of which the United States or any foreign country either now has or hereafter acquires title, possession, or control.

This additional language in section 2 (a) of the bill describing what is included in the definition of "defense article" when read together with the substantive provisions of the bill:

(1) Empowers the President to authorize the disposition of defense articles, subject to the limitations in the bill, whether or not they are defense articles which have been manufactured or procured especially for any country the defense of which is vital to our national security. If the equipment to be so disposed of is equipment which was not manufactured or procured specifically for such a country, then the disposition can only be made after consultation with the Chief of Staff of the Army or the Chief of Naval Operations of the Navy, or both, as provided by your committee's amendment to paragraph (2) of section 3 (a).

(2) Empowers the President, when he deems it in the interest of the national defense, to authorize the Secretary of War, the Secretary of the Navy, or the head of any other governmental agency, to test, inspect, prove, repair, outfit, recondition, or otherwise to place in good working order a vessel or other defense article owned or controlled by a nation whose defense the President deems vital to the defense of the United States. However, this additional language in section 2 (a) of the bill setting forth what is included in the phrase "defense article" is not intended to, and does not, in any way enlarge or modify the powers of the Government to requisition any defense articles such as foreign ships interned in our ports.

The definition in section 2 (b) of "defense information," when read together with the substantive provisions of the bill, means that only those plans, specifications, designs, prototypes, or other information pertaining to defense articles which have been actually transferred, pursuant to the bill, can be communicated to a country the defense of which is vital to the defense of the United States. The bill does not in any way enlarge the powers of the Government or its officers to communicate defense information unless such communication follows after, and is incidental and relates to, a defense article transferred pursuant to the bill. The obvious purpose of authorizing the communication of such defense information is to enable the country to which defense articles are transferred intelligently and effectively to use such defense articles. Obviously, neither this definition nor any of the substantive provisions of the bill would empower the Government or any of its officers to communicate information concerning, for example, the defenses of the Panama Canal or of Fort Knox.

Section 3 is the heart of the bill. Briefly, it empowers the President to authorize the Secretary of War, the Secretary of the Navy, or the head of any other department or agency of the Government, to manufacture or procure, dispose of and repair defense articles, and to communicate defense information, to or for the benefit of those nations the defense of which is vital to the defense of the United States, notwithstanding the provisions of any other law.

The expression "notwithstanding the provisions of any other law" has been used by the Congress since shortly after the formation of the Union. In 1794, the Congress granted exemption from customs duties to certain munitions, "anything in any former law to the contrary notwithstanding" (1 Stat. 370). Since that time a similar phrase has been used innumerable times, as for instance in the period from 1814 through 1822: 3 Stat. 49, 143, 261, 334, 412, 462, 582, 610, 640, 662. It has also



been used many times since then, as for example, in sections 5 (a) and 14 (a) of the Act of June 28, 1940 (Public, No. 671, 76th Cong.).

The phrase "notwithstanding the provisions of any other law" has not only been used many times, but its meaning is clear. When a statute containing this language covers a general subject matter such as the disposition by the Government of military and naval equipment, such a general statute prevails over specific statutes covering part of the field or inconsistent with the general statute. Statutes the application of which would be inconsistent with the provisions of section 3 (a) are not repealed by the bill. The only effect of the phrase "notwithstanding the provisions of any other law" is to suspend the application of such inconsistent laws in order to make possible the effective carrying out of the provisions of section 3 (a). Such laws remain in full force and effect with respect to all other matters to which they now apply. Thus H. R. 1776, insofar as it provides that military equipment can be disposed of on such terms as the President deems satisfactory, would prevail over a statute requiring public advertisement before military equipment can be transferred.

Also, the present bill, by empowering the President to authorize the Secretary of the Navy, for example, to build or procure torpedo boats specifically for a belligerent whose defense is vital to our defense and to release them for export, would prevail over section 3 of the Act of June 15, 1917 (40 Stat. 222), which now makes it unlawful to send out of the United States a vessel of war built for a belligerent.

Similarly, the present bill, as amended, would prevail over the act of July 28, 1892, as amended (27 Stat. 321; 45 Stat. 988) which authorizes the Secretary of War in his discretion, if he deems it to be in the public good, to lease, for a period not exceeding 5 years and revocable at any time, such property of the United States under his control as may not for the time be required for public use. Under the terms of the present bill, the President, after consultation with the Chief of Staff of the Army, in appropriate cases, could authorize the Secretary of War to lease property, over which the Secretary of War has control, which would not be revocable at the option of the Secretary of War.

The expression "notwithstanding the provisions of any other law" when read together with the whole of the bill, as amended, does not in any way modify, repeal, or change such legislation as the Walsh-Healey Act, the Wage-Hour Law, the Eight-Hour Law, the Wagner Act, or other similar provisions of domestic law because there is no inconsistency between them and this bill. These laws continue in full force and effect and are in no way affected by this bill. Insofar as the powers granted by subsection (1) of section 3 (a) are concerned, giving the Secretary of War, the Secretary of the Navy, or the head of any other department or agency, when authorized by the President, the power to manufacture or procure defense articles, no discretion is given to waive domestic legislation of the kind mentioned.

The expression "notwithstanding the provisions of any other law" does not repeal the Johnson Act. By its specific terms and by its spirit, that Act does not apply to this Government, to a public corporation created by special authorization of Congress or to a public corporation controlled by the Government. The Johnson Act only prohibits the extensions of credit by individuals or private corporations to a foreign country which has defaulted on its debt to the United States. This

bill does not in any way authorize the extension of credits by private individuals to any foreign country which has defaulted on its debt to the United States; it simply sets up a method for supplying material aid, in the interests of our national defense, on a straight government-to-government basis.

Nor does this bill repeal the provisions of the Neutrality Act of 1939, which by its terms is applicable to private persons and corporations and not to the Government itself. Section 7 is the only provision of the Neutrality Act which might possibly apply to the Government.

That section is not by its express terms made applicable to this Government, although it does apply to Government corporations such as the Export-Import Bank. It should be noted, however, that in the course of the discussion of that section of the Neutrality Act of 1939 on the floor of the Congress some of the Members of Congress thought that it would apply to the extension of credit by the Government. See (1939) 85 Cong. Rec. 1017; (1939) 85 Cong. Rec. 516. However, even if it should be assumed that the spirit of section 7 of the Neutrality Act makes it applicable to the Government, it would be modified by this bill insofar as extensions of credit by the Government may conceivably be involved and only to that extent.

Paragraph (1) of section 3 (a) of the bill empowers the President, when he deems it in the interest of the national defense, to authorize the Secretary of War, the Secretary of the Navy, or the head of any other department or agency of the Government "(1) To manufacture in arsenals, factories, and shipyards under their jurisdiction, or otherwise procure, any defense article for the government of any country whose defense the President deems vital to the defense of the United States."

At the present time, the Government has no statutory authority to manufacture military and naval equipment in its arsenals or to procure such equipment from private manufacturers directly on behalf of any foreign government, except for the American republics pursuant to the Joint Resolution of June 15, 1940 (Public Res. No. 83, 76th Cong.). This paragraph proposes to enlarge the Government's power in this respect to meet the present situation.

This paragraph does not violate international law insofar as the manufacture or procurement of defense articles may be carried on for a belligerent country whose defense is vital to the defense of the United States. In the first place, it is a firmly established principle of international law that a nation is justified in acting in its own self-defense. Secondly, mutuality is an accepted principle of international law as well as of equity, and a nation which violates the basic rules of international law is not in a position to claim that another nation, in the interests of its own defense, is not complying with the less basic rules of international law. Furthermore, the Kellogg-Briand Pact, which is a part of international law not only was intended to outlaw force as a means of resolving international disputes, but its violation has also been regarded by many distinguished international lawyers as giving any signatory the power:

"to decline to observe toward the State violating the Pact the duties prescribed by International Law, apart from the Pact, for a neutral in relation to a belligerent; [and to] Supply the State attacked with financial or material assistance, including munitions of war; \* \* \*."



Germany, Italy, and Japan are parties to the Pact. So, too, are China, Ethiopia, Austria, Czechoslovakia, Poland, Norway, Denmark, Netherlands, Belgium, Albania, and Greece. The United States is also a party to the Pact. The Pact is consistently interpreted by distinguished international law experts to mean that a violator of the Pact, such as Germany, cannot legally renounce the Pact by its violation.

It should also be noted that Hague Convention No. XIII of 1907, which is often erroneously given as a reason in international law for prohibiting the supplying of material aid of the kind in question, is inoperative by its own terms. Article XXVIII of the Hague Convention specifically provides that the Convention shall not apply unless "all the belligerents are parties to the Convention." Great Britain and Italy are not parties to the Convention.

Paragraph (2) of section 3 (a), as amended by your Committee, empowers the President, when he deems it in the interests of national defense, to authorize the Secretary of War, the Secretary of the Navy, or the head of any other department or agency of the Government, "To sell, transfer, exchange, lease, lend, or otherwise dispose of, to any such government any defense article, but no defense article not manufactured or procured under paragraph (1) shall in any way be disposed of under this paragraph, except after consultation with the Chief of Staff of the Army or the Chief of Naval Operations of the Navy, or both."

This, unquestionably, is the most important single provision of the bill. It authorizes the disposition by this Government, to any nation whose defense is vital to the defense of the United States, of any defense article upon those terms and conditions which the President deems satisfactory. As to defense articles which are not specifically manufactured or procured on behalf of such a foreign government, the disposition can only be made after consultation with the Chief of Staff of the Army or the Chief of Naval Operations of the Navy, or both. This provision, in a manner wholly consistent with our Constitution, gives the flexibility necessary to meet the fast changing situation in the war abroad in order that our own national defense interests may be served best. It places this power of negotiation and disposition in the President, the Chief Executive and Commander in Chief of the Army and Navy. As Mr. Justice Sutherland said in *United States v. Curtiss-Wright Export Corp.*, 299 U. S. 304, 319-322:

It is important to bear in mind that we are here dealing not alone with an authority vested in the President by an exertion of legislative power, but with such an authority plus the very delicate, plenary and exclusive power of the President as the sole organ of the Federal Government in the field of international relations \* \* \*. It is quite apparent that if, in the maintenance of our international relations, embarrassment—perhaps serious embarrassment—is to be avoided and success for our aims achieved, congressional legislation which is to be made effective through negotiation and inquiry within the international field must often accord to the President a degree of discretion and freedom from statutory restriction which would not be admissible were domestic affairs alone involved. \* \* \*

When the President is to be authorized by legislation to act in respect of a matter intended to affect a situation in foreign territory, the legislator properly bears in mind the important consideration that the form of the President's action—or, indeed, whether he shall act at all—may well depend, among other things, upon the nature of the confidential information which he has or may thereafter receive, or upon the effect which his action may have upon our foreign

relations. This consideration, in connection with what we have already said on the subject, discloses the unwisdom of requiring Congress in this field of governmental power to lay down narrowly definite standards by which the President is to be governed. \* \* \*

Section 3 also empowers the President to require that in return for the disposition of defense articles, any country, for example Britain, shall pay with rubber, tin, the transfer of defense plants owned in this country, or any other direct or indirect benefit to the United States. The compelling need for this provision is the fact that Britain, for example, has only enough assets which can be converted into dollars in both this country and abroad to pay for orders already placed in this country. According to the testimony of the Secretary of the Treasury, Britain does not have available assets convertible into dollars which can be used to place further orders or to acquire further defense articles in this country. The flexibility granted by this provision to the Chief Executive, who is, by the Constitution, the Commander in Chief of the Army and Navy, is intended to enable him to act quickly and decisively in the best interests of this Nation. It is conceivable that our national security may be materially furthered by supplying certain defending countries, such as Britain, for example, with certain war equipment without repayment in kind or property or any benefit other than that Britain actually uses it in the defense of the British Isles, thereby furthering our own national defense. Where the interests of our national defense are consistent with requiring payment for defense articles, for example, in tin, rubber, or other property, the Chief Executive of this Government undoubtedly will make the best bargain possible for this country. Under this bill, this Government would be empowered to transfer to Britain, for example, certain defense articles for use in the defense of the British Isles, resulting in a benefit to the United States in that, if Britain is successful in her gallant defense of our civilization, our defense expenditures are likely to be reduced, or if Britain's ability to hold out is enhanced, we thus obtain valuable time adequately to prepare. In the opinion of your committee, this would be one of the kinds of benefits contemplated by the bill. However, this power is discretionary and not mandatory. In addition to such a benefit, the Government, of course, can require payment in kind or property.

Paragraph (3) of section 3 (a) enables the President to authorize the Secretary of War, the Secretary of the Navy, or the head of any other department or agency of the Government, "To test, inspect, prove, repair, outfit, recondition, or otherwise to place in good working order any defense article for any such government." Under this provision, the War Department could, for example, test tanks procured for Britain at its Aberdeen Proving Ground, and the Navy Department could repair the *H. M. S. George V* in the Norfolk Navy Yard, if the President deemed it in the interest of the national defense to do so. Here again the power is permissive, not mandatory.

These permissive powers, if exercised, would not violate international law for the reasons previously given in connection with the discussion of paragraph (1) of section 3 (a).

Paragraph (4) of section 3 (a) enables the President to authorize the Secretary of War, the Secretary of the Navy, or the head of any other department or agency of the Government, "To communicate to

any such government any defense information, pertaining to any defense article furnished to such government under paragraph (2) of this subsection." In addition to the explanation about this subject previously given in this report, several other facts should be noted. Within its limitations, this section covers two practical situations. The first is where, for example, a private individual or a firm has a patent on a particular item of military equipment, such as, for instance, the Sperry bombsight. In such a case—prior to recent legislation—it has been the practice of the War and Navy Departments to obtain a contract obligation from the holder of the patent rights not to disclose the patent or military secret without first obtaining the consent of the War or Navy Department. Normally, after a new sight is developed, the War and Navy Departments consent to the release of the information. Under this section of the bill, read together with section 7, the release, for example, of the Sperry bombsight to the Chinese Government would carry with it the obligation on the part of the Secretary of War or the Secretary of the Navy to see to it that the patent rights of the American holder were adequately protected.

Another type of case is the one where the Government itself holds the patent to a military or naval invention by reason of a discovery made by an employee of the Government in the scope of his governmental work and transferred pursuant to statute to the Government, or where the Government has otherwise obtained such a patent in its own name. Paragraph (4) of section 3 (a) of the bill enables the President to authorize the Secretary of War or the Secretary of the Navy to communicate the defense information, relating to any such defense article which has been transferred, to a country whose defense is vital to the defense of the United States.

Paragraph (5) of section 3 (a) enables the President to authorize the Secretary of War, the Secretary of the Navy, or the head of any other department or agency of the Government, "To release for export any defense article to any such government." This provision does not in any way modify or enlarge the right to transport or deliver defense articles.

The intent and purpose of this paragraph is essentially twofold: (1) As already indicated, it prevails over existing laws prohibiting the taking out of the United States of vessels of war built for a belligerent; and (2) it makes it possible for the Secretary of War, for example, to release for export defense articles for Greece without requiring a license from the Administrator of Export Control pursuant to section 6 of the act of July 2, 1940 (Public, No. 703, 76th Cong.). However, it should be noted that under section 5 of the bill, as amended by your committee, full and detailed reports of the transactions must be made to the Congress and to the Administrator of Export Control.

Subsection (b) of section 3 has already been discussed in detail.

Subsections (c) and (d) of section 3 are both committee amendments. Subsection (c) fixes June 30, 1943 as the terminal date of the powers granted to the President or the head of any department or agency of the Government, except that contracts entered into before that date, with a government whose defense is vital to the defense of the United States, may be carried out. Thus, by way of illustra-



tion, a contract with such a country made on December 1, 1941, to procure a thousand pursuit planes which would require 19 months to perform could be carried out by delivery of the planes in August of 1943. However, a similar contract with such a country could not be entered into on July 2, 1943. In this connection it should also be noted that in addition to this time limitation provided by this amended subsection (c), the bill cannot be completely carried into effect unless and until Congress appropriates the funds in the usual manner to manufacture or procure defense articles pursuant to paragraph 1 of section 3 (a). This appropriation limitation will be discussed in more detail in connection with section 6 of the bill.

Subsection (d), which is added to this bill by your committee's amendment, speaks for itself. This subsection provides that the bill shall in no way be construed to authorize or to permit the authorizing of conveying by naval vessels of the United States. In fact, without the amendment it was the view of your committee that nothing in the bill in any way enlarged the powers of the Navy to convoy vessels. However, to avoid any doubt on this highly controversial issue, your committee deems it wise to recommend this amendment.

Sections 4 through 8 of H. R. 1776 are substantially the same as sections 3 through 7 of the Aid-to-American-Republics Joint Resolution of June 15, 1940 (Public Res. No. 83, 76th Cong.), except for a committee amendment adding a new subsection (b) to section 5 of this bill, to require reports to the Congress of the details of the transactions disposing of defense articles. The Act of June 15, 1940, does not require such reporting to the Congress.

Section 4 of H. R. 1776 is intended as a limitation upon the powers granted by the bill and as a protection to the Government. It retains part of the control in the United States Government over defense articles transferred to any country whose defense is vital to the defense of the United States. Thus, for example, rifles transferred to Britain for the defense of the British Isles could not be transferred by Britain to any other country without first obtaining the consent of the President of the United States.

Section 5 of the bill requires the keeping of accurate and detailed records showing the quantities, character, value, terms of disposition, and the destination of the defense articles and information transferred to any foreign government. It also requires the reporting of such information to the Congress, insofar as it is compatible with the public interest to do so. It also requires reporting to the Administrator of Export Control.

Section 6 of H. R. 1776 contains an authorization for an appropriation. Such an authorization, of course, does not appropriate funds nor does it make available funds which can be used to manufacture or procure defense articles for disposition pursuant to the bill. Article I, section 9, clause 7 of the Constitution provides that:

No money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public money shall be published from time to time.

It is, therefore, illegal to contract or otherwise to commit the Government, unless Congress has appropriated funds therefor, or authorized the commitment.

Paragraph (b) of section 6 provides, in effect, a revolving fund, so that any moneys collected from the disposition of articles pursuant to the bill can be used for two years to manufacture or procure equipment under the bill. This is a customary and valid provision. Article I, section 8, clause 12 of the Constitution provides that Congress shall have the power—

“To raise and support Armies, but no Appropriation of Money to that Use shall be for a longer Term than two Years;”

It is well known that the purpose of this constitutional provision is to prevent a large standing army without the constant check and surveillance of the Congress through the means of appropriations. See *The Federalist*, No. XXVI. It should be noted that this provision of the Constitution, neither by its terms nor its spirit, applies to appropriations for military equipment or defense articles. See (1904) 25 Op. Atty. Gen. 105. It has long been customary for the Congress to provide for revolving funds in connection with military and naval equipment. During the World War there were innumerable statutes making provision for similar revolving funds. A similar provision is contained in the Act of October 10, 1940 (Public Res. No. 829, 76th Cong.—the Requisitioning Act). A provision virtually identical for present purposes was included in the Act of June 15, 1940 (Public Res. No. 83, 76th Cong.). This is the Act authorizing material aid to the American republics.

Section 7 requires the Secretary of War, the Secretary of the Navy, and the head of any other department or agency concerned, to make provision for safeguarding the rights of citizens of the United States who have patent rights in any defense article or defense information transferred to a foreign government.

Section 8 authorizes the Secretaries of War and Navy to purchase or acquire arms, ammunition, and implements of war produced within the jurisdiction of any country whose defense is vital to the defense of the United States, if the President deems such a purchase or acquisition necessary in the defense of the United States. Under this provision, the Secretaries of War and Navy could be authorized, for example, to purchase tin from Bolivia or power-driven turrets from Canada, if the President considered such a purchase or acquisition necessary in the interests of the defense of this country.

Section 9 authorizes the President to formulate rules and regulations which may be necessary to carry out the provisions of the bill, and he may exercise any power or authority conferred upon him by the bill, through such department, agency, or officer as he shall direct.

This is a customary statutory provision. Rules and regulations issued under an Act must, of course, be consistent with the terms and purposes of the Act. Thus, the President cannot, for example, provide by rules and regulations that the patent rights of American citizens in any defense articles which are transferred to a foreign government can be disregarded, since this would be contrary to the provisions of section 7 of the bill.

By his rules and regulations and by the authority vested in him by this section to delegate his authority under the bill, the President can provide that the actual administration shall be handled by those people who know most about the subject matter to be covered. Thus, for

instance, in connection with the formulation of certain standard specifications for both United States and British tanks, the regulations might well provide that the Secretary of War, acting with the advice of the Chief of Staff and the Chief of Ordnance, should determine whether the armor plate should be 1 inch or 2 inches thick. Similar administrative matters can equally well be provided for in the regulations, and the necessary administrative power can be delegated.

#### CONCLUSION

It is the firm opinion of your committee that, taking into consideration existing world conditions, prompt enactment of H. R. 1776 into law is of the highest importance to the vital interests of our country—and even of our civilization.







# H. R. 1776

[Report No. 18]

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 10, 1941

Mr. McCORMACK introduced the following bill; which was referred to the Committee on Foreign Affairs

JANUARY 30, 1941

Reported with amendments, committed to the Committee of the Whole House on the state of the Union, and ordered to be printed

[Omit the part struck through and insert the part printed in italic]

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## A BILL

Further to promote the defense of the United States, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*  
3       That this Act may be cited as "An Act to Promote the  
4       Defense of the United States".

5       SEC. 2. As used in this Act—

6       (a) The term "defense article" means—

7               (1) Any weapon, munition, aircraft, vessel, or  
8       boat;

9               (2) Any machinery, facility, tool, material, or  
10       supply necessary for the manufacture, production, proc-

1       essing, repair, servicing, or operation of any article  
2       described in this subsection;

3           (3) Any component material or part of or equip-  
4       ment for any article described in this subsection;

5           (4) Any other commodity or article for defense.

6       Such term "defense article" includes any article described  
7       in this subsection: Manufactured or procured pursuant to  
8       section 3, or to which the United States or any foreign  
9       government has or hereafter acquires title, possession, or  
10      control.

11       (b) The term "defense information" means any plan,  
12      specification, design, prototype, or information pertaining to  
13      any defense article.

14      SEC. 3. (a) Notwithstanding the provisions of any  
15      other law, the President may, from time to time, when he  
16      deems it in the interest of national defense, authorize the  
17      Secretary of War, the Secretary of the Navy, or the head  
18      of any other department or agency of the Government—

19           (1) To manufacture in arsenals, factories, and ship-  
20      yards under their jurisdiction, or otherwise procure, any  
21      defense article for the government of any country whose  
22      defense the President deems vital to the defense of the  
23      United States.

24           (2) To sell, transfer, exchange, lease, lend, or

1 otherwise dispose of, to any such government any defense  
2 ~~article~~ article, but no defense article not manufactured  
3 or procured under paragraph (1) shall in any way be  
4 disposed of under this paragraph, except after consul-  
5 tation with the Chief of Staff of the Army or the Chief  
6 of Naval Operations of the Navy, or both.

7 (3) To test, inspect, prove, repair, outfit, recondi-  
8 tion, or otherwise to place in good working order any  
9 defense article for any such government.

10 (4) To communicate to any such government any  
11 defense information, pertaining to any defense article  
12 furnished to such government under paragraph (2) of  
13 this subsection.

14 (5) To release for export any defense article to  
15 any such government.

16 (b) The terms and conditions upon which any such  
17 foreign government receives any aid authorized under sub-  
18 section (a) shall be those which the President deems  
19 satisfactory, and the benefit to the United States may be  
20 payment or repayment in kind or property, or any other  
21 direct or indirect benefit which the President deems  
22 satisfactory.

23 (c) Neither the President nor the head of any depart-  
24 ment or agency shall, after June 30, 1943, exercise any  
25 of the powers conferred by or pursuant to subsection (a),

1 *except to carry out a contract or agreement with such a*  
2 *government made before July 1, 1943.*

3 *(d) Nothing in this Act shall be construed to author-*  
4 *ize or to permit the authorization of convoying vessels by*  
5 *naval vessels of the United States.*

6 SEC. 4. All contracts or agreements made for the dis-  
7 position of any defense article or defense information pur-  
8 suant to section 3 shall contain a clause by which the foreign  
9 government undertakes that it will not, without the consent  
10 of the President, transfer title to or possession of such defense  
11 article or defense information by gift, sale, or otherwise,  
12 or permit its use by anyone not an officer, employee, or  
13 agent of such foreign government.

14 SEC. 5. (a) The Secretary of War, the Secretary of the  
15 Navy, or the head of any other department or agency of  
16 the Government involved shall, when any such defense arti-  
17 cle or defense information is exported immediately inform  
18 the department or agency designated by the President to  
19 administer section 6 of the Act of July 2, 1940 (54 Stat.  
20 714), of the quantities, character, value, terms of disposi-  
21 tion, and destination of the article and information so  
22 exported.

23 *(b) The President from time to time, but not less fre-*  
24 *quently than once every ninety days, shall transmit to the*  
25 *Congress a report of operations under this Act except such*



1 *information as he deems incompatible with the public interest*  
2 *to disclose. Reports provided for under this subsection shall*  
3 *be transmitted to the Secretary of the Senate or the Clerk*  
4 *of the House of Representatives, as the case may be, if the*  
5 *Senate or the House of Representatives, as the case may be,*  
6 *is not in session.*

7       SEC. 6. (a) There is hereby authorized to be appro-  
8 priated from time to time, out of any money in the Treasury  
9 not otherwise appropriated, such amounts as may be neces-  
10 sary to carry out the provisions and accomplish the purposes  
11 of this Act.

12       (b) All money and all property which is converted  
13 into money received under section 3 from any government  
14 shall, with the approval of the Director of the Budget,  
15 revert to the respective appropriation or appropriations out  
16 of which funds were expended with respect to the defense  
17 article or defense information for which such consideration  
18 is received, and shall be available for expenditure for the  
19 purpose for which such expended funds were appropriated  
20 by law, during the fiscal year in which such funds are  
21 received and the ensuing fiscal year.

22       SEC. 7. The Secretary of War, the Secretary of the  
23 Navy, and the head of the department or agency shall in all  
24 contracts or agreements for the disposition of any defense  
25 article or defense information fully protect the rights of all



1 citizens of the United States who have patent rights in and  
2 to any such article or information which is hereby authorized  
3 to be disposed of and the payments collected for royalties on  
4 such patents shall be paid to the owners and holders of such  
5 patents.

6       SEC. 8. The Secretaries of War and of the Navy are  
7 hereby authorized to purchase or otherwise acquire arms,  
8 ammunition, and implements of war produced within the  
9 jurisdiction of any country to which section 3 is applicable,  
10 whenever the President deems such purchase or acquisition  
11 to be necessary in the interests of the defense of the United  
12 States.

13       SEC. 9. The President may, from time to time, promul-  
14 gate such rules and regulations as may be necessary and  
15 proper to carry out any of the provisions of this Act; and he  
16 may exercise any power or authority conferred on him by  
17 this Act through such department, agency, or officer as he  
18 shall direct.



77<sup>TH</sup> CONGRESS  
1<sup>ST</sup> Session

H. R. 1776

[Report No. 18]

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## A BILL

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Further to promote the defense of the United States, and for other purposes.

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By Mr. McCORMACK

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JANUARY 10, 1941

Referred to the Committee on Foreign Affairs

JANUARY 30, 1941

Reported with amendments, committed to the Committee of the Whole House on the state of the Union, and ordered to be printed





## TO PROMOTE THE DEFENSE OF THE UNITED STATES

JANUARY 31, 1941.—Committed to the Committee of the Whole House on the state of the Union and ordered to be printed

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Mr. FISH, from the Committee on Foreign Affairs, submitted the following

### MINORITY VIEWS

[To accompany H. R. 1776]

We are for all aid to Britain short of war, and short of sacrificing our own defense and our own freedom. The British, in their valiant struggle which has aroused our deepest sympathy, need planes, guns, and war material.

We are for this objective without delay. We believe this objective can be accomplished without granting enormous power to the President, which the founders of the Republic wisely decreed should remain with Congress as the representatives of the people. If there is any delay in reaching this objective it would be caused by this unprecedented bid for Presidential power.

We would willingly support a straightforward bill which would grant Britain \$2,000,000,000 worth of credit.

This would eliminate the step of giving the President absolute power over every concern in this country manufacturing war materials. This would not permit him to be the director of the war in England, a position which is fraught with great danger to the American people. If we assume the direction of the war, we underwrite the success of the war. The ultimate result must be the American people will pay the full costs of the war and that means we will be obligated to put our material resources and our men into the struggle.

Granting credits, which England needs, will fully meet the situation of today and it will lessen materially the likelihood of our going into the war. Our naval and military experts agree that our Nation is in no danger of attack; that with our vast resources and geographical position our situation is not comparable to that of nations of Continental Europe.

This power requested is too much to give any man at a time when the country is at peace. As Secretary Cordell Hull once said:

This is too much power for a bad man to have, or for a good man to want.

## WHAT IS NEEDED

We have been given two reasons for new laws: (1) Britain is running short, not of money, not of assets, but of dollar exchange. (2) We need to coordinate British procurement with our own defense efforts.

## WHAT THIS BILL DOES NOT DO

This bill does not provide dollar exchange for Britain, and is not needed to procure coordination of our defense efforts.

This bill will not provide any additional war supplies for aid to Britain within the 60 or 90 days of her alleged crisis, unless the President uses the power provided to dispose of part of our arms or our Navy, which he and his Cabinet officers have specifically denied they could spare.

There has been much talk of "restrictive" committee amendments. The amendments adopted do not prohibit our convoying merchantmen; do not require our Army or Navy officers to determine our own defense needs; do not place a constitutional 2-year limitation on the life of the bill.

## WHAT THIS BILL DOES

Using the slogan of "Aid to Britain," and under the title of "Promoting defense," this bill gives the President unlimited, unprecedented, and unpredictable powers—literally to seize anything in this country and to give it to any other country, without limit in law. He may sell or give away our Navy, our planes, our arms, our secrets, and use any proceeds from such sales for similar purposes; he need come to Congress only for appropriations to restore our Navy, our planes, our arms.

John Bassett Moore, world-famous authority on international and constitutional law, says:

The pending bill assumes to transfer the war-making power from the Congress, where the Constitution lodges it, to the Executive. \* \* \* The tide of totalitarianism in government \* \* \* has not only reached our shores, but has gone far to destroy constitutional barriers, which, once broken down, are not likely to be restored.

Remember, we cannot repeal war; we cannot repeal bankruptcy; and we cannot repeal dictatorship. Under this bill we surrender our democratic way of life now, for fear of a future threat to our democratic way of life. The oldest and last constitutional democracy surrenders its freedom under the pretext of avoiding war, with the probable result that the newest dictatorship will soon go to war.

## OUR PROPOSAL

We have offered in committee, and will offer again on the floor, the following constructive, democratic program to aid Britain and to keep us out of war:

1. A \$2,000,000,000 credit to Britain, to be used in this country for purchasing arms when her dollar balance for this purpose is exhausted, requiring reasonable collateral security if available.

2. Permit the sale by our Government of arms to Britain only when our highest Army and Navy officers certify in writing such arms are not necessary for our national defense.



3. A 1-year time limit on all extraordinary powers. Congress meets again next year and can easily extend the time limit if our interests require it.

4. Provide that no vessels of the United States Navy shall be disposed of without the consent of Congress.

5. Prohibit the use of our ports for repair bases for belligerent ships. We must not bring the war to American ports.

6. Prohibit the use of American vessels to transfer exports to belligerents.

7. Prohibit the convoying of merchantmen by our Navy. One sunken ship might plunge us into war.

Our program would permit the coordination of all foreign purchases through the Office of Production Management, instead of making the President the director-general of the war in Europe. Our Government now has power to fix priorities and forbid exports, so no additional powers are needed to enforce coordination. At our hearings, Mr. Knudsen was asked: "You have sufficient power now to coordinate the procurement of materials?" Mr. Knudsen answered: "Yes." If instead of coordination we demand domination; if we assume what Secretary Stimson called the general strategy of the war, we assume the responsibility for its outcome—and that leads to sending an expeditionary force overseas.

Congress should specify the nations to receive aid. To leave it wide open would mean the President could, now that we have lifted the moral embargo, give aid to Russia, by sending planes and war materials. Congress is to be in session for some months. It can extend aid to other countries if it is necessary.

#### CONCLUSION

This is the most important and far-reaching bill this House has ever considered. It involves a complete change in the way of life of our Republic, both internal and in our foreign relations. We should face this legislation calmly and courageously as intelligent patriots, without panic or partisanship. We do not solve these problems merely by passing them all on to one man. Control of the purse and control of the war-making power belong to Congress. The safety and security of the American people demand they remain with Congress.

HAMILTON FISH,  
CHARLES A. EATON,  
EDITH NOURSE ROGERS,  
ROBERT B. CHIPERFIELD,  
JOHN M. VORYS,  
KARL E. MUNDT,  
BARTEL J. JONKMAN,  
FRANCES P. BOLTON.



## CONSIDERATION OF H. R. 1776

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JANUARY 31, 1941.—Referred to the House Calendar and ordered to be printed

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Mr. SABATH, from the Committee on Rules, submitted the following

### REPORT

[To accompany H. Res. 89]

The Committee on Rules, having had under consideration House Resolution No. 89, reports the same to the House with the recommendation that the resolution do pass.

○



77<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. RES. 89

[Report No. 19]

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 31, 1941

Mr. SABATH, from the Committee on Rules, reported the following resolution;  
which was referred to the House Calendar and ordered to be printed

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## RESOLUTION

1       *Resolved*, That upon the adoption of this resolution it  
2 shall be in order to move that the House resolve itself into  
3 the Committee of the Whole House on the state of the Union  
4 for consideration of H. R. 1776, a bill further to promote the  
5 defense of the United States, and for other purposes, and all  
6 points of order against said bill are hereby waived. That  
7 after general debate, which shall be confined to the bill and  
8 shall continue not to exceed three days, to be equally divided  
9 and controlled by the chairman and ranking minority member  
10 of the Committee on Foreign Affairs, the bill shall be read  
11 for amendment under the five-minute rule. At the conclu-  
12 sion of the reading of the bill for amendment, the Committee

1 shall rise and report the same to the House with such amend-  
 2 ments as may have been adopted, and the previous question  
 3 shall be considered as ordered on the bill and amendments  
 4 thereto to final passage without intervening motion except  
 5 one motion to recommit, with or without instructions.

77<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION**H. RES. 89**

[Report No. 19]

**RESOLUTION**

For the consideration of H. R. 1776, a bill further to promote the defense of the United States, and for other purposes.

By Mr. SARATH

JANUARY 31, 1941

Referred to the House Calendar and ordered to be  
 printed







# S. 275

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## IN THE SENATE OF THE UNITED STATES

FEBRUARY 3, 1941

Referred to the Committee on Foreign Relations and ordered to be printed

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## AMENDMENT

Intended to be proposed by Mr. McNARY to the bill (S. 275) further to promote the national defense of the United States, and for other purposes, viz: On page 3, between lines 18 and 19, insert the following new subsection:

- 1 (c) Notwithstanding the provisions of subsection (a)
- 2 or (b), no merchant vessel shall be sold, transferred, ex-
- 3 changed, leased, loaned, or otherwise disposed of to any
- 4 such foreign government unless such government agrees that
- 5 it will, as soon as practicable after the cessation of the hos-
- 6 tilities now being carried on in Europe, (1) return such
- 7 vessel in good condition to the United States, and (2) in
- 8 case such vessel is sunk or destroyed, pay to the United
- 9 States an amount equal to the cost to the United States of

1 such vessel. In any case in which any such vessel is so  
2 returned to the United States, the President is authorized  
3 to make an equitable adjustment with such foreign govern-  
4 ment with respect to any consideration theretofore received  
5 by the United States for or on account of such vessel. The  
6 provisions of this subsection shall not apply in the case of  
7 the sale, transfer, or exchange of a merchant vessel to any  
8 such foreign government where value equal to the cost to  
9 the United States of such vessel was received by the United  
10 States at the time of such transaction.



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## AMENDMENT

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Intended to be proposed by Mr. McNARY to the bill (S. 275) further to promote the national defense of the United States, and for other purposes.

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FEBRUARY 3, 1941

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Referred to the Committee on Foreign Relations and  
ordered to be printed



## VI. Combined statement of assets and liabilities of governmental corporations and credit agencies

[As of Nov. 30, 1940. In millions of dollars]

Corporation or agency	Assets	Liabilities		Net worth	
		Obligations guaranteed by the United States <sup>1</sup>	All other (including reserves)	Proprietary interest of the United States	Other
Commodity Credit Corporation.....	927.0	666.9	130.0	100.1	.....
Federal Farm Mortgage Corporation.....	1,514.7	1,276.9	41.3	196.5	.....
Federal Housing Administration.....	69.9	12.8	2.8	54.3	.....
Home Owners' Loan Corporation.....	2,707.4	2,635.9	50.6	20.9	.....
Reconstruction Finance Corporation.....	1,661.7	1,099.7	308.0	253.1	.....
Tennessee Valley Authority.....	357.4	.....	15.4	342.0	.....
U. S. Housing Authority.....	369.1	226.8	4.7	137.6	.....
U. S. Maritime Commission.....	261.7	.....	90.7	171.0	.....
Federal land banks.....	2,230.1	.....	1,818.8	206.3	214.0
All other.....	3,170.7	.....	927.5	2,044.0	199.2
Total.....	13,278.7	25,949.0	3,390.7	3,525.8	413.2

<sup>1</sup> Includes accrued interest.<sup>2</sup> Includes \$57,300,000 held by the Treasury.

NOTE.—The foregoing figures are compiled from latest reports received by the Treasury Department from the respective corporations and agencies. The amounts covering obligations guaranteed by the United States differ from those shown in table V for the reason that they are stated as of Nov. 30, 1940, instead of Dec. 31, and include accrued interest, and also obligations held by the Treasury.

## EXTENSION OF REMARKS

Mr. CURTIS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD.

The SPEAKER. Is there objection? There was no objection.

Mr. PLOESER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD.

The SPEAKER. Is there objection? There was no objection.

## THE LATE WILLIAM GIBBS M'ADOO

Mr. ELLIOTT of California. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection? There was no objection.

Mr. ELLIOTT of California. Mr. Speaker, I rise to say farewell to a friend. To me and to thousands of other citizens of California, and of the Nation at large, the death of former Senator William Gibbs McAdoo is a personal bereavement. I personally have known him for many years and have known him well. He was a resident of my congressional district. Whatever differences of opinion anyone may have entertained concerning any of the views of William Gibbs McAdoo on public questions, no one could question his ability, his sincerity, or his courage. Although never yielding from his principles or deviating from his determined course, he was always, despite the greatest provocation, courteous, considerate, and charitable to everyone. In all things and at all times he was, in the truest sense, a gentleman.

Mr. Speaker, William Gibbs McAdoo will be missed, and deeply missed, by the wide circle of friends which was his in every walk of life as a result of his devoted and distinguished service to the State of California and to the Nation.

## PRINTING OF HEARINGS BEFORE FOREIGN AFFAIRS COMMITTEE ON H. R. 1776

Mr. JARMAN. Mr. Speaker, from the Committee on Printing I report back fa-

vorably (Rept. No. 21) a concurrent resolution (H. Con. Res. 15), and ask for its immediate consideration.

The Clerk read as follows:

## House Concurrent Resolution 15

*Resolved by the House of Representatives (the Senate concurring), That, in accordance with paragraph 3 of section 2 of the Printing Act approved March 1, 1907, the Committee on Foreign Affairs of the House of Representatives, be, and is hereby, authorized and empowered to have printed for its use 5,000 additional copies of the hearings held before said committee on the bill (H. R. 1776) entitled "A bill further to promote the defense of the United States, and for other purposes."*

Mr. MARTIN of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. JARMAN. Yes.

Mr. MARTIN of Massachusetts. I understand that these are for the benefit of the Members of the House and that they are to be distributed by the Committee on Foreign Affairs.

Mr. JARMAN. The gentleman is correct. That is the normal manner of distribution.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

## EXTENSION OF REMARKS

Mr. TARVER. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix by publishing a short article from the Atlanta Constitution relating to the birth and early life of the late Hon. William Gibbs McAdoo.

The SPEAKER. Is there objection?

There was no objection.

Mr. O'CONNOR. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include Senate Joint Memorial No. 3 from the State of Montana, in support of the Committee on Investigation of un-American Practices.

The SPEAKER. Is there objection?

There was no objection.

## ARKANSAS VALLEY AUTHORITY

Mr. ELLIS. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. ELLIS. Mr. Speaker, I have just been advised that Governor Carr, of Colorado, has taken it upon himself to declare a state of civil war and has asked the Governors of 16 Western States to join him in what he unfortunately calls a "bloodless civil war" against the proposed Arkansas Valley Authority.

Governor Carr bases his opposition on a pseudo fear that it would disturb the water rights of his great State. It is evident from what he says that Governor Carr is either misinformed as to the broad purposes of the Arkansas Valley Authority and the good that would come from it to the people of Colorado, or he has become the mouthpiece of the Power Trust.

If the people of Colorado have all the water they want for irrigation, if they do not desire to cooperate in control of the floods, if they want to continue to pay exorbitant power rates, if they do not want to make more effective existing efforts toward water and wind control, if they want no further industrialization of Colorado, and if they do not want to in this manner aid the national defense, then Governor Carr's statements would be consistent with their views. But I know this is not the case.

The people of Colorado, for instance, in 1938 used approximately 582,000,000 kilowatt-hours of electricity for which they paid approximately \$18,000,000. Under the T. V. A. rates they would have paid less than \$9,500,000, and they would have saved \$8,500,000. The A. V. A. can bring them rates just as cheap as the T. V. A.

Governor Carr's difficulty seems to be that he is thinking in terms of days of the Civil War, while his people are thinking in terms of 1941.



## EXTENSION OF REMARKS

Mr. NICHOLS. Mr. Speaker, I ask unanimous consent to extend my remarks and include an editorial from the Washington Star.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. CASEY of Massachusetts. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix of the RECORD and include an editorial from the Boston Post.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. BUCKLER of Minnesota. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein a brief on the old-age-pension law in Minnesota, as presented to the Supreme Court.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. COFFEE of Washington. Mr. Speaker, I ask unanimous consent to extend my remarks on two different topics and to include therein brief excerpts from editorials and letters.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. MUNDT. Mr. Speaker, I ask unanimous consent to extend my remarks and include therein a newspaper article.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. WHITE. Mr. Speaker, I ask unanimous consent to extend my remarks and include a report from a daily newspaper.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. NELSON. Mr. Speaker, I ask unanimous consent to extend my remarks and include therein extracts from three letters from constituents.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. SWEENEY. Mr. Speaker, I ask unanimous consent to extend my remarks to include a resolution of protest from the United Irish-American Societies of New York City against the bill H. R. 1776.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. LUDLOW. Mr. Speaker, I ask unanimous consent to extend my remarks and include a brief communication from a constituent, B. F. Phemster.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. KEFAUVER. Mr. Speaker, I ask unanimous consent to extend my remarks and include therein a radio speech I made on Saturday last.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. DARDEN of Virginia. Mr. Speaker, I ask unanimous consent to extend my remarks and include therein an editorial.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix and to include therein my testimony before the Ways and Means Committee on the bill to raise the public-debt limit.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix and to include therein Senate Joint Resolution No. 7 of the California State Legislature.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. JARRETT. Mr. Speaker, I ask unanimous consent to extend my remarks and include therein a quotation from Thomas Jefferson, Mark Twain, and others, compiled by Fred E. Knight, of Highspire, Pa.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

## ORDER IN THE GALLERIES

The SPEAKER. The Chair desires to make a statement to the guests in the galleries that he trusts may carry throughout the week. Any evidence in the galleries of approval or disapproval of what is occurring on the floor of the House is in violation of the rules of the House. Applause of approval or evidences of disapproval are in direct violation of the rules of the House. The Chair trusts that those in the galleries will help the Chairman of the Committee of the Whole House on the state of the Union in carrying out the rules of the House.

## PROMOTION OF THE DEFENSE OF THE UNITED STATES

Mr. SABATH. Mr. Speaker, I call up House Resolution 89.

The Clerk read as follows:

## House Resolution 89

*Resolved*, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for consideration of H. R. 1776, a bill further to promote the defense of the United States, and for other purposes, and all points of order against said bill are hereby waived. That after general debate, which shall be confined to the bill and shall continue not to exceed 3 days, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Foreign Affairs, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the bill for amendment, the Committee shall rise and report the same to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without inter-

vening motion except one motion to recommend, with or without instructions.

Mr. SABATH. Mr. Speaker, I shall later yield 30 minutes to the gentleman from New York, ranking member of the Committee on Rules. At the present time I yield myself 10 minutes.

The SPEAKER. The gentleman from Illinois is recognized.

Mr. SABATH. This rule makes in order H. R. 1776, a bill to promote the defense of the United States. The rule is a broad and liberal one. It provides for 3 days of general debate, after which it will be taken up and read for amendments under the 5-minute rule. This rule was granted by unanimous vote.

Last Thursday the Committee on Foreign Affairs filed its report, and on Saturday printed hearings were available to all Members. In view of that, and as the provisions of the bill have been commented upon by the press and radio, I feel that nearly every Member is familiar with it.

## H. R. 1776 FALSELY LABELED A WAR MEASURE

Mr. Speaker, ladies and gentlemen, it is indeed unfortunate that a few men, while professing a desire for national defense, who have even heretofore unjustly accused the President of delaying the defense program, now classify this bill as a war measure. They say they are anxious to give all possible aid to Great Britain, but at the same time seek to tie the hands of the President, who is, after all, Commander in Chief of the Army and Navy, and who to a greater degree is opposed to war than any of these gentlemen. For unknown reasons they are opposed to granting him additional powers, and endeavor to set themselves up as possessing great knowledge of foreign affairs and conditions, notwithstanding that he has been from the beginning of hostilities abroad in a position to receive direct information—authentic and reliable reports through diplomatic channels—from our foreign offices, intelligence bureaus, and foreign observers.

When we considered the repeal of the Embargo Act the hue and cry was raised that we were rushing toward war, and that we did not have the defense of the country in mind. Those who criticized the Neutrality Act are silent about it now, for it is generally conceded that the law has safeguarded us. But now they attack the present bill in the same manner. The appeasers, the Lindberghs, Landons, Verne Marshalls, and even some Members of this House, go so far as to cry that this is a war measure. They have been proven wrong in the past, but still fight the President at every opportunity. Let me ask you: Who is in a better position to know of world conditions and their possible consequences insofar as this Nation is concerned? Would you say that Senator Wheeler, Colonel Lindbergh, Verne Marshall, or Mr. Davis are as qualified to speak as the President, General Pershing, Secretary Hull, and Rear Admiral Yarnell?



Surely no man in the history of our Nation has enjoyed the confidence of the country to a greater degree than the President has, and rightfully so. Even his enemies—those so strongly opposed to his humane policies and the New Deal—dare not question his patriotism and devotion to our country's interests.

I do not expect anything but attacks and criticisms heaped upon him by totalitarian propagandists, and by some misguided but well-meaning men and women, but it is hard for me to understand that men who should be aware of the dangers that are threatening our Nation should, as it appears to me, for political reasons, lend themselves at this critical time to creating even the smallest degree of dissension in our land.

#### EFFORTS OF THE PRESIDENT FOR WORLD PEACE

Colonel Lindbergh, who gained the applause of the Nation by being the first to fly across the ocean, suggested that the President should make an effort to bring about a negotiated peace, ignoring all the efforts the President has made. Or perhaps he may have been out of the United States on those occasions. But for his information and all others who advocate that such an effort be made, I wish to call their attention to the real efforts the President has constantly made in that direction. I particularly want to read you some extracts from a few of his speeches.

Mr. WOLCOTT. Mr. Speaker, reserving the right to object, may I ask the gentleman from Illinois if he intends to include in these statements in respect to the President's peace policy excerpts from the President's quarantine speech at Chicago?

Mr. SABATH. Yes.

Mr. WOLCOTT. And his stab-in-the-back speech in Virginia?

Mr. SABATH. I shall read from his Chicago speech of 1937, when he pleaded for preparedness and called attention to the war conditions abroad.

Mr. WOLCOTT. And does the gentleman intend also to include in his remarks the stab-in-the-back statement made in Virginia?

Mr. SABATH. No. I shall not include in my remarks all the statements the President has made, of course. But I do call attention to the fact that he did appeal to Mussolini, at which time he was assured that Italy would not enter the war.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. SABATH. Some 6 months before the invasion of Austria the President clearly and intuitively foresaw the war shadows over Europe. In his address in Chicago in October 1937, in which he outlined his attitude toward aggressor nations, he said:

It is my determination to pursue a policy of peace and to adopt every practical measure to avoid involvement in war. It ought to be inconceivable that in this modern era, and in the face of experience, any nation could be so foolish and ruthless as to run the risk of plunging the whole world into war by invading and violating in contravention of solemn

treaties, the territory of other nations that have done them no real harm and which are too weak to protect themselves adequately.

War is a contagion, whether it be declared or undeclared. It can engulf states and peoples remote from the original scene of hostilities. We are determined to keep out of war, yet we cannot insure ourselves against the disastrous effect of war and the danger of involvement. We are adopting such measures as will minimize our risk of involvement, but we cannot have complete protection in a world of disorder in which confidence and security have broken down.

America hates war.

These utterances have been repeated and emphasized by the President in language as strong and stronger, time and time again.

During Hitler's attempt at the rape of Czechoslovakia, the President desired to use his good offices in trying to mediate the situation. He communicated with Hitler on April 14, 1939:

Nothing can persuade the peoples of this earth that any governing power has any right or need to inflict the consequences of war on its own or any other people save in the cause of self-evident home defense. \* \* \* I think you will not misunderstand the spirit of frankness in which I send you this message. Heads of great governments in this hour are literally responsible for the fate of humanity in the coming years. They cannot fail to hear the prayers of their peoples to be protected from the foreseeable chaos of war.

#### HITLER'S FALSE PROMISES

I, for one, feel that the President has done everything humanly possible—and not even Colonel Lindbergh or others could have used a more strong appeal than President Roosevelt has—for a continued peace. But in view of Hitler's past record, we know that no assurances or promises that he would give would be carried out or could be relied upon. How can we negotiate or even think of entering into negotiations with representatives of a government whose every utterance and action is based on lies, swindles, torture, tyranny, deceit, and brutality? Have we forgotten the long chain of promises, promise after promise, made and broken by the present German Government?

It began with one of the earliest and most subtle of statements made by Hitler on February 10, 1933, just a few days after coming into power:

The first and last point of the Government's program is that we won't lie and we won't swindle.

On May 17 of the same year as evidence of his good faith he said:

The German Government wishes to settle all difficult questions with other governments by peaceful methods. \* \* \* The German people have no thought of invading any country.

This was repeated over and over, yet on October 14, 1933, Germany left the League of Nations, and on August 17, 1934, at Hamburg, Hitler continued to say:

The German Government, like the German people, are filled with the unconditioned wish to make the greatest possible contribution to the preservation of peace in this world.

But in March of the following year, Hitler announced most exacting and de-

tailed plans of conscription. On January 30, 1936, Hitler said:

We want to be a peace-loving element among the nations. We cannot repeat that often enough.

Two months later Germany reoccupied the Rhineland and denounced the Locarno Pact.

In addressing a crowd at Breslau later on, Hitler said:

It is one of the most elementary principles that nations should allow each other to live within their own territories as they wish to live.

And after giving assurances in no uncertain terms to Schusnigg, Germany invaded Austria on March 11, 1938.

During the Czechoslovakia crisis this is what the Fuehrer had to say:

We want to live our own life, and we want other people to do the same.

Then came Munich. We need not tell that story over again. After Munich Hitler continued:

We have assured all our immediate neighbors of the integrity of their territory as far as Germany is concerned. That is no hollow phrase; it is our sacred will.

The Sudetenland is the last territorial claim which I have to make in Europe. I have assured Mr. Chamberlain, and I emphasize it now, that when this problem is solved, Germany has no more territorial problems in Europe.

Then several weeks later, in the form of a New Year's greeting to his people on January 1, 1939, Hitler said:

In general we have but one wish—that in the coming year we may be able to make our contribution to this general pacification of the whole world.

Thirty days later he continued:

Only the warmongers think there will be a war. I think there will be a long period of peace.

And then just 42 days later Hitler seized Czechoslovakia, and 6 days later annexed Memel.

In reply to President Roosevelt's plea for peace in a personal telegram sent to Adolf Hitler, Hitler had this to say:

Mr. Roosevelt believes that the "tides of events" is once more bringing the threat of arms, and that if this threat of arms continues a large part of the world is condemned to a common ruin. As far as Germany is concerned I know nothing of this kind of a threat to other nations.

As proof of this Hitler communicated with all other nations bordering on German soil, asking whether each feared or had any apprehension concerning its sovereignty. Each, of course, during the tenseness of the situation replied in the negative. Hitler then stated:

All states bordering on Germany have received much more binding assurances, and, above all, suggestions, than Mr. Roosevelt has asked from me in his curious telegram.

#### THE FATE OF NATIONS RECEIVING HITLER'S BINDING ASSURANCES

Well, here is a very brief review of some of the things that happened shortly thereafter to those nations that had received such binding assurances.

The Sudetenland was invaded on October 1, 1938, and Conrad Henlein, Nazi



leader, made Governor. Czechoslovakia, invaded on March 14, 1939, was given Baron von Neurath, German Nazi leader, as "protector." After mediation, Hitler appointed Dr. Joseph Tiso, a Slovakian Nazi leader, as "premier" of Slovakia. The occupation of Danzig was effected in September 1939, and Albert Forster, a native Nazi leader, was elected President of the Senate. Poland was invaded September 27, 1939, and Dr. Hans Frank, a German, was appointed Governor General. Denmark was invaded on April 9, 1940, and a German, Gen. Leonard Kaupisch, commander of the German Expeditionary Forces, was appointed Governor. Norway was invaded on May 2, 1940, and a Norwegian Nazi, Vidkun Quisling, was first placed in command, to be followed by Josef Terboven as German Governor General. The Netherlands was invaded on May 15, 1940, and Arthur Seyss-Inquart appointed German Commissar for the duration of the war. Belgium was invaded on May 28, 1940, and a German, Gen. Alexander Falkenhausen, was appointed military commander.

This then, is the history in brief of those small countries that received such binding assurances from Hitler.

As just another instance of Hitler's words compared to Hitler's acts, let us listen to what he had to say of Russia:

We see in Bolshevism a bestial, mad doctrine which is a threat to us. \* \* \* I cannot make a pact with a regime whose first act is not the liberation of workmen but of the inmates of jails \* \* \* we cannot negotiate with Jewish Communist leaders. \* \* \*

There are two worlds. In Bolshevist Russia there is devastation, grim murder, and ruin. Here is laughter, happiness, and beauty.

Only a short time thereafter, to the amazement of the world, signatures were affixed to the now famous Russo-German Pact of August 21, 1939.

Before the pact with Russia, Hitler had this to say of Poland:

The Polish state respects the national conditions in this country, and Danzig and Germany respect Polish rights. Thus it has been possible to find the way to an understanding which, emanating from Danzig, in spite of the assertions of many mischief makers, has succeeded in removing all friction between Germany and Poland, and made it possible to work together in true amity.

Then, of course, in September of the same year Poland was invaded. On the same day Hitler announced to the world:

I will not war against women and children. I have ordered my air force to restrict itself to attacks on military objectives.

But the bombing of Polish open towns began on the first day of the war and on September 3 the *Athenia* was sunk.

Last week in his speech Hitler served notice that any vessel of this Nation which attempted to penetrate the war zone would be sunk. Certainly we have had every indication that any attempt to appease him would be useless. On March 18, 1938, on the floor of this House, I stated:

EXPRESSED BELIEF IN SECRET CONSPIRACY 3 YEARS AGO

Three years ago I voiced belief that a secret or tacit agreement existed between Hit-

ler, Mussolini, and Japan, but my warning went unheeded. The strategy practiced by those countries conformed exactly to that predicted by Professor Masaryk, who was intimately aware of Germany's ambitions.

In the Orient Japan pursued a course toward domination of the yellow races, apparently with reassurance that Italy and Germany would so engage the attention of the European democracies that interference in China would be impossible.

In Ethiopia Mussolini's war machine grinded to its conquest while Hitler's silence gave approval.

Internal dissent in Spain, nourished by the dictator countries, finally flamed into civil war, and the legions of Italian and German soldiers took stand in battle against the established government.

Hitler, demanding the return of Germany's lost colonies, only cloaked his purpose of European aggression, and it was long ago clear that he would one day climax the years of planned propaganda in Austria by an invasion of that country. His seizure of Austria is but a prelude of more ambitious plans. Peace- and liberty-loving Czechoslovakia, Rumania, Hungary, and the other small independent nations now see his shadow across their lands—Memel, Danzig, and the Polish Corridor, Alsace-Lorraine, and the much-desired Ukraine.

It was apparent at the time that the threat extended to the Netherlands, Norway, and Belgium, but I hoped against hope that my fears were unfounded. Unfortunately everything I predicted, and even more, came to pass. I called attention then to the dangers to our country if Great Britain should be defeated. Today I am more positive of Nazi-Fascist dangers than I was even then, 3 years ago. Over 2 years ago the newspapers reported huge sums of money rumored to be deposited in nations throughout the world by the Hitler-Goebbels gang. It was clear then that this money was intended for propaganda and bribery, and only 9 short months ago Colonel Donovan, after a thorough investigation, reported that over \$200,000,000 had been spent for propaganda, not only in this country but in the South and Central American republics. We know the success he has had in other nations through the use of propaganda, which includes the deception of real patriots. Let us not be misled in this country by the same clever propaganda. We see in some of the arguments brought forward against this bill the stamp of foreign origin.

Just as Kaiser Wilhelm was misled into believing that his agents here would be able to weaken morale and create dissension and discord to a point where internal chaos would promote German aims, so Hitler is deceiving himself. I do not fear that in the long run the American people will be misled, but we must be on our guard, and this is one instance where we must let our reason and love of democracy, liberty, and peace guide us in our conclusions, and not be influenced by foreign propaganda.

#### OUR SITUATION IF BRITAIN IS DEFEATED

If Britain loses, the invasion of South America is something we will have to contemplate. Remember, they would be closer to that continent than we are. They have organized powerful "fifth columns" in our sister republics there, and the South American armies certainly could not cope with the military might of Germany. Moreover, once established

there an invader could threaten the Panama Canal and from bases in northern South America could bomb our Caribbean bases and even the Gulf coast cities and the west coast. At the same time we would face Nazi attacks from Iceland and the Azores.

With Britain defeated and our own fleet divided between the Atlantic and the Pacific, air bases in Newfoundland and on the shores of Hudson Bay—and this is not a flight of the imagination—would threaten a great sweep of our country. The industrial northeast and the great cities of the Middle West would be within easy range of bombers.

Those who oppose this bill point to the fact that we are building a two-ocean navy and thousands of planes. They say we need only to look to our own defenses. Well, we are building a two-ocean navy. But it will not be ready until 1946. And we are building thousands of planes. But it will not be until 1942 that our plane-manufacturing capacity can equal that of the Nazis. In the meantime, we have got to keep war away from our shores, and the only way to do so is to see that Britain is given every possible aid. We must send them planes, tanks, guns, food, in ever increasing quantities. And it is no more an act of war for us to do so than it is for Russia and Sweden to supply Germany with the materials of war, as they are now doing. We must do everything within our power to keep England's fleet on the ocean, a first line of defense for this continent against warring aggressor nations. Listen to what Gen. John J. Pershing had to say:

I say to you, solemnly, that today may be the last time when by measures short of war we can still prevent war. If there is anything we can do to save the British Fleet, we shall be failing in our duty to America if we do not do it.

Listen to Rear Admiral Harry E. Yarnell, commander, Asiatic squadron, United States Navy, 1936-39:

If Britain loses this war, we will face years of danger, with our Nation converted into a huge armed camp and a major part of the revenue spent for armament.

It is my fervid prayer that Americans throw aside all the propaganda that has been manufactured to defeat measures such as this, measures vital to the safety of America. This rule should be adopted and the bill passed. It is but one of many measures we should enact to guard against the danger of an aggressor threatening the Western Hemisphere.

The SPEAKER. The gentleman from Illinois has consumed 7 minutes.

The gentleman from New York [Mr. FISH] is recognized.

Mr. FISH. Mr. Speaker, there is no opposition to this rule. It is an open rule providing for 3 days of general debate.

The Speaker has indicated to the minority that he would be very liberal, and that in case the Members wanted additional time we might sit late into the evening.

There is no disposition by the minority in any way to obstruct or delay the consideration of this bill, and we hope that it will be disposed of this week. I am taking time under the rule to discuss



the bill so that more time will be available to others in general debate.

At the beginning of this momentous debate, involving the destiny of America, I plead that the bill before us be considered on its merits or demerits without resort to personal abuse or vilification. The issues presented, of preserving our free institutions, representative and constitutional government, and keeping out of war, are so great and far reaching as to transcend all party lines. It is with humility and a prayer in my heart that I open the debate against what I term to be in its present form the dictator-war-bankruptcy bill.

I have felt from the beginning that this bill, the most important that has been brought before the Congress during the 20 years that I have been a Member, and one of the most important in the history of our Republic, must be largely determined on the floor of the House after full and free debate, and not in any committee of the House. Of the 14 Democratic votes cast for the bill in the Committee on Foreign Affairs, a majority of them come from south of the Mason-Dixon line, with a population of approximately one-sixth of the Nation and where there is less opposition to intervention and war than in the rest of the country.

From reports I have been receiving there is a rising tide of resentment against this bill in the North and West, as a camouflaged attempt to get us into war without requiring the consent of Congress and as a slick device to further regiment America.

After weeks of hearings, I have reached the conclusion that the passage of H. R. 1776 without further amendments is a war measure and would be a betrayal of the constitutional power to declare war granted solely to the Congress, and would at the same time tend to destroy American democracy and free government in the United States.

The Members of Congress have a solemn and sacred responsibility not to surrender the control of the sword or the purse to the President and thereby establish a totalitarian system of government in America. It would mean the beginning of the end of our republican form of government based on three separate and independent departments of government.

This dictator-war-bankruptcy bill is a repudiation of every fundamental American concept of constitutional government. Under the guise of aiding democracies and fighting dictatorships abroad, it destroys democracy at home and sets up an American dictatorship.

I refuse to believe that Members of Congress will not safeguard their own constitutional rights by proper amendments, knowing that the passage of the bill would be the death knell of representative government in the United States and virtually the end of Congress as a deliberative and legislative body.

If the Congress grants the President such sweeping and blanket powers it will have no more authority left than the German Reichstag. There is no precedent for such action in peace or war in America.

Henceforth the Congress would be a mere rubber stamp to register the decrees and edicts of the President, if he condescends to ask for them. I do not believe that the flame of liberty has burned so low that the Congress will knowingly surrender its war-making powers to any one man. When that time comes the Congress should dissolve and confess its incompetency to continue as a legislative body.

Stripping Congress of its war-making powers or control of the purse was not mentioned in the Presidential campaign. President Roosevelt has no mandate from the people to demand such sweeping powers, nor has the Congress to commit the Nation to such an indefinable, limitless, and, therefore, uncontrollable program.

I submit that the objective of the bill, extending credit to Great Britain in order that she might secure munitions, planes, and ships, can easily be obtained and actually expedited, provided the dangerous and limitless powers granted the President are eliminated. The responsibility for destroying national unity and delaying the enactment of the bill rests squarely with the President and not on the Congress, for asking such excessive and unconstitutional powers. The President does not need such powers to extend all possible aid to Great Britain short of war and consistent with our own national defense.

There has been no public demand for the transfer of the war powers from Congress to the President. The American people have not been consulted, nor have the millions of American youth who will have to do the fighting. [Applause.]

I agree with John Bassett Moore, probably the best-known authority on international law and almost as great an authority on constitutional law, that—

there can be no doubt that, under the guise of certain phraseology, the pending bill assumes to transfer the war-making power from the Congress, in which the Constitution lodges it, to the Executive.

The Chamber of Commerce of the United States declared that—

This bill, if enacted into law, by the very power it proposes to grant, creates the possibility of this Nation entering into war without further action by the Congress.

Even the New York Herald Tribune, the most consistent pro-British and interventionist newspaper in America, denounced the transfer of excessive, dangerous, and unprecedented powers to the President, and called the bill a downright tragedy because it destroyed national unity and created discord throughout the land.

I have never known any bill about which there has been so much hypocrisy, misrepresentation, and shameless falsehood.

Secretary Knox only a few days ago demanded the passage of the bill immediately in order to save England from invasion within the next few months. There is nothing in the bill that will make available any war supplies to Great Britain before the early part of 1942 except the transfer or giving away of our Navy, which the President has said he would not do.

Eighty percent of the American people are in sympathy with the gallant fight that the British people are making, but 90 percent do not believe that it is our war and want to stay out. If it is our war, we should have gone into it long ago. However, we did not start it and the American people have never authorized any ambassador or anyone else to involve us.

I have no patience with the hypocritical, craven, and cowardly attitude of some of the witnesses for the bill, who unblushingly stated because Hitler's mighty army could overrun Denmark, Holland, and Belgium, its next-door neighbors, that it would cross 3,000 miles of ocean to invade us.

Our security has been and must always be entirely dependent on our own Navy, our own armed forces, and today upon 130,000,000 loyal and free Americans who hate all foreign forms of dictatorship and aggression.

We have much more to fear from the war makers from within than from our enemies from without. [Applause.]

There is no such thing as a halfway war, or not sending millions of American soldiers to fight all over the world once the Rubicon of war is crossed. As long as we maintain the greatest Navy in the world I fear no invasion from Hitler, but I do fear that the interventionists such as the Secretary of War Henry L. Stimson and the Secretary of the Navy Frank Knox will involve us in war on two continents at the same time, if this bill passes without the amendments that we will offer to restore the war-making power to Congress.

The proponents of the bill praised it as a peace measure. How do they account for its violent support by such open war-makers as General O'Ryan, Dorothy Thompson, and former Ambassador Gerard, who, not satisfied with helping to involve us in one war 23 years ago, now wants to put us into another?

I respect the intellectual honesty and refreshing candor of my distinguished friend and colleague the gentleman from Georgia [Mr. Cox], who strips the hypocritical peace buncombe from the bill and calls it by its right name—a war measure—and supports it as such.

If the dictator-war bill passes unamended in the Congress, I predict that within 6 months we will be involved in war in Europe and Asia; that the Government will take over our vital industries; that our civil rights will be suspended, and that we will have dictatorship in America comparable to the Nazis and Communists.

I appeal to all Members of Congress, irrespective of party, to act solely for what is the best interests of America, and not to make a scrap of paper out of the Constitution, and not to vote for this dictator-war-bankruptcy bill without adequate amendments.

I shall conclude by quoting from the words of two great Americans, both profound defenders of the Constitution, Abraham Lincoln and Daniel Webster.

Lincoln had this to say:

At what point, then, is the danger to be expected? I answer, if it ever reaches us it must spring up among us. It cannot come



from abroad. If destruction be our lot, we must ourselves be its author and finisher.

Daniel Webster, whose faith in America and the Constitution are known to every schoolboy, said:

I shall know but one country. The ends I serve shall be my country's, my God's, and truth's. I was born an American. I will live an American. I shall die an American, and I intend to perform the duties incumbent upon me to the end of my career. I mean to do this with absolute disregard of personal consequences.

I am opposed to this war-dictator bill, unless drastically amended.

I favor lending \$2,000,000,000 to Great Britain for war supplies immediately.

As long as I am a Member of Congress I shall exert every influence at my command to build up our national defense and to keep America out of war unless attacked, as foreign wars are the surest way to destroy the Republic and to bring ruin, bloodshed, and bankruptcy to the American people.

War is not inevitable, nor is the passage of this bill, without effective amendments. That is the propaganda of the defeatists, interventionists, and war makers.

This bill must not pass in its present form, if we are to keep out of war and preserve our liberty, democracy, and American way of life and system of government for Americans yet unborn.

We are still a young nation, only in the morning of its glorious destiny. If there is any country worth living in, preserving and defending, it is the United States of America. [Applause.]

Mr. SABATH. Will the gentleman yield?

Mr. FISH. I yield to the gentleman from Illinois.

Mr. SABATH. The gentleman states that he is in favor of making a loan of \$2,000,000,000 to Great Britain. Did I understand him correctly?

Mr. FISH. The gentleman is correct.

Mr. SABATH. Is it not a fact that the gentleman opposed repeal of the Johnson Act and also opposed giving any loans to Great Britain heretofore?

Mr. FISH. I am very glad the gentleman asked that question, because if he had not asked it I was going to speak on it anyhow and right at this point.

Those of us in this House who opposed repeal of the arms embargo believed that assurances were given to foreign nations that the Arms Embargo Act would be repealed, and that that was one of the causes of the war. We further believed that if assurances had not been given, the war as we know it today would not have broken out in all probability, but there would have been some settlement over Danzig, and if war had taken place it would have been in the direction of the Ukraine and Soviet Russia. Those of us who voted against repeal of the arms embargo repeatedly stated on the floor of this House that we believed that was the first step toward involving us in war; that the next step would be the lending of money, either through private sources or by the Government, which is this bill; and the third step, we said, would be to take us into foreign wars.

Mr. Speaker, step by step we are marching down that road to war. We predicted when we opposed repeal of the arms embargo just that. I am confident today that the situation throughout the world would be entirely different if we had not repealed that part of the Neutrality Act, and that Denmark, Norway, Holland, Belgium, and France would still be free and independent nations. We believe if this bill is passed unamended we will be in this war within 6 months' time, and with it the doom of our free institutions and tying up from now on the destiny of America with the eternal wars in Europe and Asia. We are well on the road to quarantine the world with American blood and treasure.

Mr. BLOOM. Will the gentleman yield?

Mr. FISH. I yield to the gentleman from New York.

Mr. BLOOM. Is it not a fact that war had broken out before the arms embargo was repealed?

Mr. FISH. We had already considered the neutrality bill in the House. By a very close vote it went over to the Senate, where it was pending, then war broke out; but assurances were given that the arms embargo would be repealed, and I do not believe that the allied nations would have gone to war if we had served notice on the world at that time that we would not participate in foreign wars by becoming the potential slaughterhouse of the world.

Of course, when the arms embargo was repealed it became the law of the land, and I and those who fought against it believe in upholding the laws of our country. By the repeal of the arms embargo, foreign warring nations could come over here and buy our war supplies. From that time on I have upheld the law and I have advocated letting these nations come here under that law to buy all of our war materials.

I am even willing to go further, provided we do not surrender our constitutional power over the purse and sword, and provide \$2,000,000,000 immediately in order that Great Britain may buy munitions, airplanes, and merchant ships, but, under the provisions of this bill, none of which will be available before the beginning of next year.

Mr. O'CONNOR. Will the gentleman yield?

Mr. FISH. I yield to the gentleman from Montana.

Mr. O'CONNOR. The gentleman as a member of the Foreign Affairs Committee of the House heard all of the testimony offered before the committee?

Mr. FISH. I did.

Mr. O'CONNOR. Was it contended by any witness who appeared either for the bill or against the bill that passage of the bill was necessary to facilitate the production of arms and implements for war in this country?

Mr. FISH. I do not think they did. From what I understand, we have all the power right now, or perhaps I should say the President has all the necessary power and can exert that authority and does not need the excessive powers contained in this bill, which would permit him to give away part of our Navy, and permit

foreign warships to come into our ports for repairs and make bases of our ports—in other words, bringing the war over to America. The President has the power today to produce anything he wants in America.

Mr. O'CONNOR. As I understand, then, it was not contended that passage of this bill is necessary to increase or facilitate production of arms and armament in this country?

Mr. FISH. It was not. Mr. Knudsen stated that he had all necessary power now.

The SPEAKER. The gentleman has consumed 21 minutes.

Mr. FISH. Mr. Speaker, I reserve the balance of my time.

Mr. SABATH. Mr. Speaker, I do not think I wish to answer these harsh, rash remarks of the gentleman, and if he has no one else I move the previous question.

Mr. FISH. Mr. Speaker, I yield the balance of my time to the gentleman from Nebraska [Mr. COFFEE].

Mr. COFFEE of Nebraska. Mr. Speaker, to me this bill (H. R. 1776) is a war measure, not a defense measure. It is ironical that in the year 1776 we declared our independence and in H. R. 1776 we declare our dependence upon Great Britain. In the one instance we gained our freedom, and in this instance we run the risk of losing it. [Applause.]

I am unalterably opposed to this lease-lend bill because of the vast delegation of power, the inherent financial liability, and its threatening potentialities of involving this Nation in war. Should we become involved in this war to preserve democracy abroad, I am convinced we shall lose our own democracy.

Under this bill Congress abdicates and delegates its constitutional powers to the President. No President in the history of this country has enjoyed such power, even in wartime, as this measure delegates. "Notwithstanding the provisions of any other law," section 3 provides that the President may sell, transfer, exchange, lease, lend, or otherwise dispose of any defense articles to the Government of any country whose defense the President deems vital to the defense of the United States. Defense articles are so broadly defined as to embrace practically everything in the United States that could conceivably be used for the purpose of national defense. This bill authorizes the President not only to dispose of any or all of our Army and Navy equipment, but also to procure any defense article for the government of any country whose defense the President deems vital to the defense of the United States. The committee amendment limiting this authority to contractual obligations incurred before July 1, 1943, is in fact no limitation at all because all the damage will have been done long before that date and the obligations incurred may last indefinitely. Since many of the proponents of this measure have declared that Great Britain is our first line of defense, how long will it be before our Army and Navy equipment is transferred to that assumed first line of defense?

I am unwilling to acknowledge this European war as our war. I do not accept the theory that the British Navy



is our first line of defense. If we strengthen our own national defense and adhere to the principles of the Monroe Doctrine we can ward off any threat of invasion in this hemisphere.

Proponents of this bill argue that it will speed aid to Britain. Britain needs planes, tanks, and ships. Orders for these have already been given priority under existing law. Shipments have been limited only by our industrial capacity, and not by a lack of Executive authority. Under the circumstances, what is the motive behind this bill unless it is to place at the disposal of Great Britain our naval and military equipment—the essentials we need to defend our own shores.

If we jeopardize our own national security by risking our defense equipment in the European or Asiatic war, how long will it be before we send American boys to protect that equipment? Men will follow our national-defense equipment just as surely as night follows day.

If we become involved in the European war, we will automatically become involved in the Far East. Can we afford the gamble involved in this bill? Are you willing to concede that this is our war, and that England is our first line of defense? Are you willing to abdicate your constitutional rights and delegate this war-making power to the President? My answer is "No." I refuse to silence the voice of the people of my district by voting for this measure. [Applause.]

The inherent financial liability under this bill to the taxpayers of this Nation is unlimited. The argument offered that Congress still holds the purse strings is fallacious. Under this bill the President can transfer billions of dollars worth of our commodities, as well as naval and military equipment, for which we have already appropriated the money. Does anyone doubt that if our defense equipment is stripped Congress would refuse to replace that needed equipment by voting the necessary appropriations? If this bill passes, Congress will be absolutely unable to limit the amount of money that may be donated to foreign governments in the form of defense articles. I do not concede that we are justified in giving the American taxpayers' money to any foreign country.

If our democracy is to survive, we must build up our own national defenses and strengthen our internal economy. The last war has cost this Nation about \$30,000,000,000. We have not yet recovered from the maladjustments resulting from that war. H. R. 1776 would shift the financial burden of the war to the American taxpayers. With a \$60,000,000,000 national debt staring us in the face, how much of the burden of foreign wars can this Nation assume before it becomes bankrupt?

We now have the will, the men, the equipment, and the money necessary to defend this country against the invasion of any foreign power, or any group of foreign powers. We have the richest and most powerful nation in the world, with half the world's industrial production capacity, and the strongest and most efficient Navy. We have the high-

est living standards of any country on the face of the globe. Why should we tremble in fear of any nation that would be so foolish as to attempt an invasion of this hemisphere? Strict adherence to the Monroe Doctrine kept this Nation out of European wars for a hundred years. I believe in maintaining that doctrine, which tolerates no interference in the Western Hemisphere by any non-American power, and likewise places an obligation on the United States not to interfere in wars of Europe or Asia. The United States will fight to uphold the Monroe Doctrine, but this bill scraps the Monroe Doctrine. Likewise, it punctures the Neutrality Act, the Johnson Act, and every other law in conflict with it.

If further financial aid to Great Britain, or to any of the other countries not specified by but embraced in this bill, can be justified, let us consider a measure for that purpose with the objectives clearly defined. The delegation of power in the bill before us is so sweeping that if it passes Congress will have surrendered representative government.

I fear passage of this bill, with its war-making possibilities, will be the fatal step that involves us in war. I volunteered and served in the last war. My ancestors came from the British Isles. My sympathies are with England in her valiant fight against the dictator powers. I hope she wins, and that the cause of democracy will triumph in Europe. However, my allegiance is to the United States [applause], and I am not willing to involve this Nation in war on the theory that Hitler can be conquered by such action. I am convinced that if we become involved in this war to preserve democracy abroad we will lose it at home. I hate nazi-ism, fascism, and communism. Nations that impoverish themselves and impair their financial stability in war become the easy prey of such ideologies.

Let us remember some of the lessons we learned in the last war. We entered that war to make the world safe for democracy. What was the outcome? The rise of communism, fascism, and nazism in Europe. Our reward was \$12,000,000,000 of defaulted debts, billions of dollars in worthless foreign securities, and the ingratitude of the world. We have not yet recovered from that war.

Should we become involved in this one and suffer as did the European powers in the last war, could our constitutional democracy withstand the economic and political repercussions that follow in the wake of war? [Applause.]

Mr. SABATH. Mr. Speaker, as between my colleagues the gentleman from New York [Mr. Fish] and the gentleman from Nebraska [Mr. Coffey], together with Mr. Lindbergh and Mr. Marshall, on one side, with their attacks on the bill, and on the other side General Pershing, Rear Admiral Yarnell, Secretary Hull, and the President, I am inclined to follow the last four gentlemen and men like them who have the information and who are just as loyal and patriotic Americans as any that can be found anywhere. [Applause.]

Mr. Speaker, I yield 3 minutes to the gentleman from Oklahoma [Mr. Nichols].

Mr. NICHOLS. Mr. Speaker, for 3 days this proposition will be debated. I presume that other gentlemen will lay down reasons for opposition to this bill similar to those given by the gentleman from New York and the gentleman from Nebraska. I presume both of these gentlemen would say they are in favor of all aid to Britain short of war. Then, to further that argument, they say that this bill delegates to the President of the United States some power which, if abused, will get us into war.

During these 3 days I shall be listening to this debate, and I want somebody to point out to this House what reason it is that would motivate the President of the United States, by the employment of some devious method, some deceit, or something else, to tell the people of the United States repeatedly that he is unalterably opposed to our sending men to Europe. Let them tell the Members of this House what it is that causes him to mislead the people, if he is not telling the truth. Is there some deep, sinister reason? Is this fellow who is the President of the United States not an American citizen? Does he not love this country? Is he not as strong for democracy as any of the gentlemen who will oppose this bill? Tell them, if you will, what further could come to the President of the United States if some sort of a totalitarian government were set up here. Is he going to send the Congress home? Let us not use catch phrases.

I will be here, and I will be happy to hear any gentleman in opposition to this bill give sound reasons why the President would want to do these terrible things that they say he likely will do if this bill becomes law. [Applause.]

Mr. SABATH. Mr. Speaker, I move the previous question.

The previous question was ordered.

The resolution was agreed to.

#### EXTENSION OF REMARKS

Mr. SABATH. Mr. Speaker, I ask unanimous consent that I may revise and extend the remarks I made and insert therein editorials from today's New York Times.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

#### PROMOTION OF THE DEFENSE OF THE UNITED STATES

Mr. BLOOM. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 1776) further to promote the defense of the United States, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 1776, with Mr. COOPER in the chair.

The Clerk read the title of the bill.

The first reading of the bill was dispensed with.

Mr. BLOOM. Mr. Chairman, I yield myself 40 minutes.

Mr. Chairman, bill H. R. 1776 translates into concrete form our national policy of aid to Britain.



If Congress is to carry out the will of the people and is to shed more light than heat on the problem, we should all examine and know precisely what the policy is that we are trying to carry out and just how the bill does it.

Our present national policy—a policy formulated by the people of this country through their elected officials—is clear and clean-cut: (1) We are for staying out of physical combat, and (2) we are for all possible and effective material aid to Britain and those other nations who are resisting the forces of aggression.

Now let's look at this policy a little more closely. There has been a lot of loose talk about acts of war and other highfalutin terms. War in terms of either a formal declaration or physical combat, or both, is an essentially practical and horrible thing. In these days, physical combat is not merely a matter of the abstractions of the erudite international lawyers. There are two angles from which we can look at war in a realistic sense. From Germany's standpoint, for example, she doesn't need excuses such as so-called acts of war to engage us in physical combat. If Germany thinks she needs any excuses, she has had a long practice of making them up. The fact is that in a technical sense the destroyer transaction has been called an act of war by many in this country. However, even the German propaganda office criticized the transaction not from the standpoint of what this country did, but on the contrary said that Britain had gotten the short end of the deal by selling its birthright for a mess of pottage.

From Germany's viewpoint, we know, as a matter of horse sense, that she isn't going to engage us in combat—excuses or no excuses—unless she thinks that it is in her best interests to do so. If she engages us in combat, she knows that our Navy, and our air force, and our manpower, and our productive system working under the highly emotional drive of a war psychology will be thrown in against her. In this light, Germany unquestionably views and will continue to view what this country does in aiding Britain.

Consequently, it isn't hard-headed completely to tie up aid to Britain with the risk of war. Even without aid to Britain—in other words, by no action at all—the risk of war is greater than it is by our giving material aid to Britain. If Germany defeats Britain, does anyone doubt that we would have to continue spending more billions than we are now spending for our own defense? If Britain, by her gallant effort, holds out or wins, does anyone doubt that we will be getting precious time to prepare ourselves, or that we will cut down our expenditures for defense? In terms of our people, if Britain wins, do you think we will be fighting them within our lifetime? If Germany wins, will our manpower be fighting them in our lifetime? Britain's heroic fight is not only giving us time and more time to prepare our defense, but her expansion of our plants and her generous contributions to us of things like the Rolls-Royce Merlin Aircraft Engine, the power-driven turret,

and other invaluable information has immeasurably helped to push forward our own defense program. It is obvious that aid to Britain has not been a one-way proposition. As each day goes by we are better prepared. Despite the confusing talk on the subject there can be little doubt that the stronger we get and the stronger we are, the more likely we are to prevent war for this country. Unfortunately, Hitler understands only one language—force. If we are strong enough, he is going to hesitate before taking us on. Aiding Britain is giving us the time to get strong enough.

In the light of this policy, let's look at what H. R. 1776 provides as compared to the general talk in a vacuum about the bill. Ask any of the historic critics of the bill who shout dictatorship, war, and the other emotional generalities some questions like this: What do you think section 4 of the bill provides in words of one syllable that the man in the street can understand? It provides that any war equipment which is transferred to Britain, for example, cannot be transferred to any other foreign country without the consent of the President. Is that dictatorship, does that put us in the middle of the road to war? What rational objection can there be to such a provision?

What does section 5 of the bill provide? It provides that if any war equipment is sold or transferred to Britain, an accurate record should be kept by the Administrator of Export Control, showing in detail the quantity disposed of, the character of the equipment, its value, the terms of the disposition, and the destination of the disposition, and that this information should be reported to the Congress. Is that a copy of Mr. Hitler's totalitarian methods? Are we in war if we do that?

What does section 6 of the bill provide? It provides that the Congress is authorized to appropriate the necessary money to carry out the purposes of the Act and that any moneys collected from the disposition of war equipment under the bill shall go into a 2-year revolving fund out of which more equipment can be manufactured or purchased. This means that Congress retains the power which the Constitution gives it over the purse strings. It means that detailed budget estimates have to be submitted to the Director of the Budget. These estimates have to be carefully reviewed by the Appropriations Committees of the Congress and Congress has to vote its approval or disapproval before the money is available to manufacture or purchase more of the equipment which can be disposed of under the bill. Is the retention by Congress of this careful supervisory and determination power over the money which is necessary to make this bill completely effective Hitlerian? Is it subverting the Constitution to give Congress control over the purse strings?

What does section 7 of the bill provide? It provides that the Secretaries of War and Navy in any agreement for disposing of war equipment to Britain, for example, must fully protect the patent and other rights of American manu-

facturers. Is this a dictatorial deprivation of the property of American manufacturers? Is this an unconstitutional disregard of the rights of our citizens?

What does section 8 of the bill provide? It provides that the Secretaries of War and Navy are authorized, for example, to purchase arms, ammunition, and implements of war in Bolivia or Canada, for example, if the President deems it necessary in the interest of the defense of the United States. If to make planes we find that we don't have enough tin or aluminum, and Bolivia or Canada can produce and sell tin or aluminum to us, the President can authorize the purchase of it if he deems it necessary in the interest of our defense. Is such a practical recognition of the interest of our national defense dictatorship—an unconstitutional act?

What does section 9 of the bill provide? It provides that the President may formulate rules and regulations which are necessary to carry out the provisions of the act and may empower a department or agency of the Government to act for him, if necessary, under the act. This rule-making power, as the Supreme Court has often said, is limited to filling in the details of the operation of the act consistent with its terms and purposes. Obviously, the rule-making power would not give the President the power to send an expeditionary force abroad, because there is nothing in the act that even remotely suggests that the President is given such a power. The rules and regulations which can be formulated under the bill are those which directly relate to the specific purposes of the bill and the specific powers granted under it. The power to delegate certain functions is a purely practical proposition. The President is, after all, only one person and cannot single-handedly administer the whole Federal Government. That is why we have great executive departments and agencies. Thus, for example, the President might well delegate to the Secretaries of War and Navy, acting with their technical experts, the power to formulate standard specifications for aircraft engines which would meet, in one set of specifications, the needs of this country and the needs of Britain.

There are only nine sections in the bill, and I have already raised questions about six of them. Now let's look at the other three. Section 1 of the bill provides that:

*Be it enacted, etc., That this act may be cited as "An Act to Promote the Defense of the United States."*

Section 2 of the bill is the one that contains the definitions. And, of course, definitions have no meaning except in their relationship to the essential parts of the bill.

That leaves one section of the bill—section 3. Without a doubt, this is the most important section. It could have been drawn in muffled words so that only a Philadelphia lawyer could understand it. However, it is drawn as clearly, as bluntly, as straightforwardly as lucid English can make it. It could have provided that the President be given the power, acting through the Secretaries of War and Navy, to dispose of military



equipment of the Army and Navy to Britain upon such terms as he deems satisfactory. Unquestionably, the broader power to dispose would have carried with it the less important power to manufacture the equipment. However, to make it clear and to avoid any doubts as to what the legislation was intended to do, it specifically provides that notwithstanding the provisions of any other law, the President may, when he deems it in the interest of national defense, authorize the Secretary of War, the Secretary of the Navy, or the head of any other department or agency of the Government to (1) manufacture in our arsenals and factories or purchase from private manufacturers war matériel for Britain and for any other country whose defense the President deems vital to the defense of the United States; (2) to test, inspect, prove, etc., such war matériel; (3) to communicate to Britain, for example, information about how to use equipment transferred to it; (4) to transfer the equipment to Britain for payment in kind, property, or any other direct or indirect benefit to the United States; and (5) to authorize Britain to take the equipment to England in its own bottoms. You will note that all the powers are related to the power of disposition. It would be meaningless and futile to say that the President could dispose of 50 tanks in exchange for some rubber if the War Department, for example, could not place an order for the tanks, could not lease them when they are finished, could not tell the British how to use the tanks, and could not let Britain take them over to England in her own vessels.

The only other power which is granted by section 3 that doesn't relate to disposition is the one enabling the President to authorize the Secretary of the Navy to repair British men-of-war in our navy yards. If we are to give material aid to Britain in a way that doesn't increase our risks of physical combat with Germany, this is the clear-cut way of doing it.

Great stock has been placed in the prefatory phrase to this section of the bill that notwithstanding the provisions of any other law, the President may authorize the Secretaries of War and Navy to dispose of war equipment to Britain and those nations whose defense is vital to the defense of the United States. Don't let that talk scare you by any means. Those are words of the lawyer's art, but are easily understood by laymen. They mean something quite definite. They mean that a bill, such as this one, covering the disposition of military and naval equipment to foreign governments, temporarily suspends specific statutes covering the same subject matter or inconsistent with it. They do not mean that all prior laws are automatically repealed or put out of the window by these magic words. Thus, for example, a great deal of shouting has been done on the basis that these words would empower American battleships to convoy British merchantmen to England. Nothing could be farther from the truth. There isn't a single thing in this bill

which in any way even remotely suggests that the powers of this Government to convoy are in any way increased, enlarged, or changed. Under existing law, the President, as Commander-in-Chief of the Navy under the Constitution, has the power to authorize our Navy, for example, to convoy American vessels. Thus, for instance, if our trade routes to South America were harassed by pirates, the President could order our destroyers, cruisers, or battleships to convoy an American flagship to South America. That is one of the things the Navy is for. But that has nothing to do with the bill now before Congress. In fact, the bill contains a specific amendment stating that it in no way authorizes conveying by naval vessels of the United States.

On the other hand, the prefatory phrase, "Notwithstanding the provisions of any other law," would make inoperative that section of the law passed by Congress last summer which requires a certificate of the Chief of Staff or the Chief of Naval Operations before the Government can dispose of any military or naval equipment. Now, of course, that section providing for a certificate in terms of the Constitution and in terms of sound administration, doesn't make very much sense. To require a constitutional officer to get a certificate from a subordinate officer before the superior officer can act is not good constitutional law. Furthermore, if the purpose of the bill is effectively to aid Britain and China and Greece with supplies and matériel, it does not make very much sense to say that every time an obsolescent plane is transferred to one of these countries, the President or the Secretaries of War and Navy would first have to get a certificate from one of their subordinates. As a practical matter, of course, consultation will be had with the experts who know the field before the disposition is made to see to it that what is done is in the best interests of our own defense.

Under the central power of disposition which is given to the President and which has been characterized as completely dictatorial, several facts should be kept in mind. In the first place, there has been a great deal of confusion about the difference between the normal powers of the President in relationship to domestic affairs in normal times, and those of the President in the field of foreign affairs and national defense. Even in relationship to domestic affairs, there are thousands of instances of grants of discretionary power by the Congress to the President. However—

It is important to bear in mind that we are here dealing not alone with an authority vested in the President by an exertion of legislative power, but with such an authority plus the very delicate, plenary and exclusive power of the President as the sole organ of the Federal Government in the field of international relations \* \* \*. It is quite apparent that, if in the maintenance of our international relations, embarrassment—perhaps serious embarrassment—is to be avoided and success of our aims achieved, congressional legislation which is to be made effective through negotiation and inquiry within the international field must often accord to the President a degree of discretion and freedom

from statutory restriction which would not be admissible were domestic affairs alone involved.

When the President is to be authorized by legislation to act in respect of a matter intended to affect a situation in foreign territory, the legislator properly bears in mind the important consideration that the form of the President's action—or, indeed, whether he shall act at all—may well depend, among other things, upon the nature of the confidential information which he has or may thereafter receive, or upon the effect which his action may have upon our foreign relations. This consideration, in connection with what we have already said on the subject, discloses the unwisdom of requiring Congress in this field of governmental power to lay down narrowly definite standards by which the President is to be governed.

Now who do you think said that? Some hysterical warmonger who is in favor of H. R. 1776? Certainly not. It was said in 1936 by Mr. Justice Sutherland, speaking for the United States Supreme Court in the case of United States against Curtiss-Wright Export Corporation et al.

The history in this country of the grant of discretionary power to the President in matters of foreign affairs and defense is one of long standing. In 1794, the President was "authorized whenever in his opinion the public safety shall so require" to embargo all ships and vessels in ports of the United States, including those of foreign nations—

under such regulations as the circumstances of the case may require and to continue or restrict same whenever he shall think proper.

In 1795, Congress provided that notwithstanding any law to the contrary, the President should have the discretionary power to permit the export of arms, cannon, and military stores if he deemed such prohibition connected with the security of the commercial interests of the United States. From 1794 right on up to the present, there are hundreds of acts granting the President discretionary power in the fields of foreign affairs and defense. If you wish to read them in detail, you will find them all set forth, with approval by the Supreme Court, in the Curtiss-Wright case.

Argument has also been made that this section 3 of the bill empowers the President to give away the Navy. That our President now or any other President would think of doing such a thing is sheer nonsense. There is no question about the fact that the bill empowers the President to authorize the Secretaries of War or Navy to dispose of equipment which their Departments now have on hand or on order if it is in the best interests of our own national defense to do so. The reason for the grant of this power is the same reason as that given by the Supreme Court in the Curtiss-Wright case. There may be many and very complex situations where it will be highly desirable in the interest of our own defense to dispose of equipment which the Army and Navy already has on hand. Thus, for example, in a situation such as the destroyer transaction,



our own defense was substantially benefited in two very practical ways: (1) We acquired invaluable bases which extended our line of defense miles away from our own coast; and (2) at the same time, we supplied to Britain great assistance in its convoy and other naval work in such a way that we helped to get additional time for ourselves to build our own defenses. In this time that we so purchased, we are daily getting newer and more modern destroyers to replace the over-age ones that were disposed of in exchange for bases. It is equally conceivable, for example, that if we develop and get into production on a new type of pursuit ship or long-range bomber that is better than anything we now have on hand in sufficient quantities to meet our needs, it might be desirable to transfer some of these older pursuit ships or bombers in exchange for more bases, for rubber or tin, or for other benefits to our own defense. The situation today is fast-moving and complex. Decisions can only be adequately and efficiently made by those men who know the facts, who have the technical knowledge and experience, and who are acting in the interest of our own defense. To suggest that every time an obsolescent four-engine bomber is to be transferred to Britain, Congress should determine whether it should be disposed of and upon what terms, is the sheerest impracticability either from the standpoint of keeping us out of war through dictatorial or unconstitutional powers or effective aid to Britain in our own defense.

The fact is that there are innumerable checks imposed by the bill and by other laws. In the first place, the bill enables the President to act through the Secretaries of War and Navy. No President and no Secretary of War or Navy is going to dispose of any past or future equipment without consulting their technical advisers who know most about our defense matériel. None of these people are going to sanction the disposition of military or naval equipment to the extent that it denudes or weakens our own defenses. No order for new equipment can be placed under existing law unless it is first approved by the Office of Production Management and by the War and Navy Departments, who will be the agencies actually placing the orders.

Under the Constitution and existing law, neither the Secretary of War nor the Secretary of the Navy can place an order or make a commitment unless their Departments have the money to do so. The only way they can get this money is for Congress to appropriate it. As a general practice, Congress appropriates money for each fiscal year. So, in consequence, when people talk about a time limit on the President's powers, there is in fact a time limit imposed by the constitutional and legislative provisions relating to appropriations. However, to avoid any doubt on this, there is an amendment in the bill terminating the powers granted on July 1, 1943. There are also many other limitations upon the exercise of the powers granted under the bill. Matériel can only be disposed of when it is in the interest of our national

defense to do so, and when it is disposed of to a nation whose defense is vital to the United States. Obviously, there would be no power under the bill enabling the Government to dispose of airplanes, for example, to Germany, Italy, or Japan. Similarly, there would be no authority under present circumstances for disposing of naval equipment to Tahiti. Such fantastic speculation and hypothetical assumptions are the foundation stones of many of the critics of the bill.

The bill is short, direct, and to the point. The people of the United States, with their fundamental horse sense, know that, in the light of our clear-cut national policy to keep out of war and effectively to aid Britain, the bill is the most efficient and forthright way to execute our policy in a manner consistent with our long history of the democratic way of doing things. They know that bill H. R. 1776 is the best way to safeguard our land and our liberty. [Applause.]

Mr. FISH. Mr. Chairman, I yield to the gentleman from Illinois [Mr. DIRKSEN] 1 minute to ask a question which he desires to propound to the chairman of the Committee on Foreign Affairs.

Mr. WHITE. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. WHITE. Is it the disposition of the chairman of the committee in charge of this bill—

The CHAIRMAN. Does the gentleman from New York yield time; and if so, to whom?

Mr. FISH. Mr. Chairman, I yield 1 minute to the gentleman from Illinois for the purpose of asking a question.

The CHAIRMAN. The gentleman from Illinois is recognized for 1 minute.

Mr. DIRKSEN. Mr. Chairman, I would like to ask the chairman of the Foreign Affairs Committee, or I will address the question to the committee, during the last several days I observed there was a conference between the British Ambassador, the Senate chairman of Foreign Relations, and the House chairman of Foreign Affairs. After all, that is rather extraordinary procedure. I am wondering whether that conference was invoked as a result of invitation from the Hill and whether or not anything was disclosed there that might be material to the discussion that will take place on this floor.

Mr. BLOOM. Mr. Chairman, I think the only thing that is unusual about any procedure is for the gentleman from Illinois to ask such a question. I think it is very improper.

Mr. TABER. Why not?

Mr. BLOOM. I am answering this, and that is "why not," and please obey the rules of the House.

[Here the gavel fell.]

Mr. FISH. Mr. Chairman, I yield the gentleman from Illinois 1 minute.

Mr. BLOOM. Mr. Chairman, I yield myself 1 additional minute. I want to answer this question.

If the gentleman from Illinois and the other gentlemen who want to get into trouble keep on being suspicious about

anything that any nation is doing, such as this question today, that is the quickest way.

Now, Mr. Chairman, the Ambassador from the Court of St. James's, following the usual custom, called upon the Vice President, the Speaker, and, I believe, the leader of the House, and then the Ambassador called upon the chairman of the Foreign Relations Committee of the Senate. Saturday morning I received a telephone call asking me whether I would be pleased to receive the new British Ambassador. Naturally, your chairman is not going to allow the Ambassador of England or of any other country to outdo him in politeness, and when any man suggests he wants to come and see me at my office, as your chairman I am going to say, "Yes."

[Here the gavel fell.]

Mr. BLOOM. Mr. Chairman, I yield myself sufficient time to answer. We might as well get at the bottom of this thing.

The British Ambassador called at my office. He did not sneak in. The press knew he was there, and everyone knew he was there, and we sat down and had a nice talk. The principal topic of conversation, if the gentleman from Illinois [Mr. DIRKSEN] wants to know what it was, was about Magna Carta. Maybe the gentleman has heard of Magna Carta at some time or other [laughter]; and we were talking about the exhibit of Magna Carta at the World's Fair in New York City. Then the Ambassador said:

Will you kindly let me know what the timetable is?

I never heard of the expression "timetable." And then the Ambassador said:

I would like to know what the procedure is; what is the procedure in the House?

Which, as everyone knows, is a matter of general knowledge. Then I knew what he meant, and I explained to the Ambassador that we have 3 days of debate and then it comes up under the 5-minute rule, open for amendments, and explained to him just what the procedure in the House would be with reference to the bill.

Now, that is the secret that the gentleman from Illinois wants to know about, and that is the kind of a secret that I want the world to know about; and please remember that we do not carry on the deliberations of the Foreign Affairs Committee of the House behind closed doors. That is my answer.

Mr. FISH. Mr. Chairman, I yield the gentleman from Illinois 3 additional minutes.

Mr. DIRKSEN. Mr. Chairman, I am satisfied that there is no Member of this committee or of the Congress who would regard my question as improper. It was uttered in absolute sincerity. In my humble judgment it has tremendous bearing upon the issue that confronts the country today. No one can deny that it is extraordinarily unusual procedure for the ambassador of a foreign country to contact the chairmen of committees dealing with foreign relations for the purpose of discussing "timetables." Now, it appeared in the press of Saturday, as I recall, and again of yesterday,



and today I find another item on page 3, of the Washington Daily News for today, under this caption:

Halifax's indiscretion will lose some votes for aid-to-Britain bill.

So out of that background this question was propounded because if the British Ambassador did discuss timetables, if he did discuss the precariousness of the situation, if he did discuss the urgency of action, and gave to these two gentlemen matters of information that are not available to the House, then the fact that the destiny of America hangs in the balance, and the fact that there is no issue which concerns the Republic today which is so grave and momentous as the one now before us, demands that the Congress be advised what the Ambassador from Great Britain may have said to the chairman of the Senate Committee on Foreign Relations, and to the chairman of the House Committee on Foreign Affairs.

So, Mr. Chairman, in the utmost good faith I submitted the question to the gentleman from New York, because I think it is a very proper question at this momentous hour and I say further to my good friend the chairman of the Committee on Foreign Affairs, that the question was asked in the utmost sincerity and good grace, and while the gentleman from New York, the chairman of the committee, gives to it a certain casual implication, yet the photographers must have been there. I do not impute for a moment that it was a staged incident at all, but the Ambassador spent 15 minutes with Senator GEORGE and discussed timetables, and if something was discussed that is of moment to the Congress, we should know it and we should know it now, at the inception of the discussion of this rather crucial question. [Applause.]

The item referred to above and the editorial from today's issue of the Washington Daily News are as follows:

#### WHY THE HURRY-UP TALK?

Lord Halifax must know quite well that there is not the slightest possibility of Congress refusing to vote aid—enormous aid—to England.

He must know also that, if the advertised invasion of the island is to be undertaken soon, there is precious little that Congress can do to accelerate our service of supply before that show-down occurs.

So we are moved to curiosity about the noble Ambassador's visits to congressional offices, where he has been making personal inquiries about the legislative "timetable" on the aid-England bill.

It is highly unusual, and in ordinary circumstances might be regarded as highly irregular, for a foreign ambassador to proceed in this manner. For domestic persons with axes to grind at the Capitol we have a name—lobbyists. But at least Lord Halifax is open and aboveboard, and we aren't disposed to criticize him for going direct to the source for his information.

What we do question is the need for a speed-up of the legislative process.

If it is true—and we have heard nothing convincing to the contrary—that even if the lend-lease bill were passed this afternoon it would not increase American shipments to England in the next few months, then what's the hurry?

It is human nature that the administration, having settled upon this policy and written this bill, should want to get the debate over

and done with. But it is also understandable that there are differences of opinion in Congress concerning the form the measure should take. And it will take time to explore and debate, in the normal way, all these differences.

If it were possible, by passing a bill in a hurry, to conjure up overnight a lot of new bombers and what not for England, there would be some point to the hurry-up talk. But since the bill deals with eventual and not immediate supplies, it doesn't seem clear why Congress should give this possibly fateful measure less than the fullest discussion.

#### HALIFAX'S INDISCRETIONS WILL LOSE SOME VOTES FOR AID-TO-BRITAIN BILL

(By Ludwell Denny)

Indiscretions of British Ambassador Halifax will lose votes for the administration lend-lease bill. Just how costly his "lobbying" activities will be is one of the things leaders on both sides are trying to figure out.

Congress is notoriously jealous of its functions, and is always especially touchy toward foreign pressure. The President's failure to consult congressional leaders in drafting "the most important legislation ever debated by this body" has made them even more sensitive than usual.

Into this complex of resentment and raw nerves stalked the inexperienced and impervious stranger from Britain with the understandable but dangerous desire to speed up the processes of American democracy.

Perhaps in times less tense Lord Halifax's calls upon the chairmen of the Senate and House committees considering the British-aid bill would have been dismissed as courtesy rather than resented as lobbying. Or perhaps if the gentlemen with whom he had conferred had been more discreet than Chairman BLOOM, the envoy would not now be the victim of such unkindly reactions.

Under the circumstances, however, the America First Committee in its attack on the Ambassador is merely pulling into public view the undercover congressional criticism. This committee has informed Senator GEORGE and Representative BLOOM that their conferences "to discuss a congressional timetable with the principal potential foreign beneficiary of this measure" were "highly improper," and has requested them to make a public report on the conversations.

Secretary of State Hull has been asked by the committee to investigate the conduct of the Ambassador and "to make public a report of your inquiry and to take appropriate action."

#### REPRESENTATIVE VIEWPOINT

Of course the America First Committee is a private and partisan organization. But its point of view is representative of a considerable group in Congress.

Even many Members of Congress who are still on the fence between the President and the anti-interventionists are uncomfortable about British pressure and propaganda. They are in the mood to go a long way if let alone. But they don't intend to risk any smear campaign, or voters' reaction back home, on charges of taking orders from a foreign government.

Because of the unique honors accorded him by the Presidential welcome aboard ship, and the usual American hospitality reflected in the public response during his first weeks here, His Lordship may have been kept in ignorance of the suspicion in many quarters.

#### A MUNICH MAN

Some of the most pro-British Americans distrust him as a "Munich man," and they suspect he is still an "appeaser," which is their word for anyone who even discusses the eventuality of a negotiated peace.

Anti-interventionists from the opposite side object to him as a British propagandist trying to get us into the war.

Many liberals are suspicious of him because of his long record as a Tory imperialist.

American labor cannot forget that British labor distrusts him as an enemy and campaigned to drive him out of the Cabinet.

And a good many others are troubled by his status here—the fact that he is not simply an Ambassador but a present member of Britain's inner war cabinet.

Paradoxically, the things that have ensnared him here are precisely the opposite of those expected. The predicted frigidity and snobbish airs which might have protected him from congressional sightseeing have been lacking. Instead, the bouncing American ways—so distasteful to British aristocracy—have not found favor with Congress when assumed by His Lordship.

Mr. BLOOM. Mr. Chairman, I yield 1 minute to the gentleman from Pennsylvania [Mr. EBERHARTER].

Mr. EBERHARTER. Mr. Chairman, in order that undue importance may not be laid on the courtesy call from the Ambassador from the Court of St. James, I rise to call the attention of the membership of the House and of the country at large that this bill was reported out last Thursday, that the executive sessions of the committee and the public hearings had been finished, and the vote had been taken, and 2 days before this visit the procedure as to how the bill was going to be acted on in the House had been decided. The Rules Committee had acted, and everything had been done in connection with this bill before the courtesy call of the Ambassador. I think it is very unfair to impute undue importance to this call of the Ambassador upon the chairman of the Committee on Foreign Affairs. [Applause.]

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. FISH. Mr. Chairman, I yield 2 minutes to the gentlewoman from Massachusetts [Mrs. ROGERS].

Mrs. ROGERS of Massachusetts. Mr. Chairman, I should like to bring to the attention of the House again the fact that during the nine meetings that were held after June 12 last summer, during this crucial period of our foreign affairs, by the Foreign Affairs Committee, with the exception of one meeting, no information was brought to us regarding international affairs from our own representatives of our Government departments; but, as the House well knows, several representatives of the governments of Europe appeared before our committee and gave us information. I have maintained steadily, Mr. Chairman, information regarding foreign affairs should come to us from our own departments and that we should not have to go to representatives of foreign governments for information as to what is going on in Europe and Asia.

Mr. LUTHER A. JOHNSON. Mr. Chairman, will the gentlewoman yield to me?

Mrs. ROGERS of Massachusetts. I yield.

Mr. LUTHER A. JOHNSON. Did I understand the gentlewoman from Massachusetts to say that the Foreign Affairs Committee had representatives of foreign



governments before it in the hearings on this bill?

Mrs. ROGERS of Massachusetts. No; I say prior to this, and from June 12, 1940, we had only nine meetings up to the consideration of this bill. Several of those meetings were held of necessity as a result of resolutions of inquiry introduced by myself and by others. Those resolutions were acted upon adversely.

Mr. LUTHER A. JOHNSON. I am talking about this bill.

Mrs. ROGERS of Massachusetts. From June 12, 1940, up to the consideration of this bill we had only nine meetings of our Foreign Affairs Committee, during a time of vital importance to this Nation, in our preparedness program—during a period vital to the action taken by the House regarding our foreign affairs. We have been kept steadily in the dark, as the gentleman knows, so far as our committee is concerned, regarding the progress of our national affairs.

Mr. LUTHER A. JOHNSON. As I recall, the Secretary of State, Mr. Cordell Hull, was before our committee and discussed this bill at length.

Mrs. ROGERS of Massachusetts. I am speaking of the time prior to that. He did not appear before our committee for 2 years prior to the hearings on H. R. 1776—this lend-lease bill under discussion—

Mr. LUTHER A. JOHNSON. Oh, the gentlewoman is talking about ancient history?

Mrs. ROGERS of Massachusetts. Ancient history. I think the past few months—the past few years—have been of vital importance to our entire defense program. We would have been far better prepared today if we had had the information.

The CHAIRMAN. The time of the gentlewoman from Massachusetts has expired.

Mr. FISH. Mr. Chairman, I yield 20 minutes to the gentleman from New Jersey [Mr. EATON].

Mr. EATON. Mr. Chairman, at the outset I wish to define my personal position with reference to our foreign policy in general, and to the far-reaching issues involved in this bill in particular.

I am not an isolationist. I am not an interventionist. In our foreign policy which determines our relations with the rest of the world, and which ought to transcend all partisan considerations, I am not even a Republican nor a Democrat. I am an American. [Applause.] As a member of the Foreign Affairs Committee, for the past 16 years, it has been my purpose to support only such measures as, in my best judgment, would safeguard the well being here at home of 130,000,000 American people, and, at the same time, would strengthen the influence for freedom and peace of the United States throughout the great family of nations.

I admit at once that under present world conditions, so complicated, confused and threatening, it is beyond finite intelligence to think completely in terms of the whole problem; and even the wisest and best intentioned among us will probably be wrong half of the time in their conclusions.

We cannot fairly evaluate the provisions of this bill, H. R. 1776, except as it is viewed against the tragic background of what is now going on in the world. It ought to be self-evident that the present world-shattering conflict is not simply a war between certain foreign nations, waged to decide issues affecting only the particular nations involved. If that were the case, the promulgation of this bill and the vast and costly defense program of which it is supposed to be a part, would become an absurd and dangerous bit of political play acting.

This is in every truth a "world war." It is being waged by the most powerful and most completely equipped military alliance ever known. And it is being waged for the one express purpose, publicly proclaimed by the aggressors in unmistakable terms, of creating a new world order, so that no section of the human race can eventually hope to evade or escape its evil impact.

This new world order, according to its chief proponent, Mr. Hitler, is to consist of the complete enthronement of the Nazi brand of totalitarianism everywhere in the world. This is to be accomplished by the subjugation and enslavement of every free self-governing society, including the United States of America, by means of armed force, "fifth column" infiltration, and economic pressure.

Already as a curtain-raiser to this program of world domination we have seen more than a dozen free self-governing European nations overrun and their people broken in spirit by defeat, disease, hunger, and economic ruin. Already countless millions of Chinese men, women, and children have been slaughtered and their home land occupied by the Japanese, Axis partner. Already the new world order war has been carried into Africa. China has not yet surrendered. Greece is fighting gloriously for her national independence. And Britain still stands, under frightful pressure, the last line of defense between the power-mad aggressors and their weaker victims on three continents.

So far as humanly possible, let us face the facts without prejudice or evasion. Spiritually this is a war of atheism against Christianity. Politically it is a war of despotism, dictatorship, and tyranny against the ideals and institutions of free self-governing democracy everywhere. Economically it is a war of state socialism of varying types against every form of private enterprise; private ownership of property, and free labor. In the largest sense, this is a battle to the death between world slavery and world freedom.

The final issue of this war will determine the destinies of the whole world for generations to come. If Britain falls and Hitler, by the defeat of Britain, wins his announced objective, mankind everywhere will be plunged into an age of hatred, fear, and force. The clock of human progress will be set back a thousand years. And America can no more escape contact with this universal tragedy than a ship can escape contact with the tides upon which it floats. [Applause.]

With the rest of the world completely under totalitarian rule, and with totali-

tarian navies master of the seven seas, the United States will have to conduct its entire foreign relations, both diplomatic and economic, upon totalitarian terms. In such foreign trade as may be permitted us, our farms, our factories, and our working people will be forced to compete with starveling slave labor the world over, and with prices fixed for our products by unfriendly dictatorial fiat.

The only other alternative for the United States will be to withdraw like a hermit nation within our own borders, and confine our entire economic enterprise and energy within the limits of our own needs.

Whatever unwelcome and un-American way of life may be forced upon us by a Nazi victory, two results are inevitable: We will be forced permanently to maintain an enormous and ruinously costly defense establishment, on land, on the sea, and in the air, and our American standard of living, now the highest in the world, will be forced to lower levels than ever known. This will of course mean continuous unrest and disunion among our people, with all its attendant evil consequences.

Motivated by a profound instinct of self-preservation and by the edict of sound reason and judgment, our people are united upon certain fundamental policies. Believing that peace is the only basis upon which a free democratic way of life can successfully function, or permanently exist, we are opposed to war as a means of settling international disputes. And we are equally opposed to sending our citizens abroad to fight in any war except in defense of our own country and of this Western Hemisphere against armed attack. [Applause.]

We are united in completing without delay our present vast and costly program of defense. And as a part of our defense program, by which to buy time for its completion, we are united in our purpose to give all possible aid to Britain consistent with our own security. Our one desire, shared in alike by every class, interest, and section, is to remain a free people in a free world. Personally I am in complete accord with every one of these positions.

Against this background of world tragedy and ruin and united American public opinion, the President suddenly projected his lend-lease bill, H. R. 1776, "To promote the defense of the United States and for other purposes," which bill has become the cause and center of one of the most notable debates in our entire history.

The reasons advanced by the Secretary of the Treasury and others representing the administration in support of this bill are simple enough—Britain desperately needs our material aid in increased quantities and at the earliest possible moment if she is to successfully resist the invasion threatened by the Axis Powers within the next few months. Britain has already paid American producers for war materials \$1,300,000,000 in cash. She has, in addition, paid American manufacturers \$600,000,000 for new buildings and equipment to be used by them in producing war materials for British use. Britain has contracted for \$1,300,000,000 worth of



additional war material yet to be delivered by American producers. This reduces Britain's dollar resources to the point where, in order to pay for the increased war material so desperately needed, she must obtain American credit. This much-needed credit to Britain is forbidden by the Johnson Act and the Neutrality Act.

In order to avoid the necessity of repealing or amending these two laws, the President, in his lend-lease bill, resorts to a brilliant subterfuge. He proposes to have all purchase, sale, transfer, or distribution of war materials of every kind, for our own defense or for aid to Britain, entrusted to him with unlimited power to handle the entire matter as he may decide is best for the ultimate defense of America. Under this law Britain will buy nothing direct from American producers beyond what she has already contracted for. The President will buy everything from these producers that he decides Britain ought to have. He will pay for these materials with money appropriated by Congress out of the United States Treasury, and he will lend, lease, or otherwise transfer to Britain this material on such terms as he may decide.

The bill in its original form sets absolutely no limit to the enormous power which it confers upon the President. There is no limit as to time. There is no limit as to the amount of money authorized to be handed over to him to be expended at his discretion. There is no provision for reports to Congress, nor for his continuous cooperation or consultation with Congress. In fact, in the bill as written, Congress renounces its constitutional obligations to control the sword and the purse. The sole remaining function of Congress, under this bill, in its original form, will be to appropriate from time to time such sums of money as the President may demand, to be spent entirely at his discretion.

So far as the present administration is concerned there is nothing unusual in the proposals of this bill. For 8 years we have been living in an unbroken series of so-called emergencies. Just when and how the country is to emerge from an emergency has not yet been revealed [Applause.] The one invariable method by which the President has met all emergencies has been to ask for a grant of more power and more money by Congress. And the New Deal majority in Congress, for 8 long years, with few exceptions, has rubber-stamped its way around or through every emergency by granting whatever power and money the President desired.

Now there are signs that the worm is about to turn, or at least to make a half turn. The lend-lease bill, in its original form, will have to be amended in vitally important ways before it becomes law. There ought to be a definite time limit set to the extension of the powers granted the President. An amendment covering this point has already been inserted by the Foreign Affairs Committee. There ought to be some reasonable limit set to the amount of money to be authorized. There ought to be some provision in the bill covering the categories of materials to be transferred to Britain and other

free governments now bearing the burden of holding back the common enemy until we have time to prepare our own total defense on land, sea, and in the air. And certainly Congress, by means of a special nonpartisan committee, or otherwise, ought to retain its right and safeguard its duty to consult with and advise the Chief Executive in these momentous matters affecting the well-being of every American citizen.

Under our Constitution the Chief Executive is clothed with tremendous powers. In war these powers are enormously increased. In the present critical situation someone must have the power to act and to make decisions. Obviously, the President, whoever he may be, is the logical person to be entrusted with this necessary authority. But even under these circumstances of tragic urgency we must not be asked to abandon our constitutional system of checks and balances by reducing Congress to a condition of impotence. Give the Chief Executive all the new powers that may be necessary to get the job done promptly and efficiently, but keep the right to recall and to limit these powers where it belongs—in the hands of Congress. [Applause.]

It is most regrettable that our national unity of spirit and purpose should be disturbed, as it has been, by the proposals set forth in this bill and by the manner in which the bill was prepared and presented to the Congress and the people. H. R. 1776 has become the occasion, if not the cause, of a confusion and disunity of public opinion amounting almost to an attack of emotional hysteria. The whole Nation is buzzing and stinging like a hive of bees shattered by a well-directed brickbat. Embarrassing questions are being anxiously asked by all sorts and conditions of citizens. Some of these questions are as follows: If this is a measure for national defense, why were not the members of the minority party in Congress consulted in its preparation? Surely they and the 22,000,000 voters whom they represent are as patriotic and as strong for defense of our common country as are those of the majority party.

If this bill is for the purpose of insuring American aid to Britain, why did it not simply provide for a loan or gift of money to Britain, notwithstanding the provisions of any other law, to be expended by her Government or official representatives on their own responsibility and as they might decide to be to their best advantage?

Certainly, under present world conditions neither the American Congress nor the people are in a mood to be niggardly as to the size or terms of such a loan.

Citizens everywhere are asking why, in order to defend America by aiding Britain, is it necessary to clothe the Chief Executive with unlimited dictatorial powers never before conferred upon a President in time of peace.

In the light of these and similar questions, and the disturbed public opinion which prompts them, I could not bring myself to vote for this bill in its original form. I resent being placed, by a piece of clever partisan strategy, in a position where I cannot vote for vitally important

legislation which I sincerely desire and which the vast majority of our people desire unless, at the same time, I am forced to vote for what I am convinced is a dangerous and unnecessary political innovation.

Why, in order to obtain the wholesome meat of sound and necessary legislation, must we be continuously forced to accept political poison artfully concealed within its provisions?

I desire with all my heart to vote for legislation which will give Britain immediately the help she needs and upon terms that will strengthen rather than slow down her heroic defense of democracy and freedom. I hope with all my heart that the majority leadership in this House, whose patriotism and integrity are beyond question, will permit such reasonable amendments to the present bill as will make possible its unanimous passage by the House. Such wise and tolerant action will reunite and reassure our people and will serve notice to all the world that this is still free America and free Americans are on guard. [Applause.]

The CHAIRMAN. The time of the gentleman from New Jersey has expired.

Mr. FISH. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. MAY. Mr. Chairman, will the gentleman yield?

Mr. EATON. With pleasure.

Mr. MAY. I was very much impressed by the gentleman's great argument, particularly the one that referred to the fact that in the event England was invaded and conquered we would be for the next many years, perhaps, subjected to the control of our markets and the regulation of our commerce by a totalitarian system of government. Does not the gentleman think that in addition to that situation we may be up against what is known as the barter system in Europe now that will go even further and to the extent of destroying our monetary system, as far as foreign trade is concerned?

Mr. EATON. I think it is impossible to overestimate the unfortunate results of a condition, such as the gentleman describes, to our people and to our economy.

Mr. BARRY. Mr. Chairman, will the gentleman yield?

Mr. EATON. I yield.

Mr. BARRY. The distinguished gentleman from New Jersey seemed greatly concerned about what would happen to this Nation economically in the event of German domination of Europe.

Mr. EATON. German domination of the world.

Mr. BARRY. German domination of the world. Since 1932, just before the war broke out, this Nation has increased its foreign trade from \$1,500,000,000 to \$3,000,000,000. During that time it competed with China, where they pay the lowest wage scale in the world, with Japan, where they pay one-third the wage scale that we pay, with Russia, with Nazi Germany, with India, where they pay approximately \$1.25 per week, and we have doubled our trade. Now, I ask the gentleman just why we could not continue to compete in the world markets



with dominant Germany, in view of those facts?

Mr. EATON. My answer to that is that a large proportion of that increased trade went to Japan in the way of scrap iron and necessary materials for the slaughter of the Chinese. [Laughter and applause.] A great deal of it went to China for the purpose of slaughtering the Japanese. [Applause.]

The CHAIRMAN. The time of the gentleman from New Jersey has again expired.

Mr. BLOOM. Mr. Chairman, I yield 20 minutes to the gentleman from Texas [Mr. LUTHER A. JOHNSON].

Mr. LUTHER A. JOHNSON. Mr. Chairman, I regret very much that a few moments ago it was seen proper to inject into the debate upon this very important bill a criticism of the chairman of our committee the gentleman from New York [Mr. BLOOM] in receiving a courtesy call from the newly appointed Ambassador from the Court of St. James. As was stated by the gentleman from Pennsylvania [Mr. EBERHARTER], this bill had already been reported to the House by our committee before the call of the Ambassador upon our chairman.

During the hearings and the consideration of this bill the chairman of the committee and the majority members of the committee have all cooperated in seeing that there was the fullest and fairest hearing and courtesy extended to everyone. It was agreed by all that the hearing was full and fair to both sides. I think the gentleman from Illinois [Mr. DIRKSEN] improperly sought to inject that incident at this particular time in the consideration of this very important bill, since it has nothing whatsoever to do therewith.

I realize, Mr. Chairman, the grave responsibility which rests upon the Congress in the consideration of this bill. The gentleman from New York [Mr. FISH] said that this was the most important bill ever considered by the Congress of the United States. With that statement I agree, but I do not agree with his reasons for so believing. He bases its importance upon reasons why he thinks it should be defeated. I base mine upon reasons why I think it should be passed.

This measure, in my judgment, is so vital to the defense of the United States, and its immediate passage is so imperative that I am overwhelmed with the magnitude of its importance, and I approach its discussion with a consciousness of my own inability to adequately present it to the House. There are so many various angles to the bill that it is difficult to tell how best to treat it.

I have been thinking about this bill, both in the committee and out of the committee, and I have never in my life given more serious and earnest thought to any one measure since I have been in Congress than to the bill we are now considering. I have reached a very definite conclusion with reference to the bill and, in the time allotted me, I want to advance the grounds upon which I have reached the conclusion that the bill should be passed.

I shall ask, Mr. Chairman, in view of the fact that I want to complete my full analysis of the bill and my reasons for

supporting it, that I be not interrupted until I have concluded. Later in the debate I shall be glad to answer any questions that may be asked concerning it.

I want to present to the House four propositions upon which I shall base my reasons. The first is that there is grave danger to the defense of the United States at this time. The second is that this bill is the best way to meet that danger. Third, this bill is not, as its enemies charge, a dictator bill. Fourth, this bill is not a war measure.

The gentleman from New York always deals in superlative language and denunciation. I thought in this instance, however, he was exceedingly severe when he said there had been more hypocrisy, more misrepresentation, and more blatant falsehoods about this bill than any that had been considered. Had he been sitting on my side of the aisle I would not have been surprised at that sort of statement, because there have been misrepresentations; there have been exaggerated statements with reference to this bill by its opponents, and the country would not be misled thereby if they knew the true facts concerning the bill and its purpose. I am astonished at the ingenious and shifting tactics used by those who seek to accomplish the defeat of this bill.

Referring now to the gentleman from New Jersey [Mr. EATON], who is my good friend and has just addressed you, I thought the first half of his speech was excellent—I applauded that—but some of his statements in the latter portion of his speech were not entirely in harmony with my judgment.

On one proposition we must agree before we can consider this bill from any angle. This country is in danger. If the United States of America is not in danger there is no need, no justification even, for a consideration of this bill; and I want to show you how the enemies of the bill have shifted their position, using first one reason and then another reason why the bill should not be passed. I hope you take time to read the hearings, for if you do you will find that a great portion of the time of the gentlemen opposing the bill was taken up trying to point out that there was no danger to the United States, regardless of who won the war in Europe. They asked questions of the witnesses to develop our isolation and the thousands of miles of ocean that separate us from warring countries, and sought by all of them to show that we were in no danger, trying thereby to lull their own conscience in opposing the bill, and to instill into the American people a feeling of false security; and that no attack being threatened, a necessity did not exist for the legislation.

After the exhaustive hearings were concluded and the testimony of experts having completely refuted their position, they now, in the minority report, favor aid to Britain, but apparently base it on sympathy for the British, and nowhere in the report is such aid based upon our own self-defense.

Those of us who favor the bill have, I am sure, just as much, and I think more, sympathy for Britain than those who oppose it, but we feel that the expenditure of such vast sums of money would not be justified unless they contributed, as we

believe they do, to the vital defense of our own country.

The minority report, or at least the major portion of it, must have been written by the gentleman from New York [Mr. FISH]. I say this not only because I am familiar with his phraseology, but because he still contends in the report, as he did in the examination of the witnesses in the hearing, that our country is not in danger. Buried in the middle of one of the paragraphs on page 1 of the minority report are these words:

I quote:

Our naval and military experts agree that our Nation is in no danger of attack.

I challenge the accuracy of the statement that our naval and military experts agree that our Nation is in no danger of attack; and, on the contrary, I assert that every military and naval expert who appeared before our committee except Colonel Lindbergh, if he be entitled to be classified as a military and naval expert, which I do not admit, testified that our country was in danger of attack, not immediately, perhaps, but certainly, if the British Isles fall or if the British Navy is captured or destroyed.

Mr. Chairman, I leave the question of whether or not the naval and military experts stated that our country was not in danger to the printed hearings and also to the consciences of the members of the committee who heard two witnesses whose names do not appear in the printed hearings, who were heard in executive session, Gen. George Marshall, the Chief of Staff of the Army; and Admiral Stark, the Chief of Naval Operations.

In refutation of the claim in the minority report that our naval and military experts agree that our Nation is in no danger of attack, I want to refer briefly to excerpts from the hearings upon that question, where the distinguished gentleman from New York [Mr. FISH] sought unsuccessfully to obtain such admissions from Secretary of War Stimson that such was the case. I quote from the bottom of page 96 and the top of page 97 of the hearings:

Mr. FISH. Mr. Secretary, you said in your remarks that the British Fleet stands alone against the German Fleet's control of the Atlantic.

Secretary STIMSON. I think I said substantially alone.

Mr. FISH. That is the quotation that I wrote down from your address. Does the Secretary believe that any foreign nation could land troops on our coast?

Secretary STIMSON. Not now; probably not.

Mr. FISH. Any time this year?

Secretary STIMSON. I would not dare say that it could not at any time this year.

Mr. FISH. Our Navy is six times greater than Germany's Navy, and it takes a navy three times as large to come over here; but assuming a landing of 50,000 troops here, could not our Army now, at any time this year, take care of 50,000 foreign troops?

Secretary STIMSON. I think it probably could, if you mean by that that there was a land invasion. But I would like to ask my friend if he thinks that an invasion by infantry is the only possible invasion of America today?

Mr. FISH. If the Secretary is referring to propaganda—

Secretary STIMSON (interposing). No; I am not referring to propaganda. I am referring to air attacks.



Further down on page 97 of the hearings I read the following:

Mr. FISH. Mr. Secretary, the reason I stress that is because, as I understand, reading the headlines in the press, it seemed that the reason for this measure in its present form, was the fear of an invasion from some foreign power; some foreign power invading America. It seems to me that to advocate the bill in its present form because there is fear of this invasion, which is the case according to the statements that are being issued on the subject—it seems to me that I should ask you if you think, if you believe, that we are in danger of any immediate invasion?

Secretary STIMSON. I think we are in very great danger of an invasion by air in the event that the British Navy should be destroyed or surrendered.

And the same line of questioning is pursued further. I shall not take time to go over it, because time has a habit of slipping away.

Mr. BARRY. Mr. Chairman, will the gentleman yield?

Mr. LUTHER A. JOHNSON. Not now. Read the testimony of Secretary of the Navy KNOX in the hearings. The gentleman from New York [Mr. FISH] asked him questions similar to those I have already read; he asked Secretary KNOX if we were in danger of attack, and he said not at once, but the testimony of Secretary KNOX, the Secretary of the Navy, before our committee, was to the effect that if England falls or if her navy is captured or destroyed, we are in immediate danger.

There is no doubt that we are in danger not only from the Atlantic but from the Pacific if England falls and the British Navy is captured. It is well known, and I think this is no secret, that the Axis Powers are now bringing pressure upon Japan to try to get her to take aggressive action against the United States. If England should fall as France fell, Japan would follow the example of Italy and we would be attacked in the Pacific. So our danger is not only from the Atlantic but from both the Atlantic and the Pacific. We have at this time a one-ocean Navy, with two oceans to defend, with two continents to defend; and if the Panama Canal should be put out of commission, we would have one of our navies bottled up in one ocean and no navy in the other.

Mr. Chairman, we must not fool the American people or lull them into a feeling of false security by saying there is no danger, because there is danger, and, as Secretary Stimson said, "The danger and the conditions now are far more critical than they were in 1917." We stand at the crossroads; we stand at a time the most critical in the period of not only our own country but of the world and of civilization itself. The only question that Americans ought to be willing to consider is the following: Is this the best way to meet that danger?

For 16 months we have been supplying planes and munitions to England, and, as stated by the gentleman from New Jersey, that country has already expended in cash \$1,300,000,000 for the purchase of war materials here. It has built plants here amounting to seven or eight hundred million and it has placed orders that are now being filled to the extent of \$1,300,000,000; but the undisputed testimony of the Secretary of the Treasury,

based upon figures he submits, which you will find in the hearings, and this testimony is not denied, shows that the purchasing power of England has been exhausted, that it cannot place an order today for additional war materials which it so badly needs in carrying on the war for its very existence. Until this bill is passed, or unless some means is given by which it can get these materials with which to defend itself and defend us, it cannot buy any more and will fall. As stated by the gentleman from New Jersey, this will give us time to prepare. Until that is done we are in the gravest danger.

How are you going to do it? They say, "Grant credit." The gentleman from New Jersey says, "Give them a credit of \$2,000,000,000." Let me talk to you just a moment about the advantages of this bill. It does not grant credit. This is a grant of material.

There are one or two ways by which this may be done. As stated in the minority report you may grant \$2,000,000,000 worth of credit. This bill says grant materials. We tried the granting of credit before and it did not work so well. We want to try now another plan. Of course, England's credit now is far worse than it was in 1917. England has been bled; England has had to pay cash; England's buying power is gone; but England has certain raw materials. She has tin. There is rubber. There are island possessions and there is the property they have in this country amounting to eight or nine hundred million dollars that England has invested here in munition plants. That property is here, but it is not money. Do you think the manufacturers are going to take the promise of a country that has exhausted all of its buying power and say, "We will take your promise to pay"? They are not going to do that. Businessmen and manufacturers are cold-blooded, as everybody expects them to be. So if you say that you want to give them credit, who are you going to get to furnish the materials on credit to a country in that situation? England's credit is exhausted and her buying power is gone, and the purpose of this bill is to grant her and other democracies vital to our own defense war materials with which to defend themselves. What good will it do to grant England credit when her credit is already exhausted?

There is another great advantage in the plan under the bill to grant materials rather than credit, as set forth by Secretary Stimson, Secretary KNOX, William S. Knudsen, and other Government witnesses, under what is called unified purchasing and production. On page 87 of the hearings Secretary KNOX explains this in detail.

The Government witnesses testified that the plan under this bill, to have all production and sales under our own Government, rather than to have competitive buying by our Government and the other governments, will expedite production to a marked degree, and eliminate delays and confusion now existing in the manufacturing and supplying of war planes and other war materials. This plan will mean the prompt distribution of munitions to countries whose

defense is important to us, and as was so well said by Secretary Stimson, will constitute one great funnel through which all the production of such materials in this country will be ordered, and through which the materials, when finished, will flow from the production lines. And munitions can then be apportioned among ourselves and other democracies whose defense is important to us.

Testimony was given that under the plan which has been followed, of competitive buying, that is, of orders placed by our Government and the other governments, much delay, confusion, and excuses have been given by the manufacturers as to delays in production, but when the plan is in force as provided by this bill, the manufacturers will look to but one agency, and that is our own Government, and the contracts will be made with our Government, and no other intervening agency will give them grounds for excuses for delay, production will be expedited, and the troublesome question of priorities will be eliminated.

Here is the situation they have had to contend with: The testimony of the experts shows that for the past 16 months there has been much confusion, and there has been much delay in the filling of orders. Why? Because we had competitive buying. England was buying and other countries were buying. Their contracts were made directly with the manufacturers. Our orders were also placed with these manufacturers. The manufacturer would say that he had this understanding with a buyer and that buyer which required this, and he was not able to produce a certain thing. He had a good alibi. Then the question of priorities has been a troublesome one.

This bill proposes that all war materials or defense materials described in section 2 shall be funneled through one buying order, which is the United States of America, and that then those materials will go out, saving whatever is necessary for our own defense and granting what we think is best for us to the other countries whose defense is vital to ours.

They say that Congress ought to do this. They ask, Why delegate this power to the President? They ask, Why do you not let Congress preserve its powers? The gentleman from New York [Mr. FISH] was very extreme in his statements, and, talking about extreme statements, he said the Congress will have no more authority if you pass this bill than the German Reichstag. Does any Member here believe that? Why, the German Reichstag cannot even meet, except when Mr. Hitler tells them they can meet, and I do not think he has permitted them to meet lately.

Opposition to the bill centers largely on the alleged ground that Congress abdicates its powers and grants, as the minority report claims, "unlimited, unprecedented, and unpredictable powers" and in their enthusiasm further state that the President has the right "literally to seize anything in this country and to give it to any other country, without limit in law."

There is nothing in the bill that gives the power to the President to seize property from individuals and give it away,



and there is no foundation for such a charge.

Congress does not abdicate its power; it simply confers power upon the President to manufacture, sell, or furnish, through Government agencies, defense articles, on such terms and trades as the President and the foreign governments may agree upon. Congress has the right to revoke this authority at any time, and Congress does have "control of the purse and control of the war-making powers of Congress," the minority report to the contrary notwithstanding.

The bill does not surrender our democratic way of life, as the minority claims, but I might suggest that if the Axis Powers win, then our American way of life is jeopardized.

The Congress cannot make trades with foreign governments and its duly authorized agent alone can do so, even in peacetimes. With a war raging and conditions changing daily, it would be futile for Congress to attempt to pass upon these various transactions in the transfer of property. The consideration of this bill is an evidence of the futility of such a plan, as the delay necessarily incident to the passage of legislation cannot be avoided. This bill was introduced on January 10, and the House will not finish its consideration before February 8, if then, and no one knows how many weeks of time will be consumed in the other body in its consideration. The time element has been stressed by every Government witness with reference to speed in the passage of this legislation, and yet it will likely take 60 days to pass it.

[Here the gavel fell.]

Mr. BLOOM. Mr. Chairman, I yield the gentleman 15 additional minutes.

Mr. LUTHER A. JOHNSON. Mr. Chairman, let me talk a minute about what the President is going to do. He may sell, transfer, exchange, lease, lend, or otherwise dispose of such defense articles. Then section (b) says:

The terms and conditions upon which any such foreign government receives any aid authorized under subsection (a) shall be those which the President deems satisfactory.

In other words, we want to let him trade with the country for whatever they can give us, either island possessions, air bases, or raw materials, such as tin or rubber. Congress could not make a trade. Congress would not have the time to go out and say, Will you give me this or that? When a trade is to be made, somebody must have the authority vested in them to do it, and a legislative body certainly cannot make trades.

THE PRESIDENT IS THE PROPER PERSON IN WHOM THIS AUTHORITY SHOULD BE VESTED

Since it would be impracticable for Congress to carry out or to make agreements or trades with reference to granting materials to such other countries, and since speed is essential, and the authority so to do should be vested in one person, under our Constitution and our governmental history, who is more appropriate to whom this authority should be given than the President of the United States? He is made by the Constitution the Commander in Chief of the Army and Navy,

and his power as such is neither restricted nor limited in the slightest degree. Under our Constitution, and in conformity with the history of our Government, from George Washington to the present time, the President has had complete and exclusive authority in dealing with foreign governments. He, of all persons in the Government, is the only one to whom reports are made by all departments of the Government. He knows, and has the means of knowledge, of affairs existing in foreign governments, and our delicate relations with them. He has reports of the War Department and of the Navy Department, and he is the one person in the Government through whom is funneled all matters pertaining to the foreign affairs, the War Department, and the Navy, and what more appropriate funnel could be established than the President of the United States? To grant him such authority is to conform to our Constitution and usages throughout the existence of the Government. Then why not place this power in him.

They talk about having a joint congressional committee to meet and determine these things! Why, they would get together, and one would say one thing and another would say another, and there would be some partisanship mixed up in it before you knew it.

Let us follow the precedent we have always followed. They say there is no precedent for it. We passed a bill at the last session of Congress upon which this bill is based, and it was supported by the gentleman from New York, and others, who are now fighting this bill. That bill was with reference to furnishing war materials to the South American countries. We have used the identical plan in this bill but we are applying it with reference to countries other than South America, whose defense is vital to our own. We did that because they did not have any credit. We did that for our defense. Now we say it is necessary for our defense to apply that same method to England and to the other democracies whose defense is vital to our own.

Mr. Chairman, I shall not stop to do it now, but later I shall insert a list of emergency powers that have heretofore been granted not only in the instance regarding South America but with relation to powers granted to the President in emergencies both of defense and of an economic character. Even in economic emergencies we have granted him vast powers. In 1933, when the economic crisis came and when representatives of Wall Street and others came here and said, "Save us," these gentlemen over here who are fighting this bill voted to place vast emergency powers in the President. Will the President abuse the powers granted in this bill? Will he consult with the military, naval, and other experts of the Government in carrying out its terms and provisions?

I wish every Member of this House could have heard the testimony concerning the President's consultation and dependence upon advice given him and whether or not he has consulted with the War Department, the Navy Department, and the other departments with reference to what he has done during the

present crisis. I wish you could have heard the testimony that we heard from all these departments when the question was asked them about whether or not the President has conferred with them and whether or not he has yielded to their judgment. I submit it shows that he has been most considerate, and that he has depended upon them and followed their judgment just as he would do under this bill if it is passed.

#### LIMITATIONS ON THE PRESIDENT'S AUTHORITY

The President, under the bill, is not granted unlimited authority, as the opponents of the bill contend, but the authority so granted him by the bill, as amended by the Foreign Affairs Committee, restricts his authority in the following particulars:

First. The President is not given the authority to act directly under the bill. He is empowered to authorize action by the Secretary of War, the Secretary of the Navy, or the head of the department or agency concerned. In acting this way the President will have to get the advice of the respective Cabinet officers and their technical staffs.

Second. The fundamental and basic limitation on the power of the President to authorize the Secretary of War, the Secretary of the Navy, or the head of the governmental agency to act under the bill, as set forth in section 3 (a) and section 8, is that the action must be found to be "in the interest of national defense."

Other people talk about their being for America. Some of those who are fighting the bill say, "We are for America." I want the American people to know that those of us who are sponsoring this bill are just as much interested in America, and just as loyal to it, and that the passage of this bill is necessary, in my judgment, for the preservation of America. [Applause.]

Third. Any aid which the War or Navy Departments may be authorized to give under section 3 (a) of the bill is also limited to the government of any country whose defense the President deems vital to the defense of the United States.

Fourth. The authority of the President under section 3 may be exercised only with respect to a "defense article" or "defense information," as those terms are defined in section 2 of the bill.

Fifth. The "defense information," with respect to which the President's authority relates, is limited under section 2 (b) to information pertaining to any defense article furnished under section 3.

Sixth. Before the War or Navy Departments can place any contract for military or naval equipment under the bill, they must receive the advice and approval of the Office of Production Management.

Seventh. In authorizing the War or Navy Departments to transfer defense articles or to communicate defense information, provision must also be made, in accordance with section 7 of the bill, adequately to protect the patent rights of citizens of the United States.

Eighth. By an amendment to section 3, approved by the Foreign Affairs Committee, it is provided that no defense article, not manufactured or procured



under paragraph (1) of section 3, shall in any way be disposed of, except after consultation with the Chief of Staff of the Army or the Chief of Naval Operations of the Navy, or both.

Ninth. Any disposition of defense articles by the War or Navy Departments must be on terms which the President deems satisfactory and must result in a direct or indirect benefit to the United States.

Tenth. Any defense articles disposed of to a government whose defense is vital to the defense of the United States cannot be transferred by it to anyone else without the President's consent.

Eleventh. By amendment to section 3, approved by the Foreign Affairs Committee, a clarification is inserted which states that nothing in the bill shall authorize conveying vessels by naval vessels of the United States. Strictly speaking, that is not a limitation on the President's powers, since nothing in the proposed act would seem to authorize such conveying; however, in that it clears up a possible ambiguity, it may be considered as a limitation in the bill on the powers granted the President thereby.

Twelfth. By amendment to section 3, approved by the Foreign Affairs Committee, the President cannot exercise any of the powers conferred by section 3 (a) after June 30, 1943, except to carry out a contract or agreement made before July 1, 1943.

Thirteenth. The President is required to transmit once every 90 days to the Congress a report of operations under the act, except such information as he deems not compatible with the public interest to disclose.

Fourteenth. The head of any department or agency of the Government acting for the President must, by section 5 (a) of the bill, immediately inform the Administrator of Export Control when any defense article or information is exported.

Fifteenth. The bill cannot be completely carried out except through appropriations made by the Congress.

Sixteenth. No receipts from the disposition of defense articles can go into the 2-year revolving fund without the approval of the Director of the Budget.

Seventeenth. The authorization for the acquisition of arms, ammunition, and implements of war abroad, contained in section 8 of the bill, is limited to countries to which section 3 is applicable, and may only be exercised when the President deems it "in the interests of the defense of the United States."

There are two points that I should like to answer. One is that this is loosing the purse strings. The report here states that we surrender the purse strings. This bill is merely an authorization bill. No money can be expended by the President unless Congress, in a subsequent bill passed by the Congress and approved by the President, makes the appropriation. Congress itself has the check. It will fill in the amount to be expended later, when the appropriation is made. Congress will still be in power. Congress will not be like the German Reichstag. Congress will operate under this bill as it has always done. The only powers the President will have are those limited

in section 3, where we give him our general power of attorney to act in this particular instance in granting materials to countries whose defense is vital to our own, upon such terms as may be agreed upon.

Now let me answer the second point, and this is one they have used to scare the people. The two points on which they have sought to create sentiment against this bill are, first, that we are in no danger anyway, that it does not matter whether or not England falls, that we are all right, that we are isolated, with oceans on both sides of us, that we are thousands of miles away from danger, they cannot get to us.

#### NOT A WAR MEASURE

The other point is that if you pass this bill you have gone right into war. Those are the two sentimental appeals they make.

I submit, Mr. Chairman, that neither of these appeals is justified when all the facts are known and understood about this bill. Of course, no one can tell whether or not we are going to be involved in war in the future. In this changing world, with conditions changing overnight, it is a mere guess as to what will or will not happen.

I assert that there is nothing in this bill by which Congress surrenders its war-making powers. They say we surrender our war-making powers. We could not if we wanted to. The Constitution of the United States vests that authority in Congress, and we cannot surrender that which the Constitution has placed in us, and we have not surrendered that power here, or attempted to do so.

I am as much opposed to war as any opponent of this bill, but we are dealing with realities. It is not a theory, but a condition that confronts us at this time. Hitler, as head of the Axis Powers, will likely declare war whenever in his judgment it is best for him to do so, and nothing that we have done in the past, or what we propose to do under this bill, will affect his decision. It will be guided solely by his own selfish and sordid interests. In my judgment, there is nothing in this bill which will hasten or accentuate our involvement in war.

We have already for 16 months been furnishing these same materials we are going to furnish under this bill, except that heretofore such materials have been paid for in cash, and under this bill the materials will be furnished on such trades or agreements as the President may make with the countries to which they are furnished. And furnishing them in this means will facilitate our own arming and also expedite the furnishing of materials so badly needed to those countries whose defense is vital to our own.

This bill will do what is needed now by England, and we say it is a peace measure. Why? Because if England falls we know that we will likely be involved in war both from the Atlantic and the Pacific, but if this bill passes and England stands, which God grant that she may [applause], and I believe she will, then there is no danger of invasion here, because as long as the At-

lantic Ocean is controlled by the British Fleet, I think our Navy can take care of the other side, and we are in no danger; but when the British Navy falls then the crisis comes and you are likely to have war from both sides of the ocean and in South America, where we are pledged to give them protection.

Mr. Chairman, I am not going to talk to you longer. I feel very earnestly and very intensely that this measure ought to be passed, that it ought to be passed quickly, that it is not an abuse of power, that we are not delegating any of our powers but still reserving the right to make the appropriations. We are simply giving the President power in section 3 of the bill to do five things and as to those five things, while the expression is used, "notwithstanding the provisions of any other law," that expression, as was said by the chairman of our committee, is an expression analogous to that used in the appropriation bills, "out of any money not otherwise appropriated." We say in this bill, in section 3, "notwithstanding any law," and so forth, the President shall have this authority. What does that mean? It simply means that with respect to these five things mentioned in section 3, if there is any other law that would prevent his doing those things, during the life of the bill they are temporarily suspended. This does not repeal any law, but simply gives him the clear right to go ahead and do them. It does not repeal the neutrality law, it does not repeal the Johnson Act, it does not repeal the Walsh-Healey Act or any of those acts. It simply refers to those provisions that might prevent us from exporting certain things. For instance, we have a law now that you cannot export to a foreign country certain things built in this country and there are laws like that that might be in direct conflict with the power granted here and, of course, such laws would be suspended. They would not be repealed, but during the lifetime of this law, they would be suspended.

Mr. BARRY. Mr. Chairman, will the gentleman yield now?

Mr. LUTHER A. JOHNSON. Yes; I yield.

Mr. BARRY. My distinguished friend from Texas has quoted Secretary Stimson time and time again. Mr. Stimson is a distinguished citizen of my State. He is 74 years of age. He is one of our greatest corporation lawyers. He was Secretary of State for less than 2 years and Secretary of War for less than 1 year. In all seriousness, I ask the gentleman, does that to his mind qualify him as a military expert?

Mr. LUTHER A. JOHNSON. I am glad the gentleman has asked the question. Secretary Stimson has had service in three different administrations. He served as Secretary of War in the administration of President Taft, he served as Secretary of State in the administration of Mr. Hoover, and he is now serving as Secretary of War in the administration of President Franklin D. Roosevelt. In addition to that, let me say to my friend that Secretary Stimson's testimony, which he has given as to present conditions, is based not alone upon his experience, but after consultation with the



Chief of Staff of the Army and with other military experts, and he voices not his individual opinion, but he voices the opinion of those upon whom he depends, and let me say this: It is strange to me that when our Army and Navy experts are all agreed that this bill is the best way to do it, and upon them rests the responsibility of protecting our country, why should we want to put up our judgment in contradistinction and in contradiction to those who are experts and have been thinking about these things and have worked them out? I hope my friend from New York, following his usual good judgment, will this time vote with us.

Mr. WHITTINGTON. Mr. Chairman, will the gentleman yield?

Mr. LUTHER A. JOHNSON. I yield to the gentleman from Mississippi.

Mr. WHITTINGTON. I should like to ask the gentleman if this bill contemplates that before the Congress makes appropriations to carry out the purposes of the bill that British credits and British property in this country will be first exhausted?

Mr. LUTHER A. JOHNSON. The bill gives the President authority to take into consideration all of those matters, and that is a matter that he will have to work out with these foreign governments. Of course, the Appropriations Committee, I take it, when the bill comes up for appropriations, will take into consideration that very point and will ask them what they have to offer or what they can do and what they have done.

Mr. BLOOM. Mr. Chairman, will the gentleman yield?

Mr. LUTHER A. JOHNSON. I yield.

Mr. BLOOM. Answering the gentleman's question, if he will kindly read the hearings, he will find that Mr. Morgenthau's statements in the hearings will answer that question.

Mr. WHITTINGTON. I would say that the intent of Congress would control in the matter, and I would prefer—

[Here the gavel fell.]

Mr. BLOOM. Mr. Chairman, I yield the gentleman from Texas 1 additional minute.

Mr. WHITTINGTON. I am familiar with the hearings, but I am inclined to think that the intent of Congress and the discussions here will be of more benefit than the statement of somebody before a committee.

Mr. LUTHER A. JOHNSON. Yes.

Mr. WHITTINGTON. Now, I have this further question. Before the American people are taxed and appropriations are made, is it contemplated that the investments of British citizens in the United States shall first be exhausted in undertaking to supply the materials that are to be loaned or that are to be provided under the terms of this bill?

Mr. LUTHER A. JOHNSON. I do not know with reference to the investments of individual citizens of a country, but I take it that the President in the exercise of this great power, which we have vested in him, and realizing as he does that he wants to do what is best for our country and our people, will go into all those questions and that is the very reason I think it is best to have one man to do that

rather than for the Congress to try to do it.

The CHAIRMAN. The time of the gentleman has expired.

Mr. LUTHER A. JOHNSON. They ought to be taken into consideration.

Mr. MAY. Mr. Chairman, will the gentleman yield?

Mr. BLOOM. Mr. Chairman, I yield the gentleman 1 minute additional.

Mr. LUTHER A. JOHNSON. Yes.

Mr. MAY. In view of the possible widespread ramifications of the enforcement of this legislation and the multiplied difficulties that will naturally arise in connection with it, does the gentleman not think it should contain a provision expressly repealing the Johnson Act, to enable British-born American citizens who live in this country and British sympathizers to help finance England?

Mr. LUTHER A. JOHNSON. The Johnson Act, as the gentleman knows, does not forbid our Government from extending credit, but it does forbid the citizens of this Government from doing that. I understand the gentleman's view on that and I may go with him, though I am not making any promises now. The passage of this bill will not necessitate or require the repeal of the Johnson Act, since it is not involved if the proposed plan is followed.

Mr. O'CONNOR. Mr. Chairman, will the gentleman yield?

Mr. LUTHER A. JOHNSON. Yes.

The CHAIRMAN. The time of the gentleman from Texas has again expired.

Mr. FISH. Mr. Chairman, I yield 1 minute to the gentleman from Ohio [Mr. VORYS] to ask a question of the gentleman from Texas.

Mr. VORYS of Ohio. Mr. Chairman, will the gentleman yield for a question?

Mr. LUTHER A. JOHNSON. If I can enlighten the gentleman from Ohio I would be delighted to do so.

Mr. VORYS of Ohio. The gentleman, if I understood him, said that Public Act No. 83, the so-called South American bill, granted credit because they did not have any credit.

Mr. LUTHER A. JOHNSON. Oh, no. If I said that, I was in error. It grants material, just as this does, rather than credit.

Mr. VORYS of Ohio. Does the gentleman recall that these words are in Public, No. 83:

*Provided further, That no transaction authorized herein shall result in expense to the United States nor involve the extension of credits by the United States.*

Mr. LUTHER A. JOHNSON. No credits were granted. It granted materials, just as this bill does, and authorized this country to furnish war munitions to South American countries.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. FISH. Mr. Chairman, I yield the gentleman from Oregon [Mr. MOTT] 1 minute to ask a question.

Mr. MOTT. Mr. Chairman, will the gentleman from Texas yield for a question?

Mr. LUTHER A. JOHNSON. Yes.

Mr. MOTT. If I interpret the gentleman's remarks correctly, he said there

was much confusion in the distribution of priorities which resulted in delay on that account. Was that the gentleman's statement?

Mr. LUTHER A. JOHNSON. Yes; in part. I said in giving orders and in filling orders, that is, with competitive buyers, there had been delay, and the executives of the departments had testified before our committee it would expedite the furnishing of munitions if the buying power was all placed in one agency, as this bill does.

Mr. MOTT. And I say to the gentleman that statement is directly contrary to the testimony of every naval officer and every plane manufacturer who appeared before the Naval Affairs Committee 2 weeks ago. They were asked that question directly. They said there was no confusion.

Mr. LUTHER A. JOHNSON. I did not hear the testimony before the Naval Affairs Committee, but I distinctly recall that in the hearing on this bill before the Foreign Affairs Committee, experts from the War Department and others testified just as I have stated.

The CHAIRMAN. The time of the gentleman from Oregon has expired.

Mr. FISH. Mr. Chairman, I yield myself 2 minutes, and I do this for the purpose of thanking the gentleman from Texas [Mr. LUTHER A. JOHNSON] for reading the colloquy, the questions and answers, which occurred between the Secretary of War and myself. The purpose of those questions was to bring out the fact that we were not about to be invaded, and to put an end to this gospel of propaganda and fear that is being spread throughout the Nation. The Secretary of War finally admitted, and it was all boiled down, that there was no fear of invasion by sea or by land but only by air through South America; and, as a matter of fact, this alleged invasion by air of South America is farther away than if European nations had tried to invade us by air from Germany or France at the present time. They merely get farther away when they get into the jungles of Brazil and of a large part of South America. In addition, I say this to the House, that Colonel Lindbergh over a year and a half ago advised the administration to acquire air bases along the northern coasts of South America, which has not yet been done. Believing as I do in the Monroe Doctrine, if any foreign nation seeks to violate that doctrine by erecting military or naval air bases in South America, then I would be in favor of using our Navy to prevent it and going to war if foreign nations insist on building war bases in Latin America or elsewhere on this continent. [Applause.]

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. FISH. Mr. Chairman, I yield 20 minutes to the gentleman from Ohio [Mrs. BOLTON].

Mrs. BOLTON. Mr. Chairman, I ask that I may continue without interruption.

The CHAIRMAN. The gentlewoman declines to yield.

Mrs. BOLTON. Mr. Chairman and Members of the House of Representatives, I rise to discuss H. R. 1776, a bill



brought before us as "An act to promote the defense of the United States, and for other purposes."

That there may be no misunderstanding of my attitude either in this House or in the country at large, I shall take a moment to make clear my conception of the responsibilities and the duties of the position it is my great privilege to fill.

The oath we all took in this Chamber on January 3 bound us to "support and defend the Constitution of the United States against all enemies, foreign and domestic"; to "bear true faith and allegiance to the same"; and to "faithfully discharge the duties of the office."

It is my understanding that insofar as I might agree to the relinquishment by this House of control over what has been called the purse and the sword I should be violating that oath. I can think of no momentary expediency that could justify such action.

Now, further, I believe wholeheartedly in the principle of two-party government. I believe it is one of the cornerstones upon which our Republic rests.

I was elected on the Republican ticket and am proud to be a member of the party fathered by so simple and so magnificent a man as Abraham Lincoln.

Oh, we've made all too many mistakes, we Republicans. We could have done so much better. But I say to you in all earnestness, "Let him who is without sin amongst you cast the first stone."

When I came into this House I came not just as a Republican but primarily as an American, with 300 years of pioneering and building and stewardship in my blood.

Whatever I am today is the result of the opportunity given to Americans to build freedom under law, combined with centuries of conviction that the justification of opportunity is the use one puts it to.

I repeat, I took my seat here in this House as an American, not as a partisan politician, and I propose to occupy it as such, regardless of the labels of various kinds that are hung about the necks of all who fail to fall in with the desires of the present administration.

One of the labels is "isolationist." Another, "interventionist." Both are extremes; neither is any more applicable to me than it is to thousands of other Americans who are as unwilling as I am to give into the hands of unknown forces all that has been and is the United States.

Have citizens of this country no longer the right to protest when those in power are attempting hysterically to tell free-born men and women that this one suggested method is the only way by which we can defend ourselves and give England the help she so dramatically needs?

Like many of you, I promised my constituents that I would use whatever influence is mine to keep us from active participation in the European war. With what light and judgment I have, I intend to keep my word to them in this as definitely as I shall keep my oath to uphold the Constitution.

In spite of the fact that H. R. 1776 comes to this body from the administration without any consultation with the minority during its drafting, the minority

members of the committee have considered it entirely in its relation to what can best be done, and done quickly, to help England and to preserve this Republic.

As a minority member I protest the constant reiteration that, because we are upholding the right of the people to know both sides—because we are living up to our recognized duties as a minority, we have it constantly hurled at us that we are playing partisan politics.

What has become of fair play in this Nation, that has been so proud of its sportsmanship?

Now let us consider this bill—H. R. 1776—prophetic number—for once again, even as in the year 1776, we are face to face with issues that involve our freedom for centuries to come.

"An act to promote the defense of the United States, and for other purposes." Routine as the last phrase is, it gives a leeway that has been used time after time in the past 8 years to transfer bits of congressional power to the Chief Executive. This time, more than ever before, it is these "other purposes" that are the meat—yes; the heart—of the bill.

The bill as submitted is in its essence confused, at a time when all measures should be clear and frank statements of purpose and intent.

If there is delay in this whole matter of reinforcing England, it is due largely to the administration's unnecessary demand for complete power contained in the "other purposes."

Those who are responsible for the writing of H. R. 1776 and for the continued efforts to force or coerce this Congress to agree to the relinquishment of its powers and its responsibilities are responsible for whatever delays may be involved in the protest of the people against this onslaught upon our free institutions.

Opposition to this bill is not confined to the minority, and let me say clearly that most of this opposition is not objection to "buying time" by helping England, but it is a determined effort on the part of an awakened and awakening citizenry to refuse to sanction the primary purpose of H. R. 1776, which is to put into the hands of one man the decisive powers of their own elected representatives.

We have been told that the bill does not deprive Congress of its powers of appropriation. Do the proponents really believe that Americans are so childish as to credit this? Oh, we shall have to appropriate by the billions, but not for the purposes described in the bill. Have no illusions, citizens of the United States, such appropriations have all been made. A very little study brings to light some forty billions that would be at the disposal of the President. No, gentlemen; the naiveness of your explanations does not stand up against simple common-sense examination.

Why did not the administration ask the Congress with clarity and forthrightness for an appropriation covering England's immediate needs? The issue would have been clear, the mechanics simple.

Why does not the administration give the country facts instead of hysteria?

I so trust the heart and the intelligence of our people that I believe their response

would be immediate and the flow of necessary material would soon be on its way.

Instead, the administration demands the same power Hitler demanded and received in 1933 with the same deceptive clause limiting the time.

The administration's so-called amendments do not alter the bill at all. As a matter of fact they tend to deceive the people still further, suggesting as they do that nowhere is there power to convoy, a power which the Secretary of the Navy testified would be an "act of war," and which for instance we are told the President already possesses.

At no point has there been any suggestion of willingness on the part of the administration to make our defense the main issue, and set aside the "other purposes" as untimely.

Many of us who consider H. R. 1776 a dangerously subtle menace to our freedom—and through us to the freedom of the world—many of us, I say, have an almost passionate desire to give expression to the gratitude we feel to the source of the concept of freedom that is ours.

We have not forgotten whence came the ideas written into our Constitution and Bill of Rights. Go back to the Magna Carta and see how clear is the path from Runnymede to Philadelphia and on to Capitol Hill.

Little England. Surely the world owes her too much for us to let her perish for lack of present and speedy help.

Oh, yes; there is much that is not pleasant about the methods of the British Empire. I have no brief for it as such. But I do say to you that the little island kingdom was the womb of our life, the birthplace of the rights of the individual.

And I say further that there is being reborn in those islands today a spirit, a courage, and a beauty that all who believe man to be an integral part of the life of divinity should not only salute, but should uphold.

So make no mistake regarding my opposition to this bill. I am not opposing aid to England. I am opposing a bill which will not bring help to England in time—a bill whose real and hidden purpose is the enslavement of free Americans under a smoke screen of so-called defense.

My party is as willing as you are to help England, perhaps even more honestly so, but we believe it can be done better and faster without the relinquishment of our constitutional rights.

To those of us who recognize the gravity of England's immediate situation, coupled with the knowledge of our own criminal lack of defense material and the consequent need for time, the clouding of issues caused by this wholly unnecessary demand for dictatorial powers on the part of the administration is unforgivable.

The negligence of those in authority in matters of our defense as well as their inability to organize and put into effect an adequate program is a poor argument for giving them complete powers over every phase of whatever they may glibly call defense.

Nor is the language of the bill comforting.



Have you ever loaned anything to a friend without beclouding, if not destroying, that friendship? The very sound of the word makes enemies.

Let us see that England receives immediately that which will make her continued resistance possible. Not only for her security, but to give us time to build our own defenses too long neglected. If it means life to her she will accept whatever exchanges and securities may best cover our needs.

But let us make our terms with a long look ahead and with a largess of heartfulness that of itself will make for better understanding in tomorrow's world.

Above all let us have a bill that is forthright and open, one that will bring results.

We need time. England needs help. Very well, let us get to the point.

I shall not discuss possible methods as there are others who will do this. It is my purpose to clear your minds a little, and the minds of those who will read and study what we do here, to challenge you of the Congress perhaps to be honest with yourselves and with the simple, earnest folk you represent.

To this end I beg you to remember that we are under oath to protect the United States from all her enemies, those who may attack her from within just as much as those who may attack her from without.

Because these words, familiar as they are, have perhaps slipped through your minds without touching your understanding, or resting in your hearts, I read them. They are from Lincoln's address *The Perpetuation of Our Political Institutions*, before the Young Men's Lyceum at Springfield, Ill.:

At what point then is the approach of danger to be expected? I answer, if it ever reach us it must spring up amongst us; it cannot come from abroad. If destruction be our lot, we must ourselves be its author and finisher. As a nation of freemen, we must live through all time or die by suicide.

We seem to have reached the point Mr. Lincoln anticipated.

Men and women of this Congress, in this H. R. 1776 there is more at stake right here in these United States than even in England.

I say to you that those who are forcing this bill upon us are risking the future not only of England but of this hemisphere, and they are putting in jeopardy the freedom of all the world. [Applause.]

Mr. VORYS of Ohio. Mr. Chairman, I yield 30 minutes to the gentleman from Michigan [Mr. WOODRUFF].

Mr. WOODRUFF of Michigan. Mr. Chairman, I wish every man and woman in this country could have heard the speech we just listened to, delivered by the gentlewoman from Ohio [Mrs. BOLTON]. I hope every Member who was not listening carefully to that speech will take the *Record* in the morning and read it. I commend it to you. [Applause.]

MOBILIZATION FOR DEFENSE OR FOR WAR?

Mr. Chairman, only twice in our history as a nation and a people have we been in peril comparable to that in which we find ourselves today. The first time was when the issues of the War of the

Revolution hung in the balance while the immortal Washington and his barefooted, starving troops fought not only the British redcoats and King George's Hessian mercenaries, but discouragement, despair, hunger, and cold as well.

The second time was when the issues of the Civil War hung in the balance and the immortal Lincoln, with his shawl draped about his gaunt figure paced his lonely vigil through the corridors of the White House, in the still hours of the nights, wrestling with the agony of grief, fear, and doubt, and praying to Almighty God for the strength and the light to lead this Nation out of war, back to reunion, back to the paths of peace, and the blessings of unity and fraternity.

The issue in the Revolutionary War was whether or not we should win freedom and liberty. The issue in the Civil War was whether or not we should remain united in freedom and liberty. The issue today is whether we shall cling to freedom and liberty or whether it shall be wrested from us by powers from without, or whether we shall lose it by lack of wisdom from within. That, in blunt words, is the issue we face today.

As we consider the military and economic and social issues involved in whatever course we take, we realize that our greatest danger is intolerance, hostility to free, honest discussion, refusal to compromise, division by sections and classes among our people, and, thus divided, a plunge back into an accursed tyranny from which we were freed by the devotion, the blood, and the sacrifices of our heroic forefathers.

We are hearing much these days about the need for unity. Let us not make any mistake in our concept of unity; let us not be misled by any false definitions of the term.

Unity does not mean blind agreement or silent acquiescence with policies, methods, or objectives which outrage our sense of logic or our better judgment. Unity means discussion; some disagreement, perhaps, as to methods; final compromise on the policies, the methods, and the objectives shown to be the best and wisest by fair, frank, full, free discussion; then the concerted, wholehearted effort by all to achieve those purposes and objectives.

To adopt any other course in these perilous times, blindly to entrust our liberties, our economic and social welfare to the judgment of one man, influenced as he may be in secret by those who have not been chosen by the people as their representatives, prone to anger or other emotions, as he might be, is to risk fatal errors which would wreck the Nation, snuff out our liberties, and land us under a dictatorship as bad or worse, perhaps, than the ones we are helping Britain and her Allies to oppose.

If ever there was a time when the safety of the Nation and the future welfare of our own generation and those to come require an able, aggressive, intelligent, and patriotic opposition, that time is now. Far from it being disloyal or unpatriotic to oppose policies or methods or objectives which we believe dangerous to the very existence of our constitutional Government and the Bill of

Rights, it would be disloyal, unpatriotic, and, indeed, cowardly and pusillanimous not to oppose such policies, methods, or objectives if we sincerely believe they would ruin the Nation.

We cannot afford to permit abuse, violent disagreement, or charges of being "fifth columnists" or appeasers to deter us from honest and careful examination of proposed policies, methods, and objectives. We cannot afford—if we wish to remain free men and women—to shrink from the unwelcome task of disagreeing with even our best friends, or our highest officials, if we believe they are advocating the adoption of policies, methods, and objectives which would ruin this Nation.

To disagree with policies or methods or objectives does not necessarily imply that we consider dishonest those who propose such policies or methods or objectives. Honest men may be sincerely mistaken. Mistaken men may be sincerely honest. But we must never forget that rogues and self-seekers are always alert to take advantage of the mistakes of honest and sincere men and women for their own selfish ends. So, then, it is but the part of wisdom, it is simply the operation of that free constitutional method which we have come to call the American way, for the Congress fully to carry out its function as a coordinate, independent branch of the Government, and as the direct representatives of the people, to examine, debate—and amend, if it is found wise—the proposals of the Executive that he be clothed with authority which would amount, in effect, to the powers of a dictatorship in conducting our course in the war.

Anyone who proposes that the Congress abdicate its functions to the Chief Executive, or anyone who condemns the insistence of the Congress on examination and necessary amendments on proposals of the executive department of the Government—anyone who advocates that course is simply advocating complete abandonment now of our constitutional American form of government, and the adoption of a dictatorship which might or might not be a limited despotism.

Presidents are charged with the conduct of foreign relations, by and with the advice of the Congress, particularly the Senate. In the past when we have gone actively into war they have been clothed with greater powers of action in order to meet situations or conditions such as must be handled promptly. The present occupant of the White House has acquired during peacetime greater powers than have been given to any other President during peace or war. He now asks, through the medium of H. R. 1776, powers far transcending those he now has, and we are still at peace so he says. I believe that to grant him the powers incorporated in this measure will result, not only in taking this country actually and actively into the wars in Europe, in Africa, and in the Orient, but by such action we then will have embarked upon a policy of interfering in foreign wars wherever they may be, whenever in the judgment of the Chief Executive such action will contribute to our national de-



fense. In this connection, there are some facts which we will do well to remember. One is that the people are overwhelmingly against—and they have constantly been overwhelmingly against—our getting into this and other foreign wars with our men and arms.

It is true the majority of the people elected Mr. Roosevelt President of the United States for a third term. But it is also true that they meant to elect a President and not a dictator. We must remember that not a single proposal contained in the bill now pending before the Congress to clothe the President with powers to take us into the war whenever and however he chooses, to give to any country he may choose any part of our own defense mechanism, already built or now building, or which may in the future be built, and to give to other nations of the world any part of our wealth he may see fit—not a single one of those issues was even mentioned by either Presidential candidate, let alone discussed or passed upon by the people before the recent election. The people were impressed with the expressed determination of both Mr. Roosevelt and Mr. Willkie to give aid "short of war" to the opponents of the dictatorships. We were to take steps to aid Britain, but they were to be steps "short of war." Those were the slogans and the policies on which Mr. Roosevelt and Mr. Willkie campaigned, and on which Mr. Roosevelt was reelected. And we have not heard the term "methods short of war" uttered from the White House since the election votes were counted.

The people were told by both Presidential candidates and their authorized spokesmen that our first objective—our primary policy—was to achieve an adequate defense for ourselves first of all. Not once was the issue of giving away our defense or a considerable part of it mentioned, and the people had no chance to pass on that question in the last election. And I venture the opinion, my colleagues, that if the policies we are asked to adopt now had been proposed by Mr. Roosevelt before the election, the country—the people—would have been heard from in no uncertain terms. Since none of these proposals were placed before the people for their approval or disapproval before the election, in all good conscience and wisdom they ought to be debated at sufficient length in the Congress now to enable the people ample opportunity to secure full information regarding these proposals and then to register their will with the Members of the House and Senate.

Of course, what we are facing is a propaganda blitzkrieg. We are told that there is not time to consider these proposals or to modify them if necessary. We are told that "it is later than you think." They would have us believe that Mr. Hitler is practically ready to sail into New York Harbor within a few days after England submits to his bombs. That is plain and simple nonsense.

As Gen. Hugh Johnson wrote the other day:

No showing of necessity whatever is made for this abject abdication of congressional war powers, and the attempted showing of

necessity for speed in enacting this legislation won't stand the slightest inspection. The next critical period in this war is between now and May and—bill or no bill—there is not another thing or moment we could add to what Britain could enjoy, receive, or even order from us in that interim, unless it is our intent to strip our Navy of fighting craft and our Army of planes, tanks, and guns, of which it has too little even to begin training the men it is calling to arms. Any such intent has been specifically denied except, for example, as to "five out-of-date" planes. So was the intent to swap the 50 destroyers denied. We don't rely on that. The power is there to give away our arms.

Many years ago, the great English student of American government, James Bryce, saw and voiced the fallacy of such arguments for speed at the expense of care in such decisions. He said in his *American Commonwealth*:

If a nation desires perfect stability it must put up with a certain slowness and cumbersomeness; it must face the possibility of a want of action where action is called for. If, on the other hand, it seeks to obtain Executive speed and vigor by a complete concentration of power, it must run the risk that that power will be abused and irrevocable steps taken too hastily.

Now, my friends, there was, not very long ago, another man, a man in whom the people had great confidence, who solemnly warned this Nation against being lured into a foreign war. I quote him:

The Congress of the United States has given me certain authority to provide safeguards of American neutrality in case of war.

The President of the United States, who, under our Constitution, is vested with primary authority to conduct our international relations, thus has been given new weapons with which to maintain our neutrality.

Nevertheless—and I speak from a long experience—the effective maintenance of American neutrality depends today, as in the past, on the wisdom and determination of whoever at the moment occupy the offices of President and Secretary of State.

It is clear that our present policy and the measures passed by the Congress would in the event of a war on some other continent, reduce war profits which would otherwise accrue to American citizens. Industrial and agricultural production for a war market may give immense fortunes to a few men; for the Nation as a whole it produces disaster. It was the prospect of war profits that made our farmers in the West plow up prairie land that should never have been plowed but should have been left for grazing cattle. Today we are reaping the harvest of those war profits in the dust storms which have devastated those war-plowed areas.

It was the prospect of war profits that caused the extension of monopoly and unjustified expansion of industry, and a price level so high that the normal relationship between debtor and creditor was destroyed.

Nevertheless, if war should break out again in another continent, let us not blink the fact that we would find in this country thousands of Americans who, seeking immediate riches—fools' gold—would attempt to break down or evade our neutrality.

They would tell you—and unfortunately, their views would get wide publicity—that if they could produce and ship this or that and the other article to belligerent nations, the unemployed of America would all find work. They would tell you that if they could extend credit to warring nations that credit would be used in the United States to build homes and factories and pay our debts. They would tell you that America once more would capture the trade of the world.

It would be hard to resist that clamor; it would be hard for many Americans, I fear, to look beyond—to realize the inevitable penalties, the inevitable day of reckoning, that come from a false prosperity. To resist the clamor of that greed, if war should come, would require the unswerving support of all Americans who love peace.

If we face the choice of profits or peace, the Nation will answer—must answer—"We choose peace." It is the duty of all of us to encourage such a body of public opinion in this country that the answer will be clear and for all practical purposes unanimous.

\* \* \* But all the wisdom of America is not to be found in the White House or in the Department of State; we need the meditation, the prayer, and the positive support of the people of America who go along with us in seeking peace.

No matter how well we are supported by neutrality legislation, we must remember that no laws can be provided to cover every contingency, for it is impossible to imagine how every future event may shape itself. In spite of every possible forethought, international relations involve of necessity a vast uncharted area. In that area safe sailing will depend on the knowledge and the experience and the wisdom of those who direct our foreign policy. Peace will depend on their day-to-day decisions.

At this late date, with the wisdom which is so easy after the event and so difficult before the event, we find it possible to trace the tragic series of small decisions which led Europe into the Great War of 1914 and eventually engulfed us and many other nations.

We can keep out of war if those who watch and decide have a sufficiently detailed understanding of international affairs to make certain that the small decisions of each day do not lead toward war and if, at the same time, they possess the courage to say "no" to those who selfishly or unwisely would let us go to war.

Those words of warning, Mr. Chairman, were voiced at Chautauqua, N. Y., on August 14, 1936, by Franklin D. Roosevelt when he was a candidate for his second term.

They were true words when he uttered them. They have been true ever since. They are true in the situation in which we now find ourselves.

The question is frequently asked: "Are we mobilizing for defense or war?" In my opinion, we are mobilizing for war. As a matter of fact, we are in the war now. The only steps we have not yet taken, but which we undoubtedly will take if the war long continues, is to send in our ships and our men, our planes and our pilots. Every careful student of affairs in the National Capital agrees that we have been taken into the war, not by act of Congress, not by consent of the people, but by the President of the United States.

It is now too late to debate or to decide whether it is right or wrong, wise or unwise, for us to have gotten into this war. We are in it and we must now pursue the wisest course we can foresee to get through it and out of it without losing our liberties or our constitutional form of government, and without finding ourselves faced with such economic chaos and such a monstrous Federal debt by the end of it that we will experience inflation, repudiation, ruin, and dictatorship.

The administration has proposed this so-called lease-lend bill in which it is sought to have the Congress vest the



President with the dictatorial power to lease, lend, or give away any equipment, implements of war, munitions, food, clothing, anything and everything we possess, to any other country, particularly Great Britain, Greece, and China, and perhaps, if not probably, others, which he personally and alone may decide deserves or requires them.

We have been told—and I do not hesitate to say that I think it is a slur upon the intelligence of the American people—that these nations, Britain, Greece, China, and such others as we shall aid, will return “in kind,” or in something else, the value of all these munitions and implements and supplies of war. In short, we are going to lease or lend these highly consumable implements and supplies to people who already owe us billions for similar supplies and money loaned to and consumed by them in the past. We are going to let these consumable implements and supplies be the collateral security for the leases and loans, and we are going to expect these other countries, who are now unable to pay for these things, as we are told, to be able after a long, exhausting, and devastating war, to be better able to pay for them, or to return them in kind.

Think of that proposition now: After these nations, which are supposedly not now able to pay for these implements, munitions, and supplies, have consumed them during a long and devastating war, and after such war has been ended, with all the nations bled white of manpower, with their industries blasted to dust, with debts beyond human computation, they are to be expected to find the money and the manpower to build similar or other equipment, to purchase or manufacture other supplies and return them to us. Now, do you folks believe they will do that? Do you believe we will ever get, in money or in kind, the repayment by a dime or a dollar for these billions and billions of dollars' worth of supplies and equipment, together with the other billions some of these nations already owe us from the first World War? You know, of course, that we will not. Those who propose this legislation know that we will not.

Now, we are told, of course, that since Britain and Greece and China are fighting “our” battle, we should aid them with supplies and implements of war, and supplies for their civilian populations. This theory did not originate in those warring countries. The peoples of those countries did not first voice that theory. It originated in this country in the minds of those internationalists who would take us all the way into this war. It was the product of their minds. Now, if their theory is correct, it is cowardly and utterly selfish for us to want to lease or lend those other nations the supplies and the implements and the munitions with which to fight our battles.

You see, the administration's arguments do not hold together. They do not make logic or sense. If these other countries are fighting our battles to preserve our liberties, we should not lease or lend them the supplies and the implements and the munitions with which to fight those battles. In that case we

should give them all these things. And if that is so, why should our administrators not be frank and honest with us and tell us that we should and will give these billions of dollars worth of supplies and munitions and implements to these countries without expecting a dime in return? In either event, they know we will not receive a thin dime in return, and the people certainly have a right to be told if billions of dollars worth of their labor and supplies and implements and munitions of defense are to be given away to other nations and peoples.

Despite the efforts of the propagandists to create the impression that the President is to give away all these billions—the fact still remains that it is the people's money being spent; it is the people's supplies and implements being thus distributed by the President; it is the people, the taxpayers of the present and the future—you and I, and our children and our children's children and their grandchildren, who will do the paying for all these things which we are to lease and lend and give away.

Personally, as a Member of this House, I find something sinister and very suspicious in these efforts to fool and deceive the people, to lead them into a situation step by step, when those who are doing the leading know perfectly well that in the end the people will be told that they never should have expected repayment for all of these implements and munitions and supplies which the allied nations were given with which to fight “our” battles.

Now there is another, and possibly graver, question beside the one we have just discussed.

After the war is over, and inasmuch as our own high officials have shouted from the housetops that this is our war, that those other peoples are fighting this war for us, and after the industries and the farm lands of these battling nations have been blasted into dust and unproductive, powder-poisoned soil, after the food-stuffs have been destroyed, the cities leveled, in these other countries, what shall we expect? Will we not be told that these other nations fought our battles, and that we can do no less than feed the hungry hordes of Europe and the Orient—in the countries on both sides? We did that after the first World War. Will we not be told that unless we do that again, unless we further impoverish ourselves to rebuild the wrecked cities, the devastated industries, and the ruined farms of Europe and the Orient that their desperate hordes will combine against us and by economic means wreck us?

Will we not be told that it is too awful to contemplate that we in America should be sitting over here with food and clothing and industries, more or less unimpaired, while men, women, and children in all these other countries are starving and dying?

Will we not have another propaganda blitzkrieg to compel us to admit millions upon millions of these malnourished, weakened, and sickened men, women, and children to our shores—even into our very homes perhaps—on the ground that

they suffered for our war, that they fought our battles?

Is there anyone here who believes such a campaign of propaganda will not take place as surely as the sun rises and sets?

And is there anyone here who does not believe that the same arguments which are now dragging us into this war will drag us into the position of feeding and clothing the destitute peoples of the other war-stricken parts of the world? And is there anyone here who doubts that all this is invited by those American internationalists who proclaim that those other peoples are fighting our war.

The implications of the administration's declarations on these points are too clear to be mistaken. We are to be made the “arsenal” for the world. We are to be made the banker for all the allied countries of the world. And after the war ends, regardless of our own internal conditions and our own stupendous public debt, which may reach \$200,000,000,000 before this affair is over, we will inevitably be asked to be the commissary for the world and to continue to be the banker for the world. And we will most certainly be threatened by the military and economic and social diseases and the onslaughts of the other nations unless we do agree to sink down to the levels of these war-torn peoples, feed and clothe them, divide what we have with them—and then take sides when they begin again to quarrel over what each of them shall get out of Uncle Sam's commissary.

It is time for plain talk, Mr. Chairman. It is time to look fearlessly at these naked, dangerous facts and guide our own course accordingly before it is too late.

Now, for another question.

If we go further into this war, we will adopt a so-called industrial mobilization plan which is, in fact, a complete blueprint for the establishment of a military despotism in this country.

Do you here today believe it wise for us to give up liberty and freedom at home and establish a rigid dictatorship in order to protect ourselves and the rest of the world from dictatorship abroad?

Do you believe that if these dictatorial powers are granted by Congress to the President he will come back at the end of the emergency and voluntarily return these great powers to the Congress? Or will there be found another emergency?

Let me again quote a paragraph from General Johnson's column:

There is talk about guarding against any such designs by limiting this all-out economic war dictatorship and partial military and naval dictatorship to 2 years.

Many of the emergency powers granted since 1933 have been so limited. All have been extended. Why? Because the granting of such massive powers with a time limit is also a grant of power to force the extension of that time limit. It has proved so with us over and over again during 8 years of grants of emergency powers with a time limit—even to the extent of extending all presidential powers for a third term.

The tendency of this administration has been always to ask for more powers than are necessary even for its avowed purposes. The tendency has been, as now and as to the third term, to assert a reluctance to accept such powers—then the tendency has been to press them to the limit of their grants and refuse



to give up any. On that history and in such a crisis, if ever a bill needed robust debate, this is that bill. On our march to "dictatorship to avoid dictatorship," it is "later than you think."

Now what is the answer to these puzzling and gravely dangerous questions?

Let me make my own position perfectly clear. I happen to have served as a volunteer through two wars—the Spanish-American and the World War. I mention that fact lest someone be tempted to call me a "fifth columnist" or an appeaser.

If and when I am convinced that we should go into this war with all we have because it is the best way to protect our own liberty first—and then that of other peoples—then I am for going in with all we have—and not on the lease-lend plan, either. [Applause.]

If and when I am convinced that Britain and Greece and China are fighting our battle, I shall be among the first to advocate giving them every help possible—and doing it with our eyes open to the fact that we will never get a dime in return for what we provide them.

But I want to be sure we are not being blinded to very obvious facts by the blitzkrieg of propaganda which floods the country. We know how secret diplomacy and lying propaganda—systematic lying propaganda—lured us into the first World War. I want to be sure we are making the wisest decisions this time. I want none of this practice of rushing through Congress, without adequate examination and debate, any plan the administration sends up with the message that suggests at least that Hitler is too near to New York harbor with ships and an army for us to lose a moment in enacting into law the presidential demand. I for one am highly suspicious of such methods and I intend to fight so far as I can for giving the whole people a fair and honest view of what is proposed and what the consequences of adopting these proposals would be. It may be later than we think, but it is not too late yet to tell the people the truth; to scrutinize carefully these demands for dictatorship powers; to look before we leap; and to exercise caution in making sure we are not letting loose of our liberties for all time.

If the Congress enacts the so-called lease-lend bill authorizing the President to take us into aggressive war, to give away our defense, to create any amount of public indebtedness he sees fit, and to send help to whatever countries he shall choose, wherever those countries may be located, it will prove a sorry day for this generation and many generations to come. We will then have embarked upon a national policy of financing warring nations throughout the world whenever the President may determine that by so doing we contribute to the national defense.

If this bill should be adopted, I hope it will have been amended to provide that the President shall acquaint the proper committees of both Houses of the Congress with a complete statement every 30 days of his intentions to lease, lend, or give away supplies, implements, or munitions of war of whatever nature, together with the names of the countries to which he intends to lease, lend, or give such supplies, and the amounts.

I think the pending bill should also be amended to provide that the President, together with the appropriate officials of the Army and Navy, shall report to the proper committees of each House of the Congress every 30 days the extent of our equipment and the supplies for our own territorial defense, as well as our production for defense—and this should include the officials of the O. P. M.—Office of Production Management—the amount of that defense being leased, loaned, or given away; what countries are being leased, loaned, or given these defense implements and supplies; and the effects upon our own national defense. I think the pending bill should be so amended as to assure this course; and if I am able to secure further time later during this debate, I shall give the House my reasons for asking that this be done.

In conclusion, Mr. Chairman, let me say that I believe that the facts I have given you, the issues I have presented, are facts and issues that ought to be given to all of the people of this country. Abraham Lincoln foresaw just such a situation as we are in today, and, warning against it, he said:

It has long been a grave question whether any government, not too strong for the liberties of its people, can be strong enough to maintain its existence in great emergencies.

The test of the American way has come. The trial is before us. The question is whether or not we can meet the threat of dictatorship abroad and the danger of too great a concentration of power at home with that wisdom which will assure Lincoln's government of, by, and for the people.

And so, Mr. Chairman, in his words—

Let us have the faith that right makes might; and in that faith let us to the end dare to do our duty as we understand it.

[Applause.]

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. FISH. Mr. Chairman, I yield 2 minutes to the gentleman from New York [Mr. TABER].

Mr. TABER. Mr. Chairman, it seems to me that in considering this legislation the first thing we should have should be a simple, straightforward statement of what its proponents seek to accomplish by it. When we have gotten that, then we can begin to have constructive debate as to what should be in the legislation. So far the presentation on the part of the proponents has failed to give that information. I am expressing the hope that as the debate proceeds the proponents of the legislation will give us a direct and specific statement of the things that they hope to accomplish by it. Then we will be able to consider it really and progressively. [Applause.]

[Here the gavel fell.]

Mr. BLOOM. Mr. Chairman, I yield 15 minutes to the gentleman from Pennsylvania [Mr. FADDIS].

Mr. FADDIS. Mr. Chairman, in considering the proposition now before us and in reaching a decision upon it I sincerely wish it were only a simple question of deciding whether or not we were going to take this Nation into war. That would be a very easy decision to make. The

answer would be no; but, Mr. Chairman, this question is a question much deeper than a mere decision like that.

Mr. Chairman, I do not see how anyone can approach this question in a statesmanlike attitude unless we approach it from the viewpoint of how we can prevent war from coming to this Nation. That is a question the answer to which is not entirely ours to make. Circumstances beyond our control will, more than likely, decide that question. Let no one believe otherwise. The Congress, under the terms of the Constitution, is charged with the national defense. I submit to you that the national defense of this Nation is much broader than it seems to be. The term "to defend" means to secure, to preserve. We might defend this Nation for a time within the boundaries of this Nation, but we cannot preserve it in that manner. As a result of such program, we would meet the inevitable end of all nations throughout the history of the world which have tried to defend themselves from within their own boundaries. We would be destroyed. We would meet the same fate that France met. We would meet the same fate that Poland met. We would meet the same fate that history has recorded for every nation that has been so short-sighted regarding national defense.

Mr. Chairman, I am one of the Members of this House who consistently stood before this body in years gone by and endeavored to warn them and the Nation of the impending storm; but, Mr. Chairman, we were as voices crying in the wilderness. Our voices fell on deaf ears, on the ears of a Congress, the thoughts of which were geared only to labor matters, relief matters, and social-reform matters. As important as these matters may be, nevertheless, they received more than their share of attention and the Congress has neglected the national defenses and has neglected consideration of questions such as this and refused to believe that such a situation as this could confront us. After all, there are none so blind as those who will not see.

Mr. LUTHER A. JOHNSON. Mr. Chairman, will the gentleman yield?

Mr. FADDIS. Yes; I yield to the distinguished gentleman from Texas.

Mr. LUTHER A. JOHNSON. The gentleman from Pennsylvania served with distinction in the World War in the combatant forces. He has been a member of the Committee on Military Affairs, as I recall, during his entire membership in the House. He is familiar, both as a soldier and a legislator, with reference to the question of national defense and national dangers. I would like to ask the gentleman if he would give us his opinion as to whether or not there is any danger to this country now which will require the passage of this bill.

Mr. FADDIS. I am very glad to answer the gentleman from Texas. I want to say I believe there is, absolutely. I sincerely believe, with all my heart, that if this Nation permits Great Britain to be defeated we will be the next victim of the Axis onslaught. I believe that it will not only come from Europe, but it



will come also from Asia. I believe we will be attacked from the neighborhood of Europe by the powers that will have within their control anywhere from three to four hundred million people, and I believe we will at the same time, be attacked from the Pacific by powers which will control more people than that. Oh, I do not mean it will come within the next year, but I believe it will come sooner than the American people want to believe it will come, and that we will not survive the attack.

I think the time has come when the American people and their legislators will have to stand up and look at things as they really are and not at things as they desire them to be. [Applause.] I think the time has come when we should abandon all sham and hypocrisy and all demagoguery on these matters. The dangers are too real, too vital, and the tragedy is too near. Oh, it is all very easy and very appealing to stand before this body or to announce to the people of the United States that we are for keeping this Nation out of war. That is too easy; in fact, I want to tell you, Mr. Chairman, if the time ever comes when this Nation is actually invaded—and I believe the time may come—if we do not do our duty here and now, when that time comes we cannot then answer to the American people: "Oh, we did everything possible to keep you out of war," because the American people expect us to be wise and courageous enough to keep war away from this Nation and to do our duty here today. The American people are not a bunch of milksops. They are a strong, virile people, and people of courage.

There is no denying, and no one who has a comprehensive view of this situation today can deny, that we have a vital interest in the outcome of the struggle in Europe, Asia, and Africa. No one can deny that Hitler, Mussolini, and the Japanese have announced to the world that they intend to create a new order, that they intend to redistribute the properties and the resources of the world in a manner which will benefit them and their kind. Who can doubt from their own statements that if these dictators are victorious in the conflicts now raging abroad they will put the entire world under their dominion; that they will govern the world with a chosen few of their own kind; that they will deny to the other peoples of the world all of the comforts, the conveniences, the luxuries, the privileges, and liberties that we now enjoy? Who believes but that they will govern the world with a chosen few of their own kind and for those chosen few alone? They, and only they, will have the privilege of the ballot, will have the privilege of education, will have the privilege of bearing arms. Can we doubt that when they have announced it themselves, when they have instituted a program of this kind and are right now carrying it out with every means within their powers, and have put it into effect in every nation which they have conquered thus far? Oh, my colleagues, are we to sink to the apathy of the French people after the construction of the Maginot line? The French people with a proud history of sacrifice for their nation, the French people with a proud

history of military achievement behind them, a French Army which was accredited with having the best-trained officers in the world. They were placed in a position where they were unable to defend their own nation because they had staked all of their hopes for national defense on the Maginot line.

They had only to look back through military history, as far back as they could go, to see written on the pages of that history, without a single, solitary exception, where disaster and destruction were the inevitable results of surrendering the initiative. I say those people were so influenced by the pacifistic propaganda of the twenties that they based all their hopes and expectations of national defense on something that failed them entirely when the day of trial confronted them. They certainly should have known, if they knew anything, that the troops that surrender the initiative, that the troops that go on the defensive, have robbed themselves of any opportunity to win an engagement. When the spirit of the age was mechanization and movement they resorted to a war of position. They geared their national defense to the communistic, socialistic, pacifistic, isolationist mind and today they are under the iron heel of their conqueror.

Mr. LUTHER A. JOHNSON. Mr. Chairman, will the gentleman yield?

Mr. FADDIS. I yield.

Mr. LUTHER A. JOHNSON. A representative of the Belgian Government told me that where they made their first mistake was in 1937 in terminating their defensive treaty with England and France. I asked him why that was so. He said it was so for two reasons, first political, second military. He said the cry was "Belgium for the Belgians," and they cited the case of Holland; she made a treaty with Germany, she was a nonaggressor, and was not involved. Then Hitler's promises to these countries have not been kept in a single instance. As someone has said, he keeps his threats but breaks his promises.

Mr. FADDIS. That is exactly true, and the entire political philosophy of the nation that Hitler governs today is built on the political philosophy of Frederick the Great, who said that a treaty was made only to be broken at the convenience of those who signed it. On that political philosophy the German Nation was built, and that philosophy has been followed. Why, O why, would anyone be foolish enough to believe him? Just before Hitler invaded the Low Countries, Denmark, and invaded Norway he had assured not only those nations but the entire world that he had no designs whatever on their territory. Yet as soon as the situation would permit, as soon as it suited him to do so, he invaded those nations, broke every treaty that had been concluded with them, violated every pledge he had given them, violated every law of God and man in order to seize those foolish neutral nations. Those foolish, trusting, heedless nations lay there supine and helpless up to the day of invasion, when they at one time might have joined the enemies of the Reich and invaded Germany, and perhaps have won the war. Throughout the first winter of

the war people laughed about a comic-opera war. The Allied troops lay opposite the German lines doing almost nothing. They were talking about how well they fared, how well they were set up, when had they taken the offensive they might have invaded Germany and ended the war at that time.

Mr. BLOOM. Mr. Chairman, will the gentleman yield?

Mr. FADDIS. I yield.

Mr. BLOOM. I am sure the gentleman remembers how they called it a phoney war.

Mr. FADDIS. That is true; they called it a phoney war, but it is far from phoney today. It is only too real to all of them.

Mr. VORYS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. FADDIS. I yield.

Mr. VORYS of Ohio. I appreciate the fact that we can profit by the psychological lessons that had to be learned by those countries; but the gentleman does not feel for a minute, does he, that our position in a military sense is at all comparable to that of France and the Low Countries? I would be delighted to have the gentleman discuss our military situation. He certainly does not feel that we are at all comparable to those countries whose boundaries are contiguous to Germany?

Mr. FADDIS. Of course, I would not maintain that our position is similar in that respect, no, indeed, but certainly, the gentleman, being a member of the Committee on Foreign Affairs, recognizes the fact that if or when Hitler conquers Europe he will be sadly lacking cereals, oil, cotton, and various other textiles. He will recognize the fact that he has a large population on his hands and he will have to get his commodities somewhere. Where is he going to look to get them? He cannot get them on the continent of Europe. He is going to look across the Atlantic Ocean to the only place where they are. He is going to get them, just the same as he went out to get Norway, Holland, Belgium, Czechoslovakia, Poland, France, and every other territory within his grasp. I say to the gentleman that no man can stand here today and say with any surety that Hitler intends to invade this Nation, but I do solemnly say to this body here today that the chance that he may do so is a chance that we dare not take. We must get ourselves in a position whereby we will make it impossible for him to invade this country and the only way we can do that is by assisting Great Britain in her fight against him. [Applause.]

[Here the gavel fell.]

Mr. BLOOM. Mr. Chairman, I yield the gentleman 10 additional minutes.

Mr. JONKMAN. Will the gentleman yield?

Mr. FADDIS. I yield to the gentleman from Michigan.

Mr. JONKMAN. Assist Great Britain for what purpose? To defeat Germany?

Mr. FADDIS. Absolutely; assist Great Britain to defeat Germany.

Mr. JONKMAN. All right. If the gentleman undertakes that, is he going to finish it?

Mr. FADDIS. As far as I am concerned; yes. I am willing to go as far as



is necessary to assist Great Britain to defeat Germany and I may say to the gentleman right here that I see no hope of Great Britain or any other nation winning this war until they form an army of invasion and invade Europe and defeat Germany on their own soil. Wars are only won on the ground of the enemy.

Mr. JONKMAN. The gentleman has just given the first specific aim of this bill—total war against Germany.

Mr. FADDIS. I am not giving the aim of this bill at all. I am giving my own personal opinion, that is all. The gentleman asked me the question if I believed in defending Great Britain. I believe in defending Great Britain with every resource this country can muster because it is the only way we can provide for our own national security.

Mr. FISH. Will the gentleman yield?

Mr. FADDIS. I yield to the gentleman from New York.

Mr. FISH. Is the gentleman in favor of our going to war?

Mr. FADDIS. Not at the present time.

Mr. FISH. How does the gentleman maintain then that without our Army Great Britain can invade the Continent and drive 8,000,000 Germans out of it?

Mr. FADDIS. I did not maintain that Great Britain could do that.

Mr. FISH. That is what the gentleman said, that England had to invade the Continent.

Mr. FADDIS. The gentleman misunderstood me as he misunderstood the Secretary of State.

Mr. FISH. I was listening to what you said. What did you say?

Mr. FADDIS. You were listening to what you wanted to hear me say.

Mr. FISH. No. I knew in advance what you were going to say. Does the gentleman still maintain that Great Britain can invade Europe and drive the Germans out of there without our help?

Mr. FADDIS. I certainly did not. I specifically stated they could not.

Mr. MARCANTONIO. Will the gentleman yield?

Mr. FADDIS. I yield to the gentleman from New York.

Mr. MARCANTONIO. The gentleman believes, then, that if it becomes necessary to prosecute Britain's war against Germany to a successful termination, we should send our troops to bring that about, and he would be in favor of it?

Mr. FADDIS. I stated here that I am in favor of doing whatever is necessary to preserve Great Britain. I firmly believe that if Britain falls, we will fall also. There is no length I will not go to in order to preserve Great Britain. I am satisfied it is necessary.

Mr. MOTT. Will the gentleman yield?

Mr. FADDIS. I yield to the gentleman from Oregon.

Mr. MOTT. The gentleman stated in response to a question from the gentleman from New York that he was not in favor of going to war just now. When is the gentleman in favor of going to war against Germany and under what circumstances?

Mr. FADDIS. That is a question the answer to which depends upon circumstances and expediency.

Mr. MOTT. I should have put it that way. I should have said, under what circumstances?

Mr. FADDIS. I am in favor of going to war whenever it becomes apparent that that is the only means by which we can keep war out of this country. [Applause.]

Mr. MOTT. When that times comes, and from the gentleman's statement I take it he thinks the time has not yet come, does not the gentleman think that he should reserve to himself as a Member of Congress the right to say when that time has arrived, and declare war then?

Mr. FADDIS. I undoubtedly will have that right as a Member of the Congress because the Constitution of the United States which states that the Congress has the power to declare war is still in effect and regardless of the oft-repeated statement of the gentleman from New York [Mr. FISH], it is not yet a scrap of paper.

Mr. MOTT. But the gentleman will agree, I think, that wars are no longer declared. I mean, a declaration of war is not considered necessary by the aggressor powers.

Mr. FADDIS. That is true.

Mr. MOTT. Does not the gentleman see that under this bill we can easily go to war or find ourselves in the war without the necessity of a declaration of war by the Congress?

Mr. FADDIS. I may say to the gentleman that no matter what happens, it will be necessary for the Congress to provide the money to carry on a war.

Mr. MOTT. But it would not be necessary to declare war?

Mr. FADDIS. Congress still has the power under the terms of this bill, the same as it has had ever since we have been a nation. I do not fear that this Nation will ever be taken into war against the will of the Congress and the people.

Mr. MOTT. But it would not be necessary to declare war at all in order to do that.

Mr. FADDIS. I will ask the gentleman a question. I should like to ask a few questions myself once.

Mr. MOTT. Go ahead.

Mr. FADDIS. Can the gentleman imagine circumstances coming about that would make it necessary for this Nation to go to war?

Mr. MOTT. Yes; I can.

Mr. FADDIS. Therefore, why should we stand here today and blind ourselves to the reality of the situation? We are lulling ourselves and the people of this Nation into a sense of false security. We are not doing our duty as legislators and we are not doing our duty as American citizens unless we face the truth and speak the truth.

Mr. MOTT. I am not lulling myself. I can imagine, as the gentleman says, a number of circumstances which might arise that would make it necessary and make it to our advantage to go to war; but my contention is that when that time comes the Congress should have the power to say whether we are going to go to war or whether we are going to do an

act the inevitable consequence of which is war. We should determine that ourselves and not delegate it to the discretion of the President.

Mr. FADDIS. I quite agree with the gentleman, but I do not agree with him that this bill will do what the gentleman evidently implies it will do. It is not taking from the Congress the power to declare war.

Mr. MOTT. Will the gentleman allow me to cite an example and ask him a question?

Mr. FADDIS. In a minute the gentleman can get his own time to make a speech, and he can take these matters up then.

Mr. BLOOM. Mr. Chairman, will the gentleman yield?

Mr. FADDIS. I yield to the gentleman from New York.

Mr. BLOOM. Does not the gentleman know that the Congress could not delegate the power to someone else to declare war?

Mr. FADDIS. That is what I am trying to say.

Mr. BLOOM. It is ridiculous to stand on this floor and make such a statement as that, because it is utterly impossible.

Mr. MOTT. That is a very technical construction.

Mr. BLOOM. It is not technical.

Mr. MOTT. I think the gentleman would be interested in this:

Under this bill the President has authority, if he so desires in the future, without consulting the Congress and without regard to any law, to cause the repair and reconditioning of British battleships in New York Harbor. I voted for the bill in the Committee on Naval Affairs last year that would provide for these necessities if the time ever came when we should use them.

Mr. FADDIS. I congratulate the gentleman on his excellent judgment and fine statesmanship.

Mr. MOTT. As for delegating the war-making power to the President, if we pass this bill and leave that to his discretion and he does undertake to recondition British battleships in New York Harbor, the result is going to be a bombing of New York Harbor. I think the gentleman will admit that even a suicide squad could bomb it.

Mr. FADDIS. No; I cannot yield to the gentleman to make a speech in my time. I yielded only for a question. I believe the gentleman himself will have to admit I have been exceedingly lenient in my interpretation of what a question is.

Replying to the gentleman's question about whether or not I will admit that that will bring about a bombing of New York Harbor, I certainly will say that it will not bring about a bombing of New York Harbor. The gentleman, after mature consideration, is well enough acquainted with the facts and with the various forces engaged to know that at the present time, however badly Germany might want to bomb New York Harbor, it is totally impossible for her to do so because she has no forces she could bring over here to bomb New York Harbor at the present time.



Mr. MOTT. May I say to the gentleman that bombers are now being delivered—

Mr. FADDIS. I decline to yield right now.

Mr. MOTT. I thought the gentleman said he would yield.

Mr. BLOOM. Mr. Chairman, I demand the regular order.

The CHAIRMAN. The gentleman from Oregon will be in order. The gentleman from Pennsylvania declines to yield.

Mr. MOTT. I understood the gentleman to say that he did yield. I beg the gentleman's pardon.

Mr. FADDIS. I am afraid the gentleman, like the gentleman from New York, is trying to misunderstand me.

Mr. MOTT. The gentleman has been very generous with his time.

Mr. BLOOM. Mr. Chairman, again I demand the regular order.

Mr. BENDER. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. BENDER. I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] One hundred and two Members are present, a quorum.

Mr. VORYS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. FADDIS. I yield to the gentleman from Ohio.

Mr. VORYS of Ohio. The gentleman has painted the picture of the possibility of war for our country. Does the gentleman feel that we are now prepared for a major emergency?

Mr. FADDIS. By no means, but I believe that this will go further toward getting us prepared for a major emergency than anything we have done in the past, and probably anything we will do in the future, short of actually going to war. [Applause.]

Mr. VORYS of Ohio. Does not the gentleman feel that we have, under this legislation or in any other way, a delicate balance to preserve to build up our own defenses, at the same time giving what additional help we can to Britain?

Mr. FADDIS. Yes; and I have every confidence that that will be done.

In conclusion, Mr. Chairman, what I want the people of this Nation and the Members of this body to give due consideration to is the dangerous position this Nation is in. It is something that alarms me and that has alarmed me for a long time. It is the fact that under present conditions we have in the Pacific an unfriendly power that is so highly organized in that sector of the world that if we should undertake to send ships west of Hawaii against her will she could absolutely prevent us from carrying on commerce in that quarter of the globe, the quarter of the globe whence comes all of our rubber, a large part of our tin, a large part of our tungsten, all of our sisal, all of our quinine, and many other important strategic commodities. To close our eyes to this situation would be foolish. We must face the realities which confront us if we are to provide for our security. Japan is getting stronger day by day. She has lately extended her

might far to the south and is a threat to our commerce and a menace to the peaceful nations of the world. About a year ago I spoke upon this subject and prophesied the advance she recently made.

This is something we must not overlook in the crisis we are facing today. We must not overlook these facts and we must not allow ourselves to be blinded any more by considerations that have nothing to do with the subject.

[Here the gavel fell.]

Mr. BLOOM. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. FADDIS. And in consideration of the world situation we must not look upon the measure as a measure for assistance to Great Britain alone, but a measure for the assistance of any of those nations throughout the world that are today fighting to preserve democracy—democracy, the only system of government that we believe to be worth while, the only system of government which we believe can furnish mankind with those things that make life worth living, the only system of government suited to our needs today. Here we have a measure that is designed to preserve democracy throughout the world. We do not know today to what lengths we may have to go to preserve democracy, but this measure will enable us to take another step in preserving democracy by preserving England, that nation that is today the very keystone of democracy throughout the world, and to maintain near the continent of Europe a key position which can be used at the proper time to launch an attack against the forces of totalitarianism and preserve the freedom of mankind, democracy, and Christianity.

Now, in concluding, Mr. Chairman, I want to implore the members of this Committee that in a time like this they consider this measure with as much sincerity as they can muster, and to remember that the fate of the nations which have fallen in the past can be written in the words "too little" and "too late"—too little consideration to the vital matters which were perhaps a little less distinct than the matters directly at home; too little consideration given to those matters which required sacrifices; too little courage in an emergency; too late to make decisions; too late to stand by your friends; too late to concentrate sufficient force on the strategic crossroads of the world. Too little and too late. God forbid that this Nation should fall from such causes. [Applause.]

Mr. FISH. Mr. Chairman, I yield 10 minutes to the gentleman from Michigan [Mr. BLACKNEY].

Mr. BLACKNEY. Mr. Chairman, the Congress of the United States has been for some time considering the bill known as H. R. 1776, called the lend-lease bill, more properly called the lend-lease-give bill, with emphasis on the "give."

I am curious to know by what principle of mathematics the proponents of the bill selected the number H. R. 1776. Was this a little bit of psychology to play upon the American people by arousing patriotic thoughts growing out of the old historic date, 1776, which we all remember as the

birth year of our Declaration of Independence? It seems passing strange that this particular number just by chance has been given to this bill.

The lend-lease feature of this legislation is entirely erroneous and misleading. Practically every person agrees that there will be no return, either in money or otherwise, on the munitions and implements of war we furnish Great Britain and her allies. The proposed lend-lease bill is, in effect, a proposal of setting up a dictatorship in domestic affairs and giving the President full and complete power over foreign affairs.

This bill contains far greater potential consequences for good or ill, so far as our American form of government is concerned, than the Court-packing bill embraced and more than any other measure proposed in many years past. In my judgment, should this bill be passed in its present form, it would, in effect, abrogate the constitutional provisions requiring the three independent and coordinate branches of government—the legislative, judicial, and executive—because of the power conferred upon the President both in domestic affairs and in foreign affairs.

All thinking Americans have great cause for concern today. Here in Washington and throughout the country we constantly hear propagandists state that America should enter into the European conflict. Already some of our leading officials have bluntly stated that it is time that America should declare war. I remember back in 1917, when the propagandists then told us that America should enter the World War to "save the world for democracy." We did enter the war; mobilized 4,000,000 fine American boys; sent 2,000,000 of them across the ocean, thousands of whom never returned; spent billions of dollars, only to awaken to a realization of the fact that the war to end war was futile; that the constantly recurring and insistent wars of Europe still would continue as they have continued for centuries past.

I think that every interested American citizen would agree that there has never been a time in the history of this Nation when it has been as necessary as it now is that we proceed with great caution; that we face frankly all the dangers; that we discuss fully and candidly where we are headed and what the effect will be, not only now but in the future. The American people do not want war. They are sympathetic with the proposition to give aid to Great Britain and to other countries fighting under the name of democracy, but they are not willing that American boys be again sent to European soil to fight a war to end war that will never end as long as the political set-up of Europe remains as it is now, and as it has been for many years in its various conflicting rivalries incident to European soil.

The words which I am about to quote formerly stirred the American people. They are words taken from an interesting state document:

The object of this war is to deliver the free people of the world from the menace and the actual power of a vast military establishment controlled by an irresponsible government, which, having secretly planned to dominate



the world, proceeded to carry the plan out without regard either to the sacred obligations of treaty or the long-established practices and long-cherished principles of international action and honor; which chose its own time for the war; delivered its blow fiercely and suddenly; stopped at no barrier, either of law or mercy; swept a whole continent within a tide of blood—not the blood of soldiers only but the blood of innocent women and children also, and of the helpless poor. This power is not the German people. It is the ruthless master of the German people. It is no business of ours how that great people came under the control or submitted with temporary zest to the domination of its purpose, but it is our business to see to it that the history of the rest of the world is no longer left to its handling.

Do those words sound familiar? Those are the words of Woodrow Wilson, uttered more than 20 years ago. It is 1917 repeating itself.

Let me make myself definitely clear. All my sympathies are with Britain, Greece, and China. They are fighting a gallant fight against great odds, and I pray, as does every citizen, that they may win it. I would like to see all dictators and aggressors removed politically from the face of the earth. I am willing, as are practically all Americans, that all or any nations fighting aggression be allowed to purchase such weapons as we can spare. I do not believe, however, that we should give away our own defenses, nor allow carefully manufactured fear or propagandized hysteria to destroy the best defense we possess, namely, plain, ordinary common sense. I have heard no reputable military authority who thinks that we are in immediate danger of invasion from anywhere; but I do believe and have so voted for an adequate national defense, a national defense that gives us the finest and most efficient Army, Navy, and Air Corps; a national defense so strong that no foreign aggressor dare attack us on American soil; but I am bitterly opposed to America's participation in the European conflict, and bitterly opposed to those direct measures that have for their sole purpose the gradual leading of America into war.

I am opposed to the Congress of the United States passing H. R. 1776, or any other bill that would virtually be an abdication by Congress of those specific powers and duties which are conferred upon Congress by the Constitution of the United States. I am against this delegation of power to any man or group of men no matter how wise, how great, how powerful they may be, or think they may be. To me such an abdication by Congress would be a betrayal of the American people, in direct violation of the basic law of the land.

Let me call your attention to those words which we heard so much during the recent political campaign; those words which the most discerning intellect could not wisely interpret; the words "short of war." During the 2 or 3 months of the national campaign the administration constantly promised aid to Britain "short of war." Just where "short of war" was, no one knew, but the American people were sympathetic to Britain. Now, however, since the campaign is over, we notice that some of the newspapers

are dropping all pretense of aid "short of war." Now they say to us that we should give Britain all our aid or complete help. This term has been relegated to the realm of broken promises, past emergencies, and forgotten slogans.

The secret negotiations which are being conducted between the administration and the Government of Soviet Russia are arousing grave suspicions among many Members of Congress and other observers throughout the country. The administration itself is being very seriously embarrassed, and its spokesmen are refusing to make direct answer to those who want to know something of our international policy. First, Soviet Russia is a complete dictatorship, is as utterly opposed to democracy as it is possible for any government to be. Secondly, it is as bloody a dictatorship, as oppressive a dictatorship, as aggressive a dictatorship as any in the world. Third, the Soviet Government has coldly and deliberately double-crossed the British Government not once but twice or three times. Fourth, the Soviet Government has refused to keep its solemn promises made to the present administration when recognition was accorded Russia.

It was then promised that Russia would prevent her communistic leaders from interfering in American political affairs, or using American embassies or consulates for that purpose, and yet, notwithstanding all these things, our country has removed the moral embargo imposed upon Russia and has conducted secret negotiations with Russia. There are those in Washington who believe the Stalin dictatorship will double-cross the United States of America as quickly and as coldly as it did England.

The Congress of the United States has been very liberal in its appropriation for the Army and the Navy. We have built one of the finest navies in the world, a navy of which the American Government and American people are justly proud; a navy which as of January 1, 1941, consisted of 322 combatant ships, 15 battleships, 6 aircraft carriers, 18 heavy cruisers, 19 light cruisers, 85 new destroyers, 75 old destroyers or converted destroyers, 37 new submarines, and 68 old submarines. There are also 173 auxiliary vessels, exclusive of patrol boats and district craft, making a grand total of 495 major vessels.

This splendid Navy is for the protection of the United States and of the American people; and yet, under the terms of the lend-lease bill, the American people could awake any morning and find that some of these fighting ships had been turned over to Great Britain or to other European democracies.

Section 3 (a) of the pending bill states:

Notwithstanding the provisions of any other law, the President may from time to time, when he deems it in the interest of national defense, authorize the Secretary of War, Secretary of the Navy, or the head of any other department or agency of the Government:

1. To manufacture in arsenals, factories, and shipyards under their jurisdiction, or otherwise procure, any defense article for the government of any country whose defense the United States deems vital to the defense of the United States.

2. To sell, transfer, exchange, lease, lend, or otherwise dispose of, to any such government, any defense article.

So that, under this clause, not only could our mosquito boats be transferred to Great Britain, as they have been, but any part or all of our Navy.

This is too much power to give into the hands of any one man. The American Navy is primarily for the safeguarding of the American Nation and should be preserved for the American Nation. Under the lend-lease bill, the Navy could be used to convoy belligerent ships any place in the world.

Last year, when we were discussing the neutrality bill, the one feature of the cash and carry provision was to properly protect America; that those nations who desired to purchase from us must come here, pay cash, and convoy their goods in their own ships at their own risk. This bill would wipe away that provision of the Neutrality Act. The moment our Navy is used to convoy belligerent ships or to convoy ships carrying munitions of war to foreign countries, that moment, in the event of the destruction of one of our boats, would be used as the basis of inflaming the American people to an immediate declaration of war.

Under the lend-lease bill the administration could provide harbors, repairs, and refueling within territorial American waters to the warships of any nation engaged in war, thus making our country an active participant in this war. The American Nation consists of fine, courageous citizens, loyal to their Constitution and to their Government. They believe in the great heritage of the American Nation, a nation which in 150 years has increased from 3,000,000 people scattered along the Atlantic coast to a nation of more than 131,000,000 people.

Our people are sympathetic to those countries fighting for the preservation of democratic institutions. They are willing to extend aid to them by every reasonable means and to use the administration's own words "short of war." But our people do not believe that American boys should again be sent to European soil. They do not want to see a duplication of the tragic days of 1917 and 1918. They want to preserve the integrity of our own Nation. They are opposed to legislation the direct purpose of which would be the abrogation of the rights of Congress and the centering upon the head of the executive department dictatorial powers the like of which has never occurred in American history.

I wish to quote from the minority views filed to accompany H. R. 1776:

We are for all aid to Britain short of war, and short of sacrificing our own defense and our own freedom. The British, in their valiant struggle which has aroused our deepest sympathy, need planes, guns, and war material.

We are for this objective without delay. We believe this objective can be accomplished without granting enormous power to the President, which the founders of the Republic wisely decreed should remain with the Congress as the representatives of the people. If there is any delay in reaching



this objective it would be caused by this unprecedented bid for Presidential power.

We would willingly support a straightforward bill which would grant Britain \$2,000,000,000 worth of credit.

This would eliminate the step of giving the President absolute power over every concern in this country manufacturing war materials. This would not permit him to be the director of the war in England, a position which is fraught with great danger to the American people. If we assume the direction of the war, we underwrite the success of the war. The ultimate result must be the American people will pay the full costs of the war and that means we will be obligated to put our material resources and our men into the struggle.

Granting credits, which England needs, will fully meet the situation of today and it will lessen materially the likelihood of our going into the war. Our naval and military experts agree that our Nation is in no danger of attack; that with our vast resources and geographical position our situation is not comparable to that of nations of Continental Europe.

This power requested is too much to give any man at a time when the country is at peace. As Secretary Cordell Hull once said:

"This is too much power for a bad man to have, or for a good man to want."

Using the slogan of "Aid to Britain," and under the title of "Promoting Defense," this bill gives the President unlimited, unprecedented, and unpredictable powers—literally to seize anything in this country and to give it to any other country, without limit in law. He may sell or give away our Navy, our planes, our arms, our secrets, and use any proceeds from such sales for similar purposes he need come to Congress only for appropriations to restore our Navy, our planes, our arms.

John Bassett Moore, world-famous authority on international and constitutional law, says:

"The pending bill assumes to transfer the war-making power from the Congress, where the Constitution lodges it, to the Executive \* \* \* The tide of totalitarianism in government \* \* \* has not only reached our shores, but has gone far to destroy constitutional barriers, which, once broken down, are not likely to be restored."

Remember, we cannot repeal war; we cannot repeal bankruptcy; and we cannot repeal dictatorship. Under this bill we surrender our democratic way of life now, for fear of a future threat to our democratic way of life. The oldest and last constitutional democracy surrenders its freedom under the pretext of avoiding war, with the probable result that the newest dictatorship will soon go to war.

I am opposed to H. R. 1776, the lend-lease-give bill, and shall vote against it unless perfecting amendments may be adopted which would take away the dangerous provisions of the bill. [Applause.]

Mr. FISH. Mr. Chairman, I yield 10 minutes to the gentleman from Kansas [Mr. REES].

Mr. REES of Kansas. Mr. Chairman, we are today considering one of the most momentous problems that has ever faced the Congress of the United States. Under the proposed legislation Congress is asked to grant to the President in peacetime, such power and authority as was never heretofore known in our history. In adopting this legislation, you are placing unprecedented and unnecessary power in the hands of one man. This power and authority, if granted, will be done at one of the most crucial periods in the history of our civilization.

The proponents of this bill tell us that the principal objective is that of furnishing aid to Great Britain. I ask you, Members of the House, to read the bill carefully again. There is nothing in this measure about granting aid to England. Assuming, however, that such is the intention of the bill, then I contend that sufficient power and authority has already been granted to give such aid to England and her Allies. If it is a matter of speeding aid to Britain, I just do not believe there is anything in this bill—as a matter of fact, I do not think it is so contended by those favoring it—that the passage of this bill will provide for more prompt and effective delivery of arms and munitions to Great Britain than is being furnished right now. If our defenses are not being built fast enough, and our munitions and materials of war are slow in manufacture, the adoption of this legislation cannot cure that situation.

If it is a question of furnishing financial aid to Great Britain, that question ought to be checked up to Congress directly, and Congress should face the problem squarely. It is the Members of Congress, as representatives of a great people, who ought to determine that question.

If it is contended that it is our obligation to intervene in this war, let Congress determine that question, too. The American people sympathize with Great Britain. I believe they want to do everything possible to help England win the war, and think they want to furnish materials and whatever help she needs, short of war. Personally, I think we should do everything we can to help her, without obligating this country to send our men and boys to the battlefields of Europe.

It is an appropriate time, right here and now, to determine just what is meant by the term "short of war." If we do not determine that question, and if we do not determine just how far we expect our country to become involved and implicated in this terrible world crisis, it is my belief that you and I are going to be required to decide before very long whether or not we shall send our boys, unprepared as they are, to the slaughter fields of Europe. You and I, as well as the people of this country, ought to weigh pretty seriously just what it would mean to the United States of America if we place ourselves in a position whereby we are obligated to send our men and boys to take part in that horrible conflict.

I would like to direct your attention to another feature of the bill that is not so important as the one I have just mentioned. It is the unlimited amount of expenditure of funds permitted under this bill. The proponents of the bill tell us the measure only authorizes this expenditure. You and I know, from our own experience, that when expenditures are authorized and promised, they are afterwards appropriated.

Mr. Chairman, if it is a matter of giving money to Great Britain, why not allocate an amount that this Congress feels it wants to give to that country and vote on it? Let the peoples' representa-

tives, who are, after all, responsible to the folks whom they represent, decide how much money and what materials we are going to allow to Great Britain and the Allied countries, as well as determine the basis upon which such materials and money are to be granted.

Mr. Chairman, I have no sympathy with the ruler of Germany or any of his kind. Like the rest of you, I want him defeated, just as promptly as possible. But, Mr. Chairman, it is my opinion that if our country is plunged headlong into the conflict that has enveloped the eastern continent, we will lose our last vestige of democracy. I think we should grant every possible and reasonable aid to Britain. I think we should do it as quickly as we can. At the same time, I think we should build and maintain our national defenses so they will become impregnable. We should adhere to the Monroe Doctrine in word and in spirit. Above all things, we must maintain our democracy. That democracy is on trial this afternoon.

I believe we should not forget that we have important, complex, and mounting problems within our own borders. We must not lose sight of them. While we realize that our country cannot exist in isolation, we must protect America first. We must keep this great Nation of ours on an even keel, so that when the warring nations of the world have become sick and tired of war, with all its horrors and suffering, and shall decide that war, after all, never settled anything, then it will be for the United States of America—if she maintains her democracy—to help lead the nations of the world down the pathway to permanent peace.

Mr. Chairman, this is not a political question in any sense of the word. It is too important for that. If I thought the passage of this bill were for the best interests of the United States of America, I would gladly support it. I cannot share that view of it. I do not believe the terms of H. R. 1776—unique in its number—are in keeping with the spirit of 1776 as we have always understood it. [Applause.]

Mr. VORYS of Ohio. Mr. Chairman, I yield 10 minutes to the gentleman from Illinois [Mr. DEWEY].

Mr. DEWEY. Mr. Chairman, the purpose of my maiden address to the House of Representatives is to speak in behalf of the national defense, of free labor and free industry not only in the United States but among our good neighbors the democracies of South and Central America.

The Secretary of the Treasury, Mr. Morgenthau, in a formal statement made January 15, estimated that the total British investments in railroads, public utilities, and other industrial ventures in South and Central America amounted to over \$4,000,000,000. In fact, in many cases British capital controls the enterprise.

The actual owners of these investments have been British citizens, but during the past year, as a national-defense measure, the British Treasury has commandeered and is in possession of the stocks, bonds, and shares representing this ownership.



I think the world agrees that this European war is basically an economic one and that there is nothing that the Hitler Government wants more than to gain economic footholds throughout the world, and particularly in our Western Hemisphere.

If a disaster should occur to Great Britain, it is my belief that the first form of indemnity demand of the German Government would be the delivery of the shares of stock, contracts, or agreements representing British ownership of railroads and industries in the nations of South and Central America.

Possessed of the evidences of ownership, Hitler would have won a war in the Western Hemisphere without firing a shot, and free labor and industry of our western republics will have as their bedfellows the robotlike workmen in the profitless factories which is the goal of the totalitarian state.

As dangerous as this situation may appear, I believe there is an adequate defense.

This country for many months has served as the asylum for gold belonging to foreign banks. Let us go a step further. Let us authorize the President to organize a joint board of custodian-trustees composed of the representatives of the 21 American republics. This board, during the period of the war, will take title and management and safeguard the British securities or utilities in North and South America.

There is no thought in my mind that these securities would in any way serve as collateral to loans or advances, but merely that they would be safeguarded from falling into the hands of nations unfriendly to our democratic ideals of free labor and free industry.

In fact, if any country should be in a position to redeem from the British Government any of its bonds or notes which are part of the securities held in trust, such transactions would be permitted.

At the proper time in the reading of this so-called lease-lend bill I shall offer an amendment which I think will take the securities of British nationals out of harm's way. This amendment is an enlargement of the proposal I have previously made to the Committee on Foreign Affairs. The amendment I will propose is as follows:

At the end of subsection 3 (b) insert the following subsection:

SEC. 3 (c). To protect the economic welfare of the United States and the other American republics and to provide for the common defense of the Western Hemisphere, the President is authorized to negotiate the transfer to the joint custodianship of the 21 American republics, for the duration of the wars abroad and such time thereafter as they may deem necessary, the stocks, bonds, shares, land titles, contracts, or agreements representing any rights or interests in or ownership of any national or private enterprise located within what is geographically known as the Western Hemisphere, which are owned or controlled by or subject to the disposition of any such foreign government or any of its nationals.

If the amendment I propose is adopted no economic battle will be won without the firing of a shot on this side of the

Atlantic. The citizens of our own country and those of our neighbors in this hemisphere can rest confident that free labor and free industry have been protected from the sudden intrusion of totalitarian ideology. [Applause.]

Mr. CRAWFORD. Mr. Chairman, would the gentleman care to yield?

Mr. DEWEY. I yield.

Mr. CRAWFORD. I read with a great deal of interest the gentleman's statement with reference to this subject which was submitted to the Foreign Affairs Committee. I have been thinking about it since and I want to ask the gentleman this question: Did I understand the gentleman to say just now that these assets owned by England or by the British Empire, which we now have, which will be turned over to this new commission or body to be created, might at some future time be redeemed by anyone who happened to fall heir to them?

Mr. DEWEY. No; what I wish to provide for is this: There are in the possession of the British Treasury, for instance, many bonds of the Argentine Government, and the Argentine Government is selling meats and grains to the British Government, and the holders of the Argentine bonds turn over those bonds in payment for the exports from the Argentine. This could continue even if these securities were turned over to the trustees. That is all I meant by that.

Mr. CRAWFORD. Could a situation be worked out through your plan something like this? I think it is clearly evident to anyone who is studying this subject that through the Export-Import Bank and the Inter-American Bank, which I understand is to be implemented very shortly, we will undoubtedly send to South American countries and Latin-American countries many billions of dollars of dollar exchange. If British subjects own a great deal of Latin-American securities, issued by industries of Latin America and units of governments of Latin America—such as utilities, railroads, insurance companies, and what-not—and the time comes around when there might be a clearance of obligations as between the British Empire subjects and the American people, and the American people and Latin-American, and Latin-American people back to the people of the United States, then why cannot all these securities be brought together under a commission of some kind? Suppose it does represent the 21 western nations, why in due course could not a clearance be made of those obligations, provided the 21 western countries deem it advisable as a national-defense measure to have that clearance effectuated?

Mr. DEWEY. I think that the opportunity to bring those securities together, safeguard them, and have a meeting of minds of the 21 Republics of the Western Hemisphere, would tend to a unity, to a thinking together of these States, and a harmony that might carry us forward a great deal economically.

Mr. CRAWFORD. I hope when the gentleman's amendment is offered that we will have time to discuss it fully.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mrs. ROGERS of Massachusetts. Mr. Chairman, I yield an additional 2 minutes to the gentleman from Illinois, and ask him whether he has asked unanimous consent to extend his remarks in the RECORD?

Mr. DEWEY. They have been revised and extended in the issue of January 24.

Mrs. ROGERS of Massachusetts. If the gentleman has no objection I will ask unanimous consent that he have the right to extend his remarks at this time and place in the RECORD the value of those railroads, insurance companies, and other industrial securities he has in mind in the other American republics.

Mr. DEWEY. Mr. Chairman, I ask that permission.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mrs. ROGERS of Massachusetts. Also, I should think that the other American republics would be extremely grateful for this suggestion of the gentleman. It seems to me it would be tremendously to their own protection as well as to our protection in the Western Hemisphere.

The CHAIRMAN. The time of the gentleman from Illinois has again expired.

Mr. DEWEY. Mr. Chairman, under leave to extend my remarks, I will insert the statement I made to the Foreign Affairs Committee, embodying data referred to by the gentleman from Massachusetts.

The matter referred to is as follows:

STATEMENT OF HON. CHARLES S. DEWEY, MEMBER OF CONGRESS, NINTH DISTRICT, ILLINOIS, ON H. R. 1776

Ladies and gentlemen of the Committee on Foreign Affairs: I appreciate this opportunity to present for the record this brief statement on H. R. 1776. Your committee has had before it many distinguished people qualified to speak on the various questions of foreign policy, defense policy, and economic policy involved in this proposed legislation. They have doubtless made it clear that the bill, as it now stands, is defective in a number of respects. I shall, however, confine this statement solely to two defects in the bill which are immediately apparent and concerning which I wrote your distinguished chairman under date of January 13.

I would be pleased if your committee would permit me to insert this letter at the end of this statement. It embodies two specific amendments I respectfully suggest to your committee. In making this statement I merely seek to emphasize what I have already said in my letter of the 13th.

In the first place, the bill makes no provision for an accountability to the Congress of the transfers or sales made under the powers delegated. In the second place, it makes no provision against the possibility that important British assets in this hemisphere may pass into the hands of unfriendly foreign powers in the event of the defeat of Great Britain by the Axis Powers—

The first amendment I have suggested is purely a technical one, suggesting that the Comptroller General of the United States look after the accountability of the material transferred to Great Britain or other countries as permitted by the proposed legislation. It may be that your committee can devise a better means for insuring an accountability, but some effective means there must be. After all, this is a representative government, a republic in form, and a democracy in spirit.



When we, as representatives of the people, are called upon to vest discretionary powers in the Executive, at the very least we should establish some way by which the Congress may know how the delegated powers are exercised. There must be some accounting of what is sold, exchanged, loaned, leased, transferred, or given away. The money and material belong to the people. We are responsible for it, and it behooves us to assume that responsibility.

I respectfully submit that the bill should be amended so that there be some accounting, so that the Congress may at any time learn through a single agency, responsible to the Congress, what is sold, what is exchanged, what is loaned or leased, and what is actually given away as an outright gift.

The second amendment suggested in my letter to the chairman is one of broader importance. It is to this amendment that I am anxious to direct your special attention. It relates to international finance or, more specifically, to British assets in this hemisphere. Having served as Assistant Secretary of the Treasury and as financial adviser to the Polish Government, I am perhaps better qualified to address myself to this phase of the proposed legislation than any other.

There has been a great deal of talk about the possibility of the British Fleet falling into the hands of the Axis Powers should any disaster overtake the British Empire. The Secretary of the Navy discussed this possibility in his testimony before your committee, at which time I understand he presented figures on the combined naval strength of the Axis Powers and that of the United States. All of us recognize this danger to our security. We are preparing to meet it by building up the greatest and strongest fleet this country has ever had.

But, as important as this question of the possible transfer of the British Fleet to the Axis Powers in the event of Britain's defeat is to our security, I think we are overlooking a more practical danger. We are overlooking the fact that Great Britain has extensive holdings in this hemisphere, which, in the event of the defeat of Great Britain, will undoubtedly pass into the hands of the Axis Powers. The Axis Powers would have thus obtained the strong foothold in this hemisphere so long sought.

From a superficial research in the Department of Commerce I understand that the equities of British nationals in railroads, public utilities, and national resource ventures in the various countries of the Western Hemisphere, particularly in South and Central America, sum up to many billions of dollars. And, if I am properly informed, Great Britain has been mobilizing the foreign holdings of its nationals for some time past. It is my belief that if the German Government intends to do any grabbing it would grab these equities even before they undertook to get possession of the British Fleet. By this means the German Government would have obtained a foothold in the economic life of many of our neighbors without fighting a war on this side of the Atlantic. This, I think you will agree, represents a real danger to our people, to our peace and security.

To obviate any such possibility and using the Alien Property Custodian as a precedent, I suggest in my proposed amendment the setting up of a custodian or bailee to take over all title of these assets in safekeeping during the period of the war or as long thereafter as the uncertainty of the peace terms might dictate. In this way we will have a control against the unpredictable hazards of war and protect the future of our neighbors as well as the best interests of labor and industry in the United States.

There is no purpose in my mind that these assets shall serve as collateral to our loans or advances. I propose only that we hold them as a custodian, so to speak.

It is reported that the State Department and the Treasury Department have been taking steps preparatory to freezing assets of foreign nations, such as bank deposits, credits, etc., existing in the United States, in order that these holdings may not be improperly used. In some cases these steps have already been taken. But I cannot too strongly emphasize the fact that such procedure is not possible where similar assets are outside of our national jurisdiction even though in this hemisphere.

In a statement before your committee the Secretary of the Treasury presented data regarding the British investments in Latin America. But I do not think his statement brought out the real importance of these investments. In order to show how important they are, both from an economic and military standpoint, I have prepared a memorandum from the official records of the Department of Commerce. I would be pleased if your committee would permit me to insert this memorandum as part of my statement.

In preparing the memorandum I have emphasized the holdings in railroads, because no one can possibly dispute the fact that the railroads are of major importance economically and for military operations. I hope you will examine the data presented in this memorandum with great care, keeping always in mind what the situation will be should these holdings of British nationals become the holdings of the German Government.

Against such a danger we must protect our people and our neighbors. If the Monroe Doctrine is to mean anything at all, we must make certain that the Axis Powers do not, whatever the future may bring, obtain an economic foothold in this hemisphere. I think this possibility, constituting a real danger, can be dealt with by the proper amendment to this bill.

I have suggested a specific amendment for the purpose in my letter of the 13th to the chairman. I earnestly solicit your favorable consideration of it.

Of the total estimate of £1,002,000,000 given there, £451,000,000 were indicated as in railroads. Since railroads alone constitute almost half of total British holdings in Latin America, as estimated by the Secretary, the control of those railroads in the event of unfavorable developments in the world situation appears to be a matter of importance.

In Argentina the Secretary's estimate for British investments in railroads is £263,000,000 nominal value and £52,000,000 approximate market value. Argentina has always been a good market for British goods and one of the reasons is that the British investment in railroads is so heavy. According to a statement issued by the Department of Commerce (Industrial Reference Service No. 8, December 1940, "Railways Equipment Markets in Argentina"), this control amounts to some 65 percent of the total railway mileage of the country.

It might be noted that the estimate for British investments in railroads is slightly over 60 percent of the estimate for total British investments in Argentina.

For Bolivia, the Secretary's statement does not show the estimate for railway investments separately. According to the Stock Exchange Official Yearbook, London, 1939 (p. 456), the Antofagasta & Bolivia Railway Co., Ltd., "directly controls the Bolivia Railway Co." According to the same source, the former railway operates the latter on a 99-year lease from December 31, 1908. Somewhere around half of the total mileage of the country is operated by the Bolivia Railway Co.

In Brazil the Secretary's estimate for British investments in railroads is £38,000,000 nominal and £5,000,000 market value. About one-fourth of the total mileage of the country is controlled by British capital. This includes the strategic line of the Sao Paulo

Railway from Sao Paulo to Santos, which carries much of Brazil's coffee to be exported.

The Secretary's estimate for railway holdings is 20.4 percent of total British investments in Brazil.

In Chile the Secretary's estimate is £20,000,000 nominal and £5,000,000 market value. The chief British investment is in the Antofagasta & Bolivia Railway Co., which, as indicated above, controls the Bolivia Railway Co. The Antofagasta & Bolivia Railway Co. itself is the most important privately owned line in Chile.

The British railway investments are estimated by the Secretary at 19 percent of the total.

In Colombia, it is not believed that British investments in railroads are of any great importance. Possibly 5 percent of the total would be approximately correct. The Secretary did not show separate figures for railway investments in Colombia.

In Costa Rica, the only British line of importance is the Costa Rica Railway Co., which has 188 miles under concession expiring January 1, 1990, when the property reverts to the Costa Rican Government without further payment. The Northern Railway Co. (American controlled) has leased it for the remainder of the concession less the last 2 months. This information appears in the Stock Exchange Official Yearbook, 1939, page 484.

The Secretary estimates British investments in Cuba at £25,000,000 nominal and £1,000,000 market value. The two big railway combinations in Cuba are the United Railways of Habana, which is British controlled, with 1,340 miles owned, and the Consolidated Railroads of Cuba, which is American controlled, with 1,084 miles. Except for the trackage on innumerable sugar properties, these two combinations include the bulk of the railway mileage of the country. Data regarding the two are found in Moody's Railroads, 1939, pages 880-883, and page 1260, respectively.

It may be noted that railway investments comprise 90 percent of the total British investments in Cuba estimated by the Secretary.

In the Dominican Republic there are no British railway interests of importance known.

In Ecuador, the only British interest is in 60 kilometers of line owned in combination with the Government. Since the total kilometers of railroads in the country are over 1,300, British interest is not significant.

In Guatemala no British railway interest of importance is known.

In Haiti no British railway interest is known.

In Honduras no British railway interest is known.

The Secretary estimates British railway investments in Mexico at £90,000,000 nominal and £1,000,000 market value. The British still control the Mexican Railways Co., 431 miles long, the strategic line from Mexico City to Veracruz. (See Stock Exchange Official Yearbook, 1939, p. 506.) Undoubtedly the British have large holdings in securities of railroads now government-controlled.

It may be noted that the railways investment figure in Mexico is 52 percent of the total British investments.

In Nicaragua and Panama no British railway investments are known.

In Paraguay the only railway in the country, the Paraguay Central Railway, is British-owned.

In Peru the Peruvian Corporation has a perpetual concession for 1,053 miles of line it operates. (See Stock Exchange Official Yearbook, 1939, p. 2362.) This is about 40 percent of the total mileage of the country. The Peruvian Corporation is British-controlled.

In El Salvador the Salvador Railway Co., according to the Stock Exchange Official Year-



book, 1939, page 526, has a 100-mile concession running to 1974. The Salvador Railway Co. is British-controlled. During the life of the concession no competitive line can be built between the terminal points.

The Salvador Railway Co.'s lines are estimated at between one-fourth and one-fifth of the total mileage of the country.

In Uruguay the Secretary's estimate for British railway investments is £14,000,000 nominal and £1,000,000 market value. The British control around 80 percent of the main-line mileage and slightly less of the total mileage.

It will be noted that the estimate of £14,000,000 for railway investments is about one-third of the estimate for total British investments in the country.

In Venezuela the Secretary's statement gives an estimate of £3,000,000 nominal and £200,000 market value for British railway investments. According to figures appearing in a release of the Department of Commerce (Industrial Reference Service No. 12, December 1940, "Railway Equipment Markets in Venezuela"), British-controlled railways amount to about 36 percent of the total mileage of railways, tramways, and subsidiary land-transportation lines. Of the steam railways alone, the figures indicate British control of a little over 39 percent of the total.

Railway investments, in the Secretary's statement, are 10 percent of the total British investments in the country.

Mr. BLOOM. Mr. Chairman, I yield 30 minutes to the gentleman from South Carolina [Mr. HARE].

Mr. HARE. Mr. Chairman, in the time allotted I shall attempt to furnish the gentleman from New York [Mr. TABER] some ground or reason for this bill being before the Congress.

Mr. Chairman, to properly evaluate the purpose and the far-reaching significance of the bill now before us, it is appropriate to consider the historical background, the circumstances, and conditions that make its consideration necessary.

Following the last great World War a number of nations, being anxious to avoid the recurrence of such a disastrous conflict, entered into what is known as the Nine Power Treaty in 1922, and then in 1928 upward of 50 separate and distinct governments, having the same purpose in view, entered into what is known as the Kellogg-Briand Pact. Among the many nations subscribing to this contract or agreement were Japan, Italy, Germany, and the United States. These agreements recognized definite basic rights that belong to each and every nation, and it was understood and agreed in these compacts that such rights would be recognized by each of the contracting powers; and that in case of apparent conflicting interests, it was agreed that such differences should be adjusted through orderly and peaceful deliberation and thereby avoid future armed conflicts.

The verity and good faith of these agreements were adhered to and recognized by all of the contracting parties for a period of 10 years or more, or until 1931, when Japan, the first to ignore or repudiate her agreement with other nations, without notice proceeded to occupy Manchuria in China, and establish therein a system of government under Japanese control. Having been apparently successful in this enterprise, Japan became more ambitious and 3 years later

gave notice to other contracting nations that she, in effect, was repudiating her part in the agreements and was planning to enlarge her Army and increase the construction of her Navy. Japan then lost little or no time in the encroachment upon territory and other possessions of China. She proceeded to wage war without declaring war, and it was soon realized that Japan's purpose was to take complete control of China and all other possessions in the Orient. Japanese leaders began to dream of complete control of the eastern or oriental world, and already were making preparation to destroy or assist in the destruction of all democratic systems of government.

Following the example set by Japan, Italy, in 1935, proceeded to invade and conquer Ethiopia despite the fact that Italy had also entered into the agreements to which I have already referred. This increased power over Ethiopia begat a love for more power in Mussolini, the dictator in Italy, and in 1939 he proceeded to seize Albania in total disregard and in violation of Italy's agreement to the contrary.

Shortly after Mr. Hitler obtained control of Germany in 1933 he began to run true to form generally found in resourceful and ambitious dictator leadership. He soon began to dream dreams in his desire and ambition for more power. He was not long in reaching the conclusion that he could take advantage of the weakened military strength of other nations in Europe following the peace and disarmament agreements previously entered into and could not only obtain complete control of Europe, but with the increased strength and military power obtained as a result thereof, coupled with his increasing strength in South America, he could take possession of the entire Western Hemisphere. Of course his ultimate plans were not disclosed at that time. His first breach of faith with other nations was the reoccupation and fortification of the Rhinelands in violation of the Locarno treaty. Then under the pretense of an invitation and urgent demand of the German population in Czechoslovakia and Austria he proceeded to seize and take possession of these countries without regard to Germany's agreements with other nations, and following his action in each instance he gave the assurance to other countries of Europe that he had no desire whatsoever to occupy, obtain, or seize other territory on the continent of Europe, but this oft-repeated statement was violated in each case with increasing evidence of his ultimate goal. It is now well understood by all how he ruthlessly took possession of and divided Poland, and despite almost daily reassuring statements he proceeded to invade and take control of Belgium, Holland, Norway, Denmark, France, and other countries of Europe, and was halted only by the stubborn and determined opposition of Britain upon reaching the English Channel. For the past 6 months the conflict between Germany and Britain has been raging, it having become definite, clear, and certain in the meantime, by the actions and representations of Hitler, that if he succeeds in capturing

Britain there will be nothing to prevent him from taking charge of South America and the Western Hemisphere, including, of course, the entire United States.

Our ambassadors, ministers, and other representatives abroad, without exception so far as I have been able to learn, all say that if Britain is defeated in the present conflict in Europe it is no secret but well understood that the totalitarian governments, Germany, Italy, Japan, and perhaps others, have definitely and clearly planned to destroy once and for all the only remaining democratic system of Government on earth by invading, overrunning, and taking charge of the Western Hemisphere. Such reports have been brought to us from time to time for the past 2 years. At first they were received only as information, but as the conflict in Europe grew and widened with increasing speed and success of the Germans and allied dictators the reports became more frequent and alarming and the situation that confronts this country now is whether we can rely upon our existing military strength to meet the enemy when he comes, or whether we shall make preparations for his arrival, or whether it would be better to marshal part of our military resources and sell, lease, or lend them to Britain to increase her military strength with the hope that she will be able to defeat Mr. Hitler and obviate the possibility of having to engage in a war for the protection of our own Government.

Mr. Chairman, I have hastily and with little detail referred to the actions of Japan, Italy, and Germany within the past decade for the purpose of showing the attitude of the representatives of these three outstanding totalitarian governments, and for the further reason that we may form a reasonably accurate conclusion of their attitude toward the democratic systems of government in other countries and their contemplated actions toward that of our own. We could go further and show from evidence submitted to us that Japan, Italy, and Germany, through their representatives or leaders, have already agreed to combine their forces and proceed as one against this country following the expected downfall of Great Britain.

I may be mistaken—or I may be misled—but this is the situation as I see it. Of course, there are some who do not believe we are in any immediate or remote danger. They say the statements describing the situation abroad cannot be correct, but are greatly overdrawn or magnified. I do not know personally. I have not been there to see and hear what is going on. I have not had an opportunity to see their hands, as it were, or to put my finger into the print of their treacherous nails, or to thrust my hand into the side of their army, but the men and women bringing these reports to us are our accredited representatives and it would be a fearful situation if we cannot rely upon the unanimous representation of these people.

Regardless of how we may feel about the situation we have a bill before us providing that the United States Government shall arrange to sell, lease, or lend



the British Government any military equipment we can spare without jeopardizing our own defense, and I shall attempt to analyze some of the reasons assigned by others why it should not be enacted into law and to submit some reasons justifying its passage.

It may be that our apprehensions as to what will happen have been magnified in some respects, but the fact that at no time has Mr. Hitler offered any protest against our actions as violating any agreement or treaty with his country leads me to believe that the basis for our action in each step taken so far has been well founded and that at no time have we misinterpreted the well-laid plans and unholy designs of these ruthless invaders. If the premises upon which we acted when we passed the Neutrality Act in 1939 had not been true, Mr. Hitler would certainly have offered some kind of formal protest against such action. If the premises upon which we acted when we provided for increasing our Army, Navy, and Air Corps had not been true and well founded, he would certainly have offered some kind of protest against that action. If the premises upon which this bill providing aid to Britain were not correct, he would certainly have offered some kind of protest against this action, and his failure to offer any objections through our State Department, or to offer any protest to any of these actions on the part of our Government is conclusive proof that he is guilty of every charge preferred and, therefore, could not conscientiously offer any protest. He could not come into the court of international relations with clean hands and his failure to offer any formal objections is an admission of guilt and leaves no doubt in my mind as to what we may expect from him, his associates, and conspirators if we fail to make provision for the protection of our own household.

Practically every person who has appeared before any committee of Congress and submitted any testimony with respect to the bill now before us has declared unequivocally and without exception that in view of the pending and threatened danger to our system of government and the privileges enjoyed under it that this Congress should take all necessary steps to aid Britain short of declaring war. The idea seems to be practically unanimous. The one main objection is the procedure to be followed, this objection being that Congress should not give the President any additional authority or power for fear his actions will involve us in war. I can see where definite action on the part of Congress providing aid to Britain may be objected to by some of the belligerent nations and where there may be an excuse for some of them to declare war against us as a result of this action, but surely there could be no additional reason arising on account of the plan or procedure adopted for furnishing such aid. The excuse or reason for any other country declaring war against us for such action would be the same regardless of how or through whom such aid may be directed.

It is impossible to supply Britain with aid of any kind and guarantee this coun-

try will not become involved in war. We cannot prevent other countries from attacking us if they make up their minds to do so regardless of what excuse they may give for their action, and if an attack is made my guess is that this country is not going to sit down or fold its tents like France and surrender without a fight, and if it becomes necessary to fight it will be a fight to a finish. Of course, no one wants war and we will not knowingly do anything to provoke war, but we do not subscribe to the theory of "peace at any price." No one can guarantee there will be no war regardless of what action Congress may take, or whether it takes any action at all. Poland did not take any action to provoke war. Belgium did not take any action that provoked war or invasion, but we all know what happened to them. We do not want it to happen in this country. We all realize the proposal before us is an expensive proposition. We are not certain of the outcome. It may be an experiment, but the proponents of this bill would rather experiment with dollars, yea, many, many dollars, than have to experiment with the lives of our many able-bodied young men.

The real crux of this bill is found in section 3 and the subsection thereunder:

SEC. 3. (a) Notwithstanding the provisions of any law, the President may, from time to time, when he deems it in the interest of national defense, authorize the Secretary of War, Secretary of the Navy, or the head of any other department or agency of the Government—

(1) To manufacture in arsenals, factories, and shipyards under their jurisdiction, or otherwise procure, any defense article for the government of any country whose defense the President deems vital to the defense of the United States.

(2) To sell, transfer, exchange, lease, lend, or otherwise dispose of to any such government any defense article.

(3) To test, inspect, prove, repair, outfit, recondition, or otherwise to place in good working order any defense articles for any such government.

(4) To communicate to any such government any defense information, pertaining to any defense article furnished to such government under paragraph (2) of this subsection.

(5) To release for export any defense article to any such government.

(b) The terms and conditions upon which any such foreign government receives any aid authorized under subsection (a) shall be those which the President deems satisfactory, and the benefit to the United States may be payment or repayment in kind or property, or any other direct or indirect benefit which the President deems satisfactory.

Practically all of the objectors to the bill emphasize the words "or otherwise dispose of," found in subsection 2, where provision is made for the sale, transfer, exchange, lease, or lend such military equipment as may be utilized "in the interest of national defense," saying that these words give the President the right to actually give away such military equipment as he may desire. That is, they seem to be very much exercised over the idea that Congress may provide equipment to be used in the defense of our country and the President will then give it away without a consideration. The implication is unwarranted and unjusti-

fied because subsection b shows conclusively that there shall be at least some consideration, and it is absurd to think that any President of the United States would violate such a trust reposed in him.

Much has already been said about the danger that would arise from using the Navy to convoy military equipment to Britain. There can be no doubt but what there is danger. The President recognized it when he gave the assurance a few days ago that he is not planning to use convoys in forwarding these supplies. However, if the Congress provides such supplies, it makes little difference with respect to convoys who is given the authority or responsibility of seeing that the equipment is delivered, for the President will still have the power in his own right for conveying ships carrying such supplies.

Opponents of this bill insist that it should place a limitation on the power of the President to use convoys for the purposes mentioned. Congress cannot limit the power of the President in this respect, and the only way to prevent the use of convoys by law is to place a condition in the law providing such supplies by saying that no such supplies are to be furnished except without convoys. This would not be a limitation on the power of the President. It would simply be a conditional aid to Britain. I am not making an argument for the use of convoys, because I think the policy would be dangerous. I am simply calling attention to the futility of the argument made by objectors to this bill when they say it should contain a provision limiting the power of the President to use the Navy in conveying the supplies to Britain. The President already has that power if he wants to exercise it, and Congress cannot take it away from him.

The CHAIRMAN. The time of the gentleman from South Carolina has expired.

Mr. BLOOM. I yield the gentleman 5 additional minutes.

The CHAIRMAN. The gentleman from South Carolina may proceed.

Mr. HARE. There is no special reason for giving authority to Mr. Roosevelt to furnish or send aid to Britain other than that he is President of the United States. If it were a mere question of procedure, the authority could be given to a number of other men, but the reason for giving it to Mr. Roosevelt is because he is President of the United States and, as President, he is under a special constitutional grant Commander in Chief of the United States Army and Navy, and as such he already has certain powers which Congress cannot take away from him.

Article II, section 2 of the Constitution, says:

The President shall be Commander in Chief of the Army and Navy of the United States—

And the Supreme Court declared in *U. S. v. Sweeney* (157 U. S. 281) that—

The objective of this provision is to vest in the President the supreme command over all the military forces, such supreme and undivided command as would be necessary to the prosecution of a successful war.

As far back as 1850 in passing upon this provision of the Constitution in the



case of *Fleming v. Page* (9 How. 603), the Court declared in effect:

As Commander in Chief he is authorized to direct the movements of the land and naval forces placed by law at his command, and to employ them in the manner he may deem most effectual to harass and conquer and subdue the enemy. He may invade the hostile country and subject it to the sovereignty and authority of the United States.

Some would say the President already has the power to involve this country in a war. That is true. He could, under his existing constitutional authority, direct the armed forces in such a way as to give occasion for war at any time, and as long as the Constitution stands he cannot be deprived of this power. The only way Congress can prevent the President today from sending our Army and naval forces anywhere he pleases would be by refusing to furnish the means for maintaining and supporting them. This latter authority, of course, is left entirely in the hands of the Congress. The Constitution provides that Congress alone shall have the right and power to raise and support an army. But when Congress has once provided an army or a navy the constitutional grant of authority to the President at once becomes paramount and he can send them where he pleases and use them as he sees fit so long as they are maintained and supported by Congress.

If you are afraid of the power vested in the President, you should refuse to provide and maintain an army or navy. Yet, in face of the objections offered, the objectors to this bill say we must not only have an army but a two-ocean navy—a navy equal to the combined navies of the totalitarian states of the world. In other words, they prove by their own statements and actions that they are perfectly willing to trust these mighty military forces—the Army and the Navy—in the hands of the President but say in the next breath they are unwilling to clothe him with authority to say when, where, or how a single machine gun, an army tank, or an airplane shall be sent to Britain. The little power given him under this bill is infinitesimal as compared with the power he already has. I can see but one or two reasons for their argument; one is they are not fully advised as to the extent of the constitutional powers of the President, or they are for political or other reasons unwilling to cooperate with Mr. Roosevelt because he happens to be President.

The CHAIRMAN. The time of the gentleman from South Carolina has again expired.

Mr. BLOOM. I yield the gentleman 5 additional minutes.

The CHAIRMAN. The gentleman may proceed.

Mr. HARE. Mr. Chairman, it may be due to my lack of ability to comprehend or understand, but if the Congress makes provision for sending aid to Britain it does not increase the military power of the President by imposing upon him the duty and discretion by which this aid is to be furnished. Without doubt it would impose upon him new duties and additional obligations and enlarge his discretionary powers in the discharge of these

duties, but it would add little or nothing to his existing military powers. The contemplated aid would probably have to be furnished through some military channel, and the President is the natural and logical person through whom it should flow. The opposition seems to resolve itself into political opposition rather than the patriotic reasons assigned. The objectors insist that Congress should retain this authority in its own hands, when we all know it would be impracticable and nigh impossible for Congress to undertake to decide upon every feasible and necessary action in deciding upon the procedure. This would result in lengthy debate and entail what may prove to be suicidal delay. It is conceded by all that time is of the essence, and if this is true why should we cavil and delay on mere formalities? If it is already determined what Congress should do in providing aid to Britain, why not delegate the power to the President and couple it with instructions to proceed at once? To hesitate and delay the matter by unnecessary debate leads only to one conclusion, and that is we are not sincere in what we are saying and that we are really opposed to doing what we say we are willing to do.

The appeasers, the isolationists, the negotiated-peace advocates, the Socialists, Communists, and other opponents of the proposed legislation are expressing their opposition in a number of ways to this bill, but their "ace in the hole" argument is one which appeals to the pride, vanity, and jealousy of Congress when they suggest that Congress should be jealous of its power and not delegate it to the President. I obtain no pleasure in referring to them personally or individually, but the testimony of former President Hoover's Under Secretary of State before the Foreign Affairs Committee a few days ago well illustrates their argument, when he said, in effect:

The passage of the pending bill would make President Roosevelt a dictator over Britain as well as the United States, because through his control of supplies, munitions, and implements of war he would become supreme in all military matters.

He indicated by his statement that the President has no power in military matters unless delegated to him by Congress, which is contrary to fact.

They want to know in advance what the President is going to do with war materials or implements of war before they are willing to give him the right or authority to use or dispose of them. In adopting and ratifying the Constitution more than 150 years ago the people did not stop to inquire of the President as to when and where he was going to send the Army or the Navy before vesting him with the power of direction as Commander in Chief. Certainly he was expected to exercise his best judgment and to be guided in a large measure by the advice of military experts. That is exactly what he would be expected to do with the added power provided for in this bill. All Presidents may have made some mistakes in the exercise of the powers granted, just as Congress has frequently made mistakes in exercising the power granted it, but at no time in history has any President deliberately abused the

power vested in him as Commander in Chief of the Navy and Army. It may prove to be a mistake for Congress to provide any kind of aid or assistance to Britain, but a majority of our people seem to think it is the proper thing to do, even though this is the first time in history it has undertaken to exercise this power.

There must be some added power given to someone if the law is to be administered and it is better to give it to the President so he may coordinate these powers with those already vested in him by constitutional grant than to delegate it to someone with no other authority. I do not know that Congress would have the right to delegate such powers to anyone except the President, and it would certainly be suicidal for Congress to attempt to administer the law itself. There are now many different ideas expressed as to the wisdom of this legislation, for none of us are agreed in all of its details. If Congress should undertake to administer the law you would have 435 different opinions as to what implement of war should have priority, whether it should be airplanes, machine guns, or an army tank; you would have a corresponding number of opinions as to the size of the implement, and if you could ever reach an agreement on either or both of these you would then have each of the 435 Members of Congress insisting that these supplies should be manufactured in his district, and by the time they could reach an agreement on this matter our congressional districts would all be abolished and there would be no need for implements of war and the American people would be subjects of Hitler and his regime.

The CHAIRMAN. The time of the gentleman from South Carolina has again expired.

Mr. FISH. Mr. Chairman, I yield 10 minutes to the gentleman from Ohio [Mr. CLEVELER.]

Mr. CLEVELER. Mr. Chairman, I am concerned with national defense and with the financial security of the Nation.

We see emblazoned across the country official statements from the administration that all expenditures are to be cut to the bone, aside from national defense. Then we harken back to the independent offices bill with \$125,000,000 more to be used at the discretion of the President. Oh, the President can do many things under that provision. He can use the appropriation for a twice-defeated St. Lawrence Waterway, which would put the \$4.85 Japanese sailors and the \$10 Lascar sailors in direct competition with our own men, to dump farm products right into the lap of our Farm Belt—the products of all the breechclout and peon labor of the world—while our people must buy their own needs in manufactured goods in the highest-cost market in the world. Or the funds could be used to build Passamaquoddy, the Florida Ship Canal, or to start the southwestern counterpart of that great colossus that creeps and crawls and invests the savings of the North in T. V. A. Yes; this T. V. A. was in that bill also, with its 9-inch yardstick, and the Maritime Commission and many socialistic schemes that drain the country of its wealth and compel the further appropriation of billions of dollars.



The T. V. A. defies even the General Accounting Office to audit their books. Slice all this turkey buzzard and then fold it in with funds to care for the victims of war and face a Member of Congress to vote for it or be in the light of voting against the disabled and helpless. And the despairing and dismal admission of the chairman the gentleman from Virginia [Mr. Woodrum] that the party in power could do nothing about it; that his party had erred when they won the election of 1932 by promising to cut Government expenditures 25 percent.

There was and is a great scare drive to force the people into line behind this movement for entering the Second World War. The internationalists seem to have done their job almost too well; they are panic-stricken by their own arguments. Contemplate for just a moment what confronts an average intelligent taxpayer. The country is still at peace, but an inefficient, inept, and deceptive administration has created a debt so vast that it is now larger than the tax duplicate of that part of the country west of the Mississippi. It is collecting in Federal taxes about three and one-half times as much as in the fiscal year 1932; collecting at approximately \$18,000,000 per day for the fiscal year 1941, according to the President's budget, and proposes to expend some \$37,000,000 per day in this same year of 1941, and then jumping to \$52,000,000 per day for 1942. All of this without considering the financing of Great Britain, Greece, China, and possibly Russia if the U. S. S. R. should be successfully and diplomatically wooed, to say nothing of the countless millions for corralling and holding the surpluses of competitive production in this and other hemispheres.

For instance, the Cuban Government is said to be negotiating for a loan to buy up 400,000 to 500,000 tons of sugar they are producing without any market in sight, while the sugar producers of Ohio, Michigan, Colorado, Nebraska, and the West, as well as the cane areas, are being cut approximately 20 percent in acreage. Small wonder that our internationally minded Secretary of the Treasury reports sleepless nights and seeks solace in the solitude of an unnamed southwestern ranch! He has told us that the great British Empire is practically bankrupt after 18 months of war and 36 months of an unbalanced budget. He points with alarm to the fact that they must stop fighting if we do not pass H. R. 1776 and step in under their load of \$50,000,000 per day in the prosecution of the great war. Well, if the great British Empire, vastly richer than our own Republic, is going bankrupt after 18 months of such spending and 3 years of an unbalanced budget, where is this Republic going on \$52,000,000 per day and 11 years of unbalanced budgets?

With ordinary expenses of government doubled in 8 years, and an all-embracing bureaucracy crushing the life out of American agriculture and industry, the farmers in my district will find the price of the rising spiral of inflation when they replenish lumber, hardware, fencing, and supplies of all kinds. The rise

from \$2.50 to approximately \$4 in Army shoes will explain what I mean.

The hotels, offices, and corridors of the Capital City creak and groan with the faithful coming in after theirs; no doubt to recover some cash invested in pretty campaign books; the doubling and multiplying costs of the housing of our Army; the delay of months in completion of defense projects; the graft of millions from the men who obtain work on defense projects. All this adds up on the record of bad administration of the past 8 years. It also adds to the crushing load of debt and taxes that fall on the overloaded backs of American taxpayers. It threatens national bankruptcy and it imperils our national defense and thus our national safety.

According to the administration, we are 2 to 3 months from national attack and 2 years from national preparedness. If the first span of time is correct, we are in peril and it is time to quit pampering Sidney Hillman and his C. I. O. and his canceling a contract for ten millions of national-defense material and time to embrace Mr. Ford's offer to make all defense material without any profit at all; time to define our own war aims. What are we trying to do: Nationalize American industry or provide national defense?

It is time also to examine the record of administrative accomplishment and see if we do not need a single head with a single purpose in carrying into effect our national defense. Patriotic Americans will believe Sidney Hillman, David Saposs, and their fellow travelers should have no place in that. No; the picture is not a pretty one—and time passes. Evidently there will be no shortage of black neckties and mosquito netting, but what of the tanks and guns and planes—enough of the unnecessary for 5,000,000 men, but how about the tools men fight with? Small wonder that General Marshall answered the Congressman who inquired "if this bill permitted the President to transfer from our supply of war material to nations he desired to help," with a question of his own, "What supply of war materials?"

Mr. Knudsen made a pretty picture with Deanna Durbin, but we hope our rugged iron master is not too much intrigued with the White House vaudeville. Time passes. It is said "we must buy time to prepare."

I think it is time to remember we are 135,000,000 virile Americans placed by the Great Architect of the universe in the most enviable geographic position in all the world; 3,000 miles of blue water on one side and 6,000 on the other; men of every race and every creed. With 6 percent of the world's people, we have nearly 50 percent of the world's production of the essentials of living and of defense. I like to think of Americans unafraid, jealous of their rights, and ready to maintain them.

Let us prepare our defense, let us do it carefully because we have been through great waste of time and treasure, and national boon-doggling is not a hearty preparation for national defense. Let us have done with this tripe that anything is our first line of defense, except

the indomitable spirit of our Navy, our Army, our air force, and the fortitude and patriotism of the American people. Let us make first things first—guns, tanks, planes, and ships—in our placing of orders. Let us remember that it is time to put an end to grandiose planning; that our national credit is not without limits; that even our magnificent manpower is impotent if we do not provide them something beside schedules and blueprints of dreams of defense.

Let us keep in our own hands these precious liberties and privileges which were won at such great cost by our valiant forebears and entrusted to us by the American electorate. Let us keep this power and exercise it worthily as representatives of a great Republic. Let us refuse to render ourselves impotent by a grant of these powers to any man and thus possibly make adequate defense impossible or a protest worthless. Let us be men, not rubber stamps. Let us have for America the same regard that so many who have enjoyed America's bounty and protection express for lands across the sea. Yes; may there always be an England, and may there also be an America, a great representative Republic with its three coordinate branches of government unimpaired. No powers are inherent in this bill to increase American production. No man should have them nor be invested with them; they are unnecessary, un-American, and dangerous.

Guard well the door. [Applause.]

Mr. BLOOM. Mr. Chairman, I yield such time as he may desire to the gentleman from Illinois [Mr. MACIEJEWSKI].

Mr. MACIEJEWSKI. Mr. Chairman, I do not believe the people of this Nation have become more disturbed over any legislation coming before the House of Representatives in the past century than the measure now before this body for debate, the so-called lend-lease bill, H. R. 1776. Unquestionably, there are some grave and serious implications embodied in the bill as amended and reported by the Committee on Foreign Affairs.

During the past several days my constituents have been writing to me about the lend-lease bill. I have tried to answer all the letters but have come to the conclusion that a broader statement is needed, more definite and longer than can be put in a letter. The communications I have received must necessarily be placed in groups, as follows: Opposing the bill because it might lead us into war; criticizing the measure because they are of the opinion it gives too much power to the Chief Executive, and those who favor its passage.

Because of comments of the press and through other agencies, the people of this Nation have become frightened at the thought the enactment of this bill will eventually lead us into war. Sometimes it is very difficult to judge what the majority of the people want. In my humble opinion, however, there is every sign that the present policy of our Government is supported with as much understanding as any rational person could expect. The American people have made it known that they want aid rushed to England, so that war can be kept from our shores and so that we may have time



to build for ourselves a defense on every front. To those of you who fear that we may be involved in war, let me say that you and I and the vast majority of the American people are absolutely against sending American boys to die on foreign fields. And we know that war is not always tragic but is also oftentimes futile.

The bill has been subjected also to criticism on the ground that it is unconstitutional and not in keeping with our international practices since the foundation of our Government; further, that it gives too much power to the Chief Executive. I think a careful study of the bill and the hearings thereon will convince everyone that this thought is based on a misunderstanding of the purposes of the measure. As a matter of fact, the purposes of the lend-lease bill are to do exactly what the American people want.

The lend-lease bill seeks to insure us against involvement in the wars now taking place in foreign lands by authorizing the President to give material aid to those friendly nations whose continued independent existence is necessary for our vital defense. The bill further authorizes the Chief Executive to manufacture in our Government arsenals and navy yards, as well as in privately owned factories, weapons and war materials for those nations whose defense the President deems vital to the defense of the United States. It also authorizes him to sell, lease, lend, or otherwise dispose of weapons and war materials to such countries. Therefore, the bill will materially aid in expediting assistance to England, it will assist in eliminating any friction or confusion in the procurement and production of weapons for ourselves and for the democracies; it places the Chief Executive in a position where he has authority to handle the national-defense program on an efficient and businesslike basis. Further, it places limitations on the broad powers invested in the President.

The other provisions of the measure are primarily administrative and have not been subject to much criticism.

I think, in passing this bill, it is not the intent of the Congress to abdicate its powers as suggested by many of those who are opposed to the measure. In the debate on the bill it is conceded that quite likely new points will be brought out which will call for amendments, and I have every reason to believe that if such improvements are suggested they will be incorporated. Some constructive suggestions have already been offered.

I have tried to give my constituents a clear-cut picture of the purposes of this proposed legislation. I believe with those who favor the bill that it is necessary to properly and effectively safeguard America's future. For the reasons cited I intend to cast my vote in favor of the passage of the lend-lease bill, H. R. 1776. [Applause.]

Mr. FISH. Mr. Chairman, I yield 10 minutes to the gentleman from Illinois [Mr. Day].

Mr. DAY. Mr. Chairman, after listening to some of the remarks during the afternoon, I have become convinced that it was well that we reinforced the ceiling of this Chamber to withstand, not any

attack from the dive bombers of Hitler, but the attack on representative government in the very foundation room of its existence.

Granting that this Nation faces a crisis, no emergency is ever a proper foundation for the grant of constitutional power.

Today the Supreme Court of the United States has abdicated its supremacy and independence as one of the three coordinate branches of government. As Members of Congress, then, in considering this bill, we are gathered as a constitutional body in whose keeping reposes the last great stand for upholding the integrity of constitutional power. Please bear with me, then, as I approach the discussion of this bill in the capacity of judges consecrated under your oath of office to the protection and defense of the Constitution of the United States. Shall it live? The answer is in your hands. We cannot, we dare not, escape the responsibility that this fateful hour imposes.

Forsaken by those sworn to uphold it, the Constitution today stands before the bar of this House, and far above the consideration of any other aspect of this bill is your decision whether or not in this beloved United States shall the Constitution die at the hands of the only body ordained by law left to protect it.

Mindful as I am of the history of our Anglo-Saxon people; grateful as we are to the mother country for those cherished ideals of freedom which have grown strong in this new Republic, there are some things that even a mother cannot ask her son to perform. If you can agree with me that we can help Britain without the sacrifice of our sacred honor, then have we not a complete answer to this bill H. R. 1776? If you can agree with me that under our form of government the American Navy belongs to the American people and cannot be transferred, traded, or given away; if you can agree with me that under our written Constitution our hands are tied by the pledges of our honor, irrespective of where our sympathies may be, then you will more readily have patience with what I have to say.

This is not the first time that the American Congress has been tempted to forsake the cause of the Constitution. I can hear again the voice of Daniel Webster, when he said:

But who can reconstruct the fabric of demolished government? Who can rear again the well-proportioned columns of constitutional liberty; who can frame together the skillful architecture which unites national sovereignty with States' rights, individual security, and public prosperity? No; if these columns fall, they will be raised not again.

Mr. Chairman and gentlemen of the Congress, the price is too high. We must find some other way.

Our consent to the powers demanded will not make them good if we do not have the power to make the grant. Read me one word in the Constitution of the United States, or any of its interpretations, which has ever sanctioned the abdication of power by Congress to make or declare war, and I will admit that I am in error. The British Parliament could grant these powers, but not the Congress

of the United States, for we have no equivalent in this country of the powers exercised by that Parliament.

Whatever may be the purpose or desire of the President, obviously he can be of no aid to any foreign nation unless Congress grant him the power to give away our own articles of defense and appropriate the money with which to build additional defense articles. We do not have them on hand, save in quantities deemed totally insufficient for our own defense. This places the final determination of the question of foreign policy within the control of the Congress, the keeper of the purse. If we keep our own defense articles, now on hand or on order, for our own use, then any additional appropriations must be for the benefit of some foreign nation.

The Constitution has vested the Congress with specific powers to provide for the common defense and general welfare by way of taxation, to declare war, to raise and support armies, to provide and maintain a navy, and to make rules for the government and regulation of the land and naval forces. If the additional powers be granted to the President, the Congress would clearly be guilty of the abdication of these powers in favor of the President and to have delegated them to him. Both of these steps are clearly unconstitutional.

Conceding that the President has plenary powers over questions of foreign and external policy, in this instance these powers are nugatory without an express grant from the Congress. Thus the status of affairs has shifted. Had the President acted solely within his plenary powers in the exercise of his sole discretion, the question before the Congress would be merely one of ratification and the recognition of something already accomplished, such as occurred on May 13, 1846, when President Polk had actually engaged in the battles of Palo Alto and Resaca de La Palma, and the Congress passed an act ratifying these acts.

Inasmuch as the President has not as yet engaged in actual warfare, he awaits the grant from the Congress to justify his clearly expressed purpose. If this bill be passed by the Congress, no declaration of war will ever be passed, but there would follow an act recognizing a state of war, and the President could well say to the people that there would have been no war, if the Congress had not fortified him to take the steps which led to the war.

Is it not clear, then, that we must approach the consideration of this bill as though it were an act to declare war? The people will hold each and every Member of Congress responsible for his vote in this critical time. How many are ready to vote favorably on a declaration of war, knowing its consequences?

In *United States v. Curtiss-Wright Corp.* (229 U. S. 304, 318) it is held:

It results that the investment of the Federal Government with the powers of external sovereignty did not depend upon the affirmative grants of the Constitution. The powers to declare and wage war, to conclude peace, to make treaties, to maintain diplomatic relations with other sovereignties, if they had never been mentioned in the Constitution, would have vested in the Federal Government as necessary concomitants of nationality.



Conceding this to be true, it is also a fact that there was a division and distribution of the powers of external sovereignty in the written terms and provisions of the Constitution. It is of the greatest significance that from the total sum of external powers there was expressly given to the Congress the power to declare and wage war. Thus, conceding that the powers of the President over our external relations are plenary and exclusive, they are only plenary and exclusive within the categories expressly granted to him by the Constitution. He has no power to declare and wage war. We need not explore how extensive are his powers over external affairs, in the present crisis, because without exercising such powers over our external affairs, he has come to the Congress for express grants of authority.

The report of the majority of the Foreign Affairs Committee, on page 6, states:

This, unquestionably, is the most important single provision of the bill. It authorizes the disposition by this Government, to any nation whose defense is vital to the defense of the United States, of any defense article upon those terms and conditions which the President deems satisfactory. As to defense articles which are not specifically manufactured or procured on behalf of such a foreign government, the disposition can only be made after consultation with the Chief of Staff of the Army or the Chief of Naval Operations of the Navy, or both. This provision, in a manner wholly consistent with our Constitution, gives the flexibility necessary to meet the fast-changing situation in the war abroad in order that our own national-defense interests may be served best. It places this power of negotiation and disposition in the President, the Chief Executive and Commander in Chief of the Army and Navy.

They cite the United States against Curtiss-Wright Corporation case as their authority. But they overlook the fact that Congress must act before the negotiations and disposition of the President will be of any aid to the foreign nation. Can there be any doubt that the naked power means nothing if the Congress shall not implement the power with perhaps 40,000,000 American dollars? Then why speak of the President's discretion in matters of purely external affairs?

All must admit that he cannot gain any further powers over our external affairs by any grant from the Congress if the Constitution has not vested in the Congress the power to make such grants. The plain effect of H. R. 1776 is to place the Congress upon record so that the Congress cannot exercise its constitutional powers to declare and wage war. There is no public policy which sanctions the grant of such powers by the Congress.

Weighing all these considerations in their proper light, we find that the President is responsible to the Constitution for such powers as he possesses, and likewise the Congress is responsible to the Constitution for such powers as the Congress possesses. Both the President and the Congress derive their powers from a common source, to wit, the Constitution of the United States. Can there be any doubt, then, that the Congress cannot be called upon to divest itself of the powers which it possesses any more than the President can be deprived of the

powers which he possesses? This is good constitutional law, recognized by more than a century of American practice and procedure.

A fair reading of the provisions of H. R. 1776 forces the conclusion to any open mind that the President realizes that in this bill he can carry the Nation no further into the international war without the sanction of the Congress. He has already carried on his negotiations with foreign nations, he has been advised by our diplomatic representatives in foreign nations, and he has in his own mind determined what course this Nation should pursue. In fact, he has exhausted the exercise of his power over our external relations, no matter how plenary and exclusive they may be. To reach the ultimate goal of his desire, he must have now the grant of further power.

Ordained by the Constitution to declare and wage war, the Congress at this hour is now acting within the sphere of those powers where the Congress is given powers which are plenary and exclusive. We must, then, exercise our own discretion and determine when and how this Nation shall be plunged into the international conflict. In making this decision we act entirely independently of the President, and he has no more right to interfere with or influence our judgment within the sphere of our constitutional powers than we have the right to interfere with the exercise of his judgment within the sphere of his constitutional powers.

This clears the atmosphere, and let no one misapprehend the consequences of our action or underestimate the responsibility which each Member of the Congress owes to the American people.

Section 9 of the bill provides that the President may from time to time promulgate such rules and regulations as may be necessary and proper to carry out any of the provisions of the act. This is a plain delegation of legislative power and is manifestly unconstitutional. No standard is established and no set of rules or regulations are set up by the Congress to govern the exercise of any of the powers delegated to the President by this bill.

In the leading case of *Panama Refining Co. v. Ryan* (293 U. S. 388, 420) it is said:

The question whether such a delegation of legislative power is permitted by the Constitution is not answered by the argument that it should be assumed that the President has acted, and will act, for what he believes to be the public good. The point is not one of motives but of constitutional authority, for which the best of motives is not a substitute. While the present controversy relates to a delegation to the President, the basic question has a much wider application. If the Congress can make a grant of legislative authority of the sort attempted by section 9 (c), we find nothing in the Constitution which restricts the Congress to the selection of the President as grantee. \* \* \* The Constitution provides that "all legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives (art. I, sec. 1). And the Congress is empowered "to make all laws which shall be necessary and proper for carrying into execution" its general powers (art. I, sec. 8, par. 18). The Congress manifestly is not permitted to abdicate,

or to transfer to others, the essential legislative functions with which it is thus vested.

Further on in the opinion in this well-considered case we find the following, page 430:

Thus, in every case in which the question has been raised, the Court has recognized that there are limits of delegation which there is no constitutional authority to transcend. We think that section 9 (c) goes beyond those limits. As to the transportation of oil production in excess of State permission, the Congress has declared no policy, has established no standard, has laid down no rule. There is no requirement, no definition of circumstances and conditions in which the transportation is to be allowed or prohibited.

If section 9 (c) were held valid, it would be idle to pretend that anything would be left of limitations upon the power of the Congress to delegate its lawmaking function. The reasoning of the many decisions we have reviewed would be made vacuous and their decisions nugatory. Instead of performing its lawmaking function, the Congress could at will, and as to such subjects as it chose, transfer that function to the President or other officer or to an administrative body. The question is not of intrinsic importance of the particular statute before us, but of the constitutional processes of legislation which are an essential part of our system of government.

This bill is styled "An act to promote the defense of the United States." Surely that is a domestic affair. Without recalling the specific powers vested in the Congress by article I, section 8, of the Constitution, it is safe to say that no one can deny that the Congress is given control of our land and naval forces. This is not a function covering the external affairs of the Nation. It is just as much internal in its scope as the power to regulate interstate commerce. And therefore nothing that is said in *U. S. v. Curtiss Wright Corp.* (299 U. S. 304) has any bearing.

While it was said in that case that the President may exercise, in the international field, a degree of discretion and freedom from statutory restriction which would not be admissible were domestic affairs alone involved, clearly that case is no authority where there is a clear delegation of power respecting the domestic affairs of the Nation.

It is explained in the report of the majority of the Foreign Affairs Committee that the term "defense article" has such broad meaning that it properly applies to various commodities. We quote from that report, page 2 thereof, as follows:

Section 2 of the bill contains the definition of the words "defense article" and "defense information." It should be noted that the term "defense article" includes not only all arms, munitions, and implements of war, but also other articles or commodities, such as cotton, wheat, and all other agricultural products which may be necessary for defense purposes.

Can anyone deny that the transportation of such articles is not interstate commerce? And a matter of purely internal concern?

If this bill were not unconstitutional on any other ground, the language of section 9—

The President may, from time to time, promulgate such rules and regulations as may be necessary and proper to carry out any



of the provisions of this act; and he may exercise any power or authority conferred on him by this act, through such department, agency, or officer, as he shall direct—

would clearly condemn it as a pure delegation of legislative power which has been declared unconstitutional by all of the decisions of the Supreme Court of the United States since the foundation of the Government.

Apart from purely constitutional considerations, can any Member of the Congress seriously question that after the passage of this bill, with this section 9 left intact, would there be anything left of the exercise of legislative power by the Congress?

President Roosevelt not so long ago directed the Members of Congress to pass legislation affecting the coal industry no matter whether or not the Members had doubt as to the constitutionality of the legislation. In this instance the passage of legislation is requested where there is no doubt that the legislation is unconstitutional. We are asked to surrender our legislative authority. If we do, there will no longer be a Congress of the United States. Recalling the oath of office which each of us was compelled to take and did take willingly, before we were duly accredited Members of this House, is not the answer to this bill made simple when we stand on the ground of its unconstitutionality?

This bill can be rejected on a common ground that knows no party lines. We can keep our faith with the people who elected us and to those who will come after us, when history shall record that the Members of the Seventy-seventh Congress respected the limitations of the Constitution. And also the decisions of the Supreme Court of the United States.

Let me read the historical words of Chief Justice Hughes in rendering the decision of the Court in the *Schechter Poultry Corp. v. United States* (295 U. S. 495, 527):

We are told that the provision of the statute authorizing the adoption of codes must be viewed in the light of the grave national crisis with which the Congress was confronted.

Undoubtedly the conditions to which power is addressed are always to be considered when the exercise of power is challenged. Extraordinary conditions may call for extraordinary remedies. But the argument necessarily stops short of an attempt to justify action which lies outside the sphere of constitutional authority.

Extraordinary conditions do not create or enlarge constitutional power.

The Constitutional established a National Government with powers deemed to be adequate as they have proved to be both in war and peace but these powers of the National Government are limited by the constitutional grants.

Those who act under these grants are not at liberty to transcend the imposed limits because they believe that more or different power is necessary. Such assertions of extra-constitutional authority were anticipated and precluded by the explicit terms of the tenth amendment. "The powers not delegated by the Constitution nor prohibited by it to the States, are reserved to the States respectively, or to the people."

The Congress is not permitted to abdicate or to transfer to others the essential legislative functions with which it is thus vested. We have repeatedly recognized the necessity

of adapting legislation to complex conditions involving a host of details with which the National Legislature cannot deal directly.

We pointed out in the Panama Co. case that the Constitution has never been regarded as denying to Congress the necessary resources of flexibility and practicality, which will enable it to perform its function in laying down policies and establishing standards, while leaving to selected instrumentalities the making of subordinate rules within prescribed limits and the determination of facts to which the policy as declared by the legislature is to apply.

But we said that the constant recognition of the necessity and validity of such provisions, and the wide range of administrative authority which has been developed by means of them, cannot be allowed to obscure the limitations of the authority to delegate, if our constitutional system is to be maintained.

[Applause.]

Mr. BLOOM. Mr. Chairman, if I yield the gentleman 1 minute additional time, will he try to answer a question I should like to ask him?

Mr. DAY. Yes.

Mr. BLOOM. Did I understand the gentleman to say the bill (H. R. 1776) now under consideration specifically provides that we delegate the right to declare war to the President of the United States? Did the gentleman say that?

Mr. DAY. Yes; it does.

Mr. BLOOM. It does?

Mr. DAY. That is its every intentment. The gentleman from New York would not use those exact words in the bill.

Mr. BLOOM. Those are the words I wanted the gentleman to say.

Mr. DAY. The gentleman from New York, chairman of the Foreign Relations Committee, is too astute to have used those words, but when we give the President power taken from us who have provided an army and a navy and say to one man, "You can send this abroad, trade it, or give it away, take it into the war zone, or wherever you want to," I say we have surrendered our power to declare war.

Mr. BLOOM. I may have been mistaken—and if so, I want to be corrected—but I understood the gentleman to say that the bill H. R. 1776 delegates to the President of the United States the power of the Congress to declare war. The gentleman did not mean that, did he?

Mr. DAY. To all intents and purposes that is true; and I agree with the opinion thereon of the Honorable John Bassett Moore, who, as a matter of history, happened to be Assistant Secretary of State while my father was Secretary of State of this Nation. [Applause.]

[Here the gavel fell.]

Mr. FISH. Mr. Chairman, may I ask how much time has been consumed by each side?

The CHAIRMAN. The gentleman from New York [Mr. BLOOM] has used 2 hours and 25 minutes. The gentleman from New York [Mr. Fish] has used 2 hours and 13 minutes.

Mr. BLOOM. Mr. Chairman, I move that the Committee do now rise. The motion was agreed to.

According to the Committee rose; and the Speaker having resumed the chair, Mr. COOPER, Chairman of the Whole House on the state of the Union, reported that that Committee, having had under considera-

tion the bill (H. R. 1776) further to promote the defense of the United States, and for other purposes, had come to no resolution thereon.

#### EXTENSION OF REMARKS

Mr. VORYS of Ohio. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. DIRKSEN] may have permission to revise and extend his own remarks in the RECORD and to include certain excerpts.

The SPEAKER. Is there objection to the request of the gentleman from Ohio [Mr. VORYS]?

There was no objection.

Mr. HOOK. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks in the RECORD and to include an article by Elmer H. Boyd.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. Hook]?

There was no objection.

Mr. GAVAGAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD with reference to two bills, H. R. 970 and H. R. 971, introduced by myself, and to include a recent editorial in respect thereto.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. GAVAGAN]?

There was no objection.

Mr. BLOOM. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks in the RECORD and to include in connection therewith any information or tables I may have with reference to same.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. BLOOM]?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to insert in the CONGRESSIONAL RECORD two descriptions on the heading of the CONGRESSIONAL RECORD—one of the past and that of today—sent to me by the Women's Investors in America. I would like an answer from the Joint Committee on Printing as to why the former heading was changed.

Mr. BLOOM. Mr. Speaker, reserving the right to object, could that be done under the present form of the CONGRESSIONAL RECORD at this time?

The SPEAKER. The Chair does not understand the request of the gentleman from Massachusetts. Will the lady restate it?

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to insert in the RECORD a description or a statement by the Women's Investors in America regarding the heading or the beginning of the CONGRESSIONAL RECORD of today and of preceding years. It expresses regret that the words "the United States" are left out of the present heading and that the cast is smaller.

The SPEAKER. Is that a word description?

Mrs. ROGERS of Massachusetts. It is a word description. It also has a picture of the shield or the crest of the United States.

The SPEAKER. The Chair would be compelled to hold that that request must go to the Joint Committee on Printing.



Mrs. ROGERS of Massachusetts. Mr. Speaker, if I put in just the description of the heading without the actual heading, would there be any objection?

The SPEAKER. The style and form of the RECORD lies within the jurisdiction of the Joint Committee on Printing, and any request of the kind just propounded by the gentlewoman from Massachusetts would have to go to that committee.

#### BILLS PRESENTED TO THE PRESIDENT

Mr. KIRWAN, from the Committee on Enrolled Bills, reported that that committee did on Friday, January 31, 1940, present to the President, for his approval, a bill and a joint resolution of the House of the following titles:

H. R. 1437. An act authorizing appropriations for additional shipbuilding and ordnance-manufacturing facilities and equipment for the United States Navy, and for other purposes; and

H. J. Res. 80. Joint resolution to amend section 124 of the Internal Revenue Code by extending the time for certification of national-defense facilities and contracts for amortization purposes.

#### ADJOURNMENT

Mr. BLOOM. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 5 minutes p. m.) the House adjourned until tomorrow, Tuesday, February 4, 1941, at 12 o'clock noon.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

158. A letter from the Secretary of the Interior, transmitting copy of order dated April 1, 1940, canceling certain charges of the United States existing as debts against individual Indians or tribes of Indians, pursuant to the act of July 1, 1932; to the Committee on Indian Affairs.

159. A letter from the Director, Administrative Office of the United States Courts, transmitting statistical tables containing data in regard to bankruptcy cases pending in the district courts of the United States in the fiscal year ending June 30, 1940; to the Committee on the Judiciary.

160. A letter from the Secretary of the Interior, transmitting a report of credit operations under authority of the acts of June 18, 1934, and June 26, 1936; to the Committee on Indian Affairs.

161. A letter from the president of the Chesapeake & Potomac Telephone Co., transmitting a comparative balance sheet of the Chesapeake & Potomac Telephone Co. for the year 1940; to the Committee on the District of Columbia.

162. A letter from the Acting Secretary of the Navy, transmitting draft of a proposed bill to provide for the reimbursement of certain Navy and Marine Corps personnel and former Navy and Marine Corps personnel and certain Federal civil employees for personal property lost or damaged as a result of the hurricane and flood at Parris Island, S. C., on August 11-12, 1940; to the Committee on Claims.

163. A letter from the Secretary of the Interior, Chairman of the Migratory Bird Conservation Commission, transmitting the report of the Migratory Bird Conservation Commission for the fiscal year ended June 30, 1940 (H. Doc. No. 67); to the Committee on Agriculture and ordered to be printed.

164. A letter from the Architect of the Capitol, transmitting the Annual Report of the Office of the Architect of the Capitol for the fiscal year ended June 30, 1940; to the Committee on Public Buildings and Grounds.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

##### Under clause 2 of rule XIII,

Mr. DOUGHTON: Committee on Ways and Means. H. R. 2959. A bill to increase the debt limit of the United States, to provide for the Federal taxation of future issues of obligations of the United States and its instrumentalities, and for other purposes; without amendment (Rept. No. 20). Referred to the Committee of the Whole House on the state of the Union.

Mr. JARMAN: Committee on Printing. House Concurrent Resolution 15. Resolution authorizing the Committee on Foreign Affairs of the House of Representatives to have printed for its use additional copies of the hearings held before said committee on the bill (H. R. 1776) further to promote the defense of the United States, and for other purposes; without amendment (Rept. No. 21). Referred to the House Calendar.

Mr. LESINSKI: Committee on Immigration and Naturalization. H. R. 1061. A bill for the admission to citizenship of aliens who came into this country prior to February 5, 1917; without amendment (Rept. No. 22). Referred to the House Calendar.

Mr. MAY: Committee on Military Affairs. H. R. 2278. A bill to further amend the thirteenth paragraph of section 127a of the National Defense Act, as amended by the act of June 8, 1926, so as to decrease the restriction on the number of enlisted men of the Regular Army who may be detailed as students at educational institutions and other places; without amendment (Rept. No. 24). Referred to the Committee of the Whole House on the state of the Union.

#### REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

##### Under clause 2 of rule XIII,

Mr. LESINSKI: Committee on Immigration and Naturalization. H. R. 1543. A bill for the relief of Drs. Michel Konne and Pauline Lucia Konne; without amendment (Rept. No. 23). Referred to the Committee of the Whole House.

#### CHANGE OF REFERENCE

Under clause 2 of rule XII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 2972) granting a pension to Emma Hellwig; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BECKWORTH:

H. R. 3010. A bill to provide for grants to the States for assistance to needy incapacitated adults; to the Committee on Ways and Means.

H. R. 3011. A bill to authorize an appropriation for an experiment station; to the Committee on Agriculture.

H. R. 3012. A bill to provide a minimum allotment for farm-marketing-quota purposes of five bales of lint cotton; to the Committee on Agriculture.

By Mr. BOGGS:

H. R. 3013. A bill to provide for the examination and survey of shore line of Lake Pontchartrain, La., between the Orleans Parish and the Bonnet Carré spillway; to the Committee on Flood Control.

By Mr. HOOK:

H. R. 3014. A bill to accept the cession by the State of Michigan of exclusive jurisdiction over the lands embraced within the Isle Royale National Park, and for other purposes; to the Committee on the Public Lands.

By Mr. JOHNS:

H. R. 3015. A bill to provide for Federal cooperation in the construction and reconstruction of air markets, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. PETERSON of Georgia:

H. R. 3016. A bill to establish a national land policy, and to provide homesteads free of debt for actual farm families; to the Committee on the Public Lands.

By Mr. PITTENGER:

H. R. 3017. A bill canceling Finland's war debt to the United States; to the Committee on Ways and Means.

By Miss RANKIN of Montana:

H. R. 3018. A bill to authorize the Secretary of War to exchange certain land located within the Fort Missoula Military Reservation, Mont., for certain land owned by the Missoula Chamber of Commerce, of Missoula, Mont.; to the Committee on Military Affairs.

By Mr. SMITH of West Virginia:

H. R. 3019. A bill to amend the act entitled "An act to prohibit the manufacture, distribution, storage, use, and possession in time of war of explosives; providing regulation for the safe manufacture, distribution, storage, use, and possession of the same; and for other purposes," approved October 6, 1917 (40 Stat. 385); to the Committee on Mines and Mining.

By Mr. SUMNERS of Texas:

H. R. 3020. A bill to permit certain officers, employees, and agents of the United States to administer oaths and affirmations in certain cases; to the Committee on the Judiciary.

By Mr. VOORHIS of California:

H. R. 3021. A bill to amend the Social Security Act, as amended; to the Committee on Ways and Means.

By Mr. YOUNGDAHL:

H. R. 3022. A bill to amend title 18, section 563, of the Code of Laws of the United States so as to provide compensation to attorneys assigned to defend a person indicted for capital crime; to the Committee on the Judiciary.

By Mr. GEHRMANN:

H. R. 3023. A bill to enable farmers who are unable to pay emergency seed and feed loans in full when due to work out the amounts due thereon; to the Committee on Agriculture.

By Mr. JENNINGS:

H. R. 3024. A bill to amend sections 1 and 2 of the act entitled "An act to establish a retirement system for employees of carriers subject to the Interstate Commerce Act, and for other purposes," approved August 29, 1935, as amended; to the Committee on Interstate and Foreign Commerce.

By Mr. COFFEE of Nebraska:

H. R. 3025. A bill to reduce Cuban sugar quotas and to increase the sugar quotas of mainland beet and cane; to the Committee on Agriculture.

By Mr. MACIORA:

H. J. Res. 103. Joint resolution authorizing the President of the United States of America to proclaim October 11 of each year General Pulaski's Memorial Day for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski; to the Committee on the Judiciary.

By Mr. STARNES of Alabama:

H. Res. 90. Resolution for the continuation of the Special Committee to Investigate Un-American Activities; to the Committee on Rules.

H. Res. 91. Resolution to provide for the expenses of the Special Committee to Investi-

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gate Un-American Activities; to the Committee on Accounts.

By Mr. COCHRAN:

H. Res. 92. Resolution providing for an additional assistant in the disbursing office of the office of the Clerk of the House; to the Committee on Accounts.

By Mr. DOUGHTON:

H. Res. 93. Resolution providing for the salary of an assistant clerk to the Committee on Ways and Means; to the Committee on Accounts.

By Mr. LELAND M. FORD:

H. Res. 94. Resolution requesting the Attorney General to appear before the Committee on Immigration and Naturalization for the purpose of testifying with respect to the citizenship of Fritz Kuhn; to the Committee on Immigration and Naturalization.

By Mr. WEISS:

H. Res. 95. Resolution for the observance of Flag Day; to the Committee on the Judiciary.

## MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of Wyoming, memorializing the President and the Congress of the United States to consider their Joint Memorial No. 1, dated January 29, 1941, relating to the Reclamation Act and the Case-Wheeler Act (Public, No. 848, 76th Cong.), concerning water rights for supplemental water supply; to the Committee on Irrigation and Reclamation.

Also, memorial of the Legislature of the State of California, memorializing the President and the Congress of the United States to consider their Assembly Resolution No. 16, dated January 24, 1941, concerning aid to Great Britain; to the Committee on Foreign Affairs.

## PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BATES of Kentucky:

H. R. 3026. A bill granting an increase of pension to Pete Shelba Hobbs; to the Committee on Invalid Pensions.

By Mr. BOEHNE:

H. R. 3027. A bill granting a pension to Alwilda Brooks; to the Committee on Invalid Pensions.

By Mr. GRANT of Indiana:

H. R. 3028. A bill for the relief of Addison B. Hampel; to the Committee on Claims.

By Mr. HULL:

H. R. 3029. A bill for the relief of Elsie T. Bergerson; to the Committee on Claims.

H. R. 3030. A bill for the relief of Gertrude Ricketts; to the Committee on Claims.

H. R. 3031. A bill for the relief of Alexander W. Grinsel; to the Committee on Claims.

By Mr. JOHNSON of West Virginia:

H. R. 3032. A bill for the relief of J. G. Fox; to the Committee on Claims.

By Mr. LANDIS:

H. R. 3033. A bill granting a pension to Ella Tate; to the Committee on Invalid Pensions.

By Mr. LEA:

H. R. 3034. A bill for the relief of Earle P. Schouten; to the Committee on Claims.

H. R. 3035. A bill for the relief of Allan D. Cameron; to the Committee on Claims.

By Mr. LYNCH:

H. R. 3036. A bill for the relief of Max Delfiner and his wife, Evy (Ewa); to the Committee on Immigration and Naturalization.

By Mr. McGEHEE:

H. R. 3037. A bill for the relief of Mabel Foote Ramsey; to the Committee on Claims.

By Mr. O'NEAL:

H. R. 3038. A bill for the relief of Alice E. Shinnick; to the Committee on Claims.

By Mr. ROBERTSON of Virginia:

H. R. 3039. A bill for the relief of John A. Graber; to the Committee on Claims.

By Mr. SHANLEY:

H. R. 3040. A bill for the relief of Kirel Doszko; to the Committee on Military Affairs.

By Mr. WELCH:

H. R. 3041. A bill to extend the benefits of the Employees' Compensation Act of September 7, 1916, to John F. Considine, a former employee of the United States under the Reclamation Service, Department of the Interior, at Yuma, Ariz.; to the Committee on Claims.

H. R. 3042. A bill for the relief of James J. Orme; to the Committee on Military Affairs.

By Mr. WHITE:

H. R. 3043. A bill for the relief of Edward Pittwood; to the Committee on Claims.

H. R. 3044. A bill granting an increase of pension to Fanny Brophy; to the Committee on Invalid Pensions.

By Mr. WILLIAMS:

H. R. 3045. A bill granting a pension to Ruah L. Martin; to the Committee on Invalid Pensions.

H. R. 3046. A bill granting a pension to Emma Knight; to the Committee on Invalid Pensions.

H. R. 3047. A bill granting a pension to Nancy V. Mosher; to the Committee on Invalid Pensions.

H. R. 3048. A bill granting a pension to Malissa Maze; to the Committee on Invalid Pensions.

H. R. 3049. A bill granting a pension to Mary M. Norris; to the Committee on Invalid Pensions.

H. R. 3050. A bill granting a pension to Mary E. Mcomber; to the Committee on Invalid Pensions.

H. R. 3051. A bill granting a pension to Annie Rhodes; to the Committee on Invalid Pensions.

H. R. 3052. A bill granting a pension to Ella Strutton; to the Committee on Invalid Pensions.

H. R. 3053. A bill granting a pension to Virgie M. Plank; to the Committee on Invalid Pensions.

H. R. 3054. A bill granting a pension to Margaret F. Wilson; to the Committee on Invalid Pensions.

H. R. 3055. A bill granting a pension to Nancy Jane Berry; to the Committee on Invalid Pensions.

H. R. 3056. A bill granting a pension to Nan A. Benson; to the Committee on Invalid Pensions.

H. R. 3057. A bill granting a pension to Sarah K. Copeland; to the Committee on Invalid Pensions.

H. R. 3058. A bill granting a pension to Maggie Canter; to the Committee on Invalid Pensions.

H. R. 3059. A bill granting an increase of pension to Mary E. Ward; to the Committee on Invalid Pensions.

H. R. 3060. A bill granting a pension to Ona Gross; to the Committee on Invalid Pensions.

H. R. 3061. A bill granting a pension to Katherine Gurney; to the Committee on Invalid Pensions.

H. R. 3062. A bill granting an increase of pension to Ida Nagel; to the Committee on Invalid Pensions.

## PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

190. By Mr. ENGEL: Petitions of Mrs. Jessie M. Berry, Mrs. Sadie Mayo, Archie Wilson, Avis Morris, Henrietta Kelly, O. L. Miller, and 196 other residents of Wexford County, Mich., urging Congress to enact legislation which will prohibit the sale of liquor to the armed

forces of this country; to the Committee on Military Affairs.

191. By Mr. KRAMER: Petition of the California Highway Commission, suggesting that an appropriation should be approved by the Congress of the United States for the purpose of aiding the State of California in the expense of building access roads leading to the Army and Navy cantonments located off the main highways in the State of California; to the Committee on Appropriations.

192. By Mr. LESINSKI: Resolution of the Council of the City of River Rouge, Mich., urging favorable consideration of the Great Lakes-St. Lawrence seaway project; to the Committee on Foreign Affairs.

193. Also, resolution of the Council of the Village of Ecorse, Mich., urging favorable consideration of the Great Lakes-St. Lawrence seaway project; to the Committee on Foreign Affairs.

194. By Mr. JOSEPH L. PFEIFER: Petition of the original Racing Pigeon Club, Youngstown, Ohio, urging the enactment of H. R. 1790; to the Committee on Agriculture.

195. By Miss RANKIN of Montana: House Memorial No. 2, enacted by the House of Representatives of the Twenty-seventh Session of the Legislative Assembly of the State of Montana, to the Congress of the United States, requesting that the proper authorities be urged to employ the utilities and facilities now available at Fort Peck, Mont., in the plan of national defense; to the Committee on Military Affairs.

196. Also, Senate Memorial No. 2, enacted by the Senate of the Twenty-seventh Session of the Legislative Assembly of the State of Montana, to the Congress of the United States, requesting that the proper authorities be urged to employ the utilities and facilities now available at Fort Peck, Mont., in the plan of national defense; to the Committee on Military Affairs.

197. Also, House Memorial No. 1, enacted by the House of Representatives of the Twenty-seventh Session of the Legislative Assembly of the State of Montana, to the Congress of the United States, requesting the enactment of appropriate legislation for the utilization of the power and water resources at the Fort Peck Dam for irrigation development; to the Committee on Irrigation and Reclamation.

198. Also, Senate Memorial No. 1, enacted by the Senate of the Twenty-seventh Session of the Legislative Assembly of the State of Montana, to the Congress of the United States, requesting the enactment of appropriate legislation for the utilization of the power and water resources at the Fort Peck Dam for irrigation and development; to the Committee on Irrigation and Reclamation.

199. By Mr. ROMJUE: Petition of the executive committee of the International Association of Chiefs of Police, at a meeting held in Washington, D. C., November 16, 1940, recommending Federal assistance for purchase of police equipment essential for defense purposes; to the Committee on Military Affairs.

200. By Mr. WELCH: California Senate Joint Resolution No. 5, relating to the baneful effect of the importation of livestock and dressed meats from countries where foot-and-mouth disease exists; to the Committee on Agriculture.

201. Also, California Senate Joint Resolution No. 7, memorializing Congress to provide funds for greater speed in completion of the Central Valley project in aid of the national defense; to the Committee on Rules.

202. Also, California Senate Joint Resolution No. 6, relating to the construction of necessary roads required by the Army and Navy; to the Committee on Appropriations.

203. By the SPEAKER: Petition of the American Coalition, Washington, D. C., urging consideration of their resolution with reference to H. R. 1776 and similar measures; to the Committee on Foreign Affairs.



## HOUSE OF REPRESENTATIVES

TUESDAY, FEBRUARY 4, 1941

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Heavenly Father, today with Thy spirit stir us with the very essence of the laws of justice and the rights of man. So often the performance of duty is linked with fear and regret. We pray Thee to remind us that the heights which are nearer the storm clouds are nearer the stars of promise. Beneath the surface of material things, let us feel the inspiration of the higher realm, carrying us beyond the unruffled pulse of ease and discretion. We beseech Thee that Thy assurance may be our strength forever. Grant that we may be reminded that in the hours of weakness, in which our powers seem feeble, we may be conscious of a power greater than ourselves. O God, as there is a humanity to pity and help, we praise Thee that Thou art a Heavenly Father who cares. The world is mournful with the moans of the oppressed and haunted with dire poverty and death; be with those whose lights are burning low, whose hearts are sick, whose hand-clasp is falling, and whose eyes are growing dim. We thank Thee that this tortured world cannot fall out of the hands of the living God, and on its low verge of life will ever live the Light that never faileth. In our Redeemer's name. Amen.

The Journal of the proceedings of yesterday was read and approved.

## MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a joint resolution of the House of the following title:

H. J. Res. 77. Joint resolution making an appropriation to the United States Maritime Commission for emergency cargo-ship construction, and for other purposes.

## EXTENSION OF REMARKS

Mr. KLEBERG. Mr. Speaker, I desire to submit two unanimous-consent requests.

The first is that I may be permitted to extend my own remarks in the RECORD and include therein a speech by Mr. Alexander Kerensky, ex-Premier of Russia, delivered on the Sunday before last in the Town Hall.

The second request is that I may be permitted to insert at the proper place in my remarks a tabulation concerning the outstanding wars of the world and some historical references which may be of value in this discussion.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. HART. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an address delivered by Mr. Daniel S.

Ring, of the Maritime Commission, before the Marine Engineers' Beneficial Association.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. CARLSON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD and include therein a letter from a constituent of mine.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. SPENCE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include a letter and a table in connection therewith, which I have received from Hon. Robert L. Owen, who was chairman of the Committee on Banking and Currency of the Senate during President Woodrow Wilson's administration, which committee reported the bill that created the Federal Reserve System of the United States. This is a thoughtful and illuminating letter on a very important matter that will, I am sure, before long be considered by the Congress.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

## PERMISSION TO ADDRESS THE HOUSE

Mr. NELSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. NELSON. Mr. Speaker, this morning I ate breakfast in a public place, and while there my attention was attracted to a conversation at a nearby table. I do not know who the women were who were speaking, but I was compelled to hear a part of what was said. Evidently they were employed in the Navy Department or the War Department. One of them remarked, "I laughed at the last World War, and I am laughing at this World War." This remark I was bound to overhear. Matters of Government interest were evidently being discussed. It was added, "England is on the way out."

Mr. Speaker, I submit that people employed in defense positions should have a buttonhole in one lip and a button on the other, or they should be on the way out. [Applause.]

[Here the gavel fell.]

## EXTENSION OF REMARKS

Mr. COLE of New York. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD and include therein an article appearing in this morning's Post.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. NICHOLS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a radio address delivered by the majority floor leader the gentleman from Massa-

chusetts [Mr. McCORMACK] on December 27 at Boston.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

## PROMOTION OF THE DEFENSE OF THE UNITED STATES

Mr. BLOOM. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 1776) further to promote the defense of the United States, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 1776, with Mr. COOPER in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. At the end of the debate on Monday the gentleman from New York [Mr. BLOOM] had consumed 2 hours and 25 minutes, and the gentleman from New York [Mr. FISH] had consumed 2 hours and 13 minutes.

Mr. BLOOM. Mr. Chairman, I yield 15 minutes to the gentleman from South Carolina [Mr. RICHARDS].

Mr. RICHARDS. Mr. Chairman, I rise here today to support what sometimes has been called the lend-lease bill and sometimes the aid-to-Britain bill. However, I do not believe it can properly be called either. The bill should be designated by the name which may be found on the front page of the print of this bill, H. R. 1776. The purpose of this bill, as stated there, is "further to promote the defense of the United States, and for other purposes." Whether passage of the bill will promote the defense of the United States should be the premise upon which it must stand or fall.

The distinguished chairman of this committee and other distinguished gentlemen on both sides of the aisle discussed yesterday very ably the different sections of this bill and asserted in no uncertain terms their opinions as to what the effect of passage of each section of this bill would be. In my feeble discussion of the measure this morning I am going to strip it to two major propositions. There are only two major propositions in it.

The first proposition is that this bill proposes to help the democracies who are waging a battle against aggression by providing them with certain war materials and other benefits. The second proposition is that to do this effectively it is necessary that certain discretionary powers be placed by the Congress into the hands of the President of the United States. I shall attempt to base my argument in support of this bill on these two grounds. Now, to make plain the exact grounds upon which I stand, I wish to read, to start with, part of section 3 (a), dealing with the things we intend to do for the democracies mentioned.

Section 3 (a) is the heart of the bill, as has been stated before. We propose in this section to manufacture in arsenals, factories, and shipyards under their jurisdiction or otherwise procure



any defense article for the government of any country whose defense the President deems vital to the defense of the United States.

We also propose to sell, transfer, exchange, lease, lend, or otherwise dispose of, to any such government, any defense article.

We further propose to bring this about by writing into the law of the land that the President may from time to time, when he deems it in the interest of national defense, authorize the Secretary of War, the Secretary of the Navy, or the head of any department or agency of the Government to do certain things which I will discuss.

We propose further, under paragraph (b) of section 3, that the terms and conditions upon which any such foreign government receives any aid authorized under subsection (a) shall be those which the President deems satisfactory, and the benefit to the United States may be payment or repayment in kind or property, or any other direct or indirect benefit which the President deems satisfactory.

Mr. Chairman, the section and paragraphs mentioned embrace the two major points that the bill brings before the Congress. The other paragraphs in this bill are more or less incidental to these two main purposes.

I am now going to take up the first question. Should we give this aid to Great Britain and the other democracies of the earth at this time as a sane national-defense measure; whether or not rendering this aid is best for the United States Government and our 130,000,000 people?

I might say here that, though I admire the British people for their tenacity and many other brave characteristics, though I admire the British Commonwealth for its contribution to liberty and orderly government, I have on more than one occasion denounced here the selfishness of the British Government, particularly when this body had up for consideration the Neutrality Acts of 1935, 1936, 1937, and 1939. I think practically all of the Members of the Congress who heard my remarks then came to the definite conclusion that I was more or less of an isolationist, and that, certainly, I was not an interventionist. I have said time and time again on the floor of this House that one of the darkest chapters in the peacetime relations of this country and Great Britain was the utter lack of appreciation on the part of the British Government for what the United States has done for that Government and its people, and that one of the darkest pages in that chapter is the repudiation of the war debts owed us by Great Britain. No man in this country can justly say that I am Anglophile. No man here can justly say that I think the lives and liberties of 130,000,000 people of the United States should be placed on the battle line solely for the continued existence of the British Empire. I take no such position, but neither do I want any man to say, Mr. Chairman, now or in the years to come, that RICHARDS, in his prejudice against Great Britain, was willing to cut off his nose to spite his face and to cut off the noses of 130,000,000 people to spite their faces by

not lending aid to Great Britain when that aid to Great Britain at this particular time is essential to the welfare of the United States. [Applause.]

Now, let us take the military situation, if you please. Two years ago I would not have come upon the floor of the House, if I followed my own conscience, and espoused the cause I am espousing here today, because 2 years ago I could not see and no other citizen of the United States could see what world conditions would be today. Two years ago the German Reich, under Hitler's leadership, had not ravaged Poland. Two years ago the German Reich had not destroyed the peace-loving peoples of Norway and Denmark and Belgium and Holland. Two years ago what was then known as the most powerful army on the face of the earth, the French Army, had not been destroyed. Two years ago no Member of this House would have believed that a great nation, a great democracy that we always loved to think was akin to our own—I refer again to France—would have folded up like a leaf before the legions of Hitler. Mr. Chairman, we do not face a theory, we face a condition. Two years ago the three most powerful militaristic nations on the face of the earth had not combined—I refer to Italy, Japan, and Germany—with the avowed and published purpose of working together to perpetuate their form of government and to impose it upon other people, with the further avowed purpose of destroying our form of government by one foul means or another, and no man or woman in this great country of ours who has read or listened to the utterances of Mussolini or Hitler can fail to realize in his innermost heart that those governments and those men are bent, solemnly bent, upon a task that will sooner or later lead to conflict with the United States, provided we have not grown too soft to fight for the liberty we claim to hold so close to our heart.

If this be true, should we prepare? If we should not prepare, then every man or woman who is a Member of this House has stultified himself when he has voted out the taxpayer's money by the billions in bill after bill for national defense for our Navy and our Army and our aviation forces. There was hardly a whisper of opposition by the gentlemen on the other side of this aisle who are now damning this bill when these unprecedented appropriations were asked for in the name of national defense and emergency. If there is no danger, what was the necessity for them?

I do not think that either in the House or the Senate there has ever been a fairer, more open hearing by any committee than the one held by our committee on this bill. The gentleman from New York [Mr. FISH], the minority leader of the committee, was given the privilege by the chairman of our committee, the gentleman from New York [Mr. BLOOM], to invite any witnesses he desired; and knowing what the gentleman's position is in regard to this legislation I know that the gentleman, if he could have gotten out of it, would not have brought one single witness before that committee who would bolster up the bill. Very well.

The position of proponents of the bill, in regard to witnesses, was that witnesses brought by us should be men or women who have been identified with the problems involved in the bill throughout most of their lives. We do not care whether they are Democrats or Republicans. The President in his efforts to defend this country does not care whether men upon whom he calls—weapons, as it were—are Democratic or Republican, and he has stated that time and time again. He has shown that he does not care by placing in key positions in his Cabinet two men who had long been honored in the councils of the Republican Party, and those two gentlemen—Secretary of War Stimson and Secretary of the Navy Knox—said in solemn tones at the hearings of this committee that this Nation is in grave danger at this particular time. Does it matter whether we are in danger from armed forces landing from Chesapeake Bay or are in danger from a hostile fleet steaming into New York Harbor, or from the establishment of hostile air fields in South America?

The CHAIRMAN. The time of the gentleman from South Carolina has expired.

Mr. BLOOM. Mr. Chairman, I yield the gentleman 10 minutes more.

Mr. RICHARDS. Nor does it matter whether it is some bombing ship coming over here to blow up the Panama Canal. I have always been led to think that the proper place of defense lines for the United States is anywhere that it is necessary to place our fleet in defense of our country. Every witness that the gentleman from New York brought before this committee, with the exception of Colonel Lindbergh, testified, if my recollection is correct, that it would be better for the future welfare of this country for Great Britain and the democracies to win the war in which they are involved. One sole witness, Colonel Lindbergh—I give him full faith and credit for being sincere, as I believe he is, though misdirected—testified that it made no difference, so far as the future is concerned, what side won this war. I have not time to go into the testimony of the other witnesses. The reports have been issued, and Members have read them. The gentleman from New York [Mr. FISH] said yesterday that those men who claim that there is imminent danger to the United States at the present time are hypocritical, craven, cowardly—rather strong words to bandy around. I say to the gentleman from New York that any man who is afraid to defend the United States, no matter where the line may be, who is afraid of Hitler or Mussolini or any other dictator, to that man the terms "hypocritical," "craven," and "cowardly" could be more aptly applied. [Applause.]

Mr. Chairman, we think this bill will build up our own defense. Everybody knows that this is an industrial Nation; everybody knows that industry and agriculture are the heart of this country. But as things are now, Great Britain is bidding against us, and Greece is bidding against us, and American citizens are bidding against them, and under our principles of trade and free business we all know that that cannot continue with



good to any of us. This bill proposes to put the buying agency under one central power in order that there may not be great confusion, and to provide for the eventuality that if the democracies finally go down, then through this central power our industries may have become geared to the point of mass production, so that we may carry on effectively, no matter what happens.

All my remaining time I must speak on the discretionary power provided in the bill. That is the power that the gentleman from New York [Mr. Fish] raves about, and gentlemen here will remember that during the consideration of the Neutrality Acts of 1935, of 1936, 1937 and 1939 the gentleman from New York took the well and damned those acts, as he is damning this one today, on the ground that the discretionary power given in those bills would carry the United States into war and lead this country to destruction. They were passed. Have they done so? The gentleman says what he wants to do is to help Great Britain by all means short of war. He is for the purposes of the bill, but he does not like the method employed. "Mother, may I go out to swim?" "Yes, my darling daughter, but hang your clothes on a hickory limb, and don't go near the water." The gentleman from New York says in effect that we should help Great Britain and the other democracies of the world in any way we can, but we refuse to provide proper machinery to do it.

There is not a man or woman here who believes that this Congress has the intimate knowledge of foreign affairs or foreign relations that the President has today. I assume that no one here believes that the Members of Congress, with the information we have, can come as near guessing the future machinations of foreign governments as the President can today.

Mr. FISH. Will the gentleman yield?

Mr. RICHARDS. If you will grant me a little time. Let me finish, and then I will answer.

How are you going to do these things you want to do—lease and lend, and so forth? Are you going to refer it to Congress every time an old tank or boat or gun is to be transferred or leased or loaned? Are you going to come up here and debate that question and let it go through the committees? Where will 130,000,000 of our people be then when it comes to legislation for their domestic welfare?

All right. You are going to place discretionary power somewhere. Everybody seems to be agreed that you must place it somewhere. It was suggested over in the committee that we should place it in some board or something. My friends, the most elementary student of the Constitution of the United States knows that if you place discretionary power to deal with foreign governments with some board, particularly power connected with the organization of the Army or the Navy, you run right up against the proposition that you are trespassing upon the constitutional prerogatives of the President of the United States. When our forefathers sat down and wrote this Con-

stitution, although an accurate record of their proceedings has not been brought down to us, it is understood that this was one of the questions talked upon long and loud—what was to be the discretionary power of the President in international affairs.

I do not know what was said or what was decided there, but I do know that our forefathers made the President of the United States Commander in Chief of our Army and of our Navy. I do know that shortly after that time our first great President, George Washington, wrote to the Congress and delivered Congress a lecture, carrying out the spirit of the Constitution, of which he was a great student; he said that the President of the United States was the one who must have discretionary powers in matters involving foreign governments. I do know that the next great President of the United States, John Adams, was given discretionary power by the Congress of the United States, even to the laying of embargoes, and far greater than that. I do know that Thomas Jefferson, the next great President of the United States, was given powers as great as anything in this bill; and if you will study the proposition, you will agree with me. I do not have time to go into it now. I do know that President McKinley, in 1898, was given powers as great as anything in this bill when it came to placing instruments into the President's hands to put this country into war, if he wanted to abuse his powers and do so. And I do know, my friends, that the act of 1935 placed great discretionary powers in the President of the United States. I do not know what our President is going to do or what any future President is going to do under these great powers he has through the Constitution and the powers given him by the Congress; but I do know that no President of this great country has betrayed the trust placed in him by the people and the Congress to this date.

My friend the gentleman from New York [Mr. Fish] says, "The President will lead us to war." He suggests that the President is a warmonger. Those who are in favor of this bill have been designated in some other high places as warmongers. Please remember though that every nation that has sought to arm itself in the face of aggression by dictator nations has been accused of warmongering.

[Here the gavel fell.]

Mr. BLOOM. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. RICHARDS. That is the first subtle weapon the dictators use to lull an intended victim to sleep.

Mr. WHITE. Mr. Chairman, will the gentleman yield?

Mr. RICHARDS. Not now.

Mr. WHITE. Will you yield later?

Mr. RICHARDS. Yes. All right. He says the President is going to lead us into war. My friend the gentleman from New York [Mr. Fish], during the 8 years I have been in this House, on innumerable bills has conducted himself in a very able manner, but wherever the question came up seeking to give to the present President of the United States discre-

tionary powers in domestic legislation or legislation that affected our foreign affairs he has risen here, although the present President of the United States is a constituent of his, to convince us that somehow or other he does not like the President. He has convinced us that he is almost as bitter in his dislike for the President of the United States as was Cato's evident dislike for Carthage when he rose time after time on the floor of the Roman Senate to demand that Carthage must be destroyed. The real desire and the real wish of my friend the gentleman from New York [Mr. Fish], it would appear, is not to protect the people of the United States from a President seeking to encroach upon the prerogatives of Congress but rather, in effect, to rob the present President of the United States of the right and prerogatives, yea, the duty, that he has under the Constitution, when it comes to dealing in foreign affairs and to the command of our Army and Navy.

In this connection I am setting forth the discretionary powers granted to the President of the United States by legislation enacted in 1935, 1936, 1937, and 1939. I call your attention to them particularly:

**DISCRETIONARY POWERS GIVEN THE PRESIDENT IN PREVIOUS NEUTRALITY ACTS**

*Act of August 31, 1935—Public Resolution No. 67, Seventy-fourth Congress*

Mandatory embargo on arms, ammunition, and implements of war—discretion left with the President as to what constitutes war.

President, in his discretion, can name articles he considers to be arms, ammunition, and implements of war.

*Act of February 29, 1936—Public Resolution No. 74, Seventy-fourth Congress*

Provides—discretion: "When the President finds that a state of war exists, then the sale or purchase or exchange of bonds or securities of belligerents is prohibited; President, in his discretion, may accept ordinary commercial credits.

*Act of January 8, 1937—Public Resolution No. 1, Seventy-fifth Congress*

Spanish embargo lifted by Presidential proclamation April 1, 1939.

*Act of May 1, 1937—Public Resolution No. 27, Seventy-fifth Congress*

Paragraph C of section 1, page 2, provides that when the President finds that a civil war may endanger the peace and security of the United States, he shall proclaim such fact and it shall thereafter be unlawful to export arms, ammunition, or implements of war.

While there is a mandatory embargo on arms, ammunition, and implements of war, when the President finds that a state of war exists, section 2 (a), page 4, makes it discretionary with the President whether or not he will place restrictions on shipment of other articles and materials to belligerents.

Section 7 (a), page 15, provides that if the President, in his discretion, finds that any ship is using an American port as a base of supply to a belligerent, he may require bond of the master or other guaranties that the ship will not be used for the purpose stated.

Section 9, page 17, provides that no citizen of the United States can travel on the vessels of a belligerent state, except in accordance with such rules and regulations as the President shall prescribe.

*Neutrality Act of November 3, 1939, House Joint Resolution 306—Conference report*

Section 3 (a) provides that when the President shall have issued a proclamation that a state of war exists between foreign nations,



"and he shall thereafter find that the protection of the citizens of the United States so requires, he shall, by proclamation, define combat areas, and thereafter it shall be unlawful, except under such rules and regulations as may be prescribed, for any citizen of the United States or any American vessel to proceed into or through any such combat area.

"(c) The President may, from time to time, modify or extend any proclamation issued under authority of this section; and when the conditions which shall have caused him to issue any such proclamation shall have ceased to exist, he shall revoke such proclamation, and the provisions of this section shall thereupon cease to apply, except as to offenses committed prior to such revocation."

Had the President of the United States wanted to damn himself throughout all eternity by betraying the American people; had he wanted to violate his oath of office and the Constitution he believes in—he could have betrayed the United States and thrust this country into war long before this. But you cannot point to one single action of the President under the discretionary authority vested in him in any one of the four neutrality acts mentioned that should tend to make the American people fear that his desire and purpose is to lead this country into war.

There is no way to judge the future but by the past. If President Roosevelt's actions in the future under the neutrality acts or any other legislation we may pass here can be measured by his actions under these four bills, then this country is safe.

[Here the gavel fell.]

Mr. BLOOM. Mr. Chairman, I yield 10 additional minutes to the gentleman from South Carolina.

Mr. RICHARDS. Mr. Chairman, a great deal has been said about the Curtiss-Wright case. Members went into it yesterday exhaustively. A great deal should have been said about this case because it is the strongest case in the reports of the Supreme Court of our country dealing with Presidential discretionary powers in matters affecting our international relations. Let me read you a portion of the court's finding in that case:

THE UNITED STATES, APPELLANT, v. CURTISS-WRIGHT ET AL.—SUPREME COURT, OCTOBER TERM, 1936

First It is contended that by the joint resolution the going into effect and continued operation of the resolution was conditioned (a) upon the President's judgment as to its beneficial effect upon the reestablishment of peace between the countries engaged in armed conflict in the Chaco; (b) upon the making of a proclamation which was left to his unfettered discretion, thus constituting an attempted substitution of the President's will for that of Congress; (c) upon the making of a proclamation putting an end to the operation of the resolution, which again was left to the President's unfettered discretion; and (d) further, that the extent of its operation in particular cases was subject to limitation and exception by the President, controlled by no standard. In each of these particulars appellees urge that Congress abdicated its essential functions and delegated them to the Executive. \* \* \*

The broad statement that the Federal Government can exercise no powers except those specifically enumerated in the Constitution and such implied powers as are necessary and proper to carry into effect the enumerated

powers is categorically true only in respect of our internal affairs. \* \* \*

It is quite apparent that if, in the maintenance of our international relations, embarrassment—perhaps serious embarrassment—is to be avoided and success for our aims achieved, congressional legislation which is to be made effective through negotiation and inquiry within the international field must often accord to the President a degree of discretion and freedom from statutory restriction which would not be admissible were domestic affairs alone involved. Moreover, he, not Congress, has the better opportunity of knowing the conditions which prevail in foreign countries, and especially is this true in time of war. He has his confidential sources of information. He has his agents in the form of diplomatic, consular, and other officials. Secrecy in respect of information gathered by them may be highly necessary, and the premature disclosure of it productive of harmful results.

I may say, in passing, that this decision was written by Judge Sutherland and signed by every member of the Supreme Court except Justice McReynolds.

Pursuing a little further and in greater detail this matter of discretionary powers that the legislative body has granted to various Presidents of the United States, let me call your attention to the following facts:

The act of June 4, 1794, authorized President Washington to lay, regulate, and revoke embargoes. He was "authorized," whenever, in his opinion, the public safety shall so require, to lay the embargo upon all ships and vessels in the ports of the United States, including those of foreign nations—

under such regulations as the circumstances of the case may require, and to continue or revoke the same whenever he shall think proper (ch. 41, 1 Stat. 372).

A prior joint resolution of May 7, 1794 (1 Stat. 401), had conferred unqualified power on President Washington to grant clearances, notwithstanding an existing embargo, to ships or vessels belonging to citizens of the United States bound to any port beyond the Cape of Good Hope.

The act of March 3, 1795 (ch. 53, 1 Stat. 444), gave President Washington authority to permit the exportation of arms, cannon, and military stores, the law prohibiting such exports to the contrary notwithstanding, the only prescribed guide for his action being that such exports should be in "cases connected with the security of the commercial interest of the United States and for public purposes only."

By section 4 of the act of February 9, 1799 (ch. 2, 1 Stat. 615), it was made "lawful" for President John Adams, "if he shall deem it expedient and consistent with the interest of the United States," by order to remit certain restraints and prohibitions imposed by the act with respect to the French Republic, and also to revoke any such order "when, in his opinion, the interest of the United States shall require."

Section 5 of the act of March 3, 1805 (ch. 41, 2 Stat. 341), made it lawful for President Jefferson, whenever an armed vessel entering the harbors or waters within the jurisdiction of the United States and required to depart therefrom should fail to do so, not only to employ

the land and naval forces to compel obedience, but—

if he shall think it proper, it shall be lawful for him to forbid, by proclamation, all intercourse with such vessel, and with every armed vessel of the same nation, and the officers and crew thereof; to prohibit all supplies and aid from being furnished the—

and to do various other things connected therewith. Violation of the President's proclamation was penalized.

On February 23, 1806, an act was passed (ch. 9, 2 Stat. 351) to suspend commercial intercourse between the United States and certain parts of the island of Santo Domingo. A penalty was prescribed for its violation. Notwithstanding the positive provisions of the act, it was by section 5 made "lawful" for President Jefferson to remit and discontinue the restraints and prohibitions imposed by the act at any time "if he shall deem it expedient and consistent with the interests of the United States" to do so. Likewise in respect of the Nonintercourse Act of March 1, 1809 (ch. 24, 2 Stat. 528), President Jefferson was "authorized" (sec. 11, p. 530), in case either of the countries affected should so revoke or modify her edicts "as that they shall cease to violate the neutral commerce of the United States," to proclaim the fact, after which the suspended trade might be renewed with the nation so doing.

Practically every volume of the United States Statutes contains one or more acts or joint resolutions of Congress authorizing action by the President in respect of subjects affecting foreign relations, which either leave the exercise of the power to his unrestricted judgment or provide a standard far more general than that which has always been considered requisite with regard to domestic affairs.

It well may be assumed that these legislative precedents were in mind when Congress passed the joint resolutions of April 22, 1898 (30 Stat. 739); March 14, 1912 (37 Stat. 630); and January 31, 1922 (43 Stat. 361), to prohibit the export of coal or other war material. The resolution of 1898 authorized the President, "in his discretion, and with such limitations and exceptions as shall seem to him expedient," to prohibit such exportations.

Mr. Chairman, I do not guarantee, I do not even assert, that this bill will keep us out of war. God grant that it may. I do believe that taking this step to forge another link in the proper defenses of the United States will have a tendency to keep us out of war. I do not know what the future will reveal, I do not know what legislation we shall be called upon to enact in behalf of defense of our beloved country, I do not know where or when our boys may be called to go in defense of the Nation. Some have said our frontier is the Rhine. I do not agree with that. Some say it is now the English Channel. Some say that the broad expanses of the Pacific and the Atlantic are the defense works we must man. Some are so narrow as to say our first line of defense is here on our own coasts, that here we must sit prepared, maybe, waiting for an enemy to attempt to invade us before turning a hand. It is, however, my humble opinion, my sincere belief, that the first defense lines of the United



States are today anywhere on this earth where occasion requires that we exert our influence, or where we should place our feet, or where we should shed our blood in defense of this country, the only remaining great free democracy left on the face of the earth. [Applause.]

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The gentleman from South Carolina yields back 1 minute.

Mr. FISH. Mr. Chairman, I yield myself 1 minute to reply to the gentleman from South Carolina concerning my views of the President. They are of no consequence. I confess, however, I have always insisted that there must be a government by law in America, and not by one man, which is exactly what this bill proposes to do. I favor maintaining a government by law, no matter what administration is in power. Partisan politics have no place in such an issue.

The gentleman from South Carolina quoted from the RECORD half of a sentence, took out of their setting certain words I uttered in my speech yesterday. I am going to read the complete sentence; and when it is completed, I do not believe there will be anyone in this Congress who will find fault with my specific statement:

I have no patience with the hypocritical, craven, and cowardly attitude of some of the witnesses for the bill who unblushingly stated because Hitler's mighty army could overrun Denmark, Holland, and Belgium, its next-door neighbors, that it would cross 3,000 miles of ocean to invade us.

That is what I called cowardly and craven: To make a comparison between Denmark, Holland, and Belgium and the United States of America, with the greatest Navy in the world, separated by a wide ocean, and 130,000,000 free Americans to defend it from any attacks by aggressor nations. [Applause.]

[Here the gavel fell.]

Mr. FISH. Mr. Chairman, I yield 20 minutes to the gentleman from Ohio [Mr. VORYS].

Mr. VORYS of Ohio. Mr. Chairman, there are only two possible ways in which our country can render material aid to Britain: One is by making things that Britain needs. The other is by giving things to Britain that she needs that are already made. These are the only two ways that we can render material aid to Britain—to make something for her, or to give her something that has already been made.

We are making war materials now just as fast as we can. Passing laws will not speed up production. That is done by businesslike administration. You do not make arms with laws. You make them with factories, and the efficient direction of those factories is what is going to produce things for Britain. Any amount of coordination we need is possible under existing law. My friend from South Carolina has just described to us the enormous discretionary powers the President already has. With the power to fix priorities, with the absolute power to forbid any exports that are not produced according to our orders, the power to coordinate already exists in our Govern-

ment. No one claims that the passage of this bill will produce anything new for Britain in time for any emergency or crisis that comes within the next 60 or 90 days.

Mr. Chairman, only two of our present laws hinder aid to Britain:

First. Our laws require cash from Britain, and Britain will soon run out of cash.

Second. Our laws forbid the sale of arms by our Government to Britain, and Britain wants to buy arms from our Government.

Only two changes in our laws are needed to give Britain the aid she needs. First, authorize a loan to Britain when she runs out of cash and, second, authorize our Government to sell arms to Britain.

I believe that such a loan should be secured by collateral so that we will acquire no financial stake in the war. The principles of the Johnson Act and the Neutrality Act will therefore be preserved. Collateral or security is authorized in section 3b of H. R. 1776, except that, like all the other powers, it is made discretionary instead of mandatory. This loan should not exceed \$2,000,000,000, because I cannot conceive of our being able to produce or to spare more than \$2,000,000,000 more of arms in the next 2 years added to what we have on order and what Britain has on order already for cash that she can pay for.

Secretary Morgenthau said recently he did not see how this country could do more than produce the \$27,000,000,000 of defense orders which have been budgeted up to 1942. I believe any new authority to our Government to sell arms should be limited to arms that we can spare, and this can be done by continuing to require, before disposing of any arms, a certificate of our Chief of Staff or of our Chief of Naval Operations that such arms are not necessary for our own defense. This certificate has worked fairly well in the past. Of course, these officials can be put under pressure by the Commander in Chief. Of course, they can be removed if they refuse to sign. But the existence of this duty is and has been a protection to our defense.

The mere fact that the President, as Commander in Chief, appoints these officials does not mean that Congress cannot give them specific duties and obligations. The President appoints the Secretaries of War and Navy, but Congress gives these officials statutory duties, and no one complains that that is unconstitutional or un-American or an interference with our defense.

Instead of these two simple changes in our laws, we are presented with H. R. 1776, the lease-lend bill, or as my 12-year-old son calls it, the "lend-lose" bill. In it no power is given the President to do anything for our country or for the citizens of our country, but he can make or seize anything, anywhere, and give it to any foreign country, notwithstanding any other laws. We do not have to own it in order to dispose of it. I wish you would look at subsection 4 of section 2. We merely have to grab it or control it or have some foreign government grab it or control it. The President could, of

course, under this bill, dispose of the German, Dutch, Norwegian, and other foreign ships in our ports. Under this law he would have authority, for instance, to lease a German factory to Russia. If that sounds silly, read the bill.

Of course, the President would not attempt such a thing, but why do we have to give the President, in the name of defense, powers he will never use? To say that the President will not use the power is no reason, no excuse, and no argument for giving him that power.

You would think from reading the majority report that nothing may be done under this bill until Congress makes an appropriation and that, therefore, Congress has a constant and continuing check on operations under this bill. The truth is that under this bill just about \$40,000,000,000 in cash and kind is directly appropriated for aid to other countries.

Authority is given to dispose of whatever is produced by the \$17,000,000,000 of defense appropriations that we made last year. Ten billion dollars that we are appropriating this year for defense will be available to the President for aid to Britain without further action by Congress, once we pass this bill. The three billions in dollar balances which Britain has, according to Secretary Morgenthau—see page 52 of the hearings—may be paid in under this bill for defense materials and then under section 6 (b) may be resented by the President, without further action by Congress, for producing more arms for more aid to Britain. Then we have in addition about \$10,000,000,000 of defense materials, including our Navy, our planes, guns, cotton, corn, and so forth, already paid for. This adds up to about \$40,000,000,000.

Of course, all of this would not be used for aid to Britain, but only a fraction of it, a mere \$10,000,000,000 or so, would be sufficient to make it unnecessary for the President to come to Congress at all for appropriations during the entire life of this bill, except for funds to restore our own Navy, our own planes, and our own arms.

The whole theory of this bill, as explained in the testimony of our Cabinet officials, is that we are to furnish arms to foreign powers which we have completed for our own use. Thus Congress would never be appropriating for Britain, but always for our own arms, and always subject to unlimited withdrawals of our arms for other countries.

Our authorizations for our own Army and Navy always have contained limitations either in amount or tonnage or otherwise. The single exception, for Army airplanes, has been unsatisfactory to Congress. Here in this bill, our authorizations for foreign armies and navies have no limitation at all. Therefore, this means that Congress can be trusted to limit our own defense but cannot be trusted to limit the defense of other countries. Congress can be trusted to limit our Army and Navy but cannot be trusted to limit the size of our contribution to the army and navy of some other country. Thus unlimited defense for Britain is made under this bill to involve unlimited power to the President, and



unlimited surrender by Congress of its routine powers. And after we make this surrender, remember this: You cannot repeal war; you cannot repeal bankruptcy; and you cannot repeal dictatorship.

For the past 2 years, our foreign policy has depended upon kidding ourselves or other nations. In 1939 we were repealing the arms embargo on the official pretext, stated by the President and Secretary of State, that this was making us more, not less, neutral. Next, we drifted into our aid-short-of-war position, and that is where we are now. We are saying that our vital interests are involved, but that we will not fight. You all know about Popeye's friend Wimpy in the funny papers. We have adopted the Wimpy policy, which says, "Let's you and him fight."

I have opposed this Wimpy policy; but if it is to be the policy of my country, I want to see it work. Britain has made commitments on the faith of our promises of limited aid, and we must not stop such aid. I doubt whether anyone here now is advocating no aid to Britain at all. That is a straw man that is put up every so often by the advocates of this unlimited bill. The issue before us presented by H. R. 1776 is whether the aid to Britain is to be limited or unlimited. I am for aid to Britain short of war and short of sacrificing our own defense and our own freedom. This is limited aid. The proponents of H. R. 1776 are for all-out unlimited aid. With credible witnesses saying that a military defeat of Hitler will require American troops in Europe, all-out aid probably means war, and aid short of war probably means aid short of success.

Are we for such all-out aid? Every expert says that no matter what happens in Europe we are in no immediate danger of invasion unless—and this "unless" is vital—unless our defenses become too weak. If we are defenseless enough, we can be invaded by anybody. We are not ready now. This has been conceded and admitted on this floor during this debate and throughout our hearings. Our defenses are not ready now for a major emergency. We have a deficit in our own defenses. We can help Britain soon and more only in one way, by sending to Britain our arms, that we need, by trying to create a surplus for Britain out of our own deficit in defense. This theory is sometimes described as buying time with our arms; we are supposed to be hiring the British as Hessians, as mercenaries to fight for us for a while for a consideration; but where do we end up if we use up our arms to buy time to make more arms and do not gain enough time?

Unless we can be sure that all the aid we can spare will defeat Hitler in Europe—and no one can give us that assurance—we must keep ourselves ready to defend America at home. Even those who say that this is our war will concede that there comes a time in warfare when each part of the line must hold by using its own reserves, when each unit must depend upon limited, not unlimited, aid.

This is the situation, the dilemma, we are facing at the present time. Regardless of how we got here, our present position presents difficult and far-reaching

problems of policy. We do not solve them by merely passing them on to the President.

In closing, I want to mention a strange word—peace. What about peace? Are we not doing all of this to get peace? Is there not going to be peace some day? All of us believe that peace will follow this war. Our Secretaries of War and of the Navy think we will not have to fight Germany because she will crack. They said that in answer to questions which I submitted to them. That is because Germany will make peace before we have to fight. Both Lindbergh and Dorothy Thompson agree that some kind of peace action is needed now on this old planet. America has led in peace action before—during and after the World War, here in Washington in 1921. America settled the Russo-Japanese War. Waging peace is at least as difficult and as delicate as waging war. But as we prepare for a war to bring peace, let us at least think and talk about what kind of peace we want, what kind of peace we will fight for. Let us have some peace action going ahead with all of this war action. [Applause.]

Mr. JONKMAN. Mr. Chairman, I yield 15 minutes to the gentleman from New York [Mr. BARRY].

Mr. BARRY. Mr. Chairman, on January 6 last the President of the United States addressed this body on the state of the Union. In that speech, for the first time, he dropped the expression "short of war" and proposed full support to all those resolute nations who were withstanding aggression. "Full support" is rather an all-embracing term, and the dropping of the term "short of war" disturbs me somewhat in view of the campaign pledges of both Mr. Roosevelt and Mr. Willkie.

In that speech the President also described the situation which justified the introduction of this bill and which this bill is designed to cure. For the sake of accuracy, I want to quote the President's words:

I also ask this Congress for authority and for funds sufficient to manufacture additional munitions and war supplies of many kinds, to be turned over to those nations which are now in actual war with aggressor nations.

Our most useful and immediate role is to act as an arsenal for them as well as for ourselves. They do not need manpower.

I would have much preferred if he had added "and we do not intend to send it."

They do need billions of dollars' worth of the weapons of defense.

The time is near when they will not be able to pay for them in ready cash. We cannot, and will not, tell them they must surrender merely because of present inability to pay for the weapons which we know they must have.

I do not recommend that we make them a loan of dollars with which to pay for these weapons—a loan to be repaid in dollars.

I recommend that we make it possible for those nations to continue to obtain war materials in the United States, fitting their orders into our own program. Nearly all of their matériel would, if the time ever came, be useful for our own defense.

Taking counsel of expert military and naval authorities, considering what is best for our own security, we are free to decide how much should be kept here and how much be sent

abroad to our friends who, by their determined and heroic resistance, are giving us time in which to make ready our own defense.

And let me say this, we were free to do it on January 6, and we are free to do it now without this bill.

For what we send abroad we shall be repaid, within a reasonable time following the close of hostilities, in similar materials, or, at our option, in other goods of many kinds which they can produce and which we need.

Let us say to the democracies: We Americans are vitally concerned in your defense of freedom. We are putting forth our energies, our resources, and our organizing powers to give you the strength to regain and maintain a free world. We shall send you, in ever-increasing numbers, ships, planes, tanks, guns. This is our purpose and our pledge.

Now, Mr. Chairman, if that language means anything, if I have any understanding of simple English in which the President can so well phrase his thoughts, it simply means that Great Britain is running out of cash in the near future. It means we have been and are going to continue to send her all the supplies that we can possibly spare. It does not mean that there is any further need of any grant of Executive power, because under existing law today we have the R. F. C. through which we can set up a fund of two or three or five billion dollars, or whatever the British may need, and furnish them the purchasing power, and we can let Jesse Jones make the best bargain that he can. We have the Export-Import Bank, which does not come within the provisions of the Johnson Act either, where we can set up a fund which Jesse Jones could also supervise and try to get the best possible bargain without in any way hurting our British friends. We can extend credit to them for whatever weapons we can spare, without any further grant of Executive power; and if we want to approach the thing more directly, we can repeal the Johnson Act and give them credit. We cannot by passing H. R. 1776 increase our tools of production or make planes any faster. We have been giving the British everything we possibly can afford up to now, and Mr. Knudsen has told you that passing a bill will not make a new tool.

So I say to you, in all sincerity, my Democratic friends, I am in favor of continuing our policy of aiding Great Britain without stripping ourselves, but that this bill is entirely unnecessary.

Now, my good friend the gentleman from South Carolina [Mr. RICHARDS] has asked, "Do you not trust the President? We have given him power before; he will not abuse it." There is no question of the President's integrity involved in this situation. The President is an ordinary man, a great man, but a man who can make mistakes. This Congress has in the past disagreed with his judgment. We refused his Court-packing plan, we turned down his first reorganization bill; and there is not a man in this House who probably has not differed with his judgment at some time; and I say to you that when you are going to put the liberty or put the question of peace or war for 130,000,000 people into one man's hands, when it is not necessary, I say to you, you are letting down those men who in



1776 struck for freedom; you are surrendering the powers that this Congress should maintain; and you are shirking your responsibilities as Members of Congress who were elected to represent the people in this great body.

Mr. MCINTYRE. Mr. Chairman, will the gentleman yield?

Mr. BARRY. Yes.

Mr. MCINTYRE. I am wondering if the gentleman proposes to change or amend the Constitution, which, I believe, vests all the executive powers in the President. Am I correct about that?

Mr. BARRY. Would I propose an amendment to the Constitution which takes all the executive powers away?

Mr. MCINTYRE. In other words, does the gentleman mean to say, or do I understand him to say, that it is the prerogative of Congress to delegate executive powers?

Mr. BARRY. Congress can give away some of its powers.

Mr. MCINTYRE. I am speaking of executive powers.

Mr. BARRY. No; the Congress could not do anything with respect to the powers of the Executive.

Mr. MCINTYRE. I understand all executive power is vested in the President by the Constitution.

Mr. BARRY. The powers with respect to declaring war are not altogether in the President of the United States. Congress has a very serious responsibility. We are the only body that can declare war, and beyond that the Executive, while he is Commander in Chief of the Army and the Navy, does not function without Congress determining the Nation's policy, unless it is wartime and on the field of battle. Congress has very wide and well-defined powers under the Constitution, and it is our responsibility to keep those powers.

Now, I may say to you that the time may come when in the interest of this Nation it may be necessary to pass over such powers to the President, but my contention is that here and now the very thing the President asked for in this bill, which is purchasing power for Britain—because you cannot give them weapons with a bill—we can give them that purchasing power, which they need, without abandoning our own prerogatives or our own power or turning over to the President of the United States the right to dispose completely of our Army and Navy and all its equipment at his sole discretion. It is not necessary, it is uncalled for, and the times do not warrant it.

I have an idea that I shall touch on only briefly, because I appeared before the Committee on Foreign Affairs and discussed it thoroughly. If we establish a fund in the Import-Export Bank, or in the R. F. C., which can be available to the British, I say it behooves us, without holding up the program, to get something in return for that money, and to me a very essential thing is the raw materials that we need for our defense production. As most of you know, we are not entirely self-sufficient in raw materials. We get manganese and chromium and tin and rubber from the British Empire in great quantities. Suppose this war does not go the way we want it

to go; suppose, in spite of all our help, England loses, and we may have to face a hostile Europe, a hostile Africa, and a hostile Asia. We might find ourselves cut short, lacking the raw materials to continue our own defense production. Only last year we passed a bill which set up a subsidiary corporation of the R. F. C. to obtain these critical raw materials, and today we are obtaining some of them; but I say what we should do is to exchange our guns, our purchasing power, for these materials over a long period of time, and accumulate, as has been recommended by the Naval Affairs Committee in a report only last May, vast supplies of these raw materials, so that we are not only helping England but at the same time we are protecting America and not selling ourselves short. The British Empire possesses those things in abundance. It has a monopoly of nickel in Canada and tin and rubber in the Malay States, and in Rhodesia, India, and South Africa we find chromium and manganese. That is not a Shylock proposal; it is reciprocity. We are helping ourselves and England, too.

I also think that we should take into consideration, in the way of a proposed amendment, the acquisition of British bases on this Western Hemisphere that might be of importance to us in case of invasion, because I feel if we give these weapons away for nothing, then by implication you admit that this is our war, and if you admit that, then, as an American who has great pride in the history of this Nation, we then should fight it and not hire Englishmen like a lot of Hessians to fight our war for us.

In conclusion, Mr. Chairman, this bill has been labeled H. R. 1776. I do not know whether there is any parliamentary way to change that number; but if it should pass the House in the form in which it is now, I should like to see it labeled H. R. 1941; 1776 is the year this Nation struck its blow for freedom, and 1941 will be the year in which we have given that freedom a death blow. [Applause.]

Mr. COX. Mr. Chairman, will the gentleman yield?

Mr. BARRY. Yes.

Mr. COX. The gentleman knows that I have very great respect for his integrity and for his fine understanding of this and other problems. The gentleman is opposed to this bill?

Mr. BARRY. In its present form.

Mr. COX. I draw the gentleman's attention to what happened to the elder La Follette. The people of this country burned him in effigy for voting against going into the World War. Later they put his statue in the Hall of Fame for having done so.

Mr. BARRY. I thank the gentleman for inferentially putting me in such distinguished company.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. FISH. Mr. Chairman, I yield 28 minutes to the gentleman from Michigan [Mr. JONKMAN], a member of the committee.

Mr. JONKMAN. Mr. Chairman, H. R. 1776, the lend-lease bill, is a measure proposing the most revolutionary undertak-

ing the American people have ever contemplated. Regardless of what some people may think or say, this is an appropriation bill without a previous authorization. It appropriates to the Chief Executive the entire military and naval strength of the United States—with the exception of its manpower—for his use as an ally of any nation he may choose to join, in any war now in progress or hereafter begun.

This appropriation not only includes our munitions but all foodstuffs, all factories for production of any of the necessities of war whether now existing or hereafter to be produced. Any attempt to comprehend the warmaking power of this bill is baffled at the outset for no human mind can envision the limitations of the property Congress is hereby asked to appropriate to one man for any use he deems proper. And not only this but Congress appropriates to the President—delegates we generally call it—undefined powers which it has no right to delegate, except in a state of war. It is in effect a war bill, and I doubt whether any President ever possessed such broad power in time of war.

I do not wonder that before this bill came to light, when the President was discussing its theory of lending arms to the British, in the light of the Neutrality Act and the Johnson Act, he said "the dollar sign is silly." Assuming that it could be done, to put the dollar sign in front of this appropriation would show its insanity, and then we have not yet said a single thing about the probable cost of human life, or the probable cost of human freedom, neither of which can ever be reckoned in dollars and cents.

And all this when we are at peace with the world and admittedly in no danger of attack, when no nation on earth has violated or threatened to violate our neutrality or safety.

In this situation the American people may well stop, look, and listen before they leap. Now is the time, with resolute hearts but level heads, to take inventory of where we are, where we are going and what situation we will be in when we get there.

I said we are at peace with the world and admittedly in no danger of attack. The hysteria created last fall by men in high places that we were in danger of an aerial attack and that even Omaha, Nebr., might be bombarded has now been fully exploded. The President himself now says that any thought of direct air attack on the United States would be stupid. Why?

I do not agree with some of the things Colonel Lindbergh said, but he gave the right answer to that question. Our naval and military staffs agree with him on this answer and I want to put it the other way, nobody disagrees with him because to the layman it is just good common sense. He said, in substance, aviation has greatly strengthened our Nation for defense and weakened it for attack, because an invading army and its supplies must be transported by sea, while aviation makes it more difficult than ever for a navy to approach a hostile shore.

Under this theory military experts are agreed that we are safe from attack for a



long time if not for all time, either by sea or by air, so long as we maintain an Army, Navy, and air force of reasonable size and in modern condition, and provided we establish the bases for defense.

It was this line of reasoning that prompted Colonel Lindbergh to say that in his opinion England and the United States together—and mind you this meant throwing in everything we have including our manpower—could not invade and conquer Germany unless there was a collapse from within. However it must be remembered that he said that for the same reason, all the totalitarian powers together could not invade the United States and if England could be invaded, it could be done only at the cost of such terrific loss of life and property as to make it impracticable.

The soundness of this theory is shown when we contemplate that England with a navy second to none, unless it be our own, cannot think of invading Germany which has practically no navy. And that Germany with her far superior air force has thus far been unable to invade England.

In this respect we may well digress for a moment and wonder if aviation, in that it increases a Nation's defensive strength and correspondingly decreases its offensive strength, may not yet prove a factor in the ultimate goal of universal peace. Because after all the greatest preventative for a war is sufficient power to discourage or stop the aggressor.

However, in considering where we are and having the assurance that we are free from direct attack, we might next consider is there a probability of indirect attack. And we find that the proponents of this bill have already beat us to it. When their hysteria-creating danger of direct attack exploded, the war makers resorted to the propaganda of the dangers of economic invasion of South America by the Axis Powers, to be followed by the establishment of military bases and attack on the United States from that direction.

Now, how we are going to stop South America from trading with Europe, no matter which way the war goes, is something beyond my comprehension. Unfortunately, we cannot use the beef, wheat, and other agricultural products of South America any more than she can use ours. Except for coffee, bananas, and such articles of commerce, she will have to find a market other than ours. Even our Export-Import Bank program is entirely untenable, as a permanent proposition. It may be axiomatic to say so, but we cannot buy those products of South America of which we have a constant surplus and European countries have a scarcity.

And then we come to the second question of how the Axis Powers can build military bases of sufficient strength to threaten the United States—not to threaten Honduras or Nicaragua or Colombia but the United States. Have we become so frightened and flabby as to fear that Germany could establish an auxiliary at a farther distance than she herself is now to invade and conquer us? Could they do this or could they keep open supply lines for such an undertak-

ing? Would not this take years and would be we sitting idly by while this is going on?

This propaganda of infiltration in South America belongs in the same category as the dangers of direct-attack hysteria of last year. Sure there are "fifth columnists" in South America. They are in the United States also. One hundred and thirty million people cannot get Harry Bridges out of the United States. Is anybody creating hysteria about that? And yet I want to say that Harry Bridges and his kind, who honeycomb the entire American defense, should cause Americans more worry than the "fifth columnists" in South America. Both are problems, but the former is of far more immediate danger than the latter.

The safety and security of the people of the United States lie not in the objectives of the lend-lease bill but in making the security we now enjoy impregnable by production and preparation for our own defense, as above outlined. Britain is not our first line of defense, even though we may be England's last line of defense.

We must not be misled by such false propaganda as infiltration and military attack from South America and similar hysteria-creating propaganda. For instance, the last wave of propaganda was that a crisis is impending for England in 60 or 90 days and we must pass this lend-lease bill immediately without consideration in view of this crisis. Of this Secretary of the Navy Knox was probably the leading exponent. Let us see what he said at the committee hearings about this crisis. I am quoting from the record:

Mr. FISH. Mr. Secretary, the Secretary of War, who just concluded his testimony, made the statement that there probably would be a crisis in Great Britain within the next 60 or 90 days. The Secretary of War and the Secretary of State made similar statements. Do you agree with that?

Mr. KNOX. I do.

Mr. FISH. How would this bill, as far as production is concerned, affect that crisis in Great Britain within the next 60 or 90 days by the passage of this bill? I would like to hear as far as production is concerned.

Mr. KNOX. Tremendously; because you do not fight battles alone with guns and ships. You fight with men. The spirit of those men is all-important; the question of morale is an immensely important factor in war; and the passage of this bill will do more to put resolute courage and determination to fight through in the British Nation than anything we could do.

Mr. FISH. But it would not put a single ounce of war material in the hands of Great Britain within the next 60 or 90 days?

Mr. KNOX. I am not sure about that. I would have to get the details before I could answer accurately.

In other words, Members of the Committee, Congress is asked to hysterically pass the lend-lease bill, with its immeasurable implications, not to get an ounce of war material to Great Britain for the impending crisis within 60 or 90 days, but just to bolster the morale of the British people. Is it not pathetic? In other words, what is the issue? Credit, credit, and nothing else.

But, Mr. Chairman, that is not the tragedy of it. The tragedy is that all this

talk about a crisis or the bolstering of morale is the merest speculation put in concrete form for misleading the American people. What did the Secretary of the Navy say when another member of the committee later examined him?

MEMBER OF COMMITTEE. Did I understand you to say that a crisis was expected in England within the next 60 or 90 days?

Mr. KNOX. Now, that is pure speculation. I do not know when a crisis will come.

MEMBER OF COMMITTEE. Are you prepared to state what kind of crisis?

Mr. KNOX. The crisis of the defeat of Great Britain might be imminent.

MEMBER OF COMMITTEE. You mean through the collapse of morale?

Mr. KNOX. No. I think the British morale is admirable beyond comparison. I think it might come about—and again I am indulging in pure speculation—it might come about through the greater success of the submarine campaign, which is now a combined submarine and air campaign. And it might come about through persistence in these concentrated bombardments. Both of these campaigns affect the supplies available for fighting.

MEMBER OF COMMITTEE. Do you think that a military invasion by Germany into England is probable?

Mr. KNOX. I do not know that my judgment is worth any more than yours about that. We all have our own idea.

MEMBER OF COMMITTEE. That would not be, then, the expected crisis?

Mr. KNOX. It might be.

MEMBER OF COMMITTEE. Do you think that the same danger exists in that respect as existed in the months of September and October 1940? In other words, is it not true that England has become an armed camp?

Mr. KNOX. Oh, yes, indeed. I think the difficulties in the way of invading England are now much greater than they were when France fell, for instance.

MEMBER OF COMMITTEE. Do I understand you to say that the principal effect of this bill within the next 6 months would be to bolster up the morale of the British?

Mr. KNOX. That is one of the effects, and it is very important.

MEMBER OF COMMITTEE. Are there any other substantial effects?

Mr. KNOX. Yes. I think we would probably, as we are constantly doing, increase production and give them the benefit of the increased flow of munitions and supplies.

MEMBER OF COMMITTEE. You think that would be so material as to be effective within the next 6 months?

Mr. KNOX. I do. I hope so.

MEMBER OF COMMITTEE. Do you not think it would be more effective if we continue our present policy—that is, to concentrate entirely upon production and preparation for our own defense and continue to furnish them as we are doing at present?

Mr. KNOX. We cannot continue to do that. The law provides against it, and provides that they must pay for the things they get. They do not have enough dollars left to pay for what they have now ordered. You would have to repeal the Johnson Act before you could do that.

Again I say that all this talk about an impending crisis in 60 or 90 days, and the merits of this bill to thwart it, is mere hysteria-creating propaganda and a distinct disservice to the people of the United States.

While the situation is still serious, there is no crisis; and if there was, this bill would provide nothing to stop it. Lord Halifax just told us that the crisis was passed last fall; that Hitler has already lost the war by not invading England last fall.



According to the newspapers, our good Secretary of the Navy now has another mere speculation, to wit, that Germany may use poison gas in England this summer.

We are being peppered with this brand of propaganda. In October of last year I read a report that Britain began the war with 19,000,000 tons of shipping, and that at the time of that report she had 21,000,000 tons. In other words, the report stated Britain is replacing her tonnage much faster than the Axis Powers can destroy it. Then, in the latter part of December, when this bill was in the making, in the office of the Secretary of the Treasury, I read a report that Britain had begun the war with 13,000,000 tons of shipping and at that date it had been reduced to 11,000,000 tons. In short, it said unless the United States immediately supplies Britain with cargo ships she cannot continue the war. I asked Admiral Stark to help me get at the facts, and he supplied me with a report showing Great Britain began the war with 17,417,413 tons, and on December 31, 1940, she had 17,679,388 tons, or a gain of 267,000 tons.

All this propaganda is, of course, intended to spur and whip us into going somewhere; but before we know where we are going, we, who are safe from attack and at peace with the world, are we going to the defense of the United States, for the defense of our people and our free institutions? No, indeed. We have already seen that we can best do this by concentrating on making our defenses in the Western Hemisphere impregnable. Are we going to the defense of England? Yes; but only incidentally. All England needs is credit, and this not until next year. She already has orders placed in the amount of one billion three hundred millions for 1941, plus one hundred and nineteen millions for 1942. These she can pay for, but then her dollar exchange will be exhausted. She will still have eighteen billions of stocks and securities, but she cannot turn these into cash; so they say. A great many Americans feel that England should pay for her munitions, and when the time comes that she cannot pay cash she should put up the above-named securities as collateral. Many others feel that notwithstanding our safety and security from attack, we would feel safer and more secure if England is not defeated than otherwise, and that even though she has never paid our World War loan, we should give her a substantial amount of credit. They feel that we would probably never get it back. But we can afford to consider it as a payment to her for our additional future safety if she can thereby avoid defeat. In the present situation I would favor such aid. But this is not the objective of the lend-and-lease bill. It is only an incident of H. R. 1776.

All attempts to amend the bill by confining the lease-and-lend operation to England, or even to England, Greece, and China, met successful opposition.

As I have indicated, to aid England with credit this bill, H. R. 1776, would be entirely unnecessary, as that could be done by a simple bill to grant her credit

through the R. F. C., which I understand would not be a violation of either the Johnson Act or the Neutrality Act, nor of international law.

To know where we are going and to grasp somewhat the purpose of the lend-lease bill, we must read it in conjunction with the President's last message on the state of the Union. This will tell us where we are going. We are going out to become the ally of any nation in all the world in the fight for the four freedoms recited in that speech—freedom of speech, freedom of religion, freedom from want, and freedom from aggression. Just as the peacetime powers sought in this bill stagger our minds, so the objective of the bill defies our comprehension. And not only that, but if any of these nations should be satisfied with a little less—the American people are way short of this ideal—and stop fighting we will go on alone, for this bill will never permit us to a peace dictated by aggressors and sponsored by appeasers.

Supposing that, in order to somewhat understand what we are in for under this bill, we cut this objective to one-fifth and see what we have to do to establish these four freedoms for European nations alone. And remember this is only about a fourth or fifth of our task.

One of the first things we will have to do—I say one of the first things—is to help England defeat Germany. This, if it can be done at all, will involve a tremendous sacrifice of men and money, of which we will be expected to furnish all of the money and most of the men in a long and terrific war. We must either be prepared to do this or back up on the lend-lease bill. There is no alternative.

And supposing that the American people were willing to make this sacrifice—which the Gallup poll shows they are not in overwhelming numbers—then what? Are we going to force the four freedoms on the 26 nations of Europe with muskets and bayonets?

Thomas Jefferson said:

For us to attempt to reform all Europe and bring them back to the principles of morality and a respect for the equal rights of nations would show us to be only maniacs of another character.

I think Jefferson knew what he was talking about. However, if we think that times have changed, we might learn something from the words of a great Englishman spoken more recently. I mean none other than Lord Lothian, that great Englishman who came here to get us into the war and died in that heroic task. I honor him for it and wish that, as he was for the British Empire, all of the British Empire, and nothing but the British Empire, every American would, in the words of Daniel Webster, have for his object our country, the whole of our country, and nothing but our country. [Applause.]

Then we would not lend and lease bases in the Atlantic, a feat that was hailed as a second great Louisiana Purchase. Where would we be today if the Louisiana Purchase had been a Louisiana lease?

But what did Lord Lothian say about the feasibility of our objectives under the lend-lease bill?

In a speech on February 24, 1937, he said:

If the theory of collective security got us into another European war, what should we be fighting for? We should be fighting to maintain the anarchy of Europe, which is Europe's fundamental bane.

On April 2, 1936, he said:

I am inclined to think that Europe will never make peace within herself until we leave her to do her own work.

On July 13, 1938, he said:

Democracy itself will not be able to stand another World War. To fight it you will have to abandon your parliamentary system, and the financial needs could not be met by ordinary democratic methods.

Like Jefferson, he believed that policing Europe forever was an impossibility. And yet like the proponents of this bill, he was perfectly willing to pass that buck to the people of the United States. Well, as I said, Lord Lothian was a great Englishman—always pulling for the British Empire. Let us all be equally great Americans always pulling for the great American constitutional Republic.

Mr. Chairman, we do not know and we cannot know where we are going under this bill, and we cannot know what situation we will be in when we get there. This bill not only undertakes to bring order out of chaos in Europe including the Russia, Poland, and Latvia tangle, but its objective is to set the whole world in order for our own defense and safety. As the gentleman from New York [Mr. Fish] said, this will mean war, bankruptcy, dictatorship, and, I may add, failure.

Mr. Chairman, have we forgotten 1917 and 1918, when we were propagandized and goaded into a war to make the world safe for democracy. Have we forgotten that on the altar of that war we offered up hundreds of thousands of the flower of our manhood and billions of our money? Have we forgotten that when we sat at the peace table we sought not a dollar of loot or a square foot of territory, but only the peaceful solution we are now again asked to solve under this bill? Have we forgotten that we were told we were taking too much credit for the ending of the war, and were asked to sit back while the so-called democracies in their selfish greed sowed the seeds of the present war?

Have we forgotten that in 1937 Winston Churchill said:

America's entrance into the war was disastrous not only for your country but for the Allies as well. Had you stayed at home and minded your business we would have made peace with the Central Powers in the spring of 1917. Then there would have been no collapse in Russia, followed by communism; no break-down in Italy, followed by fascism; and Nazi-ism would not at present be enthroned in Germany. If America had stayed out and minded her own business, none of these "isms" would be sweeping the country and breaking parliamentary law.

Mr. Chairman, if we cannot learn from history, we should at least learn from our own bitter experience.

I am in sympathy with the English people. They have been plunged into this war as the victims of a leadership similar to that in this country, which, under



this bill, would precipitate us into England's place.

We must not follow this leadership. We must not act on sympathy alone. We must be guided and governed only by what is conducive to the safety and general welfare of our people and our Republic. I think it is the general sense of our people that it is to our interest to prevent the defeat of Britain, but not at the price and cost of our men. We will not send men. Again I say we have no alternative. Then it follows that all we can furnish is planes, ammunition, and probably ships to get them there. That is all Britain needs to the extent of giving her superiority over Germany in the air. That we are doing now, I think, to the best of our ability. But England says she will need credit at the end of this year. She has orders for \$1,300,000,000 in 1941 and \$119,000,000 in 1942, and then her cash or dollar exchange will be exhausted. That can be arranged right now by a bill authorizing a loan of, say, \$2,000,000,000, available when needed.

It will be very simple to bring this about under a bill to provide a \$2,000,000,000 credit for England, and I would be for such a bill.

My first, greatest, and only concern is the preservation of this constitutional Republic. I believe that by speeding and perfecting our own defense, more so than we are doing now, our 130,000,000 people, with their resources, energy, and potential power, can preserve this Republic indefinitely. I believe that we can enhance our future peace and tranquillity by giving England the help proposed with planes, ammunition, and ships that will enable her to withstand Germany until Germany collapses from within.

But to embark on the world-wide mission proposed by H. R. 1776 is beyond the powers of even our great Nation and would destroy the Republic, and therefore I am against H. R. 1776. [Applause.]

Mr. LUTHER A. JOHNSON. Mr. Chairman, I yield time to the gentleman from Connecticut [Mr. KOPPLEMANN.]

Mr. KOPPLEMANN. Mr. Chairman, when I was home this week end, I was interviewed over the radio on the lend-lease bill by Mr. Jack Zaiman, a member of the staff of the United Press. Mr. Zaiman asked me a number of questions which are pretty much in line with questions that my constituents are asking about this bill in letters they are writing me. I know that other Members of Congress are receiving the same kind of letters. Because these questions are constantly being referred to in this debate, I think it germane to the discussion to include at this point the questions asked me by Mr. Zaiman and my replies:

Mr. ZAIMAN. Do you consider the lend-lease bill important?

Mr. KOPPLEMANN. It is the most important bill Congress has had for many years.

Mr. ZAIMAN. Is there much opposition to it among Members of Congress?

Mr. KOPPLEMANN. I would say not. Of course, there is a group of isolationist Congressmen in both Houses. There are a few others who want to obstruct its passage for purely political reasons; there are others who don't see the need of it, but they are far in the minority.

Mr. ZAIMAN. Is your mail heavy on this question?

Mr. KOPPLEMANN. Not so heavy as it has been on previous issues. The people have been prepared for this legislation. The question of our giving increased aid to Britain has been discussed for months.

Mr. ZAIMAN. Is your mail for or against it?

Mr. KOPPLEMANN. In the majority against it.

Mr. ZAIMAN. Then the people of your district are against it, judging by that.

Mr. KOPPLEMANN. I don't think so. My experience, and I have had a lot of it, is that the opposition is always vocal, but the people who are for a thing, particularly when they know the administration and their representatives are for it, just take it for granted that the bill will pass. Now, Jack, most of these letters are sincere, that is why I am up here today. I want to make as clear as I can why this bill is vital to all of us.

Mr. ZAIMAN. Mr. KOPPLEMANN, one of the chief arguments against this bill is that it will draw us into war. What do you think about that?

Mr. KOPPLEMANN. If anything, this bill will prevent our combat involvement. If this bill does not, nothing else will. This bill will place Congress squarely on record in support of the administration's foreign policy, a policy which the American people overwhelmingly supported at the polls less than 3 months ago. The President already, to a very large extent, has the power to do everything this bill calls for. For instance, the Kellogg-Briand Pact of 1929, to which we are a party, provides that we supply any signatory nation which has been attacked by another signatory nation with financial and material assistance. It even provides that we assist that attacked nation with armed forces. It's interesting to remember that among the nations that signed the Kellogg-Briand Pact were the United States, Poland, Greece, Norway, Belgium, the Netherlands, Great Britain, France, Japan, Italy, and Germany. That pact was solemnly drawn up and agreed to by all the nations signing it for the express purpose of outlawing war as an instrument of national policy. We are morally bound under this international agreement to aid Great Britain and Greece and China. Greece and China alone of all the nations attacked are still fighting their aggressors. Britain, after repeated warnings to Germany, declared war when Poland was attacked.

In addition to our moral responsibility to help with every resource at our command, we must help to save ourselves.

Mr. ZAIMAN. Then you think we will go to war with the Axis in case Britain goes down?

Mr. KOPPLEMANN. We are preparing against that possibility.

Mr. ZAIMAN. Do you think we will be invaded?

Mr. KOPPLEMANN. I am doubtful about that, at least for the immediate future. But there are other ways of getting us into war. In the first place, let no one delude himself into thinking that Germany's plan for world conquest does not include the United States. Americans who spent years in Germany watching the development of Nazi war policies, have reported that if Adolf Hitler wins the war, whether we help Britain or not, sooner or later he will force the issue with the United States. Every nation which subsequently fell prey hoped by appeasing the dictators they would not be molested.

Mr. ZAIMAN. Yes; I remember Belgium and Poland.

Mr. KOPPLEMANN. And what about Denmark and Norway? For example, a pact between Germany and Denmark was signed in Berlin on May 31, 1939. The first article of that pact stated—and these are the exact words—"The German Reich and the Kingdom of Denmark will under no circumstances

resort to war or any form of violence against each other." Less than a year later Denmark fell to Germany.

And about Norway, Hitler proclaimed that the "Reich Government notifies the Norwegian Government that she has no intention now or in the future of infringing upon the territorial integrity or the political independence of the Kingdom of Norway." These words were uttered in Berlin on April 9, 1940, as German Trojan horses were being stabled in Norway.

Mr. ZAIMAN. If you don't fear imminent invasion of the United States in the event that Germany is victorious, then why are you giving support to the lend-lease bill? Would it not be better to conserve our resources for our own defense?

Mr. KOPPLEMANN. That's exactly why I am supporting this bill. First let me say that the bill is coming into the House with changes from the original draft, which I expect to support as these changes apparently do not nullify the basic provisions and purposes of the bill, and that means all the aid we can give in the shortest time. Second, with each Nazi conquest the pronouncements of the German leaders against democracy, their utter ruthlessness against humanity have become bolder. We know that Germanic plans of world conquest endanger North and South America. We know they have made alarming economic and political inroads into South American republics. We know that if the Axis is victorious it is only a question of time when they will force the issue with us. Our own defense demands that we prevent their victory.

Mr. ZAIMAN. Then, you think England is our first line of defense?

Mr. KOPPLEMANN. I do. If England goes down I fear that war will come to us, a war which will impoverish us and will turn the vast resources and wealth of our country, not to domestic progress, not to the building up of a more contented people, but to the bare task of defending ourselves from enemies, without and within. We have attained a higher and a more uniform standard of living than any other nation in the world. If England goes down, we will have to sacrifice men and spend money constantly for an indefinite number of years to fight a war of self-preservation. We will meet war in the foreign markets. We will have to compete against a barter system under which goods produced by forced labor will compete with our own, thereby forcing down our standard of living, if we want foreign business, or driving us into an economy of self-sufficiency.

Mr. ZAIMAN. There are some people who believe that we can manage comfortably by merely producing for ourselves. Don't you think so?

Mr. KOPPLEMANN. Need I remind you that we were producing for ourselves in 1932, when our foreign trade had dropped by 70 percent? Need I remind you of the millions who were thrown out of work by the loss of those foreign markets? The great cry which rose over the land in 1932 was "Give us back our foreign markets."

Here in the city of Hartford, for instance, our typewriter industry would suffer disastrously because 40 percent of the typewriters made here are sold outside of the United States. When the Royal and the Underwood are spurned by South America because Germany can sell a typewriter at a fraction of our price, made by skilled machinists, who receive less than a fifth of the pay of our skilled workers, what will happen to Hartford?

Mr. ZAIMAN. But what about our trade agreements with these South American countries, and with other countries too?

Mr. KOPPLEMANN. We have sought peace through friendly trade with other nations. We have built up our foreign trade by these agreements, recognizing that we must buy in



order to sell. But the Nazis, victorious, would move into South America, undercut our trade agreements, and smash our good-neighbor policy. In a world enslaved, where goods of all description are produced under conditions, that freemen scorn, where would American industry, both capital and labor, qualify for world trade? Either we would be forced to stay out, and that is economic suicide, or we would meet them on their terms, and that would be economic and social suicide.

Mr. ZAIMAN. Mr. KOPPLEMANN, you stated that skilled machinists under the Nazi system receive less than a fifth of the wage that ours do. That's pretty low. On what do you base that statement?

Mr. KOPPLEMANN. On authoritative wage figures that I have. Today a skilled machinist in Germany receives 38½ marks for working 54 hours a week. In American terms, that amounts to \$9.60, or 18 cents an hour. From that amount, he is forced to deduct 20 percent in taxes, and from what is left must contribute to various collection funds. If the Axis wins, goods will be produced for them by the nations under their domination. The Axis will set the hours and wages. Moreover, as the months have progressed, German leaders have loudly proclaimed that they will be the masters of the world; that all non-Germanic peoples will be enslaved to them. That is the goal that Nazi leaders hold out to their people. That is the drug which carries them on.

Mr. ZAIMAN. Mr. Koppelman, if this bill passes, won't we be in the war except that our men won't be fighting? If we go so far, can we stop involvement all the way?

Mr. KOPPLEMANN. I certainly think we can prevent our involvement all the way. That's what we want to prevent, and I believe we can do so if we send sufficient matériel in time. They need our supplies, not our men. I think if Britain and her allies win the question of war will be solved for all time. We have learned the lessons of past mistakes. I think the American people this time will insist on this Nation's sitting at a table with the nations of the world to lay the foundation for a lasting peace. If Britain loses, the question of war certainly will not be settled, because the ideology and the purposes of nazism and fascism are fundamentally contrary to every democratic concept, to every ideal, and every goal of civilization which founded this Nation and which has impelled its progress.

Mr. ZAIMAN. You certainly have changed your line of reasoning since you were last in Congress.

Mr. KOPPLEMANN. A great deal happened during those 2 years, Jack. For one thing, the world turned upside down. Two years ago the American people were clamoring for peace through isolation. Today they have learned there is no security in isolation. As the leading independent Nation of the world we have a great moral stake in Britain's victory. We have a great moral stake in the restoration of democratic peoples who lost their independence. And we have a selfish stake. We cannot endure as the only free nation in a world enslaved.

Mr. ZAIMAN. What about the people in this country who have lost faith in democracy and who would not be adverse to fascism or communism sweeping this country?

Mr. KOPPLEMANN. I don't believe there are many of them, although we must guard against the band-wagon jumpers. No doubt there are millions who now are indifferent, and even hostile, to everything the dictators stand for, but who in the event of their victory, would delude themselves into thinking this Nation could obtain security through appeasement. But bear this in mind: Our democracy presupposes two essential liberties—freedom of speech and freedom to worship God as each individual pleases. Every American will fight for these two freedoms regardless of his station in life. True democracy

presupposes also freedom from want. Every American will approve that freedom for all others, and this Government has devoted its major effort these past 8 years to assuring freedom from want. With all our shortcomings, man enjoys this third freedom most abundantly in America. And, lastly, true democracy presupposes freedom from fear of war—that is the goal to which we now dedicate ourselves; that is the goal motivating our help to the nations battling the dictators. No, Jack, some people may carelessly express their disgust with democracy, but you don't see them flocking to Russia, to Germany, and to Italy. And the gates are wide open for them to leave.

Mr. ZAIMAN. Herman Rauschning, who was one of Hitler's chief deputies, relates in his book, *Voice of Destruction*, that Hitler once said, and I quote, Congressman: "I guarantee that at the right moment a new America will exist as our strongest supporter when we are ready to take the stride into the overseas space." Do you place any credence in that alleged statement?

Mr. KOPPLEMANN. I do, for this reason. If this were an isolated statement, we might be inclined to pooh-pooh it. But in substance that statement has been repeated and confirmed by other German leaders. Men who were close to Hitler and who have since broken away from him have repeatedly warned us to be on guard. They know he will use the "fifth column" tactics here that he used in other countries. Any hope that some Americans may entertain that we are protected by the Atlantic and the Pacific oceans, and therefore can safely keep hands off, is a hope for a delusive security. While Britain controls the Atlantic it is our pathway to England. If Germany controls the Atlantic it is their pathway to America.

Mr. ZAIMAN. Congressman, what about the charge that this bill will set up a dictatorship in this country? I know that you have a great regard for the President, but how far do you think Congress ought to go in delegating authority to him?

Mr. KOPPLEMANN. I am glad you asked that question, Jack. Any fear that this bill would set the President up as a dictator is pure bosh. In the first place, if the President wanted to be a dictator, he could have set himself up as one long ago. Every act of his administration has been to prove to the world that here in America we can solve our social and economic problems without recourse to dictatorship. In the past the charge of dictatorship has been hurled against every piece of legislation calling for social and economic reform. It is a convenient smear word for the opposition.

Now, bear in mind that this lease-lend bill is merely an authorization bill, which will place the official stamp of approval of the Congress upon the foreign policy of the administration. The bill does not appropriate one penny to carry out its purposes. As the President acts under various authorizations granted in this measure, he must come to Congress for the necessary appropriation for any goods which we do not have on hand or for which an appropriation has not been made. From this you can see that the Congress will play an important role in carrying out the purposes of this bill.

Mr. ZAIMAN. Congressman, do you hold out any hope for England's winning this war without our help?

Mr. KOPPLEMANN. No, Jack. I do not. I was not sanguine about British victory even when France was fighting by her side. The arsenals of every country in Europe are producing at top speed to beat Britain. If we don't become an arsenal for democracy and send sufficient help in sufficient time, it may be the last mistake free America will ever make.

Mr. BLOOM. Mr. Chairman, I yield 20 minutes to the gentleman from Massachusetts [Mr. GIFFORD].

Mr. GIFFORD. Mr. Chairman, this is a very serious moment for me. I have passed through such moments before. During much of the year of 1939 we listened to arguments relating to repeal of the embargo. I was one of the seven of the minority party who voted for such repeal. I speak of this because of the criticisms I endured at that time, but I now welcome you all back to my point of view. [Laughter.] Every one of you now desires to aid Britain. Greatly do I respect my colleagues. I would not wish to suggest that anyone did not vote his sincere convictions. I wish to read to you one peroration at the end of a speech only 4 months ago as I mistakenly thought for the moment:

I am opposed to the traffic in arms because I believe it to be an utterly unmoral, un-Christian, and vicious system, turning our country into a great slaughterhouse for the sake of blood money and war profits that will involve us in every war of the world. Why should we in Congress gamble with the lives of the youth of America by repealing the arms embargo that was enacted to keep us out of war.

Now I read by the same speaker:

We are all for aid to Britain short of war and short of sacrificing our own defense and our own freedom. The British in their valiant struggle, which has aroused our vast sympathy, need planes, guns, and war materials.

Well, the reason for the change of opinion is that now it is the law and we must act accordingly. I can only say I welcome all to my viewpoint, and am encouraged today again to present my own point of view on this pending legislation. I have spent many hours reading the debates of 1939, and also in clipping all sorts and kinds of comments on this bill, H. R. 1776.

Mr. LUTHER A. JOHNSON. Will the gentleman yield?

Mr. GIFFORD. Yes; I yield.

Mr. LUTHER A. JOHNSON. I did not understand the gentleman who made those remarks—one 4 months ago and the other recently. Who was the gentleman who made those speeches?

Mr. GIFFORD. Why should I call names?

Mr. FISH. Mr. Chairman, I made the remarks; but not 4 months ago—14 months ago.

Mr. GIFFORD. I have them here.

Mr. FISH. Not 4 months ago, but in November 1939.

Mr. GIFFORD. I have them here. I thought at first it was November 3, 1940.

Mr. FISH. The repeal of the arms embargo? That was a year and a half ago.

Mr. GIFFORD. I probably made an error in saying 4 months ago. I read 7 of your speeches last Sunday and probably got a little mixed. [Laughter.]

Mr. HOFFMAN. Will the gentleman yield?

Mr. GIFFORD. I yield.

Mr. HOFFMAN. Are you finding fault with the gentleman now because he is willing to go along? What are you doing? Criticizing because we are yielding to your argument?

Mr. GIFFORD. No. No greater patriot in this House than the gentleman from New York [Mr. Fish]. Possibly



I am not worthy to untie his shoes when it comes to patriotism. But we have our own opinions on legislation. I simply comment on the fact. And the only reason I comment is because I was commented upon a plenty in 1939. Sometimes one likes to say "I told you so." [Laughter.]

Mr. FISH. Will the gentleman yield?  
Mr. GIFFORD. Yes; I yield.

Mr. FISH. I am really interested in getting the record correct, because I did not speak on the repeal of the arms embargo 4 months ago.

Mr. GIFFORD. On the conference report from the Senate, as I thought at the moment, November 3, 1940. I have your speech.

Mr. FISH. That was in 1939.

Mr. GIFFORD. I was wrong as to the date.

Mr. FISH. I think the gentleman is wrong.

Mr. GIFFORD. We passed the bill in July 1939. It went to another body and it came back here after conference in November.

Mr. FISH. That was 1939.

Mr. GIFFORD. I abjectly apologize, as I am evidently wrong as to the date. Nevertheless, I have the speech. [Laughter.]

I want to vote for this bill. I want certain amendments. I do not want to create such a dictatorship as many fear will be created by the measure. Does any man in this House fear dictatorship by the occupant of the White House more than I do? That could not be possible.

Mr. FISH. Has the gentleman decided which was right as to that date?

Mr. GIFFORD. Oh, I thought at first I was right.

Mr. FISH. You are right?

Mr. GIFFORD. I thought I was right.

Mr. FISH. Are you gambling on that? The CONGRESSIONAL RECORD is against you.

Mr. GIFFORD. Send out now for November 3, 1940, and I shall be definitely convinced. I desire to vote for a bill that will help and aid England.

Mr. MUNDT. Will the gentleman yield?

Mr. GIFFORD. I want to vote in a way that will be persuasive and helpful. I do not want to fix this bill so it will be: "Mother, may I go out to swim?" "Yes; but don't go near the water."

Miss SUMNER of Illinois. Mr. Chairman, will the gentleman yield?

Mr. GIFFORD. Certainly.

Miss SUMNER of Illinois. There are those who say we will give every aid short of war to Britain. I venture to say when "aid short of war" is interpreted to mean defense of the British homeland, yes, short of war in defense of the whole British Empire? Maybe; short of war to add to that empire? No.

Mr. GIFFORD. I do not believe there is anything to differ with there. [Laughter.]

I want to vote for a bill that will be persuasive. As stressed by the speakers who have preceded me, this is a highly important moment. England will go down, it is said, unless she has aid, and we want to give her that assistance. But how much? It may be that the kind of bill we pass here means that

the whole face of the world may be changed. To employ an illustration, as I sometimes do, you who love Roman history will recall the saying that "if the nose of Cleopatra had been shorter the face of the world would have been greatly changed." [Laughter.] Thus have little matters sometimes dictated grave events and disastrous results.

I have here the able speech of the gentlewoman from Ohio [Mrs. BOLTON]. We are very proud of her. She has poise, dignity, ability; she will take a high place in this Congress. [Applause.] She portrayed the English people and their characteristics. She talked of the Magna Carta and those things from which we drew our liberty-loving opinions. It was a splendid speech. I have said before that I appreciate the English people because they seem to love liberty as much as we. They have no Hagues such as we have in New Jersey. They have free speech. They have very little graft in England while here we have the Kelly-Nash machine and a hundred others. In England even the policemen do not carry revolvers, I understand. Imagine that! They do not need to. There labor is in the saddle. They have been much more liberal with labor than even we ourselves. But somebody rises to his feet and says: "Think of her past cruelty! Her past oppressions." Yes; but let us look at ourselves and think of our own past cruelty and oppression. It took a civil war to root it out. No; do not go back too far. Take present conditions as they are; then we shall get somewhere.

No; we all desire to aid England. Some desire to give her a loan of \$2,000,000,000. Make it \$5,000,000,000. Why not? Two billion dollars is not enough. We are talking about from \$20,000,000,000 to \$40,000,000,000 for defense. The gentleman from Ohio did not frighten me much when he said that the President could give away \$40,000,000,000 under this bill without coming to the Appropriations Committee; but if we desired any new material or vessels, it would be necessary to get an appropriation. That is possible. It is possible also that a meteor may fall from the sky and destroy us all; but we do not expect it. Much as I distrust the President in some of his domestic policies I do not think he is as bad as that. [Applause.] Furthermore, the bill says he must report to us every 90 days, and we certainly could restrain him, if necessary.

Some Members are trying to write into this bill items which are plainly unconstitutional. The President has enormous powers under the Constitution which we, even by legislation, could not take away. You have followed public opinion lately and yielded to it. This President of ours is truly a marvelous politician. He knows when public opinion is with him. When he traded those warships the cry went up to heaven, did it not? But how quickly it subsided as soon as we found that public opinion was with him. [Laughter.] When he has public opinion with him and when he has power under the Constitution, I rather think he may again act similarly. Then he will report to us and all he need say is: "Fait accompli." If public opinion is with him we seemingly shall have to keep ourselves dumb.

Perhaps I do not always wait for public opinion. Two months ago I announced my position in general on this matter. It has really saved me a lot of correspondence. [Laughter.] If a man has not a mind of his own "he has not missed much," and if one keeps an open mind too long it is said that "it should be closed for repairs for a time." [Laughter.] After due consideration of our actions during the embargo debate I was enabled to make up my mind that I wanted to extend aid to Britain. I desire to vote for this bill with certain amendments, but, like all legislation, it must also be passed by another body, and the real test will be on the conference report. So what we do this week is not the final word, and those of you who wish to give aid, although not fully in accord with this bill, may vote affirmatively for the principle, reserving final action on the conference report.

There are several amendments suggested in the minority report.

Is Germany a friend of ours? Is she inciting Japan to make trouble for us? Is Japan waiting at this very moment for the crucial hour when she can proceed with her ambitions and involve us? Why has our fleet been kept in the Pacific? Why have we been so watchful there? We know Japan is poised for action, do we not? I now ask how you would feel if we were plunged into a war with Japan, our war vessels damaged, and we found they could not put into Singapore for repairs? Would you like England to say, "We are neutral; although you are friends of ours and a long way from home, that does not matter, we cannot let you into Singapore for repairs"? Neutrality! Would we deem them friendly then? I do not want to be put in the ridiculous position that we cannot repair a friendly power's ship lest "fifth columnists" or a stray submarine drops a bomb. That would be an incident, to be sure. We have sorely been vaccinated against that kind of incident. If you have not been, by what occurred in 1917, you should be. If we should say we would not repair ships of a friendly power like Great Britain when we are really already an ally, it would be a strange situation. Afraid to permit repairs lest we have an incident.

We can no longer quote international law. That has gone by the board. Let us think very seriously when our friends offer the amendment that we should not allow a friendly power whom we want so much to help to repair its ships in our ports.

I admit that I am somewhat worried about the convoy idea. What is the Navy for? I thought it was largely to see that our merchant ships arrive safely at their destination. Suppose our vessels go to South America with goods to be placed there on British ships, and, knowing that our ships were loaded with goods designed for Great Britain, Hitler notified us, "If you dare do that, we will sink your ships."

I rather think our Navy at the present time would convoy ships to South America, even if such threats were made. We should not propose such an all-embracing amendment. Do not tell Hitler that we will not convoy and thus give him the



sort of encouragement which we did when we passed the Embargo Act. We were perhaps cowardly when we declared, "We will take our ships off the high seas in war zones." I agreed with that. But I do not know how long we can keep that promise, simply to prevent incidents. I shall often repeat, the fruits of the last war were such as to vaccinate us against incidents. It will take more than incidents to get us into this war. I am confident of that.

This President of ours seems to have actually softened recently. He does not begin to talk as aggressively as he did a year or 2 years ago. We must give him credit for that. He seems much more restrained. He promised before election that he would not allow our boys to go to war. I must place at least a certain amount of confidence in that pledge. None of us will vote to send our boys to this foreign war. We all know that. As I have before said, "We will keep him out of war."

Perhaps the most important feature of this bill is cash loans versus lending materials. Let us consider cash loans. They have had to pay cash on the barrel head up to this moment. What have we really done for Great Britain up to this moment? Cash on the barrel head. And we even refused to deliver the goods.

Mr. KNUTSON. Will the gentleman yield?

Mr. GIFFORD. I yield to the gentleman from Minnesota.

Mr. KNUTSON. Does not the gentleman think it is possible that the fact Great Britain repudiated its debt to us some 10 or 12 years ago may have had something to do with our insisting on cash at this time?

Mr. GIFFORD. I had thought so.

Mr. KNUTSON. No one but a sap would give credit to a man who has repudiated his loans.

Mr. GIFFORD. And still you are to offer a motion to recommit and loan them \$2,000,000,000 more, even though they repudiated the other debt. You are offering cash loans and the way we offer it is practically saying we do not expect you to pay it back. Strange amendment, from the gentleman's point of view. I wish to contrast the lending proposition. "We may lend something in the way of material. We may get it back or we may get it back in kind." Is there not a better chance for us to get a return by lending material than by giving cash? I am almost persuaded to consider the lending idea as the better one. I am waiting for the arguments on this phase of the bill. You have dodged the question up to now. Only one speaker has even referred to it, so far as I recall.

Mr. HOFFMAN. Will the gentleman yield?

Mr. GIFFORD. I yield to the gentleman from Michigan.

Mr. HOFFMAN. I wanted to ask the gentleman if he was not mistaken about the date of that speech?

Mr. GIFFORD. I suspect so.

Mr. HOFFMAN. November 3, 1940, was on a Sunday; 1939 was the year. In 1940 we were doing nothing except adjourning 3 days at a time.

Mr. GIFFORD. Has the gentleman found the speech?

Mr. HOFFMAN. Yes. The date on which we took the vote was November 3, 1939.

Mr. GIFFORD. I have had no chance to look it up, but doubtless I was in error.

Mr. HOFFMAN. Does not the gentleman know what we were doing in 1940? We were in 3-day adjournments most of the time.

Mr. KNUTSON. We were in church on that day.

Mr. GIFFORD. I am glad to give the gentleman from New York probation for the entire 14 months. The change that came over him was most satisfactory.

Mr. RUTHERFORD. November 3, 1940, was 2 days before election.

Mr. FISH. Does the gentleman stand corrected on that?

Mr. GIFFORD. I, indeed, stand corrected. Was it such a grave mistake? It does not make much difference. The change of position was extremely important.

Mr. FISH. What I am going to say now does. On June 30, 1939—and the Record is here—the gentleman is paired for the arms embargo that he is talking about.

Mr. GIFFORD. When was that?

Mr. FISH. That is on June 30, 1939.

Mr. GIFFORD. Oh, yes.

Mr. FISH. He is paired for the arms embargo.

Mr. GIFFORD. Yes. When I made that 50-minute speech in November 1940, I explained fully my final decision in the matter.

Mr. FISH. Can the gentleman explain that in 50 minutes?

Mr. GIFFORD. Oh, yes; I made a grand speech in that 50 minutes, if the gentleman will read it. If he would read my speeches and I read his, he would be greatly helped. [Laughter and applause.] [Here the gavel fell.]

Mr. BLOOM. Mr. Chairman, I yield the gentleman 30 additional minutes.

Mr. GIFFORD. I thank the gentleman, and I shall be glad to share it with the House.

South America. There is where the danger is, as I pointed out the other day. I like to read the questionings of the isolationists who attempt to show that there is no danger for years to come of Hitler attacking this continent. Why, Secretary Knox this week is being put upon the rack to make him show that all this anxiety of his is wholly imagination. The Senator from South Dakota, with others, is trying to prove that the isolationists are right when they say we cannot be attacked by Hitler for years to come. If that is true, why not lend these materials to England? Why not, if we are not in danger? If the isolationists themselves, who oppose this bill, say we are not in any danger, why not let the democracies have at least our worn-out materials?

Mr. COFFEE of Nebraska. Mr. Chairman, will the gentleman yield?

Mr. GIFFORD. I yield to the gentleman from Nebraska.

Mr. COFFEE of Nebraska. I believe the contention has been made that we are not in danger of attack if we are pre-

pared, but we cannot be prepared if we give away our Navy and our war materials.

Mr. GIFFORD. Yes, but I refer the gentleman to those questionings over in another body the day before yesterday, when they said we did not need all this defense; that there is no immediate danger.

It has been pointed out that in South America there is a potential danger, and I fully agree. South America is not only a military but a great economic danger. However, before I proceed further, I want to make a happy reference.

Great Britain is a good customer for our aged, but still useful, material. We have not been building many ships for 20 years, and they must be getting rather obsolete. This is a good time to send them over there, is it not, and let our plants give us new ships? We have a customer. Now, to flavor that a little, "Mama, what do they do with all the worn-out automobiles?" "They sell them to your father." [Laughter.]

Let us sell old material, especially to a friend in need and to whom it may still be useful.

A week or two ago I spoke of the economic rape that Germany hopes to make on South America. South America sells billions to Europe and only millions to us. We cannot use their goods. We are trying to bolster things up, just now, by loaning them money to keep their goods off the market. Germany well understands it. If England goes down, the harbors of South America will be full of German-controlled ships. Not only will her airports be filled with airplanes for commercial purposes but they will be gradually filled with airplanes for military purposes. Indeed, there is grave danger for us in that sphere.

Where is our most important outpost?

We all know it is England. We all know our present dependence on the British Fleet. You cannot persuade me that the British Fleet will be surrendered; it would be almost unthinkable. England is not the British Commonwealth. The British Fleet will never surrender, and where will it go? It will probably go where it will be an aid to ourselves in the Atlantic Ocean, while we need to be watchful of the potential unfriendliness in the Pacific. So, therefore, I think it very wise, indeed, that we should greatly assist that outpost.

Mr. MARCANTONIO. Mr. Chairman, will the gentleman yield?

Mr. GIFFORD. I yield to the gentleman from New York.

Mr. MARCANTONIO. Has the gentleman ever taken into consideration the following contingency, which may happen; that after we have turned over all of these materials, the fleet or any portion of it, and England should fail, then that material will fall into the hands of the enemy; but even if it does not fall into the hands of the enemy, if England should fail after we have turned over all of these materials, will we be worse off or better off than we are now from the standpoint of strict national defense?

Mr. GIFFORD. I have tried to tell the gentleman that if England fails the fleet



will be saved. You cannot tell me they would sink the British Fleet while her dominions remain. The speaker just ahead of me tried to prove, and I cannot challenge his figures, that England's shipping has increased rather than decreased in the last few months. I did not know that was true. The picture as portrayed to me has been entirely different. He says it has increased and that the sinkings have not been equal to what they have added. Then is it possible to believe that we would lose what we might lend? His argument is most encouraging.

Mr. MARCANTONIO. If the gentleman will yield further to me on that point, the gentleman must realize that despite all this talk about democracy there is a great deal of imperialist character about this war and that it is entirely possible that the appeasement forces in England may negotiate a peace with the Nazis. In that event you will be dealing with a Fascist, totalitarian, imperialist England, and we can expect no more friendliness from that kind of an England than we can expect from the present kind of a Germany.

Mr. GIFFORD. Will Canada join in that peace that you suggest with Hitler?

Mr. MARCANTONIO. We are talking about England now.

Mr. GIFFORD. The gentleman is talking about England and I am talking about the Empire—a great difference!

Mr. MARCANTONIO. The gentleman is asking for aid to England. If England continues the Fascist course she is following now and makes a negotiated peace, then where are our interests in the face of a Fascist England, which is entirely possible?

Mr. GIFFORD. England may be forced to a Fascist situation for a time, but the Dominions will not. England is not the British Empire.

Mr. MARCANTONIO. Is the gentleman so naive as to believe that imperialism acts differently because it is of a British character rather than of a German character? The gentleman certainly has enough experience to know that imperialism acts or reacts according to the set of conditions in which it finds itself. If conditions dictate that British imperialism be antagonistic to the welfare of America, you can rest assured that despite all of the visits of Lord Halifax and all of the visits of Wendell Willkie, British imperialism will be just as antagonistic to American interests as Nazi imperialism. [Applause.]

Mr. GIFFORD. The gentleman is getting far afield from the bill itself, I fear. He rather distrusts England, I gather.

Mr. MOTT. Mr. Chairman, will the gentleman yield?

Mr. GIFFORD. I yield to the gentleman from Oregon.

Mr. MOTT. I want to ask the gentleman a question on the point he raised a while ago about the loss of the British Fleet; but, if I may, I should like to make this statement so that there may be no misunderstanding as to my attitude.

I am as much in favor of giving Britain all the material aid that we can possibly give her short of war, as is the gentleman, only I believe that this bill is the very worst way to do it—not only worse for

the United States but worse for Great Britain itself, as I shall try to explain later. Now, I want to ask the gentleman, in view of what happened in France, how can the gentleman predict now that the British Fleet may not be turned against us in the event of the defeat of Britain?

Mr. GIFFORD. Because of Australia, Canada, and other parts of the Dominion. That is my answer. If that is not sufficient, I cannot answer further. I have reiterated that England is only an isle in the sea, only a part of the British Empire. If I am wrong, very well; but that is my viewpoint.

Mr. MOTT. The gentleman is not necessarily wrong, but did not France have dominions?

Mr. GIFFORD. France has dominions over which she has to really exercise dominion, while Great Britain has dominions which are free peoples, and we have to recognize that fact when we say that we will freeze their holdings in this country. They are integral parts and separate except in their loyalty.

Mr. MOTT. France had a great dominion and an outpost in northern Africa and also a great army yet that did not save her fleet.

Mr. GIFFORD. Excuse me if I appear to be too emphatic. I may be wrong. However, I venture my opinion.

Mr. MOTT. The gentleman may be, of course.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. GIFFORD. I yield to the gentleman from Michigan.

Mr. HOFFMAN. The gentleman has been asking the gentleman from Massachusetts what assurance he can give us that this British Fleet, with the additions that the Americans might make to it, would not fall into the hands of Germany at the end of the war, and I understood the gentleman to answer that Canada would still be in existence, but this fleet would not be fighting in Hudson Bay or on the shores of Canada, but would be over across the sea, and that is where we intend to send this aid.

Mr. GIFFORD. Everybody agrees or almost everybody agrees that the British Fleet must not be surrendered and would not be surrendered. If I thought otherwise, I would take a different attitude perhaps, but I am confident of that, and that is the only answer I can make.

Miss SUMNER of Illinois. Mr. Chairman, will the gentleman yield?

Mr. GIFFORD. I yield.

Miss SUMNER of Illinois. I can give the gentleman some assistance on that, because I happen to know that there is an organization of British colonies to carry on in case of defeat of the homeland.

Mr. GIFFORD. Now, I would like to sum up a little and then I shall gladly yield the floor.

I wish to vote for this bill even though it is not exactly as I want it. I shall be glad to vote for more restrictions. Does not the report to Congress, each 90 days, reciting what the President has done, give us a chance to checkmate him if and when necessary? We are forced to grant great powers to somebody. Now, I

ask you to consider seriously whether cash loans are better than the lending-materials plan. The lady from Ohio expressed herself according to the old adage, "that if you lend money you make an enemy." When I was a boy growing up, people did not have very much cash, and stores and pay day alike were often far away. We then had to borrow a cup of sugar or a pint of molasses. We did not make enemies by lending to people. Do not give me things and make me feel that I must bow humbly in grateful acknowledgment. Lend it to me and let me pay you something for the lending of it and I will keep my self-respect.

An amendment is to be offered to the effect that no part of our Navy may be sold without action by the Congress. We gave them destroyers in that other deal. Have we not a few more destroyers or some of the mosquito fleet which belongs to the Navy that you can well lend them now when they so badly need it? Will you write into the bill that you cannot, without coming to Congress, let them have one bit of the Navy? That is going rather far.

Mr. EATON and Mr. MOTT rose.

Mr. GIFFORD. I yield to the gentleman from New Jersey, the man whom I am trying to follow. I told you that, sir, before you spoke yesterday, and I told you that this morning; that I had listened to you and reread your speech twice trying to find out what you were going to do in the end. [Laughter.]

Mr. EATON. Well, my beloved brother, that is what I have been trying to find out. [Laughter.]

Mr. GIFFORD. I think I want to go with the gentleman.

Mr. EATON. I would be in excellent company.

Mr. GIFFORD. I am sure of that.

Mr. EATON. I was deeply impressed by the statement of the gentleman from New York [Mr. MARCANTONIO], who has discovered a brand new crime that England is about to commit, namely, to become Fascist, and instantly in my frivolous mind flashed a little incident that I recall. A maiden lady of uncertain summers and years stood by her mantelpiece on which was a large stone vase. She burst into uncontrollable weeping, and someone asked her what was the matter. She said, "I have just thought, if I had been married and had a baby and that vase fell on the baby and killed it, what in God's name would I do?" [Laughter.]

Mr. GIFFORD. I want my young friend from New York [Mr. MARCANTONIO] to understand that this House appreciates his ability and sincerity, and we wish him well; we hope some day that he will not stand on this floor and be the only one to vote against defense. Some day he may even be persuasive.

Mr. MOTT. Mr. Chairman, will the gentleman yield?

Mr. GIFFORD. Yes.

Mr. MOTT. The gentleman has heard many Members on the floor, as I have, express the view—those opposed to the bill—that if necessary they would be quite willing, not to loan, but to appropriate and give to Great Britain whatever money Great Britain required to buy supplies. I rather think that is the



majority sentiment of the whole Congress. Now, I ask this question if that should be done, and it could be quickly and easily done by mandatory law, considering the fact that Great Britain in this country today is already taking more than 75 percent of the entire American production of planes, tanks, and other war matériel—

Mr. GIFFORD. Oh, the gentleman is saying that. I do not know.

Mr. MOTT. That is the testimony before the Committee on Naval Affairs.

Mr. GIFFORD. Seventy-five percent of certain kinds possibly.

Mr. MOTT. That is the testimony, and the testimony further is that two or three companies that have delivered to Great Britain, delivered last year 100 percent of the entire output. The gentleman knows that under existing law, and under priority regulations, the President may order delivered to Great Britain the whole or any part of our entire American production. Great Britain has more orders placed here now than our factories can possibly fill. That being the case, and the Congress being willing to give to Great Britain the cash, I ask the gentleman how much further we ought to go in aid to Britain, or whether we can?

Mr. GIFFORD. Has not the gentleman been listening?

Mr. MOTT. Yes.

Mr. GIFFORD. Why not give them some of that mosquito fleet, even perhaps some more destroyers without harm to our Navy, if the Secretary of the Navy says that we can safely do it? I do not mean too much, or to cripple ourselves, but we probably have some obsolete or almost obsolete vessels that we can loan if we wish. I simply do not want you to close the door.

Mr. MOTT. Oh, I am not closing the door, but I am stating to the gentleman that we have authorized only 24 of that mosquito fleet and none are built.

Mr. GIFFORD. I want to give them such aid as may be possible during the next 60 days. Material to be fabricated cannot be furnished England any faster than we are doing it now, but materials that we have on hand can be supplied. It would help in morale, and it is her morale today that is holding her up. We know that, and that is what we so greatly admire. Lack of morale—witness Italy and France! I want to believe that our own people would have that same morale as those of England under similar circumstances. Let us hold her hands up by giving something to sustain her morale. Disunity, indecision, and delay should not prevent prompt aid to England. If you say lend or give her \$2,000,000,000, just that and no more—then I feel that we may have fallen far short of what we ought to do.

Mr. MOTT. In the first place, I do not think anybody wants to limit this gift or appropriation. In the next place I would like the gentleman to suggest, outside of 12 of these motor torpedo boats that we have now, what part of our Navy he thinks that we can give to Great Britain and be on the safe side.

Mr. GIFFORD. I do not know. The gentleman knows that I cannot answer that question.

Mr. MOTT. The naval officers say none, and that is their testimony.

Mr. GIFFORD. I am not on the Naval or Military Affairs Committee. The gentleman is. I must agree that he has more information. I simply say, "Do not close the door," so that if we have anything to give them they can have it.

Mr. KNUTSON. Mr. Chairman, will the gentleman yield?

Mr. GIFFORD. Yes; I yield.

Mr. KNUTSON. Is the gentleman from Massachusetts aware of a conference that was held at Duesseldorf between large British and German industrialists in the spring of 1939?

Mr. GIFFORD. I heard you refer to it the other day.

Mr. KNUTSON. Did that show any particular friendship on the part of Great Britain for us?

Mr. GIFFORD. Forget friendship if you want to. England is our first line of defense. You may disagree, but that view is the view of most of our people.

Mr. KNUTSON. That statement virtually is the same as calling 130,000,000 Americans a bunch of cowards.

Mr. GIFFORD. Oh, no. But she is our first line of defense and needed to help us in our all-embracing policy relating to South America and Canada.

Mr. O'CONNOR. Mr. Chairman, will the gentleman yield to me?

Mr. GIFFORD. I am grateful to the gentleman from New York [Mr. BLOOM] for granting me so much time, but I will not yield further for speeches and that sort of thing.

Mr. BLOOM. The gentleman's time has not yet expired. Go ahead.

Mr. GIFFORD. I thank the gentleman.

Mr. BLOOM. I would suggest that if the Republicans want to make speeches you let them do so later, however.

Mr. GIFFORD. Yes; I yield.

Mr. O'CONNOR. Has Great Britain indicated in any manner that she would join hands with the United States in protecting South American countries against attack or invasion by any other nation?

Mr. GIFFORD. Oh, the gentleman knows, and we all know, that the English Fleet protected us and has for years. All authorities agree on that.

Mr. O'CONNOR. I realize that is what we say, but has she agreed in any way, shape, or form to assist us in the protection of the South American countries against invasion by any other country?

Mr. GIFFORD. What she has done amply shows that. I doubt, of course, whether a signed and sealed treaty has been made. Her actions prove the assertion.

Mr. O'CONNOR. Has she made any commitments of any kind along that line?

Mr. GIFFORD. I have answered the gentleman.

Mr. ROBSION of Kentucky. Mr. Chairman, will the gentleman yield to me?

Mr. GIFFORD. Yes; if you will be kind to me.

Mr. ROBSION of Kentucky. I will be kind to the gentleman. I have heard the statement made by the gentleman and by others that we depend upon the Brit-

ish Navy. When and where did the British Navy ever sit in behind the defense of the United States?

Mr. GORE. Now.

Mr. ROBSION of Kentucky. No; she is not doing it now. She did not do it in 1776. She did not do it in 1812. She did not do it in 1861 to 1865. The only time we have ever been together is when we sent our ships to join and help the British Navy save the British Empire in 1917 and 1918. [Applause.]

Mr. KNUTSON. Will the gentleman yield to me?

Mr. GIFFORD. Oh, I must answer the question. When did the British Navy ever join with us? I tried to show she has been our defense, especially in the matter of the Monroe Doctrine, for many years. Do not take my word for it. All historians say the Monroe Doctrine could not have been enforced without it, and lately all the goods we have shipped to England have been protected by her Navy, and it is her Navy that sees to it that the goods get over there so that we get the business. We have withdrawn our own fleet from such protection.

Mr. MAAS. Mr. Chairman, will the gentleman yield?

Mr. GIFFORD. I yield.

Mr. MAAS. Does not the gentleman realize that the Monroe Doctrine was created against England, and England alone?

Mr. GIFFORD. No.

Mr. MAAS. Well, it was; and if the gentleman will read history, the main challenges to the Monroe Doctrine have come from the British, and the Monroe Doctrine was created to protect this hemisphere against the British.

Mr. GIFFORD. I am glad if the gentleman is such a great historian. Let us have it that way, but after it was decreed, England accepted it and has always been a potential defender of it.

Mr. MAAS. They have never defended the Monroe Doctrine.

Mr. GIFFORD. Mr. Chairman, considering the length of time I have taken, I refuse to yield further, not because I want to desist. I enjoy it. But I have consumed too much time.

I close by saying that I want to aid England as much and as soon as possible. I do not want this bill so drawn that we cannot accomplish this purpose. I suspect there may be too much authority granted in the bill. I join you in amending it. I seemed to have been right in the repeal matter, and I now suggest that you now at this time prepare to follow me. [Applause.]

[Here the gavel fell.]

Mr. BLOOM. Mr. Chairman, I yield such time as he may desire to the gentleman from Alabama [Mr. JARMAN], a member of the committee.

Mr. JARMAN. Mr. Chairman, it is very interesting, I think, as we consider what I thoroughly agree may be one of the most important pieces of legislation ever to come before this House to dwell for a few moments on its background, to ascertain why it is here and what is its basis. Very briefly stated, it is this: It is democracy functioning. It illustrates the progress of the attitude of the great majority of the American people from



that of strict isolationism to that of total, all-out national defense.

I recall how at the time the C. C. C. program was inaugurated, and since, it has seemed to me we were overlooking a magnificent opportunity while we had these several hundred thousand boys, the flower of the youth of America, Army-housed, Army-equipped, Army-officered, not to take advantage of those circumstances—particularly in view of what a long glance across Europe indicated to us—to at least afford those boys and this country the benefit of a little military training, perhaps an hour a day or something of that kind. I thought along this line during my first 2 years in Congress, and then about 2 years ago I was so thoroughly impressed with the idea that I seriously considered introducing a bill to put it into effect. I always feel that when an idea strikes me that seems very good and is very persistent, that if it is so very good certainly it must already have occurred to someone else. Consequently, my next thought was: Why had not someone already introduced such a bill? I made inquiry and was somewhat surprised to be presented with six or eight bills along this line which had been introduced from time to time in the past and which were then peacefully sleeping in the pigeonhole, I suppose, of some committee. Naturally I concluded that nothing would be accomplished by my addition to that number of bills of another one. Those bills were not even considered by the Congress because of the fact that the American people were leaning backward in their determination to indicate in no way an attitude of militarism. It was democracy functioning through the Congress.

Six months later those of us who urged the passage of the Neutrality Act lifting the arms embargo in June 1939 very largely based our argument on the desire to lift that embargo before the occurrence of the war we all foresaw was a very grave possibility, thereby avoiding the charge of changing the rules in the midst of the game. You will recall that was largely the basis of our argument. Why? Because we were leaning backward in our desire to indicate no attitude of militarism.

When that bill was finally passed several months later in a special session called for that purpose, naturally those of us who had sponsored it on that basis were a little shaky, but we still felt that the urgent necessity for the national defense of this country and for looking out for our country's interests was worth running the risk of being charged—as we knew we then would be, because war had come—with changing the rules in the midst of the game. So the Neutrality Act was passed. Again we saw the functioning of democracy, the attitude of the people toward national defense, had changed to that extent.

Then many of us no doubt heard in September 1938 that speech which was responsible for my being on the Foreign Affairs Committee now, because as I listened to that speech I decided that it was going to be a most important committee during the next few years par-

ticularly and decided to apply for membership on it. I refer to the speech of Hitler just before Munich, wherein he made the statement, you will recall, that after the Sudetenland he had no other claim in Europe; that that was his only problem in Europe, or something to that effect. That was in September of 1938, and you saw him and the American people saw him swallow up the whole of Czechoslovakia in March 1939. You and the American people saw him 6 months later, despite a treaty of friendship, despite repeated statements on his part that there was no problem between Poland, Danzig, and Germany—you saw him march in and fly over Poland and, naturally, absolutely swallow it up with his superior might. The American people saw that, too. The American people also heard of what to me is one of the saddest and most despicable situations that has happened during this war or that could happen at any time.

You all remember how after the last war the peace-loving, home-loving, law-abiding people of Norway opened their homes to the destitute refugee children resulting from the war in Germany. They came in as babes and little boys and girls. They were fed there, clothed there, nurtured and reared there, insofar as their early lives were concerned; and then they later returned to the Fatherland. You read about the "fifth columnist" in Norway. I am very reliably informed, and I am by no means the only person here who has the information—it may have been in the press; I do not know—that there was really no "fifth column," as we know it, in Norway. The people of Norway did not regard Major Quisling as a "fifth columnist" at all but as a neuropsychiatric, for whom they harbored pity rather than censure. What was thought to be the "fifth column" in Norway was merely the people sent over there by Hitler as additions to his embassy and legation, and people sent over there ostensibly to oper. small businesses.

That was one group, but by far the most despicable group of those people were those boys who years before had accepted the hospitality of those good, peace-loving Norwegian people, boys who were reared and possibly saved from starvation by them. Those babes returned to their old homes ostensibly on visits of friendship to their benefactors to tell them how much they appreciated what they did for them when they could do nothing for themselves, and to indulge in friendly visits. What happened? When the hour arrived those former babes left the homes of their benefactors, joined the small merchants and others who had been sent over, and took charge of Norway before the people of that country knew what was going on.

The people of America, as I have said, have seen and heard those things. So now, instead of having any hesitancy in lifting an arms embargo, if we were considering such a measure today, the sentiment of the people of America has progressed from that isolationist idea until they now are anxious to do anything possible and necessary to insure the defense

of this country so that such things as I have narrated in the case of Norway will not happen here. The people of America are also thoroughly in sympathy with Great Britain, the resistance of which is a part of our national defense. There was a time when a man hesitated to come on this floor and indicate whether he wished one side or the other in this controversy to win, and that time was not so long ago. But the people of America, you know, are not now neutral. How could they be under the circumstances? No; they want Great Britain to win not only because of the atrocities to which I have referred but because of the deep-seated—and I think well-founded—conviction that the winning by Great Britain of the war, and her continuing to fight in the meantime, is probably the best national defense this great country of ours can possibly enjoy at this time. [Applause.] Yes; the people of America not only want to keep out of war but they want to keep war out of America. They have seen war come to those other countries that wanted to keep out of war just as much as we do—little Denmark, Norway, Belgium, the Low Countries, and so forth.

Mr. Chairman, the American people, in my opinion, fully realize that national defense is very expensive indeed. They realize further that whatever they spend now to hold England up until we can really become ready may be far less than would be the price of total defense on the part of America of the Western Hemisphere for perhaps the next generation or two. Something was said today about whether we would be repaid. They feel, therefore, that the best investment in which America can indulge today, whether they ever get a cent of it back or not, is to enable England to continue the magnificent fight she has been putting up for a number of months. Of course, this expense is going to necessitate me doing something I am frank to say I had no intention of ever doing. The expense of our national defense is naturally going to necessitate the increasing by the Congress of our debt limit, and, as I say, I never had any intention of voting for that. But I believe under the present circumstances it will be absolutely necessary.

I feel, however, that by no means the majority of that great expense should be defrayed by increasing our national debt. On the other hand, I feel that just as great a proportion as is possible should be raised by immediate taxation. I feel that you and I should pay just as much as our incomes and our ability and our property will enable us to pay in order that the burden on our children and our children's children may be decreased.

Mr. Chairman, there is no great or serious disagreement in what I have said so far. I believe that the majority of the Members of this body and the people of America feel just as I do in that respect. The question then arises, What is the best way in which to accomplish that national defense? and I have already indicated the answer.

As you have been told, our Committee on Foreign Affairs conducted very exhaustive hearings on this bill. We had



before us the people we thought could tell us the most about our Army, our Navy, our finances, and the national defense of this country. Also those opposed to this bill were at liberty to call anyone they wanted. We were told that the present law about transferring defense property creates such a haphazard maze that it would be ridiculous, if not impossible, to try to unwind those laws and accomplish what the people of America want to accomplish without the passage of additional legislation.

I say that despite the idea of gentlemen on the other side who want to lend \$2,000,000,000 and let it go at that. These conflicting laws which now exist are responsible for the phrase "notwithstanding any other law." This phrase repeals no law at all but merely sets that hodgepodge aside until we can help England win this war, at which time that hodgepodge of laws can, so far as we care, return to effectiveness again.

Time is not available to dwell on the many aspects of this bill which will contribute directly toward the end we have in mind, but I shall take a few moments to mention a few.

Now, we had before us Secretary Stimson, and I do not think of him as a Republican or as a Democrat. It is true, of course, that he is a good Republican, or he said he was. On the other hand, I consider him as a patriotic public servant and statesman who has rendered yeoman service to our country in numerous capacities, even though he is from the other side of the aisle. I believe it was Secretary Stimson who said there were 12 purchasing commissions of foreign countries operating in America—I suppose he said during this war—competing with each other, trying to induce our comparatively few factories manufacturing national-defense materials, and so forth, to manufacture the particular size of cartridge to fit their particular guns. They were competing with each other, they were bidding against each other, no doubt. Of course, you understand that the passage of this bill will eliminate this competition because it will cause the munitions to be produced for all of those countries we want to help to be purchased by one department, under one head, really by officers of the Army and Navy who have devoted their lives to that very subject and, of course, are very competent therein.

We all understand that it is economically unsound for either the business interests of this country, or for the country itself, to build sufficient armament plants during the immediate future to meet our needs alone for total defense. It would be wasteful because we may not need those plants very long—at least, we sincerely hope we will not. On the other hand, that businessman can well afford to indulge in an outlay of several million dollars if he knows that in addition to the shells which will probably be required by his own Government that his own Government will place with him orders for Great Britain, and possibly Greece, China, and other countries. In other words, it will make the proposition economically sound.

We have been a peacetime Nation throughout our existence, except for the few unpleasantnesses we have gone through. We have not prepared ourselves along the lines of defense. It is consequently necessary to change this Nation overnight, or at least in a year, from an undefended country, because of lack of munitions and defense articles, to a totally defended country. Mr. Chairman, it is absolutely necessary that vast powers be conferred on someone or some group of people in order to be sure that this occur in time.

Where should those powers be conferred? On whom? It has been suggested by some, which I regard as a ridiculous suggestion, that they should be conferred upon a joint committee of the House and the other body. Every one of you is thoroughly occupied in representing your country and your district, attending to business that only you can attend to. Secretary Hull has told us that time is the essence of this matter. Now, which one of you has time to spend all of your time, and all of it would be required, sitting on a commission to wield this power which someone must wield? Furthermore, are you technically advised on military articles and national defense?

We have one of the greatest Speakers the House has ever enjoyed. He is at least the third most powerful official in our Government, but he is a busy man and he is not technically advised in matters of national defense. Would you confer that power on him in addition to his other duties?

We have a good Vice President and a good President pro tempore of the Senate, but I do not believe either one of them is an expert in such matters. Would you confer this power on them, or either one of them?

I say to you, my colleagues, as the sensible and reasonable men and women I know you all to be, even my friends on this side of the aisle, that if you had the decision of that question yourself, and felt that the safety and probably the whole future of this great Nation of ours depended on your decision, you would not confer that power on any of the gentlemen I have mentioned. Furthermore, I submit that you would agree with me that if the future of the country were at stake and resting on your shoulders there is only one place in America where that power should and must be conferred, there is only one man in America who has his War Department and his Navy Department at his fingertips through those Secretaries, who are experienced in such matters and who have capable assistants who have worked on them throughout their lives; there is only one man who has the Department of State, with its able Secretary, and with listening posts throughout the world to report to him day by day, if necessary, what is going on. That man, of course, is the man who was constituted by our Constitution the Commander in Chief of our Army and Navy, and who also was charged by the Constitution with entire responsibility for our foreign relations. I submit to you that under those circum-

stances there is only one man on whom this power may rightfully and properly and reasonably be conferred. As far as I am concerned I am absolutely satisfied for this power to be conferred in the person and the mind of our great Commander in Chief of the Army and Navy and our equally great President, in whom the people of the United States seem to have considerable confidence. [Applause.]

Mr. FISH. Mr. Chairman, I yield 10 minutes to the gentleman from North Dakota [Mr. BURDICK].

Mr. BURDICK. Mr. Chairman, I wonder if I can approach this subject in a little different way. I do not want to call anybody un-American or unpatriotic, or disagree with him personally because he does not believe as I do. This debate up to date has been very uncharitable. I am sure, from my acquaintance here in the House, that there is no Member here who will either address himself upon this subject or cast his vote on it unless it is a thing that he conscientiously intends to do. If everyone does that you will satisfy the people of the country. If you have no personal interest in this matter and have only the public welfare at heart, you can make mistake after mistake and the people will forgive you, but there is no hope for anyone who will vote upon this important bill, or any other, unless he has only the best interests of this Government at heart.

Because the gentleman from Minnesota may disagree with me on some subjects and on this one does not mean there is a rupture of any personal relations I may have with him. I respect you all, and I will respect you more if you will vote on this bill just the way you want to vote and do not let anybody influence you.

I have great respect for the gentleman from Massachusetts but I believe he was a little unfair to the leader of the Republican side, because the gentleman from New York has always been consistent upon this measure now before the House and every corollary of it. The gentleman from Massachusetts, who spoke here this afternoon, is one of my close personal friends in this House. I want to call his attention to one provision of the bill because he intimated here that he was still open to conviction. I think that is more than I can say. I am frank to say to this House right now that I do not care how you amend the bill, when you get through I am against it. [Applause.]

Let me call the attention of the gentleman from Massachusetts to this paragraph of the bill. He seemed to think we were all right because the President would have to report from time to time and let us know what is going on. The bill states:

The President from time to time, but not less frequently than once every 90 days, shall transmit to the Congress a report of operations under this act, except such information as he deems incompatible with the public interest to disclose.

Just what would the President disclose if he did not want to disclose it? I ask



the gentleman from Massachusetts to figure that one out.

On page 5 there is this provision:

There is hereby authorized to be appropriated from time to time, out of any money in the Treasury not otherwise appropriated, such amounts as may be necessary to carry out the provisions and accomplish the purposes of this act.

How much money? I do not know, and nobody else does.

What can the President do?

The terms and conditions upon which any such foreign government receives any aid authorized under subsection (a) shall be those which the President deems satisfactory, and the benefit to the United States may be payment or repayment in kind or property, or any other direct or indirect benefit which the President deems satisfactory.

There is your consideration. If you lawyers in the House have ever tried a lawsuit before a court of competent jurisdiction, you know what that means—any consideration of any kind that the President deems sufficient. He could take in any property we have in the way of defense.

Mr. KNUTSON. He could even take streetcar tokens in payment, could he not?

Mr. BURDICK. I do not know that they would be any good, because there is a question whether the dollar will be any good if we get into a European war.

If we maintain the defenses of the United States and its possessions and defend the Western Hemisphere, which came into being in the War of 1812, it means we have a job cut out that will tax all the strength we have. If anybody doubts when the Monroe Doctrine was started, you only have to read about the War of 1812 to find out.

If, in addition to that, we are to police Europe and the world at large, we are embarking upon a work which we cannot do, and in attempting it our own self-defense will be sapped of power. I think there is something behind this move other than the welfare of England, because I do not think you can find a Member of this House who does not sympathize with England or with any other country that is pursued as ruthlessly as the dictators of Europe have performed their functions.

I do not believe the President either believes in or wants to supplant democracy by a dictatorship. I believe his motives to be highly patriotic, but any patriotic citizen can be mistaken. If the President were any ordinary citizen those mistakes would not injure anyone and in all probability would not even be noticed. When mistakes, however, are made by one highest in command in this democracy it may mean disaster.

The President of the United States is too wrapped up with the defense of England as the only means of defending ourselves. That is the error he has made. The President insists that free speech, the blessings of liberty, shall be enjoyed by people anywhere in the world. It is a noble thought, but to put into effect what he dreams might well mean the destruction of all we have or all we are or hope to be.

With this present attitude of mind on the part of the President, I, for one, refuse to grant him the unlimited power which he asks. Presidents can be wrong as well as other officers of the Federal Government. All-out aid to Britain may mean anything. To sell her supplies is one thing—that we are doing now—and if anyone thinks otherwise let me call his attention to the output of combat planes in November 1940. The total output was 343, of which we retained 6 and England received 337. To sell her supplies and convoy them to England is another thing; to have these convoys sunk by German submarines and mines is another thing; to have actual war is the last thing. But the first thing and the last thing are in close proximity—the last thing is inevitable from the first thing. This means, therefore, if we grant these dictatorial powers to the President war is inevitable. A war for what? The last war was fought by the United States "to make the world safe for democracy." Did it make it safe? Is democracy safe now anywhere in the world, even including our own country? What will we enter this war for?

I am not willing to give any such power to this President or any President. Congress will no doubt be constantly in session and any necessary defense act can be passed in 1 day under suspension of the rules. It will be safer for the people of the United States to have the opinion of 532 officers than to have merely the opinion of 1 officer. The decision of Congress is more apt to have the approval of the people than the decision of the President.

It seems to me the President gave the key to the whole situation when he made his speech here to the Congress. I am one of the Republicans who have a great deal of confidence in the President. I believe him to be a great American—one of the great ones that has come to occupy the White House. I think he is filled with idealism, and I disagree with him on this issue, as I have on two other issues that have come before this Congress, and I am still his friend. He said in his speech to this Congress, "Free speech should be a right anywhere in the world." Yes; it should; I agree with the President.

Mr. MARCANTONIO. Mr. Chairman, will the gentleman yield there? Did the President have in mind liberty in India and in the West Indies and in South Africa?

Mr. BURDICK. I cannot tell you what he had in mind; I am telling you what he said. [Laughter.]

The people should have the right under a democratic form of government to live anywhere in the world.

I agree with the President; but can we go out and enforce that right, anywhere in the world, for free speech and for a democracy? About all we have to do is to realize our own place in the world. We can do that and stop and ask ourselves, Why did our ancestors leave Europe? Why did the Pilgrims come here? To get away from an unjust government; and why did the Cavaliers come to Virginia? To get away from an unjust government. Why did the Puritans come here? For

the same reason, as they saw it—to get away from an unjust government. Why have millions come to the shores of America every year since? For the same purpose.

My ancestors came here over 300 years ago for that same purpose, and none of them ever went back to live there.

Why do we have more people of Scandinavian blood in the United States than there are in Europe? Simply because those old pioneers of independence left the old country because they were not satisfied with that government and came to one they love and one in which they have taken a part and helped to build.

[Here the gavel fell.]

Mr. FISH. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. BURDICK. And why have Germans, Poles, Bohemians, Italians, Greeks, and all nationalities come here? For the same purpose.

I believe that in Italy every Italian should be granted the right of free speech. I think the President is right, but his idealism is wrong if he thinks we are going to enforce that right in Italy. If the English people like England, let them stay in England. Mine did not—they moved out. [Laughter.] If the Germans like Germany, let them stay in Germany, but we will treat them all fairly and justly when they come to the shores of America. If the Italian cannot speak his mind in Italy he knows where he can.

I think there is a lot of idealism in the mind of the President. I think he wants to go too far at a time when we cannot go far. Every true American sympathizes with the English people, but the mistakes of their Baldwins and their Chamberlains should not be charged to us. [Applause.] If we make a mistake in this country, and we have made many of them, no nation comes to our rescue to the extent of their entire resources and their blood. Every American sympathizes with the German people who have lost control of their government, but it is not our duty, is it, to go over to Germany and help the German people get control of a government which they themselves through their own acts made possible? Every American sympathizes with the Italian people, but is it our duty to expel their dictator whose existence the Italian people themselves made possible? The answer to these questions is obvious.

Now let me tell you what I believe our policy should be, and I am not telling you anything that I do not believe. Our policy now should be first to maintain a good government for ourselves and make it possible to maintain here on this hemisphere a government guaranteeing the blessings of liberty to all citizens, native-born and naturalized; secondly, to keep out by force, if necessary, any attempt of any European country to extend further its dominions in the Western Hemisphere. On that ground, and that alone, should be founded the borders of our empire.

In rescuing democracy from dictators, let us not make the mistake of believing that we can only do it by a dictator. When we have arrived at that verdict, democracy has ceased to exist.



With this attitude, this idealism on the part of the President, which I very much admire, I am not willing to give this unlimited power to the President. My good friend from South Carolina either overspoke himself or in the heat of argument made a statement which I would like to have him review before the RECORD is printed. The gentleman from South Carolina [Mr. RICHARDS] said that McKinley was given power to put the country into war if he wanted to; why do we hesitate to give equal power to the President now? You did not mean that we should give the power to the President to put this country into war if he wanted to, did you?

Mr. RICHARDS. Mr. Chairman, will the gentleman yield?

Mr. BURDICK. Yes; I yield, because I am talking about you.

Mr. RICHARDS. What I said or intended to say was that McKinley was given powers which, if abused, would lead this country into war, and powers have been given almost every President since the Nation was founded which, if abused, could be used as an instrument to lead this country into war.

Mr. BURDICK. Satisfy yourself with the record and it will satisfy me.

Mr. RICHARDS. But I am trying to satisfy the gentleman.

Mr. BURDICK. That is all. Personally the gentleman has satisfied me.

The CHAIRMAN. The time of the gentleman from North Dakota has expired.

Mr. FISH. Mr. Chairman, I yield the gentleman 2 minutes more.

Mr. BURDICK. Mr. Chairman, this is the most important subject of all, and I have only 2 minutes. It reminds me of the early days in Dakota. In those days horse races were frequent, but nobody had a fast horse. A neighbor of mine found an old Frenchman up in the Turtle Mountains who had a horse that he said could go in 3 minutes. He went out and he bought that horse. The old Frenchman told him that it would go in 3 minutes. My neighbor took him to the races, and 4 minutes was the best that he could do. He went back and said, "Jean, what did you try to cheat me for? That horse can only make it in 4 minutes, and what have you to say for yourself?" "Well, by golly, you must be in one hell of a hurry, that you cannot wait 1 minoot." [Laughter.] I do not know whether you are in a hurry or not, but I am fully aware that the titular head of the Republican Party shares the same views as the President. I was aware of that during the campaign. I think they agreed on everything except the third term, and, I think, on the last night he agreed with that. [Laughter.] At least there was only one issue at any time, and that was a third term, and the people washed that out. But, seriously, as early as June 19, 1940, on the floor of this House, in this same place, I predicted the nomination of Mr. Willkie, and I paid my respects to that candidate on that occasion. My remarks may be found on page 12960 of the CONGRESSIONAL RECORD of June 19, 1940. He is the leader of the Republican Party. Any time you let a

Party, you will get just the kind of leadership that you got this time. [Laughter.]

The CHAIRMAN. The time of the gentleman from North Dakota has again expired.

Mr. FISH. Mr. Chairman, I yield the gentleman 3 minutes more.

Mr. BURDICK. And any time you let a bunch of discredited Democrats lead the Republican Party, it will wind up just the way I said it would on June 19. When a bunch of deserters go in with you, never put them on the front seat. Let them serve in the ranks until you know what their purpose is; and if it is not asking too much, I wonder if it would be out of order to ask these Democrats to return the Republican Party to us and let us try to run it ourselves next time. [Applause.]

Mr. Chairman, there is in this country a dangerous element. It is an element on which all "isms" inimical to this Union grow, and that is the thing we want to tackle in this Congress. Do not just pass this bill and let it be signed and give away all your rights as Members of the United States Congress, because that is what it would amount to, but stay here and tackle the job. The greatest enemy of America is not Germany, not Italy, but poverty in the United States of America. We have 62,000,000 people in some degree of distress in America today, and it is because of this distress that these "isms" can grow. If we would tackle this like a physician and remove the cause, instead of giving injections to stop the pain, we would get somewhere. There is a reason behind all that, and that is that some of the people have too much and some of them do not have anything; and I have told you time and again on the floor of this House, until I am tired of saying anything further about it, that in the end food will win every war, because it has won every war in the history of the world. If we do get into war—which I predict from the passage of this bill—this is what I believe will follow: The first thing you are going to do is to ask a bunch of farmers, 2,000,000 of whom you put out on the highways in the last 8 years, to raise food for you; and when on the floor of this House I have tried to incorporate in every war bill a provision to furnish seed for farmers who had no seed so that they can grow this food, you have said, "No." Let us look to our own people in America; because if we have a united people in this country—and I mean united, wanting to defend this country and its flag—there is not any power or combination of powers in the world that could defeat America. [Applause.]

Can we build a strong national defense while during that process we allow farmers and city owners to be dispossessed by causes wholly beyond their control? Should we not stop long enough to cure this situation?

Our strongest national defense is a united people—all believing in this Government and willing to pay any penalty to defend it. When people are willing to pay that price for a Government they first want to be assured that the Government they defend will protect them.

Unless we here in this Congress establish a different monetary policy, the rich will become richer and the poor poorer. The private control of money and credit in the United States has fostered upon the people an interest-taking system that will soon be completely unbearable and there will finally be open rebellion. There can be no united people in the United States while this situation prevails. In our scramble to build our defense, should we overlook the one indispensable element of that defense—unity among the people who have a common purpose, a common end, to maintain a government where the right of life, liberty, and the pursuit of happiness is the unqualified right of every citizen?

Having done that, is there anyone in this House afraid that the United States cannot defend herself against Germany, against Italy, or against both with England added? When any of these countries come over 3,000 miles across the sea to face a united people, armed as we hope we shall be armed, the failure of any such venture is as certain as it is that the earth revolves around the sun.

We do not ask any nation to fight our battles for us, and it is unfair to say that any nation is doing or ever has done that. We are able to defend ourselves, but we cannot police the world. [Applause.]

The CHAIRMAN. The time of the gentleman from North Dakota has again expired.

Mr. FISH. Mr. Chairman, will the Chair kindly tell us how the time stands?

The CHAIRMAN. The gentleman from New York [Mr. BLOOM] has consumed 4 hours and 17 minutes and the gentleman from New York [Mr. FISH] has consumed 3 hours and 37 minutes.

Mr. FISH. Mr. Chairman, I have one speaker who has been waiting here from the very beginning, and I think I am entitled to put him on at this time.

Mr. BLOOM. Mr. Chairman, there is no question about what the gentleman is entitled to, but I think the gentleman from New York and I had just a little agreement between ourselves, and I want now to put on the next speaker on my list.

Mr. FISH. I think it is a little bit hard on the gentleman who has been waiting here, but go ahead.

Mr. BLOOM. I thank the gentleman from New York. Mr. Chairman, I now yield 20 minutes to the gentleman from New York [Mr. WADSWORTH].

Mr. WADSWORTH. Mr. Chairman, may I preface my remarks by stating that the fact that the gentleman from New York [Mr. BLOOM] has yielded to me for 20 minutes should not be taken as an indication that the gentleman from New York [Mr. FISH] has been at all or in any way unwilling to grant me some of the time at his disposal. The fact is that the gentleman from New York [Mr. FISH], in charge of the time on the minority side, has a very, very long list of applicants, and partly to relieve him of his strain, if I may use that expression, and perhaps to balance the convenience of this debate, I acknowledge and accept the courtesy extended to me by the gentleman from New York [Mr. BLOOM].



Mr. Chairman, like most of the Members of the House here present, I was tremendously impressed with the remarks made by the gentleman from New Jersey [Mr. EATON] spoken upon this bill. He painted an accurate, vivid, and comprehensive picture of the world situation, and drew a conclusion from it to the effect that it most certainly affects the United States both for the present, the immediate future, and for the far-flung future. I am convinced that he spoke the truth about that. I shall not enlarge upon his description except perhaps to remind you that this effort on the part of the totalitarian powers is not merely a military or economic effort, it is more than that. It is an attempt to spread revolution all over the world; revolution involving eventually the upsetting of social, economic, and political conditions everywhere, and the imposition of a set of new philosophies upon all nations, including our own.

Starting with the premise of the gentleman from New Jersey [Mr. EATON], with which I agree, and being very, very deeply concerned about the safety of our country, I am impelled to reach the conclusion that the passage of this or a similar bill will contribute to the safety of the United States. [Applause.] I think it fair to remind you that the Congress has already given marked evidence of its deep concern over the future safety of the United States when it provided, as it did last year, for what we term a two-ocean navy. Had we been at all unconcerned we would not have gone to the extent of providing, as rapidly as may be, protection for ourselves from both the Pacific and the Atlantic. Thus I think the action of the Congress already taken in that particular measure and in others—but that is the outstanding measure, as indicating our concern in this troubled world—justifies us at this hour in still further fortifying, if we may, the institutions of this country and their preservation in the years to come.

As I look upon it, the United States faces an emergency realized and acknowledged by the Congress and the people. It is the high function of the Congress to summon the resources of the land, the power of the Nation, for its defense; to summon the manpower, if necessary; to build up our seapower; to mobilize materials; to mobilize strength. That is the function of the Congress, performing its legislative duty, as I look upon it.

Having summoned the resources and the powers there is but one officer of the Government under the Constitution of the United States who may employ those resources and exercise those powers—the President; none other. As one of the gentlemen indicated in his speech this afternoon—at least, I think he did—the Congress may not share the exercise of Executive power with the President of the United States. That is a thing well known and recognized ever since our Government was founded. He is the Chief Executive and the only Executive. So, that if the resources are to be employed and the power to be exercised, there is but one person. Obviously it is a great power, increased upon occasion to enormous dimensions. In our consider-

ation of its granting or its exercise we should, in my judgment, if possible, put aside all personal considerations. Great powers have been exercised by Presidents of the past, and exercised quickly; sometimes without waiting for the registered consent of the Congress. I hope my memory of historical incidents proves to be correct, but I seem to remember that Thomas Jefferson, who was meticulous in his regard for the Constitution, hesitated not at all in his purchase of the Louisiana Territory, without the registered consent of the Congress. He met an emergency, as he viewed it, in order to strengthen the Government and the people of the United States.

We come down to Abraham Lincoln. Shortly after the firing upon Sumter he found himself here in Washington City for some days actually cut off from all communication with Northern and Western States, and with this city, quite naturally, thronged with sympathizers of those who would make a success of secession.

The Congress was not in session at the time. It did not meet until July of 1861. Lincoln had to meet his emergency in April of 1861. He did something in the way of an exercise of power which I think no other President has ever done. He suspended the right of habeas corpus. The implications of such an act are tremendous. He did it as he thought and as I believe—and I think he was right—to save his Government. Incidentally, before the Congress convened in July of 1861, Lincoln called for 75,000 volunteers on his own responsibility. Those are some of the exercises of Presidential power of the past. There are others which are in the memory, doubtless, of a great many men in this House. Consider the powers exercised by President Wilson during our participation in the World War. Not only was he the unrestrained Commander in Chief of the Army and the Navy as provided by the Constitution, but by legislation passed by the Congress he, either directly or through agents appointed by himself, controlled the price of wheat all over the country; the price of coal; the rationing of gasoline; the control of the supply of all raw materials, iron ore, pig iron, copper, and a great number of materials and elements which in the aggregate affected the daily life of every man, woman, and child in the country—all done under the exercise of Executive power by the President of the United States to meet an emergency.

So I think it fair to say that the exercise of great powers by a President is not new in our history; and probably as years come and go down through the future, more incidents like those of the past will occur. Apparently the authors of our Constitution, the founders of our Government, were well aware of what they were doing when they conferred that executive power upon the President. They must have looked ahead and realized that upon occasion dire emergencies might arise, and that only by the action, and the quick action, of one man might the country be saved. In other words, that Presidents must be trusted.

However, there are effective checks to the exercise of such power. In the first place, the Congress, if convinced that a

great emergency faces the country justifying the delegation of power to the President may, if it pleases, put a time limitation upon its exercise. I believe that such a thing is vital, or that it may be vital, for with a setting of a time limit, if it is effectively done, the power summoned by the Congress and conferred upon the President returns to the Congress at the end of the time, and the Congress at that moment may decide whether or not it should be renewed in whole or in part, or not renewed at all, depending upon conditions. Thus the setting of a time limit upon the exercise of these vast powers is of vital importance.

But there is another check which is inherent in our form of government, and that is the undoubted power which the Congress possesses in the control of the purse strings. Powers may be granted to the executive branch, but unless they are subsequently financed by appropriations made by the Congress they cannot be exercised. They will perish eventually and their possessor will turn out in the end to be empty-handed; in other words, they cannot be exercised without money, money appropriated by the Congress from time to time.

Mr. WOLCOTT. Mr. Chairman, will the gentleman yield at that point?

Mr. WADSWORTH. I would prefer, if I may, to finish this discussion. I hope the gentleman from Michigan will forgive me.

I have often regretted during my service here that the Congress has not upon more frequent occasions exercised that power. I think there have been incidents in which it might well have been exercised with a little greater degree of severity. Perhaps you do not realize the extent of that power. It really is supreme in the long run. Perhaps we hesitate to use it lest we be criticized. In my judgment it should be used more frequently, and if it were done more frequently I believe the ultimate effect would be healthy and would do much to maintain the proper balance between the legislative and executive branches. For example, we come to this bill—and here I beg leave to make a suggestion or two with which you may not agree, but which may be worthy at least of your present consideration. The bill contains a 2-year limitation upon the exercise of the power. I am glad it does, and I will come back to a little discussion of that in a few moments.

Mr. BLOOM. Mr. Chairman, will the gentleman yield?

Mr. WADSWORTH. Certainly.

Mr. BLOOM. Mr. Chairman, at this time I wish to yield 20 additional minutes to the gentleman from New York.

The CHAIRMAN. The gentleman from New York is recognized for 20 additional minutes.

Mr. WADSWORTH. Mr. Chairman, we come to that paragraph in the bill which authorizes expenditures to carry out and achieve the purposes of this act. There is no limitation upon that authorization. I am informed that the Committee on Foreign Affairs discussed that matter but by a majority vote refrained from inserting any limitation upon the amount authorized to be expended after the act shall have passed. I am going



to be very frank with the Members of the House and say that there is a multitude of people in this country today who are filled with apprehension about this measure. They fear the Congress is surrendering all its powers, and we hear talk of dictatorship. To allay this apprehension and to make it perfectly plain at least to all thoughtful people that the Congress is in effect retaining its power of ultimate control of this program, I think a limitation should be placed upon the amount authorized to be appropriated. I hesitate to suggest the amount. I have not studied the necessities of the occasion sufficiently to warrant my passing a definite judgment upon it. I understand one suggestion was made for \$2,000,000,000. Some might say \$3,000,000,000 would be better, some \$4,000,000,000; but that there should be some limit I believe to be true.

Coming back to the time limitation, I have heard it suggested by men who are very, very serious, very, very sincere, that the time limitation would not actually be effective as provided in this bill, for as the result of other provisions in the bill the President of the United States might shortly before the expiration of the time indulge in a large number of commitments or contract obligations, looking toward an actual continuation of the exercise of the power after the 2-year limitation has expired. I have heard many suggest that possibility.

It strikes me their apprehensions might well be reduced to a minimum if we should insert in this bill a very simple amendment to the effect that there shall be a limit expressed in dollars on the amount of contract obligations, or future commitments, the President might make under the terms of this bill. Thus you would have a protection, if you feel you need it, against the expenditure of sums far beyond the ability of our imaginations to comprehend, and the engagements and commitments which might bind the country—those commitments having been made by the leader of the country in the field of foreign affairs—might bind the country and the Congress morally for a great deal longer time than the 2 years mentioned in the act.

I make these suggestions not because I am convinced that they are the last word upon the subject but because I believe they are healthy fundamentally. I do believe they are in line with our institutions; I do believe that if adopted they will result in retaining for the Congress the control of the purse strings; and that is the great function of the Congress. Never forget it. It goes beyond any other power given to the Congress; it lies at the roots; it is fundamental in our whole system of representative government.

I have another reason for suggesting something of the sort, and it is this—perhaps I can develop it in this way: As practical men we all know that the passage of this bill will not bring to Great Britain, Greece, China, or any other country any material help in the immediate future. We know that while orders may be made for additional supplies on top of orders already registered in our industrial plants, it will take 8, perhaps

10, perhaps 12 months actually to feel the effect in a material sense of the passage of this bill.

But there is another element in this situation that I cannot help but regard as exceedingly important, and it is important from the standpoint of the United States. After all, that is our chief concern. The passage of this bill or something very much like it will have an immediate and dynamic effect upon the morale of the people who are now suffering from aggression. It will cheer their hearts. One of your witnesses before the Foreign Affairs Committee, I believe, reminded the committee that three-fourths of victory comes from morale and, further, that the best trained, the most hard-bitten army in the world, cannot go on with its suffering and its fighting for more than 2 or 3 months unless the morale of the people back home is sound. So I look for immediate benefit to accrue under the terms of a bill of this sort from the standpoint of morale. We must not underrate this by any means. It is of enormous importance at this hour.

Think how it will be greeted by the people of Great Britain, Canada, and Australia. Think of the people of France. Think of the people of Belgium, Holland; yes, and in Norway. Their hopes will rise; there will be some light upon their horizon. For a time it may seem faint, but nevertheless there will be a light of hope.

Mr. Chairman, if we could do two or three things to this bill such as I have suggested, it might bring about some greater degree of unity on the part of Congress and the people of the United States. [Applause.] As we face this hour of menace how much stronger our Government will be if the whole world knows that this is the way America feels. [Applause.] It will be healthy primarily for us, and after all it is our country that we are thinking about.

As I look back over the history of this country, and the processes of government under the Constitution of the United States, I do not believe that a bill of this sort spells the end of liberty in America. I do not believe that. Three precious things we Americans possess, and they cannot be taken away from us without our consent—free speech, a free press, and free elections. Armed with those weapons the American people will continue to be the master of their destiny. [Applause.]

Mr. FISH. Mr. Chairman, I yield 20 minutes to the gentleman from Georgia [Mr. PETERSON].

Mr. PETERSON of Georgia. Mr. Chairman, I am opposed to this legislation. A few days ago when this legislation was first being discussed by the membership I observed that the main argument seemed to be predicated upon the proposition that this is a peace measure. I am delighted to note that as the debate progresses everyone seems to be coming around to the candid and frank opinion that this is not a peace measure.

This is no defense measure.

It is a measure of aggressive warfare.

If it is enacted into law and its provisions are really made effective, the inev-

itable result will be the sending of the armed forces of this Nation—the sons of this Republic—to stand guard or do battle even unto the uttermost parts of the earth. Only a miracle could save us from such a sad fate. And no one can predict what the final outcome would be.

One of my prime purposes in making these remarks here today is to warn my constituents as well as all the people of this Republic as to the consequences which they must expect from the passage of this measure. I predict that with its passage the armed forces of this Republic will be marching into actual battle before any other more formal declaration of war is made by Congress.

I realize that sentiment in this Nation is overwhelmingly in favor of helping the British Empire. But let me implore you that there are ample ways of giving aid to her cause without either going to war or declaring a national policy which will inevitably lead to war or enacting legislation which strikes at the foundation of our Republic.

There is a way of helping a friend other than by committing suicide.

I cannot believe that the Members of Congress understand the far-reaching importance of this measure.

It is far more than a mere act of Congress. It is a declaration of national and foreign policy announced jointly by Congress and the President which far transcends the Monroe Doctrine, or any other national declaration since the Declaration of Independence of 1776. It is evident that the administration, in recognition of this fact, specially requested that the measure bear the number "1776."

The measure expressly grants to one man, the President of the United States, the power to determine at his own private individual discretion the foreign conduct of this Nation; to determine at his own private individual discretion who are our friends and who are our enemies; and to give to those nations he might favor the material resources of this country to an unlimited degree. He will have the right to do this in any manner he pleases, under any conditions he pleases, to any extent he pleases, and whenever he pleases within the time limit set in the measure, if any.

There is no ruler of any nation on earth today who would dare assume such tyrannical powers as are here granted, and never in the history of this Republic do we have any record of such unlimited and despotic power having been asked for or granted to any President or any other leader, including George Washington, the Father of our country.

How far, may I ask, can we go in granting such despotic powers and still remain a free republic, with a representative form of government?

"Eternal vigilance is the price of liberty."

If Americans honestly desire to remain a free and peaceful people, this measure should never be enacted.

If we intend to go to war or to change our foreign policies or to alter our form of government, we should be frank and candid with those we serve. We should not attempt to fool the people of this Republic with hypocritical pretenses.



If this Nation believes there is a power abroad in the world today which threatens the life of this Republic and which must be destroyed in order that we survive, this Congress and the people of this Nation should meet the challenge squarely and frankly. We should openly declare war against that power and throw every ounce of the manpower and material resources of this Republic into the fight to destroy the enemy.

The puny arguments of those who would have other men of other nations fight our battles and die in our stead in order than we may continue to live and have peace and security hardly become the sons of a great republic.

Then, too, let us remember that this measure does not guarantee the destruction of any power which might threaten our safety. Neither does it give any assurance whatsoever that should the powers we are to aid be triumphant they will destroy the powers that threaten the life of this Republic.

We had no voice in the origin of this war.

We have no voice in its conduct.

And we have no assurances of future safety at its conclusion.

It is most distressing to me to note that there are those who are foolish enough to honestly think that this Republic can entice other nations—colonial empires—into fighting our battles and preserving our Republic while our people remain safe from the dangers of battle and warfare and bloodshed and death.

When in all the history of mankind has such a thing happened?

Never!

If you now believe that the British Empire, even with our material resources, will waste its manpower and spill the blood of its subjects in the cause of preserving our Republic and making secure our homes and our people, I implore you to disillusion your mind of this fallacious belief before it is too late.

Let me read to you a sentence from George Washington's Farewell Address on this vital point:

There can be no greater error than to expect or calculate upon real favors from nation to nation. It is an illusion which experience must cure, which a just pride ought to discard.

Mr. Chairman, let us disabuse our minds now of the false and vain hope that we have at last found a way in which we can use the British Empire to fight our battles.

I am of the definite opinion that the reverse is true. I firmly believe that the British Empire is using us as her tool to fight for the preservation of her Empire and the retention of her subjected colonies in Africa, Asia, Egypt, India, and throughout the world.

The war that is being waged in Europe today is a war of colonial empire. It is the age-old fight of kin against kin and family against family, a fight that has been going on in Europe for thousands of years and from which our forefathers fled when they sought a haven of peace in the New World. It is a fight of tyranny against tyranny—tyranny against which our forefathers success-

fully rebelled when they set up this Republic.

If we definitely adopt the principle of national conduct as set forth in this legislation, soon we will find ourselves occupying one of the most despised and indefensible positions of any nation in the history of all the world.

As weak and disunited colonies, we dared rebel against the rule of empire, announce our declaration of independence, succeed in our revolution, and set ourselves up as a free and sovereign people.

Now that we have achieved our aim and become a proud and powerful nation, we stoop to the puny task of aiding a world colonial empire to retain its status as sovereign ruler of hundreds of millions of subjected peoples, simply because another rising power challenges its right to do so, and upon the flimsy excuse that this course is necessary in order that we may remain free. [Applause.]

First, Britain asks only for our material assistance, but, mark my words, if she achieves the purposes for which she avowedly entered this war, it will be only a few short months before she will demand our manpower.

Mr. Chairman, this legislation is based upon the proposition that the future peace and security of our country is dependent upon the success of Great Britain in a war of its own making, and upon the safety and preservation of the British Empire.

If this be true, we are no longer a free people capable of maintaining our freedom in a world of greed and tyranny, even though as a weak and a new nation our foreparents were able to gain and maintain their freedom in such a world a century and a half ago.

Mr. Chairman, I do not subscribe to such a fatalistic doctrine or admit such a weakness, and there are millions of other free Americans who share with me this faith in our Republic.

There are those in this country, however, posing as American patriots, who would, in order to save the British Empire, destroy this Republic.

I am reminded of the old story about the wolf in sheep's clothing.

This legislation, cloaked in the robes of peace, is in its naked form a cowardly declaration of war. [Applause.]

It is clear to me that there are those who know that the American people do not want to go to war. They know that the American people do not want their sons to die on the far-flung battlefields of Europe and Asia and Africa for the cause of world empire. So with shrewdly designed legislation such as this they pose as angels of peace even as they swiftly drag us down the dark and bloody pathway of warfare and destruction.

We must arouse ourselves from their designing and deceitful spell before it is too late.

This measure is correctly numbered 1776—but it does not bear the appropriate title.

It should be an act entitled "An act to renounce the Declaration of Independ-

ence and to again affirm our allegiance to the King of England."

There should be a preamble to this bill.

It should read as follows:

When in the course of human events, it becomes necessary for one people to reunite the political bands which have once connected them with another, and to renounce among the powers of the earth the separate and equal station to which the laws of nature and of nature's God entitle them, a decent respect for the opinions of mankind requires that they should declare the causes which impel them to this renunciation.

Then, those sponsoring this measure should be candid with an enlightened American public and frankly set forth the reasons for such action, just as our forefathers did in the Declaration of Independence of 1776.

If we are to furnish the sinews of war by which the British Empire is to be kept alive we should enjoy the trade benefits of the Empire.

You men of the South, if you are to give the blood of your sons and the blood of the sons of your cotton farmers of the South in order to maintain the colonial status of the subjected cotton farmers of the British Empire in Egypt and India, you should demand in return some assurances that the living standards of those cotton farmers are going to be raised by the British Empire so as to save your own constituents and your own people from the starvation that now confronts them.

You men of the North, if you are going to give the blood of your sons and the blood of the sons of your merchants and manufacturers in order to maintain the trade routes and the markets of the world for the British Empire, you should likewise demand in return that you be given access to these trade routes and these markets on an equal footing and an equal basis with all the other component parts of the British Empire.

Are you taking such precautions? You well know the answer.

As this wave of hysteria, brought on by well-designed propaganda, sweeps over our country it seems there are those who are willing to give everything to save the British Empire and ask nothing in return.

If we accept the principle of national conduct as set forth in this measure, we will, in my earnest opinion, do a very foolish thing.

Mr. Chairman, there is but one course for us to safely pursue.

We should keep America for Americans. We should leave Europe, Asia, and Africa for the people of Europe, Asia, and Africa.

In a period of normalcy the proposition of policing the world was well considered in every nook and corner of this Republic, and this proposition, which was so well set forth in the League of Nations proposal, was overwhelmingly rejected by this Republic.

In this hour of excitement, confusion, and propaganda we will do a very foolish thing if we now retrace our steps and clasp to our bosom that which discretion bids us cast away.



Do not mistake me. I am not antagonistic to the British Empire. I am sympathetic to their cause. But there are many ways we can aid her without becoming physically involved in her quarrel.

There are many ways of aiding her without setting up a dictatorship in this Republic such as we have never before dreamed of either in peacetime or in war.

We of today to whom the reins of free government are entrusted have a sacred obligation to perform for our own people and our posterity, in addition to any friendship which we may bear for any other nation or empire.

We have a sacred trust which we should not betray.

In our attitude toward the war now raging across the waters we should by all means maintain religiously a national policy of neutrality.

It is our only safe course.

Listen to the advice and warnings of the Father of Our Country. He spoke words of wisdom mellowed by hard experience.

I know that these words will be read in this chamber on February 22, but I fear it will then be too late, so with your permission I will read to you now a few short sentences from his Farewell Address:

Observe good faith and justice toward all nations; cultivate peace and harmony with all. Religion and morality enjoin this conduct. \* \* \*

The nation, which indulges toward another an habitual hatred, or an habitual fondness, is in some degree a slave. \* \* \*

Against the insidious wiles of foreign influence—I conjure you to believe me, fellow-citizens—the jealousy of a free people ought to be constantly awake; since history and experience prove, that foreign influence is one of the most baneful foes of republican government. \* \* \*

The great rule of conduct for us, in regard to foreign nations, is, in extending our commercial relations, to have with them as little political connection as possible. \* \* \*

Why forego the advantages of so peculiar a situation? Why quit our own to stand upon foreign ground? Why, by interweaving our destiny with that of any part of Europe, entangle our peace and prosperity in the toils of European ambition, rivalry, interest, honor, or caprice? \* \* \*

There can be no greater error than to expect, or calculate upon real favors from nation to nation. It is an illusion which experience must cure, which a just pride ought to discard.

Mr. Chairman, let us not be swept off our feet in a moment of tender sympathy for a bleeding friend. Let us not act hastily in announcing a new national doctrine which bids fair to plunge this Nation into bloody war.

"Discretion is the better part of valor."  
"Let us be discreet."

Regardless of our personal emotions, if we remain true to the principles of free government and continue, even as the founders of this Republic did, to place our trust and faith in the aid of the God who made us, we shall continue a free people. It will be impossible for any nation or combination of nations to overcome us. [Applause.]

Mr. FISH. Mr. Chairman, I yield now to the gentleman from New Jersey [Mr. VREELAND].

Mr. VREELAND. Mr. Chairman, this week the Congress of the United States is, I believe, called upon to decide one of the most vital issues since the World War. If a curtain could only raise so that the future could be viewed, it would be so much easier to determine our actions, but, unfortunately, none of us can foretell what fate has in store for this and other countries of the world. The only basis left for determining what action to take is a thorough knowledge of the present status, a historical background, a practical estimate of the situation, and an honest action according to the dictates of your conscience, free from partisan or hysterical bias. I do not believe partisanship or personal feelings should enter into a subject where the lives of American youth and even the American people and the future of our country are at stake. The public may be swayed by propaganda and hysteria, but, after all, they do not vote in Congress. It is left to us, at whose door the blame will fall—and may the great God above guide us in our deliberation so that we may not be the cause of the loss of the lives of our friends and their children, or the altering in any way of the free, democratic form of government which has made this country the greatest in the world.

There is no question or doubt in the minds of everyone, whether justified or not, that the administration has made statements, commitments, and committed acts which have at this point placed the United States in a position of being favorable to the ultimate success of England and the defeat of the so-called Axis Powers. Because of that foreign policy, it is now for the purpose of self-preservation that we do all in our power to aid and assist Great Britain. Just how far that policy can be carried out without involving this country or hazarding the defense of our shores is problematical. Not only has this Government given freely of defense materials, which included ships of war, but also many derogatory statements have been made and many threats issued against the Axis Powers. Maybe the Chief Executive has knowledge he has not conveyed to Congress, or maybe he has been motivated by some personal reason. He has not said, and we can only guess.

We have been told the bill being considered today, H. R. 1776, labeled as the lend-lease bill or the aid-to-Britain bill, is vital to carry out the administration's foreign policy, and vital to the success of England. In other words, we are to presume this bill underwrites the defeat of the Axis Powers. Yet, on perusal of the legislation we find the only change it makes in present law is the extension of Government credit to a foreign power, and gives to the President powers to decide to which country such aid shall be given, together with a restatement of rights the President has either assumed or had the legal right to do. Can this be only presented as a vote of confidence in the President?

As I read this legislation, the President of the United States is given the right and power to determine which country he wishes to help, without limitation to which it may be or to prevent his chang-

ing his mind later. It gives him the right to use taxpayers' money to purchase anything he desires, and to lease, lend, sell, or give away such articles, without limitation. It gives him the right to use any amount of money he desires to carry out the provisions, and again, without limitations. It gives him the right to divulge any secrets of the Army or Navy, without limitation. There is nothing to prevent stripping us of vital defense necessities, or from preventing the countries we helped from turning on us with the very articles we gave them. France received many articles of war from the United States; those articles are now in the hands of Germany, and what is there to prevent Germany from forcing France to use them against us at a later date? If this bill is to help England alone, why does it not so specify? Is there anything to prevent an expeditionary force being sent to Siam or any other country, or from aiding some country heretofore not mentioned? How do we collect for the goods so loaned—by use of arms and against our own manufactured products in the hands of another?

If this bill is to aid Britain, why not just a repeal of the Johnson Act? We have been told that all she needs is credits, arms, and ships—not men. Why the subterfuge? The people of the United States, by a mild form of hysteria, brought about by clever propaganda, have been so interested in the outcome of the war in Europe they have overlooked the common danger to all of us and to the democracy in which we live. It has been said "if we are going to surrender our democracy before we start, why fight for it afterward?" America should awaken to its own affairs and a common danger before it is too late.

Congress is the representative of the people and answers to the people. Congress has been given the right by law and the Constitution to determine what and where moneys of the taxpayer should be spent. It has the right to declare war. The people of the United States last fall expressed their confidence in the American system of government by demanding Congress stay in session when the President wanted to send them home. It is a government by the people, and not by one man, regardless of who or how smart he may be. Why, then, should Congress now delegate all of its powers and rights to one man? H. R. 1776 in its present form does that.

I feel the people of my district elected me to represent them, and not in the face of a critical period pass the responsibility to someone else. I am ready to do the job to which I was elected and remain here with courage enough to face the issue. The lives of the people of my district are at stake, and I am willing to take the responsibility. I hope they are with me.

May America awake before it is too late.

Mr. FISH. Mr. Chairman, I yield now to the gentleman from Pennsylvania [Mr. RUTHERFORD].

Mr. RUTHERFORD. Mr. Chairman, in the small space of time allotted me I will attempt set forth my views on the



pending bill, H. R. 1776. To my mind this is the most important piece of legislation that has come before the Congress in many years. If it is passed as is, without any curtailing amendments, it is not only going to have a vital effect upon the present economy of the country but it will affect it for years to come and may change our present governmental set-up absolutely. I want to help England to the limit now, but in doing so I do not want to vote for any measure that will make it possible to do our own United States harm, or that will make it possible to change our democratic form of government without the people of the country being informed of such proposed change.

John Stuart Mill wrote in 1860, as follows:

A people may prefer a free government; but if, from indolence, or carelessness, or cowardice, or want of public spirit, they are unequal to the exertions necessary for preserving it; if they will not fight for it when it is directly attacked; if they can be deluded by the artifices used to cheat them out of it; if, by momentary discouragement, or temporary panic, or a fit of enthusiasm for an individual, they can be induced to lay their liberties at the feet of even a great man, or trust him with powers which enable him to subvert their institutions—in all these cases they are more or less unfit for liberty; and, though it may be for their good to have it even for a short time, they are unlikely long to enjoy it.

Before voting on this proposed bill, it would be to the advantage of every Member of this body to read and reread the statement I have just read and let it soak in. Let us look back over the past 8 years and see what has happened. In 1933 and 1934 Congress, under the plea of "great emergency," gave tremendous powers to the President upon his promise to do away with unemployment and all other ills that were besetting the country, yet, in spite of all of the promises given, none of them were ever fulfilled; and, notwithstanding the piling up of our national debt by over \$30,000,000,000, 9,000,000 people were still unemployed and none of his experiments in governmental matters made any permanent prosperity. None of these tremendous powers have ever been transferred back to Congress.

Now, under the guise of national defense and aid to Britain the President presents this bill asking for more power than was ever wanted by or given to any other President in time of peace or war. In looking back over the past 8 years we see that every move of this administration has been toward State socialism, and in the passage of this bill I believe that we will have taken almost the last step toward that end. Have we, the people of this country, at last reached the point where we prefer a free government but from carelessness or indolence or cowardice are unequal to the exertions necessary for preserving it? Are we in a panic or are we in such a fit of enthusiasm for the President that we are willing to lay our liberties at his feet and trust him with powers which will enable him to subvert our institutions? I think not, and I am sure that if the people of our country were thoroughly familiar with the provisions of this bill and with the tremendous

powers transferred to the President therein that there would arise such a hue and cry against it from all parts of the country that would make the vocal protest against "packing the Supreme Court" seem as the noise of a toy pistol to that of our largest cannon.

The people of our country are being fooled. The administration is taking advantage of the feelings of the people to aid Britain to put over the most vicious bill that was ever presented by the New Deal. Like all New Deal bills the objective may be good, but the means of obtaining that objective are so vicious and unnecessary that for the best interests of our country the bill in its present form should be voted down or be greatly amended.

We all want to help England to the utmost and as quickly as possible, but in so doing it is not necessary for Congress to abdicate its powers and make the President a virtual dictator. You can call this bill a lease-lend bill or an aid to Britain bill, but no matter by what name you call it, it is still a vicious bill and confers dictatorial powers upon the President, and once he gets the power conferred upon him by this bill, you can rest assured that he will never give them up without a real fight. By virtue of the money he controls for the purposes of W. P. A., the C. C. C., the N. Y. A., the A. A. A., and other functions of the Government he controlled the elections in 1936 and 1940, and if he obtains the powers granted in this bill he will have a strangle hold upon industry that will be almost impossible to throw off in the future. All of these powers together with his power over the credit of the country makes it possible for him or any other New Dealer to perpetuate themselves in power indefinitely. Therefore, I say that by passing this bill we virtually make the President a dictator and as much as we want to aid Britain we should not be inveigled into passing this bill just because it comes to us with high-sounding names and for excellent purposes.

Again, the amendments suggested by the majority of the Foreign Affairs Committee are no protection whatever. The 2-year limitation is of little value for in 2 years the President can make such dispositions of our materials, and so forth, as would make an extension of time unnecessary. Think of the tremendous sums that we have already authorized for ships, guns, tanks, airplanes, and other war materials. If this bill is passed, all of these would come under the immediate control of the President and he could do with them as he deems fit.

The amendment suggested in paragraph (2) of article 3, which is as follows:

But no defense article not manufactured under paragraph 1 shall in any way be disposed of under this paragraph, except after consultation with the Chief of Staff of the Army, or the Chief of Naval Operations of the Navy, or both—

are empty words, because it does not prevent, in any manner whatsoever, the disposing of any of the war materials—some \$27,000,000,000—which Congress has already authorized. Again, the President could consult the Chief of

Staff and the Chief of Naval Operations about the disposition of war materials, but under this amendment, he is not bound by their judgment. After such consultation, even though both the Chief of Staff and the Chief of Naval Operations disapproved of such transfer, the President could do as he pleased, and there would be no way to stop him. Again, the Chief of Staff and the Chief of Naval Operations are human. They know that they are under the commander in chief. They know that the commander in chief can remove them if they do not think his way.

Mr. Chairman, the more I read this bill and the more I think of the powers it will transfer to the President the more I am convinced that this bill should not be passed. As I said before, if Congress passes this bill, even with the time limit written in, it may be doing something far more drastic than merely abdicating during an emergency. It may, and I think it will, write the finish of our present form of democratic government. But say the proponents of this bill, you say that you want to help England, and they infer that the only way that you can help England is under the provisions of this bill, and by no other method. Such an idea is preposterous. We can help England, and we can do it without Congress abdicating any of its powers, and without making the President a dictator.

The minority members of the Foreign Affairs Committee and the gentleman from South Dakota [Mr. MUNDT], a member of that committee, have suggested methods by which it can be done and done effectually. Let us give Britain \$2,000,000,000, if necessary, and let her buy what she needs, and give her priority. Such a method is simple, direct, and effective. It would allow England to run her own war as she deems best, and we would not become involved in it.

The people of this country do not want war, and they have said so for months. If we pass H. R. 1776 it will not only make the President the dictator of our own country, but it will make him the virtual director of the war for England. He can tell England what to do, and if she does not do it his way, he can withhold all help. That surely would not be aiding Britain. Let us give England real aid by giving her the money so that she can use it as she likes, and let her run her own war her own way.

The proponents of this bill are saying that we must pass this bill at once in order to aid Britain. That in 90 days England will be overrun. That there is a terrible crisis. All such talk is mere balderdash. If we pass this bill this week it will not give England one ship, one airplane, one gun, or tank more than she is getting today, unless the President gives away war materials of ours which we need so much today. The passage of this bill will put us actually in war, and if we get in, we do not know how long we will be in it nor how much money it will cost. We do know that we will be drained to the limit, both in money and men. We will exhaust all our resources and become easy prey for those countries who remain out of the conflict.



If we get into this war and Russia and Japan sit on the side lines, as they have been doing and which they will continue to do, notwithstanding all of their seeming war-like talk, until this war is over, we will have a much harder time defending ourselves against either than if we stayed out of the war and continued to build up our own defenses. Let us help England; yes. Let us do it now, and in such a way as will not involve us in this war. Let us aid England, but let us do it in such a way as will not bring a dictator to this country and change our democratic form of government. Let us then, as soon as possible, build up our own defenses to such a point that when this war is over, no matter who wins, we will be in such a strong position that no country will dare attack us. If we do these things, we will have saved democracy for the world.

Mr. FISH. Mr. Chairman, I yield to the gentleman from Ohio [Mr. McGREGOR].

Mr. MCGREGOR. Mr. Chairman, may I call your attention to the address of President Franklin Delano Roosevelt at Chautauqua, N. Y., on August 14, 1936, and I quote:

We can keep out of war if those who watch and decide have a sufficiently detailed understanding of international affairs to make certain that the small decisions of each day do not lead toward war and if, at the same time, they possess the courage to say "No" to those who selfishly or unwisely would let us go to war.

I say to you, ladies and gentlemen of the House, that we of Congress are those individuals who should have the information that will give us the understanding of the international affairs, so that we might give to the people back home true representative government. I call upon the leaders of this administration and of this Congress to submit to this body that information and quit forever the secret-chamber meetings of a select few.

In my campaign a few months ago—and I am sure it was like the campaign of you all—I learned from my people that they want three things: First, peace; second, a strong defense program; and, third, a decentralization of power. In endeavoring to be a true representative of my people and in order to carry out their desires, I am opposed to H. R. 1776, the so-called lend-lease bill—a beautiful label—which gives the impression that it would empower the President only to lease or lend war equipment to Great Britain and get this equipment, or its equivalent, back after the war.

My friends, this bill goes much further than that. It authorizes the President, without consulting Congress, to have United States arsenals, shipyards, and factories make defense goods for any country whose defense the President, not Congress, deems vital to our defense; to sell, transfer, lease, lend, or otherwise dispose of any such defense articles; to take payment, or no payment, for such goods; to spend any amount of money, the people's money, if you please, for defense in any way the President, not Congress, sees fit. In short, the bill gives the President virtual power to take us into war on the

side of any country he thinks we should be allied with, and to run our entire war effort without consulting Congress as to anything he decides to do.

May I at this time quote from George Washington:

Excessive partiality for one nation and excessive dislike for another cause only those whom they actuate to see danger only on one side, and serve to veil and even seclude the arts of influence on the other.

The lend-lease bill is a bill to make the President dictator of the United States, and hence its right name is the dictator bill instead of the lend-lease bill.

May I ask you, Members of Congress, one question? Now, when a nation is not officially at war, should Congress give official dictator powers to this President, or any other President, such powers as were never enjoyed by Washington, Lincoln, or Wilson? President Roosevelt claims he must have this power for himself because time is too short to allow Congress to act. At no time in the present crisis has Congress given any indication of unwillingness to act and to act swiftly in helping those who oppose aggression.

In fact, Congress remained in session and on the job after the President suggested we go home. There is no excuse whatsoever for asking Congress to surrender its constitutional powers, especially when the very struggle in which we hope to help is aimed at the destruction of one-man government.

The authority which President Roosevelt asks is practically unlimited. The effect of the bill would be not only to discard the Neutrality Act and the Johnson Act but also to place in the hands of the President the power to carry this Nation into any war he chose. By the terms of this bill he could give away our entire Navy, the whole equipment of our Army, and every airplane we possess. He could acquire war materials anywhere in the world and give them to any country he wished, as well as being able to give away any amount of our own commodities. No cry of needed aid to Britain, no appeal to national unity, should be permitted to disguise the true results of this bill, which would be the abandonment of our traditional form of government. Even England, battling for her very life, has not to any such extent surrendered her democracy.

We can, and we must, extend full aid to those who are fighting aggression, if only for our own defense; but we cannot, we must not, abandon our own free government in the process, nor is it necessary that we do so to make our help effective. It is my sincere hope that this Congress will examine this bill and will refuse to vote American democracy out of existence.

Mr. FISH. Mr. Chairman, I yield 7 minutes to the gentleman from Michigan [Mr. WOLCOTT].

Mr. WOLCOTT. Mr. Chairman, I do not know of any more unpleasant task a man could undertake than to attempt to disagree with my good friend and worthy colleague, and perhaps distant relative, the gentleman from New York [Mr. WADSWORTH]. He was peculiarly interesting this afternoon, and if I seem to

note in his address any inconsistencies, any departure from the policies which he formerly enunciated, it perhaps is due to the fact that consistency is not a jewel, and that a man does not have to continue to make mistakes because he previously made one. But the gentleman always has been in favor of the decentralization of power, and I know that when he advocates the passage of this bill with limitations he does not mean there should be permanently lodged in the executive branch of the Government, and particularly in the Chief Executive, any powers with which the Congress is vested under the Constitution. For that reason he advocated a time limitation on this bill. As I understand it, he also conditioned his support of the bill upon a proposed amendment which would place a limitation on the amount to which the President might commit this country, to two or three or four billions of dollars. He said, in substance, and it is right, fundamentally, that the Congress may not share executive powers with the President. By the same token, under the Constitution the President cannot or should not under our form of government share legislative powers with the Congress. [Applause.] This is especially true in respect to the powers to coin and regulate the value of money and to make appropriations which are delegated to him by the terms of this bill.

I hope that no one will vote for this bill upon the premise that there can be written into this bill in one simple amendment a limitation of the powers which we have already granted the Executive, not only to coin and regulate money but to coin and appropriate a vast amount of money which might be used, in addition to any limitation put in this bill, through the medium of the Federal Reserve System of the Reconstruction Finance Corporation, the Export-Import Bank, or the Commodity Credit Corporation. It is estimated that the President, under existing law, can issue credit and currency aggregating over \$14,000,000,000 without coming back to Congress for a single iota more authority than he already has. So gentlemen should not fool themselves for a moment that they are going to curtail any powers of the President in this bill by putting in a limitation that he shall not commit the taxpayers under this bill to over \$2,000,000,000. The money which we have authorized the Reconstruction Finance Corporation and other loan agencies to raise is not limited by this bill. They are given the specific authority in other legislation to make these loans and establish credits for the purposes of this bill.

Altogether it is estimated that the President can raise about \$14,000,000,000 without further authorization. So Congress in this effort will not control the purse strings which would otherwise control the powers which the President may exercise under this bill.

Reference has also been made to the fact that the passage of this bill would bolster the morale of those who are allegedly fighting our war. Is Great Britain fighting our war? If so, as has been repeatedly suggested on this floor, then we should not be quibbling about either



billions or blood, but we should have been in there a year ago. It is cowardly, it is humiliating to the people of America to believe that Great Britain is fighting our war and at the same time have our Secretary of the Treasury take the stand before the Committee on Foreign Affairs and say that Great Britain should be made to pay for everything she gets from us. If that be so, then we are subject to the charge of being shylocks and ingrates.

How about the morale of the people of America? With all of this uncertainty, with all of this desire for peace, with all of the claims made for this legislation, that it is at least a step toward war, can we not bolster our morale, can we not guarantee that there shall be no trespass on the constitutional guarantees of the freedom of speech, the freedom of the press, and the freedom of election, by letting Europe know once and for all that we stand independent as a nation—not isolated economically, not isolated among the nations of the world so far as our desire to help them solve their problems, but let the people of the United States know that the President meant what he said, that each and every one of us meant what we said, when we solemnly promised that no single drop of American blood would again be shed on the battlefields of Europe or Asia. [Applause.]

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. FISH. Mr. Chairman, I yield to the gentleman from Montana [Mr. O'CONNOR] 15 minutes.

Mr. O'CONNOR. Mr. Chairman, on the 21st of January I expressed my views on the pending bill. I have but very little to add to what I then said. Since that time I have listened to some of the evidence adduced before the Committee on Foreign Affairs of the House and have read statements made by many persons who I thought were reasonably well informed and as a result I have reached certain additional conclusions.

Before discussing them, however, I want to say this: It is difficult for me to not go along with the distinguished chairman of the Committee on Foreign Affairs. He is my friend. He is courteous, capable, and patriotic. I know that his country comes first with him and I know that he is sincere in his advocacy of this bill. I take no stock whatever in the visit of Lord Halifax to his office. I believe in any conference our chairman will come out wrapped with the Stars and Stripes.

I also want to pay a compliment to the gentleman who introduced the bill. I have the greatest faith and confidence in him—no more sincere and patriotic Member in the House, and might I not add that the longer I am a Member of this body the deeper my affection and admiration become for its Members. I doubt if a more sincere, honest, and patriotic group could be gotten together in one body than the persons who constitute the Members of this House, both men and women. Their only purpose is to serve their country. It comes first and last with all of them. We differ only in means to preserve our form of government, our freedom, and everything we

cherish so deeply. Our objective is the same.

In my opinion, no course we could take is bulletproof against what may happen. One person's conclusion may be just as good as another. The only thing we can do is to reach a final decision based upon our information, our past experience in life, and what we know of nations from recorded history.

It is apparent that some of us believe England today is fighting our war. Others of us take the opposite view, which is my view. If England is actually fighting our war, are we not cowardly in hiding behind her skirts and saying, in substance, you do the fighting and we will furnish the materials? We want you to expose yourselves to danger while we smugly sit in safety and hand you the guns to use. I do not believe that is America's way. No; England is fighting her own war. There is not a Member in this House who does not genuinely sympathize with the cause of England today. I think that 98 percent of the American people feel the same. Our people all condemn Hitler and all he stands for. I think that they all want to help England just as much as they can without imperiling the security of our own country. Newspapers say she is now getting 90 percent of our combat-plane production, besides an abundance of other materials. I believe that England, as well as all other countries, has made some horrible mistakes in the past. It is to be hoped that they will be avoided in the future. In my opinion the ground was plowed for this very occurrence in the writing of the Treaty of Versailles, which treaty I have never heard defended in either end of this Capitol. She wrote a pattern for Europe that would not work. We had nothing, or scarcely nothing, to do with the writing of that treaty. The great Wilson was disillusioned when he went to Europe. He found then, as he later stated, that it was a commercial and industrial war. It was not a political war. He tried to avoid the pitfalls and the tragedies that are being enacted in Europe today but he failed.

I want to take the time of the Members of the House for just a moment to read what Mr. Wilson said in that speech at St. Louis after the close of the war:

Why, my fellow citizens, is there any man here or any woman—let me say is there any child here—who does not know that the seed of war in the modern world is industrial and commercial rivalry? The reason that the war that we have just finished took place was that Germany was afraid her commercial rivals were going to get the better of her, and the reason why some nations went into the war against Germany was that they thought Germany would get the commercial advantage of them. The seed of the jealousy, the seed of the deep-seated hatred was hot, successful, commercial and industrial rivalry.

And he winds up that statement by saying:

This war, in its inception, was a commercial and industrial war. It was not a political war.

Suppose we go ahead and furnish the ships, the planes, the guns, or, in one word, materials with which to win this war, including the money, and England

is the victor. Remember she will be the victor, and not us. It will be her victory—not ours. She may say this was your war, we fought it for you; so now we will write the peace pact. What assurance have we from her that this would not be her course? Will her contracts on the conclusion of this war, assuming that she wins, be more likely to produce security and peace for us than they were the other time? If not, we had better proceed cautiously. Has she learned anything from the other war? Up to date, we have heard nothing to indicate that she has, and before plunging into this vortex should we not have some assurance from England of what her course will be when and if she wins? We have taken on a tremendous job of looking after the Americas. Should she not guarantee to help us if we now help her? Should she not, if we are going to help her now, guarantee to help look after our interests in the Orient, and should she not tell us today that she will, if necessary, oppose Japan in the Orient, to help protect our interests and, again, should she not give us some assurance that she will cooperate in trade after the war?

I think we had better stop, look, and listen before we pledge the lives of our manhood, the homes of our people, the tangible property of our people in a cause that is today surrounded by so much uncertainty. Loan her money, yes; but first make her secure its repayment as long as she or her subjects can. I do not want my taxpayer substituted for the British taxpayer. Of course, it is claimed that if England wins, we win; but that is just the question upon which I am trying to shed some light.

We may be secure from a military attack in the future for awhile, but what about an economic attack, and how long will the security last? If this assumption is correct, then what are we doing as the whole situation presents itself today? Do we want to try to enforce our policies on Europe and Asia? Do we want to try to compel those nations to adopt the form of Government we want? Are not the governments of Russia, Germany, Italy, France, and England their business and not our business? It is our business to have and try to protect the form of government we want; but dare we, by force, try to compel other countries to adopt our views on political matters? By what means would we enforce such contemplated action—by an invasion with manpower? How can we hope to overcome continental Europe with an army of between five and six million men, with the troops we can land in Europe supplemented by what England can furnish? In the last war we had the assistance of Italy, France, Russia, and England in landing the troops in Europe, and they were landed on friendly soil.

We must be realistic about this thing and look before we jump. Let us not permit our emotion and affection for any nation to unseat our judgment. George Washington said:

Excessive partiality for one foreign nation and excessive dislike for another cause those whom they actuate to see danger only on one side and serve to veil and even second the arts of influence on the other.



We are acting today as the trustees of the future of our country and of the lives and of the property of the people of the United States. Let us be true to that trust. Remember when this war is over pay day is coming. Only yesterday the Ways and Means Committee of this House adopted a bill to raise the national indebtedness to \$65,000,000,000. If we go into this war, that will be only a drop in the bucket. Just who is going to pay for this war? In the end it will be the persons who have the property the heavy hand of the assessor can be placed upon. Incomes have a way of disappearing, but the land, the farms, the homes, the goods on the shelves, and the buildings in the cities cannot disappear.

Moreover, let us think of the future again. To my way of thinking, the forgotten man was the ex-soldier. He came home and found his job gone. He was not met with hands. He had to adjust himself to a condition of taking what he could get. If he were so unfortunate as to be injured in body and mind, our Government was not too liberal with him, and, my friends, where we had 1 forgotten man before we will have 10 if we get into this war. There will be bonuses, pensions, and in the end we may lose the thing we are trying to save in Europe today, namely, our own democracy. We have a big job here at home. When the bust-up time comes we will have millions of unemployed, and then we had better look out.

Go back to the cause of the Russian revolution and see if that could not have been avoided had the powers that be not forgotten to remember.

Of course, it will be extremely beneficial to us if England wins the war, and, of course, we want to help her if we can without placing ourselves in a position that if she sinks we sink with her. We are tied in with her in a financial way, but I am not one of those who believe that this country cannot survive if England loses. I have more faith in the brains and the ingenuity of the manhood and the womanhood and the resources of this country than to feel that we have to play second fiddle to any nation and that we cannot stand upon our own feet.

Now, to the bill. The President of the United States today has plenary powers and authority in all matters concerning our foreign relations. That is practically stated in our Constitution and has been so interpreted by our Supreme Court, and as Chief of the Army and Navy the President has tremendous powers, as was exercised by President Polk in 1846, President Harrison in 1888, President Cleveland in 1895, President McKinley in 1898, Roosevelt in 1903, President Wilson in 1914, and President Coolidge in 1926. I do not want to go into detail in those matters as they are recorded in history.

It is sought by the present bill to enlarge those tremendous powers to the executive department, or the President of the United States. In this matter, as I have said before, we must deal in the abstract. This bill gives the President power to transfer to any nation that the

President sees fit, any, or all of our military and naval equipment, also the power to acquire and to transfer to the British or any other nation, on a lend-lease basis, all military equipment that can be produced under current production by our industries with the limitation, however, of the amount that Congress is willing to appropriate. The bill also gives the President the power to open the naval bases and ports to British warships for repair, and so forth, and if these powers granted in this bill are in conflict with any other law, such law is held for naught until expiration of this bill when it becomes an act.

To my way of thinking it strikes the heart out of the Neutrality Act. We were brought here in extra session of Congress to pass that act as a safeguard to our neutrality and to keep us out of war, and after continued and furious debate for weeks and at a tremendous cost to the Government the bill was passed. Now we are driving a hole through it big enough for a yoke of oxen to pass through. Again the last section of the bill gives the President of the United States, whoever he may be, power to carry out any authority conferred on him by the act through any agency, department, or officer, as he shall direct.

We know what the limitations are of any human being to work. The Presidency of the United States is the biggest job on earth. Necessarily, whoever the President may be, he must depend upon others to furnish the necessary information on which to act. Of course, he has the last word. To whom in these matters will the President look for guidance? He will look to Secretary Stimson and Secretary Knox, the chiefs of the Army and Navy. My friends, I have studied the evidence and statements of these gentlemen. Their patriotism and sincerity I do not question—their judgment I do. In extending this power to the President you extend, by indirection, the power to these two men just named. I do not want to place in their safekeeping the future of this country, and the lives and property of the people of this country.

I want to say this also: that the mandate we received from the American people, including the President of the United States, was to keep this country out of war. Stimson and Knox did not run for office. They did not receive a mandate. None of us would be here if we had told the people that we would support legislation that would set up the machinery whereby the Congress would have nothing to say about whether we fought or would not fight. I gather from this legislation that supply ships will be convoyed to Europe in some fashion, if necessary, to get the supplies there. That will start the shooting, President Roosevelt said, and when the shooting starts the Congress can say nothing more. Therefore, this may be the last time we will have a chance to go on record in this House to get this country into war or keep it out of war. My considered judgment is that this bill, if enacted into law, will lay the foundation for our entry, and that when England calls for convoys and troops she will get them.

Therefore, I want to express myself as being opposed to legislation that, in my opinion, is not only dangerous to our form of government, but likewise dangerous to the future security of our country. I shall do everything within my power to carry out the national-defense program the administration has undertaken. I shall continue to give my 100-percent support to every proposal that I feel will strengthen our country, but I cannot and will not, by my vote, pass a bill that, to me, ignores the will of the American people, namely; to keep us out of this war—that puts this Nation on the brink of disaster such as was never known. [Applause.]

[Here the gavel fell.]

Mrs. BOLTON. Mr. Chairman, I yield 10 minutes to the gentleman from Illinois [Mr. CHIPERFIELD].

Mr. CHIPERFIELD. Mr. Chairman, during the course of this debate on H. R. 1776, we have heard many arguments as to the merits and demerits of this bill and will continue to hear more. Every phase will be gone into in detail, such as whether this bill is constitutional, whether any more aid short of war can be given Great Britain under this bill than is being given now, whether it is a dangerous policy to place such vast power in the hands of one man, and so on. It therefore will not be my purpose to discuss this bill in general, but I will confine myself to one phase of it, namely, whether there can be placed in this bill a reasonable and workable limitation of time. This may be a very dull subject, but it may not be so dull if we do not get these vast powers we are giving to the President back again. At least this argument is confined to the bill.

When H. R. 1776 was before the Foreign Affairs Committee a committee amendment was adopted attempting to place a time limit in the bill. It will be found on page 3, line 23, and reads as follows:

Neither the President nor the head of any department or agency shall, after June 30, 1943, exercise any of the powers conferred by or pursuant to subsection (a), except to carry out a contract or agreement with such a government made before July 1, 1943.

The committee amendment, as written, is absolutely meaningless and ineffectual so far as placing a time limit is concerned. It does no good to limit the exercise of the power conferred in this bill to June 30, 1943, and at the same time to permit contracts and agreements to be entered into prior to that date which will run indefinitely—5 years, 10 years, 15 years, or more.

For example, the President, under this committee amendment, could make a binding and valid agreement immediately prior to July 1, 1943, to furnish England munitions for the duration of the war. In other words, under the language of the committee amendment, there is no effective time limit. It pretends to place a time limit, which it does not do, so the amendment is simply a snare and a delusion.

In connection with my study of this problem I have consulted with the Legislative Reference Service of the Library



of Congress, and Dr. Ernest S. Griffith has confirmed my argument. His letter reads, in part, as follows:

After some research and thought we believe, with you, that the present wording of section 3 (c) of H. R. 1776 would not prevent the Executive from entering into contracts obligating the United States to deliver materials for an indefinite number of years to come.

Now let us suppose we eliminate the exception in the committee amendment by striking out the words "except to carry out a contract or agreement with such a government made before July 1, 1943," and see what effect this would have. This would place the definite time limit of June 30, 1943, not only on the exercise of the powers conferred on the President or the head of any department or agency but would also terminate on that date all contracts and commitments entered into prior to that time. Under this interpretation there would be terminated all powers conferred by subsection (a) of this bill on June 30, 1943.

That this interpretation is a correct one is confirmed by personal consultation with the Legislative Counsel and the Legislative Reference Service of the Library of Congress.

If it is the purpose of this Congress to put a definite 2-year limit or slightly longer, June 30, 1943, this is the only way it can be done.

Would this seriously hamper the purpose of this bill in giving aid to England? What would be the result? Simply this: Since the United States, in furnishing arms and ammunition to Great Britain and other countries, is only furnishing completed material, it would give the maximum of 2 years to fulfill all contracts. It would prevent us from making contracts that would bind us for a long period of years.

Now let us look at the other side of this picture. Such a limitation would make Great Britain execute her side of the contract within the same time. This would prevent huge credits being built up for payment at an indefinite date in the future. Of course, there is no provision that can be made, even if there is a binding agreement that the contracts are to be executed within 2 years, that would prevent a nation from violating that agreement if she so desired.

I have prepared, in the course of this discussion, three exceptions to the 2-year time limit that are restrictive in character and have given the exact language that I think would accomplish the purpose of each exception. These, however, are of a technical nature, and I therefore feel I do not want to take up the time of the Committee with them, but I will include them in my remarks when I ask for permission to revise and extend. Incidentally I see by the Washington Daily News of today that new time limit may be placed on aid bill. I sincerely hope this is true, and respectfully call the Committee's attention to my suggestions.

If such a provision that would strictly limit both sides to performing their covenants and obligations within 2 years, or June 30, 1943, would be deemed too severe, there are three other solutions.

First. It could be required that the United States should fully complete her

covenants and agreements within the 2-year period, but that the other countries need not do so. This would in no way handicap our aid to England during the 2-year period.

As Secretary Stimson said, one of the benefits of this bill would be that it—

leaves in our hands the power to determine, when the munitions are completed, the country which shall receive them, thus to insure that this vital decision is made solely in the interest of the United States.

We therefore would be able to furnish all the planes, ammunition, and materials that could be completed within that time, but it would prevent our making commitments for deliveries far into the future.

On the other hand, such a provision would permit Great Britain to have greater flexibility in paying, either in cash or equivalent, for the material she received. For example, we could furnish Great Britain any agreed number of planes during the 2-year period, but under such a provision she might be permitted to pay us for them by delivering to us a certain amount of strategic material for our own national defense each year for a period of perhaps 5 or 10 years.

This could be accomplished by striking out lines 1 and 2 on page 4 of the bill and inserting in lieu thereof the following clause:

Except that the President may after such date accept performance by a foreign government of its obligations under any contract or agreement made with such government under the said subsection prior to July 1, 1943.

The effect of this would be that while we could furnish England aid only up to July 1, 1943, she would have a longer period to pay for what she received.

Second, if merely giving England longer than 2 years to pay for what she received does not give sufficient flexibility to this time limitation, a further extension could be made for the United States to carry out her contracts, entered into before July 1, 1943, by the following language: Striking out lines 1 and 2, on page 4, and inserting in lieu thereof the following clause:

Except that (1) he may, until December 31, 1943, continue execution of the terms of any contract or agreement made with a foreign government under the said subsection prior to July 1, 1943, and (2) he may, without time limit, accept performance by a foreign government of its obligations under any such contract or agreement so made prior to July 1, 1943.

While I have used the date December 31, 1943, which would give the United States an additional 6 months to carry out her contracts after the authority for entering into those contracts had expired, any date that is thought reasonable could be inserted.

Third, if it was thought desirable that the United States should have further time to carry out her contracts, but still retain a definite time limit beyond June 30, 1943, and that England should also complete her contracts within that same additional period, this could be accomplished by striking out, on page 4, lines 1 and 2, and inserting in lieu thereof:

That such powers may be exercised until (inserting any date that is desired) if such exercise is necessary to carry out a contract or agreement with such a government made before July 1, 1943.

By the use of any of these three exceptions three things could be accomplished.

First, by the use of the first exception we could still definitely limit our aid to any country to June 30, 1943, but would permit England to have a longer period of time to pay for what she received.

Second, by the use of the second exception we not only give England an indefinite period to pay for what she receives, but also give the United States the power to carry out her contracts beyond July 1, 1943, by making a definite limit of time for that purpose.

Third, by the use of the third exception not only would it give the United States the power to carry out her contracts, if deemed necessary, to a definite date beyond July 1, 1943, but it would require England to fulfill her side of the contract by the same date.

My only purpose in this whole discussion is to illustrate that a definite time limit can be placed on this bill without destroying its flexibility and purpose.

I prefer the 2-year limitation from the date of enactment, not because a longer date would violate our Constitution, but as a matter of policy. A 2-year period would be within the principle expressed in the Constitution, article I, section 8, clause 12, which provides that Congress shall have the powers—

to raise and support armies, but no appropriation of money to that use shall be for a longer term than 2 years.

If it is the policy under our Constitution that we should not raise or appropriate money for the support of our own Army for more than 2 years, then it certainly seems to me it would be wise to place a similar limitation upon giving support to the armies of foreign countries.

Another reason I prefer a strict 2-year limit is because I think the importance of these vast powers being brought back into the hands of Congress within a reasonably short time greatly outweighs any benefits that might be conferred by further extension of time. The danger of extending the time limit beyond 2 years is that you simply invite those upon whom the power is conferred of continuing a policy of aid for the maximum time limit.

Remember this, while you may place a limit on the time the powers may be exercised, if it contains such an exception as is in this committee amendment at the present time, the President could make contracts and agreements that would be valid and enforceable for a long period of time and Congress could not repeal such a contract. Once these powers are executed into a contract the right of Congress to invalidate them is lost.

If this bill works out to be the success its proponents claim for it, then, of course, Congress, which is almost in continuous session, will be in a position to renew it for such a period as is necessary, prior to its expiration. We are not tying the hands of the President. We



are only insisting that he take the ordinary and customary course—to come to Congress and request a continuation of powers that have been granted.

The thing we are all concerned with is that Congress retain control over the purse and the sword, as provided in the Constitution, and that it retain its rightful place as one of the equal and coordinate branches of the Government. I sincerely feel that the best way for Congress to retain its rightful place is to have a time limitation in this bill that will really be effective.

So far as I am personally concerned, I am against the bill in its present form. In committee the minority members offered about 27 amendments, all of which were voted down. If this is any indication of the way restrictive amendments are to be adopted in the Committee as a whole, I am sure you can count my vote against the bill.

THE LIBRARY OF CONGRESS,  
LEGISLATIVE REFERENCE SERVICE,  
Washington, February 4, 1941.

HON. ROBERT B. CHIPERFIELD,  
United States House of Representatives,  
Washington, D. C.

DEAR MR. CHIPERFIELD: After some research and thought we believe, with you, that the present wording of section 3 (c) of H. R. 1776 would not prevent the Executive from entering into contracts obligating the United States to deliver materials for an indefinite number of years to come. It is suggested that your intention to prevent this may be brought about by striking out lines 1 and 2 on page 4 and inserting in lieu thereof any one of the following three clauses:

1. "Except that the President may after such date accept performance by a foreign government of its obligations under any contract or agreement made with such government under the said subsection prior to July 1, 1943."

2. "But this shall not be construed to require stipulations for the complete execution by a foreign government, prior to the said date, of any of its obligations under any contract or agreement made under the said subsection prior to July 1, 1943."

3. "Except that (1) he may, until December 31, 1943, continue execution of the terms of any contract or agreement made with a foreign government under the said subsection prior to July 1, 1943, and (2) he may, without time limit, accept performance by a foreign government of its obligations under any such contract or agreement so made prior to July 1, 1943."

The first two of these proposals are designed to prevent, absolutely, any affirmative action of the United States in connection with contracts under the bill after the 2-year limit; and at the same time to permit execution of contracts by the foreign government. The difference is in the form of approach—the first treats the performance, and acceptance thereof by the President, as an exception to the prohibition of the section; the second states a rule of interpretation.

The third proposal embodies a modification authorizing execution on the part of the United States for a period of 6 months after termination of authority for entering into contracts.

Sincerely yours,

ERNEST S. GRIFFITH,  
Director, Legislative Reference Service.

MR. CHIPERFIELD. Mr. Chairman, I yield back the balance of my time.

THE CHAIRMAN. The gentleman from Illinois yields back 1 minute.

MR. FISH. Mr. Chairman, in that 1 minute I wish to make a brief statement.

THE CHAIRMAN. The gentleman from New York is recognized for 1 minute.

MR. FISH. Mr. Chairman, many Members have asked me how long we expected to sit tonight. If it is agreeable to the majority, we will stay here until 7 o'clock and adjourn then because of the congressional reception tonight. It is the purpose, therefore, not being able to accommodate the many Members who want to speak tonight, to sit very late tomorrow night. We may stay here until well on into the night, if it is agreeable to the gentleman from New York [MR. BLOOM].

MR. BLOOM. I was not in the Chamber when the gentleman started to make his statement. I understood him to say he would like to have us stay until 7 o'clock tonight.

MR. FISH. Yes.

MR. BLOOM. That is perfectly satisfactory to me. That, however, does not indicate anything about tomorrow.

MR. FISH. No. We may have to stay here pretty late tomorrow. The Speaker has indicated that such a course would be agreeable to him.

MR. BLOOM. It is perfectly satisfactory, so far as I am concerned. The gentleman, of course, has not the idea that we should meet at 11 o'clock tomorrow?

MR. FISH. Not at all.

[Here the gavel fell.]

MR. BLOOM. Mr. Chairman, I yield 15 minutes to the gentleman from Georgia [MR. TARVER].

MR. TARVER. Mr. Chairman, I am not unappreciative of the wealth of eloquence and logic which has entered into this discussion on both sides of the issue. I wish to compliment my colleagues on both sides of the aisle upon the fact that in the main they have kept the discussion upon a high plane; and yet I hope I may be pardoned for saying that however eloquent the discussion, however logical it may be, in my judgment no speeches that are made on either side of this question at this time are going to influence one single vote in the House of Representatives.

I have listened carefully to the discussion during yesterday and today, and I have had the privilege of attending many sessions of the Committee on Foreign Affairs. There have been, as I have said, eloquent addresses here today, logical addresses, but so far as I have been able to discern attention has not been called to any new argument which has not already been made either in this hall or in the press, nor to any argument on either side with which all of us are not already familiar. It is therefore a question as to whether or not a Member of the House at this time and under these circumstances ought to impose upon the patience of his colleagues by undertaking to advance arguments for their consideration. I state frankly that I would not undertake to do it except for this fact: I am here as the representative of 308,000 American citizens. The vote I shall cast on this bill will be their vote, not mine. They have empowered me to speak for them on this momentous question, and I feel they are at least entitled to a statement from

me as to the motives and reasons which influence my action.

MR. RICH. Mr. Chairman, will the gentleman yield?

MR. TARVER. I yield to the gentleman from Pennsylvania.

MR. RICH. I appreciate the gentleman's motive when he says he would not impose upon the membership of the House because he feels every Member has made up his mind, but I would remind him that I, too, represent 300,000 people, and I want my constituents to know how I feel about this vote. The only way I can interpret my vote to my constituents is by explaining it on the floor. This is the case with every Member of the House.

MR. TARVER. I agree with the gentleman from Pennsylvania that the membership of the House should state on the floor their reasons for assuming whatever position may be theirs in the consideration of this bill. I was just attempting to make that point when I was interrogated by the gentleman. I do not believe, however, that arguments which may be advanced at this late stage of the consideration of the bill will be effective so far as the influencing of any votes of Members of this House is concerned.

MR. CHAIRMAN, this is a solemn hour in the history of our country. It is not, in my judgment, however, an hour within which the question of war or peace for our immediate future is to be determined.

That question, as has many times been said, will be decided not by us but by Hitler; by the war-mad, power-hungry maniac who will attack when and if he thinks he can do it successfully. No consideration of moral decency, no mere question of right and wrong, has ever affected his course, and none ever will. There are but two hopes of avoiding conflict with him, and they are either that we shall make ourselves so strong by the time he is ready to strike that he cannot hope to strike successfully, or that by furnishing aid to those who are resisting him today we may make it impossible for him to strike at all.

There is nothing in the history of Hitler to justify anybody believing that his plans for world domination can be thwarted otherwise than by force or by the recognized ability to use force. A career of broken promises, of cruel aggression, and of inhuman oppression of peaceful people suggests no hope for the plans of those who would pat the beast on the head and offer no aid to those who are his present prey, expecting that when he has devoured them his appetite will be sated.

It might, of course, be possible for America to become an humble satellite of the Reich, a second-rate power content to recognize the Germans as a superior race, to have them control our national economy, to allow us such world trade as they might not desire for themselves or be in position to serve—to be, in short, another Denmark, or Norway, or France, or Belgium. We could, of course, accept economic slavery.

I thank God I am one of a people who do not voluntarily, or otherwise, put on the habit of serfdom. There is left for us, therefore, as I see it, only two courses.



Both of them are integral parts of the same policy.

The first, and most important, is to continue to strengthen our own national defenses. Whether England falls, or does not fall, this Nation will forever be the superior of any country which is willing to accept and depend upon the leadership and the brutality of a man like Hitler. The people of this country do not want war, but those who intimate, or state openly, that we must avoid war to save our own skins mistake the resources, the temper, and the courage of the American people. Our people do not want to have to fight Hitler, with or without allies; but the American doughboy has demonstrated once before that he can lick the Hun, and, if necessary, he can do it again. There are, perhaps, in our vast wealth of national resources, in our great capacity to manufacture war machines and war materials, in the numbers of the millions we could, if necessary, place in the field, more logical reasons for believing that we will win if we come in conflict with Hitler; but I prefer to make my primary reason for that belief the spirit, the courage, the will to freedom of the men and women of America.

The course of secondary importance is the one we now pursue. It is to aid the enemies of Hitler who are defending themselves from his assaults. We owe nothing to the British Empire as at present constituted. It owes us much, much that it will never repay. I am unable to visualize it, with its hundreds of millions governed against their will, as a true representative of democratic government. But it is at least a commonwealth of nations which in its governing components is closer to us in blood than any other people in the world. It is making a fight which excites the admiration of the world against wanton, heartless, godless tyranny; and every blow it strikes, whether it wins or loses, saps the strength of that aggressor, who will, if, and when he thinks he can do it successfully, attack us.

I am therefore in favor of aid to England, every ounce of aid we can furnish short of sending our own boys to European battlefields. I am not interested in quibbling over terms, although I feel the British Empire should be required to secure the debt as far as it can, and to use its own resources to the utmost. But I do not want to tie up that aid with hampering restrictions. If we are going to help Britain at all, let us make our aid effective and let the world know that we are going to give it without stint. I do not know whether to do so will keep us out of war or not. Nobody knows. I believe there is a chance it may. But I have absolutely no sympathy with the viewpoint that if we try to appease this madman, this would-be world dominator, by standing by and allowing Britain to go down, that Hitler will then, through gratitude, or for any other reason, refrain from attacking us.

I am, therefore, supporting this bill. I may support some amendments—amendments which will not limit the aid to be given or make less likely the

objective we seek—the defeat of Hitlerism. That is an objective which today must be the goal of humanity itself if civilization is not to be destroyed. [Applause.]

Mr. BLOOM. Mr. Chairman, I yield such time as he may desire to the gentleman from Oregon [Mr. PIERCE].

Mr. PIERCE. Mr. Chairman, 6 months ago I delivered a speech in this House, the title of which was, "The United States and the World Today and Tomorrow." In that speech I carefully set forth my views on world affairs, analyzing the Hitler program and picturing the background of the present world-wide struggle between opposing governmental ideologies. My discussion was completed by a speech of September 5, Universal Service Our Watchword. Today I assume that I may speak with the full assurance that my constituents are generally in accord with the position I took in those speeches. Our countrymen have discussed the world issues and have arrived at almost universal acceptance of certain facts and agreement upon certain lines of activity. The only profitable discussion at this time is upon the controverted points in our American program.

Since the Congress took its stand on defense, the picture has grown darker, the shadows have deepened. It saddens me to acknowledge that our people now realize the necessity for training our young men in the arts of war. We have voted billions to build a two-ocean navy. We have voted billions to provide necessary war materials. It is now clear that we must continue to vote billions upon billions of dollars to make and prepare war materials for those who are alined with our democracy, those nations which are today struggling desperately to prevent the riveting of the chains of slavery upon their people. We can now more clearly see the causes of this great catastrophe which is burning up civilizations in all other continents—Europe, Asia, and Africa. It is now possible to outline the part we probably must play in the greatest tragedy ever staged on this earth.

#### ARE WE ISOLATED FROM THE CONFLICT?

We are not permitted by the circumstances to consider ourselves isolated from the conflict which has already reacted seriously upon our way of life. The United States Government is today facing greater danger than ever before, not excepting the darkest days of the war between the States. Should Great Britain yield to the Prussian war machine, then will come our turn to submit or to fight.

World conditions compel some action now. We cannot safely drift, awaiting the outcome of a terrific final struggle, without aiding our natural allies. We are forced to weigh the consequences of a possible British defeat.

We dread and we fear national involvement in war as a belligerent. We cannot secure safety and avoid war by further appeasement. All the rest of the world is already an arsenal. We are proposing to become an arsenal for our own protection as well as for the protection of those of our own kind, those most nearly related to us and fighting a de-

fensive warfare. We are not proposing to aid the British because they are "fighting our war." We are determined to give them all possible aid because our interests lie in preserving a like-minded people who are attacked by our natural enemies—the totalitarian states, which would force us also into nazi-ism. It is definitely to our interest to protect constitutional and representative governments. It is definitely to our interest to preserve civil liberties and to protect the rights of individuals. We must not allow cleverly coined, frightening words and phrases to propagandize us into inaction and subservience. The attempt to befuddle and confuse our people must be countered by a statement of aims and a recognition of actual facts and conditions.

#### APPEASEMENT

I said "further appeasement." I wish to define that by stating my idea of the appeasement already offered Germany by the United States of America. We have given up the North Atlantic, for which the War of 1812 was waged. We have been forced to an acceptance of an entirely changed economy which was formerly built on world trade. Our world trade has ceased. Surpluses are piling up. Agriculture is faced with absolute control—because of Hitler. The wheels of our industry are turning to produce armaments and instruments of death. The production of materials for the satisfaction of the desires of civilized people has largely ceased, and may be halted altogether. Instead of making motor cars and trucks we are manufacturing tanks and bombers. We have taken a million boys out of the pursuits of peace into an enforced training for the destructiveness of war. Who is so foolish as to say that we need have no fear of Hitler; that Hitler has done nothing to us?

Hitler has also forced us, the people of the United States, into the realization that we are not a wholly united people. We must, indeed, exercise great wisdom to avoid "witch hunts" in the effort to protect our national life and institutions. The President in his speech to the Congress on the state of the Nation mentioned four distinct freedoms to which our people are entitled—the right of free speech, the right to worship God according to conscience, freedom from want, freedom from fear itself. These few words express the philosophy underlying our form of government; as we read them, we realize that outside interference with these rights is imminent. We are forced to adjust ourselves to a world order beyond our control. We are determined to join with those fighting to maintain an atmosphere in which we can thrive and progress toward better things.

#### WORLD REVOLUTION

The present war is a world revolution. It is not just another war. It is not a war between nations with imperialistic ideas. It is not a war for trade. Two different philosophies have met in mortal combat—one the Axis Powers believing that the nation must be everything, the individual nothing. Their national socialism forces the organization of the



entire population for and in the interests of the government, which is an absolute dictatorship. The individual means nothing. Everyone must live for the national government. That is exemplified by the condition that now exists in Germany where all economic routine is fixed by the government. The money paid for service is regarded as a receipt for the purchase of necessary commodities. Anything left over must be given to the government as a forced loan. National socialism is diametrically opposed to the democratic government under which we live. We have exalted the individual and rewarded him for things he has done for society. We believe that our position in the world today has been attained on account of these principles and ideals. These two philosophies have met in mortal combat. A discerning commentator recently wrote:

The Communist experiment failed a long time ago. Today only three types of governments exist: State capitalism as in Russia, absolute capitalism as in Germany, and democratic capitalism as in the United States.

#### WILL HITLER INVADE AMERICA?

I speak often of America instead of our United States, thus implying that we accept the fact of unity of the Western Hemisphere.

On this floor, repeatedly we have heard the statement, "America cannot be invaded." We are told that the 3,000 miles of the Atlantic and the 6,000 miles of the Pacific render continental United States safe from invasion. Those who claim it cannot be invaded must explain whether we are to abandon our Hawaiian Islands, located more than 2,000 miles from California in the Pacific Ocean. In the law annexing the Hawaiian Islands to the United States it was expressly provided that they should be regarded as a part of the continental United States.

Of course, to anyone who argues that America cannot be invaded, it must at once be clear that the Philippines must be abandoned to Japan. And what about Alaska and her fisheries? Alaska has been a part of the United States for more than 70 years. I am willing to admit that no German-Japanese-Italian force can land on the shores of New Jersey, or capture New York, because we could probably annihilate them before the capture could be made. Those who claim that the United States cannot be invaded should at once define what they mean by the United States. What about the Panama Canal? Are we to give that up with the millions it has cost us and the security it affords us? Are we to abandon the Monroe Doctrine and allow European nations to annex and subjugate helpless portions of the Western Hemisphere? It is a well-known fact that there are large settlements of Germans and Italians strongly entrenched in South America, and they would much prefer to have Hitler ideals prevail there. Large groups there certainly hope to see him conquer Europe.

#### UNIFYING DEFENSE EFFORTS

I grant that by taking any bold legislative action we are assuming risks. With or without legislation, the world

situation makes impossible our immunity from risk. I believe that the plan now before us is our proper course of action. I believe it to be most consistent with national ideals, national aims, and national safety.

There is just one definite proposal before the Congress. The opponents of this proposal have offered no other constructive, comprehensive plan. There is general agreement on the necessity for aid to Britain. Our aims are not controverted. The disagreement which confronts us is over methods rather than aims. The opposition centers chiefly upon expansion of powers granted to the President and the fear of centralization and dictatorship. The Congress has been almost too patient with the prolonged hearings in committees. The Nation-wide debate has come to a close, leaving before the Congress clearly defined issues.

Those who propose solely to lend money to Britain would endanger our own safety by plunging free nations into a competitive buying of armaments, which would be destructive to plans for our own defense. In support of the pending bill, the strongest argument appears to me to be the fact that, through its provisions, armament efforts would be integrated as we work for our own protection and lend aid to Britain. It will also make possible prompt action, which is a first essential in meeting swiftly changing situations.

#### AID TO BRITAIN

Before discussing provisions of the pending bill, I think it fundamental to consider some of the reasons for aid to Britain in the form of armaments and money.

The Atlantic Ocean is sometimes said to be a barrier. It should, rather, be regarded as a highway. Five hundred years ago Europe regarded the Atlantic Ocean as the Ultima Thule, or the utmost bound or limit. The venturesome sailors of western Europe found that the Atlantic Ocean was a highway, and that they needed only ships and sails to enable them to move rapidly over that highway. It was hundreds of years before those brave sailors used any power to propel those ships other than the wind itself. Now ships by the thousands ride that highway propelled and speeded by oil pumped from the earth.

With the navy yards of Europe manned by conquered slaves compelled to furnish the labor; with the Germans standing over those yards forcing that labor, by their loaded guns, to build a fleet faster than we can build, the Atlantic Ocean will, indeed, be found to be a highway instead of a barrier.

England possesses, and has possessed for years, the finest, largest, and most effective navy that has ever floated on the seven years. It has kept the trade routes of the world open to commerce. The British Navy has made possible the carrying of civilization to the farthestmost corners of the globe. In case of a German victory who would control the English Navy? The English and French demanded the German Navy after the first World War. It is to be expected that the victors would claim those powerful ships.

It cannot be disputed that it is to our interest that the sea does not pass out of the control of Great Britain.

The surest way of "keeping war out of America" is to aid Great Britain, without stint, to the fullest extent of our resources. If we deny aid to Great Britain it is possible that the Axis Powers will prevail. Then will come the real test for America. Aid for Britain is our strongest insurance against actual warfare.

#### NECESSITY FOR H. R. 1776

I vote for H. R. 1776 with a heavy heart, with many misgivings, but with firm conviction that its speedy enactment into law is essential to the future well-being of our people. Present sacrifice seems to me better than acceptance of such humiliating terms as would be compelled by German victory in Europe. I give some of my other reasons for so voting:

I do not believe we can live in a Hitler-dominated world and retain our form of government. Should Hitler destroy industrial Great Britain, as he has destroyed other countries; should his dive bombers destroy a number of the big fighting ships of the British Navy, he might force England to her knees. We must remember that England has "fifth columnists" in large numbers. These brought destruction to Holland, Norway, and France. Our own country is honeycombed with them.

There can be no question but that, in all conquered Hitler territory the people are reduced to real and actual slavery. They will, under Hitler's pressure, produce those things the world wants, supplying them at a price we simply cannot meet, under our system of protected labor and agriculture. Their laborers have been forced to work for the equivalent of 10 cents a day. With the labor of Europe at the beck-and-call of the Hitler group, and his control of the seas, we would be driven from the markets of the world, not only for agricultural products but also for industrial products as well. Owing to economic pressure and cessation of international trade, I fear the free, easy, happy days of America have already vanished for a generation at least.

I shall vote for the pending legislation because I believe that, if all possible aid is given to Great Britain, there is a fair chance that she will be able to resist the conqueror. If she succumbs, she will be treated even more savagely than France. When France surrendered, 2,000,000 soldiers of the French Army went into prison camps in Germany. By terms of the armistice, those prisoners were to be released and returned to France. They are still held as prisoners, performing enforced labor in Germany.

#### A HITLERIZED WORLD

There can be no revolution or uprisings in conquered lands. Quietly, without trial, fuss, or feathers, the leaders in any possible revolution would be liquidated, sent to concentration camps, more probably murdered in cold blood by the Gestapo. Citizens of the conquered lands must live the life just as it is laid out for them. They must work for the wages fixed by the authorities. They have no choice. They are moved from place to place according to whims of the dictator.



Conditions within the conquered territories beggar description. Famine and disease add physical suffering to mental torture.

I fear Hitler. He and his followers have adopted a technique and a method of procedure aimed at world conquest. As they are using every device of modern invention, it appears to me now that it will require the full force of the united English-speaking democracies to stay his steady march toward that plan for world conquest.

The appeasers urge us to learn to live with Hitler. They say, "Hitler's all right." It is because I vehemently oppose such a stand that I shall vote for H. R. 1776. I want to give my grandchildren a different sort of a world. I do not want to compel their acquiescence in the cruel, inhuman heartlessness of a Hitlerized world.

#### PRESIDENT'S POWERS CONSTITUTIONAL

The President's power to put this country into war is constitutional and can be changed only by constitutional amendment. The President is, under the Constitution, Commander in Chief of the Army and Navy. He can now send our ships of war into any sea without the consent of Congress. McKinley did send the *Maine* into Havana Harbor where it was blown up, and was one of the causes of the Spanish-American War. Repeatedly have different Presidents sent ships of war, loaded with marines, into different countries and ordered them to do things that would have brought on war, had those countries been able to resist. Remember, our marines have been in Nicaragua, in the Barbary States, in China, and twice in Mexico. They have been there under Presidential order to compel those countries to do certain things which they did under compulsion. All were provocative of war, and still war was not declared.

The Constitution provides, specifically, that all treaties must be ratified by two-thirds of the Senate and that only Congress can declare war. One of the high officials of the Government recently said to me, "Since I have been in this position, there have been repeated opportunities to have made conditions such that you Members of Congress would have been obliged to declare war." President Roosevelt clearly does not want this country to participate in any war. He could determine upon a policy which would make war inevitable, and make it necessary for the Congress so to declare.

The celebrated Monroe Doctrine was a Presidential policy and remained such only until we passed the act in the Seventy-sixth Congress declaring it the policy of the Government. We, ourselves, in the Seventy-sixth Congress made the commitment that might compel us to fight to maintain the Monroe Doctrine. The President has the power to break off relations with any country. He could write provocative notes and make provocative speeches, which would endanger international relations. The President can make Executive agreements with foreign nations, which are far-reaching. No question but that the

President had authority to trade destroyers for bases. He has authority to send his personal representatives into foreign countries. These privileges and rights of the Presidency are just as much his as it is the right of the House of Representatives to originate revenue bills or for Congress to declare war.

#### HOW H. R. 1776 CHANGES PRESENT LAW

The pending bill modifies the present existing law in a modest degree only. This lend-lease bill broadens and establishes the President's right to supply weapons of war without immediate cash payment therefor. That, I take it, is the main object of the bill, to enable him to finance British, and other, war purchases here. There is nothing in it which makes it easier for him to put us into war. England's cash reserve is practically exhausted. They cannot continue to secure essential armaments in our markets in unstinted quantities unless we pass this bill. I repeat, because I consider the point so important, that the armament orders of the United States and Great Britain must be integrated and noncompetitive. The production and distribution of defense materials must be concentrated under one authority. It must be unified.

The bill does make it easier to assist the nations now struggling against the aggressor nations. It commits the Congress to a definite policy. This is not party politics. We should not forget that, in the Presidential election three months ago, there was a very little difference in the positions of the two leading candidates on this matter.

Hearings before the House Committee on Foreign Affairs have resulted in recommendation of an amended bill. These amendments fix a date limitation on the grant of powers, provide for frequent reports by the President to the Congress, require that the President consult Army and Navy heads before releasing armaments for other nations, and disclaim specific authorization of convoys for shipments of American war materials sent overseas.

In radio and other debates the question has constantly been pressed as to what additional powers, essential to British aid, this bill gives the President. That is a proper question which should be directly answered. I summarize my discussion by replying that it is my understanding that this bill adds to the President's power only by giving him the right to determine the method of payment. Its chief value is to quiet charges of usurpation of power by stating unequivocally the policy of this country. We are granting powers, temporarily, to be used for an emergency period. I do not regard the powers so sweeping as those granted to Lincoln during the War between the States.

In the critical months ahead we must grant authority for making quick decisions. Some one person must have the right to act swiftly to meet the onward thrust of the Axis Powers. The bitter debate over this bill, and the delay in passing it through the Congress are positive proof that decisions cannot be made in this Congress speedily enough to save our English-speaking world.

The appropriation of the money to make the grant of power effective remains in the hands of Congress. Never in all history has there been a grant of power with greater certainty that it will be used to defend our shores than in this lend-lease bill. It will, in all probability, keep war out of America.

#### THE AXIS ALLIES AND THEIR AIMS

On September 27, 1940, an alliance or agreement of some kind, offensive and defensive, was entered into by Japan, Germany, and Italy. We do not know the exact terms of that alliance, but we do know that it provided that if any one of those countries became involved in war with the United States that would mean war with all of the signers. If, for some reason, Japan should commence warfare against the United States—an "incident," like the Chinese war—we would expect Germany and Italy to aid Japan. In short, we would be at war with the Axis Powers.

If I believed, as some of my colleagues on this floor seemingly believe, that there is no danger in Hitler; if I believed that we could do business with him after the war guns ceased to boom; if I believed that the German people and conquered nations could really speak and assert themselves when the war is over, I probably might have arrived at a different conclusion on the pending bill. I am firmly convinced, however, that should Hitler conquer Great Britain it will be only a short time, and very short at that, until he makes demands on the United States of America which we cannot grant. If it is to be war, he will choose the time and the place. The choice will not rest with us.

I am afraid of Hitler with his mechanized army of millions, now knowing no other occupation than war. His ruthless Gestapo renders conquered countries entirely helpless and forces them to obey his slightest command.

I cannot see how any thinking man can doubt that Hitler aims at world domination. That becomes clearer each day. Those who counsel appeasement or a negotiated peace should measure his performances by his promises. That he plans a controlled world economy is clear from his recent Axis economic conference in Rome.

#### HITLER'S PROMISES

Here are a few of them made since 1933:

The German people have no thought of invading any country.—Berlin, May 17, 1933.

We have no territorial demands to make in Europe.—Berlin, March 7, 1936.

Germany has neither the wish nor the intention to mix in internal Austrian affairs or annex or unite with Austria.—Reichstag, May 21, 1935.

We want to live our own life, and we want other people to do the same. We have assured all our immediate neighbors of the integrity of their territory as far as Germany is concerned. That is no hollow phrase; it is our sacred will.—Berlin, September 26, 1938.

We succeeded in arriving at an agreement (with Poland) which, for the duration of ten years, basically removes the danger of any clash. \* \* \* We are two peoples. They shall live. One cannot annihilate the other.—Sportspalast, September 26, 1938.



I will not war against women and children. I have ordered my air force to restrict itself to attacks on military objectives.—Berlin, September 1, 1939.

The German Reich and the Kingdom of Denmark will under no circumstances resort to war or any other form of violence against each other.—Article I of pact signed in Berlin, May 31, 1939.

In the spirit long existing of good German-Norwegian relations, the Reich government notifies the Norwegian Government that she has no intention, through her measures now or in the future, of infringing upon the territorial integrity or the political independence of the Kingdom of Norway.—Berlin, April 9, 1940.

We are ready to acknowledge and guarantee these states (the Low Countries) at all times as inviolable neutral territory.—Reichstag, January 30, 1937.

What followed these statements by Hitler is fully well known to everyone. Austria was annexed; Czechoslovakia was conquered. After Munich the fate of Poland was one of the saddest chapters in all history. The conquest of Norway, Denmark, Holland, Belgium, and France have followed in order.

Here is what Hitler told Rauschnig about America:

I guarantee that at the right moment a new America will exist as our strongest supporter when we are ready to take the stride into the overseas space.

Small wonder Dr. Rauschnig revolted against a lying despot and revealed the true plans of the inner circle.

Only the downfall of Hitler and the reinstatement in Berlin of a real government by the German people could make America believe that Germany had no designs on world conquest. No protestation by Hitler and his ruthless outlaws should suffice to prevent us from doubling our watch and increasing our defenses.

#### A TRAIL OF DEATH AND DESTRUCTION

Hitler dominates the conquered countries completely. No uncensored news comes from within the borders of those lands. It is said to be a crime punishable by death for a citizen in any of the conquered countries to listen to a foreign broadcast, or to read any publication not approved by the Reich.

How many thousands, and perhaps millions, have been liquidated by the German secret police, nobody knows. Occasionally a letter is smuggled out. We hardly know whether it is true or false. If a picture comes out of the conquered territories, like the pictures showing the destruction of Rotterdam, it is because some bold man brought it out at the risk of his life. Endless examples might be given to prove the cold-blooded, heartless spirit of this world conquest. No one thing has more impressed me than the destruction of Rotterdam.

Rotterdam was a beautiful modern city in Holland. Many of its citizens believed in the promises and honest intentions of Hitler. The city had surrendered—had offered no resistance to the conquering hordes of the Reich. Twelve o'clock at noon, low-flying bombing planes came over the city and literally destroyed every building for a mile wide and 3 miles long in the very heart of that thriving city of more than a half million people. Not a hostile airplane, not a defending airplane,

was in the air; not a shot was fired in defense. No one knows how many men, women, and children were killed and maimed—perhaps 30,000. The Germans officially announced that 300 was the total of all casualties. A clergyman holding services for those killed in the bombardment said:

These memorial services are held for the 1,300 persons we personally knew were killed in the Rotterdam bombardment.

For making this statement the clergyman was sent to a concentration camp, where he is still held.

#### WILL FRANCE RISE AGAIN?

One of our brilliant colleagues, a few days ago on this floor, made the statement that France would probably rise again and be a great nation. He seemed to base that belief upon the fact that France was in a better position because she had surrendered and made peace with the Axis Powers. I cannot see how a careful student of history can arrive at any such conclusion. The French-speaking citizens of Lorraine have already been taken from their homes and transported to southern France, where most of them will starve. France rise again? She must have different and fearless leaders if that occurs. What leadership can be developed with the Gestapo in full swing? The brave individual or the patriotic group cannot withstand tanks and bombing planes. The time to save a nation is before it is conquered.

#### THE JAPANESE

We who live on the Pacific coast have watched with great alarm the growth and development of the warlike attitude of the Japanese. They are people of intense patriotic fervor. They are moved by the determination to dominate and control Asia. This brings them into direct conflict with those nations which have possessions in Asia. They count on a German victory to give them control of the Pacific. There were some Members of this House who opposed a two-ocean navy.

Japanese born in this country are, under our laws, American citizens. They are also citizens of Japan, and in case of stress we can depend upon a Japanese to devote his life and energies to his native land. This is our problem in Hawaii and on our Pacific slope. It is ardently to be hoped we can maintain peaceful relations with Japan.

#### RUSSIA

Nobody seems to know what will be the part Russia will ultimately play in this World War. Unquestionably, the support she has given Hitler since September 1939 has been one of the causes of his success. Russia at this moment still remains an enigma. Her entrance into this great drama may be of pivotal importance. We hope she may be led to march shoulder to shoulder with the democracies.

#### WHY DID THE UNITED STATES JOIN THE ALLIES APRIL 6, 1917?

Since I have been a Member of Congress many times have I heard certain colleagues on this floor state that the United States was misled when she de-

clared war on Germany and openly aided the Allies with money and men in the first World War. I do not agree with that theory. It is my firm conviction that we were forced into the war of 1917 by the Kaiser. I recall that in the spring of 1917 the German Government notified our Government that it would resume unrestricted submarine warfare. We were notified that if we agreed to their terms we might send one vessel each week to Land's End, England, provided the vessel was painted like a barber pole; otherwise all our vessels would be indiscriminately sunk by their submarines. We know they made deliberate attempts to arouse in Mexico a spirit of antagonism toward the United States in the hope of starting another war. We know that they repeatedly committed acts of sabotage through their "fifth columnists" in our midst. It was for these causes that President Wilson asked for a declaration of war. Undoubtedly money influences were also brought to bear to help bring on that declaration of war, but the Kaiser directly provoked it. He believed that he was sure to win over the Allies. He did not believe that we could arm and be of any value to the Allies before his victory, set for March 1918. He took a chance and lost.

#### THE PEACE OF VERSAILLES

Repeatedly have I heard men say in this House that the cause of the present difficulty was the Treaty of Versailles. I wish to enter into no defense of that treaty. I do agree the treaty made unnecessary demands and fixed impossible conditions; however, no worse than those imposed by winning nations since the beginning of time. If we would understand what the Germans would have imposed if they had won in the first World War we must compare the Versailles Treaty with the treaty imposed upon Russia by Germany when Russia gave up. If the Allies made any serious mistake after the first World War, it was in not enforcing those provisions of the Versailles Treaty which provided that Germany should not enter the Rhineland and should not rearm. The terms of the Treaty of Versailles were broken by the Axis Powers. The failure of the League of Nations, future historians may say, was largely the cause of the second World War.

#### WILL WE BE FORCED INTO THE WAR?

It will be easy enough for us to avoid war if we conform to the demands of the conquering nations of the Axis Powers. It always takes two to make a fight. If an aggressor makes demands on a nation, the nation can grant the demands and there is no war. There need have been no war in China had the Chinese submitted to what the Japanese wanted them to do; namely, to turn their Government over to the Japanese and administer their affairs of state as dictated by Japan. The present war could have been avoided had England and France continued to grant Hitler's demands. The War between the States need never have been fought had the Northern States allowed the Southern States to form their Confederacy. I do not believe the oft-repeated statement



that "There never was a bad peace and never a justifiable war."

Should Adolf Hitler become convinced that he can win, that he can conquer Great Britain, and that Germany, Italy, and Japan would face only the United States, it is my opinion that he would do just what the Kaiser did 25 years ago. He would take the chance and make war on the United States, not by direct invasion but through his customary method of using his "fifth columnists" and pro-German allies now in our country. We have these "fifth columnists" and pro-Germans in large numbers in every State in the Union, and it is the source of our greatest weakness.

We speak the English language. We love the English literature. I think the time has come when English-speaking peoples must draw close together in a firm union for their own preservation. I do not believe it is best for the United States to become a declared war ally of Great Britain. I do believe the time has come for us to give them every possible aid within our power, and to recognize them as our first line of defense. It will be far easier for us to produce airplanes, naval vessels, and armaments if we take the stand provided in this bill.

I have heard and read with very deep interest the comparisons made between our resources and the combined resources of Germany, Japan, and Italy, should they win over Great Britain. I am startled to learn how much they will exceed us in ships of the line, in airplanes, in building capacity, and how their 400,000,000 of virtual slaves will be compelled to labor to keep up the equipment for the conquerors. We should be startled and fearful, as the Greeks must have been startled and fearful, when they learned of the tremendous hordes that were coming out of Asia under Darius and Xerxes, centuries before the birth of the Savior. And still, a little band of free men, backed up by a united nation, scattered those ruthless hordes to the winds.

#### WE TAKE OUR STAND FOR THE RIGHT

We, the people of the United States, need today to recall the great acts of courage and the wise decisions in crises which have been characteristic of people of our blood and are part of our heritage. We march with the proud procession of the free people of all ages who have gone forward to ultimate victory in the struggle to uphold the rights and the dignity of man. There has ever been a "present crisis." At intervals, it is sharply accentuated, then men turn to the expressions of faith and confidence which have inspired our fathers. We know that all nations will finally be shaped to a divine plan—divine because of its purpose to free men and nations and animate them with the desire so to fashion governments that the good life may be shared by all.

A poet has expressed our confidence and helped to "bind the scattered ages with a song." [Applause.]

Careless seems the great Avenger; history's pages but record

One death grapple in the darkness 'twixt old systems and the Word;

Truth forever on the scaffold, Wrong forever on the throne,

Yet that scaffold sways the future, and, behind the dim unknown,  
Standeth God within the shadow, keeping watch above His own.

Mr. FISH. Mr. Chairman, I yield 15 minutes to the gentleman from Minnesota [Mr. MAAS].

Mr. MAAS. Mr. Chairman, H. R. 1776 is not a national-defense measure. It is not a measure to increase or to strengthen our Army or our Navy. It is not a measure to speed up aid to Great Britain. It deals solely with the question of how they shall pay for the aid which they get, unless there are hidden powers in the bill and if there are we should debate the bill on that basis and see what those secret or hidden powers are.

Mr. WHITE. Will the gentleman yield?

Mr. MAAS. I yield to the gentleman from Idaho.

Mr. WHITE. In its final analysis, is this not simply a financing bill to permit the American people to finance the war of the British Empire?

Mr. MAAS. On the face of it, certainly that is all it is. It ought to be dealt with on that basis.

This bill will not get a single extra airplane to England. It will not get an airplane to England any sooner whether we pass the bill or do not pass it. It deals simply with how they shall pay for the aid.

Mr. Chairman, if we are really serious about wanting to speed up aid to Britain, then we should attack that problem directly. We should attack the problem of speeding up production in this country, attack the problem of putting an end to labor strikes, and putting an end to stoppages on account of lack of production facilities, if that really be the purpose.

As to the ability of the British to pay for continued purchases in this country, we are told that they have reached the end of their resources, but there is nothing on record to indicate that is the case at all. A careful estimate indicates that the British Empire has in excess of 17 billion dollars of liquid or liquidable assets in the United States and in their own dominions and possessions. Canada, for instance, while it has sent some volunteers to England, has not resorted to conscription. Canada has not touched its own material resources for the prosecution of this war.

Mr. YOUNGDAHL. Will the gentleman yield?

Mr. MAAS. I yield to the gentleman from Minnesota.

Mr. YOUNGDAHL. Does the gentleman know whether any of the Provinces of the British Empire have passed similar legislation to 1776?

Mr. MAAS. To the best of my knowledge, no part of the British Empire has even proposed such legislation as this.

Mr. ROBSION of Kentucky. Will the gentleman yield?

Mr. MAAS. I yield to the gentleman from Kentucky.

Mr. ROBSION of Kentucky. Is it not true that the British Empire has paid for every dollar or agreed to pay for every dollar of munition supplies that they are

acquiring from their own Dominion of Canada?

Mr. MAAS. That is quite true.

Mr. ROBSION of Kentucky. There is no suggestion that Canada give or contribute to the war proposed here, is there?

Mr. MAAS. No; that is not even proposed in Canada, and the British have not asked it. The truth of the matter is that we have not only been supplying Britain with a great amount of war material but we have given those war materials to the British without cost to them. The profits from the gold which we bought from the British have paid for all their war purchases in this country, so that the British have not impaired their economy one bit by this war so far as its purchases in this country are concerned.

Mr. MARCANTONIO. Will the gentleman yield?

Mr. MAAS. I yield to the gentleman from New York.

Mr. MARCANTONIO. May I point out that while England is asking for ships through the medium of this bill it has not taken away a single ship from the coastwise monopoly trade that it has from the United States to South America? In fact, it has been adding ships in order to retain that shipping monopoly from the United States to South America.

Mr. MAAS. That is quite true. The British are not short of either credit or ships. They have a very large merchant marine operating in the South American trade and in the Pacific trade which if they would pull off and put in the Atlantic to take supplies from the United States to England would give them an adequate merchant marine for that purpose. But they are more farsighted than we are. They are thinking about when the war is over and if they can retain their commerce and their ships, and if in the meantime we have expended ours, so much the better for England, because they will not only have their ships to use in their foreign trade, but we will not have any with which to compete with them.

Mrs. ROGERS of Massachusetts. Will the gentleman yield?

Mr. MAAS. I yield to the gentlewoman from Massachusetts.

Mrs. ROGERS of Massachusetts. Does not the gentleman feel that England would much prefer to have the money with which to buy the things she needs, such as airplanes, guns and so forth rather than be told what she may have?

Mr. MAAS. I think so, and that is what I am proposing. I am not opposed to aiding Great Britain, and I think the day for discussing that is over. Whether it was a wise policy or not, this Nation is now committed to a policy of aiding the British to continue fighting until we are prepared. Now, of course, that assumes that we are merely going to assist them to fight until we build our own defenses to where we may become impregnable. But we are launching upon a new course, a course not only of aiding the British to keep fighting until we are prepared, but of underwriting a British victory, which means an entirely different thing.

Mrs. ROGERS of Massachusetts. Does the gentleman not think that the British



in their hearts believe that the President of the United States will direct the strategy of their war if this bill is passed?

Mr. MAAS. I think that is a very reasonable assumption. Either one of two things is going to happen. Either the President of the United States is going to assume the prerogative of directing the British or the British are going to direct America.

Mr. DONDERO. Will the gentleman yield?

Mr. MAAS. I yield to the gentleman from Michigan.

Mr. DONDERO. Does the gentleman interpret section 3 of this bill as conferring upon the President the right to convoy British ships with American warships?

Mr. MAAS. I do not know. That is a legalistic question, but I doubt very much if he has that right. The President certainly has the right now to convoy American ships, but I do not think this bill gives him the right to convoy British ships. However, the bill is so broad in its terminology that I doubt whether you or I can define it.

Mr. DONDERO. If it gives him that power, does the gentleman not think it is the one power that will lead this country into war?

Mr. MAAS. I think the President himself has said that convoying would bring war. You get into where the fighting is going on, and that is war.

Mr. RICH. Mr. Chairman, will the gentleman yield?

Mr. MAAS. I yield to the gentleman from Pennsylvania.

Mr. RICH. If we do away with the Neutrality Act and by Presidential proclamation permit our ships to go to Great Britain and they are sunk, what is going to happen?

Mr. MAAS. Of course, we are going to war. We always have.

If it is true that what the British need is purchasing power in this country, and let us assume that they do need the purchasing power, then the thing for us to do is to grant them purchasing power. I intend to offer an amendment to this effect: That the United States purchase all the British possessions in the Western Hemisphere with the exception of Canada and the Province of Nova Scotia, everything in this hemisphere, in both the Atlantic and the Pacific. Figuring it on the basis of what we paid Denmark for the Virgin Islands, it would come to somewhere around \$16,000,000,000 or even more. I propose to charge off against that the British debt to the United States of about \$6,000,000,000, leaving the British a net credit in this country of \$10,000,000,000, which I propose to be placed in the Export-Import Bank to their credit, against which they may make open purchases of anything they like in the United States.

Mr. RICH. Mr. Chairman, will the gentleman yield again?

Mr. MAAS. I yield.

Mr. RICH. Supposing Canada, in its judgment, decided that it wanted to become a part of the United States, and arrangements could be made to that effect, I think we would be glad to wel-

come Canada, if it saw fit, of its own free will and accord, to make such a request.

Mr. MAAS. I do not know whether or not the gentleman is familiar with the fact, but Canada can, without further reference, be admitted to the Union if it so desires. Certainly, we would welcome Canada if it wanted to join our Commonwealth.

I wish to point out that the British island possessions in the Western Hemisphere have only one value, and that is a military value. These islands are an economic loss to the British. They have to be supported by a subsidy. If we take them over, they will be an economic loss to us, and we will have to support them by subsidy as we do the Virgin Islands. But I am not proposing that we take them for an economic profit. All naval bases and all military posts are economic liabilities. The Army and the Navy are not profit-making institutions. We maintain all of them as part of our defense system, as a premium for the insurance to guarantee the perfectly enormous wealth of this Nation. I propose that we incorporate these islands in our naval-defense system as part of our defenses and bear the cost on that basis.

Mr. BLOOM. Does the gentleman have his amendment in writing, or is this just a suggestion?

Mr. MAAS. No; I have the amendment with me.

Mr. BLOOM. I should like to hear it, if the gentleman would not mind reading it.

Mr. MAAS. I should be very glad to read the amendment. The exact latitude and longitude I do not have finally determined.

Mr. BLOOM. Never mind about the description of the location of the islands, just read the rest of the amendment.

Mr. MAAS. The amendment I propose is as follows:

That the President of the United States is hereby authorized to negotiate the purchase, en bloc, of all possessions of the British Empire, except the Dominion of Canada and the Province of Nova Scotia, lying west of parallel—and east of parallel: *Provided*, That two of such island possessions determined by the negotiating nations to have the least military and/or naval value, one in the Atlantic and one in the Pacific, be retained by the British Empire for the permanent residence of such inhabitants of the various possessions so transferred to the United States who may wish to remain under British sovereignty: *And provided further* That no fortifications or naval bases shall be established on these two islands except by the United States.

2. The President of the United States is authorized to set such value upon the territory so purchased as may be determined by mutual agreement between the negotiating nations, against which value the debt of England to the United States may be credited: *Provided, however*, That the net amount to be credited to England shall not exceed \$10,000,000,000.

3. The net amount of the purchase price so agreed upon shall be placed in the Export-Import Bank of the United States to the credit of England for purchases in the United States.

4. Pending completion of the above-authorized negotiations, there is hereby placed in the Export-Import Bank of the United States to the credit of England, for immediate

use, \$1,000,000,000, but such sum to be charged against the final purchase price of the British possessions purchased by and ceded to the United States under authority of this act.

5. The inhabitants of such territories as may be transferred to the United States under authority of this act who may so elect shall have 1 year from the date of transfer of such territories to the United States to declare their allegiance to the United States of America. All such residents of such possessions who so declare their intentions under such regulations as may be prescribed by the President of the United States within the period herein specified shall thereafter be under the full protection of the United States of America.

Mr. BLOOM. Then what are you going to do? Are you going to wait until that is fully consummated before you do anything for defense?

Mr. MAAS. No; I propose that we take immediate possession.

Mr. BLOOM. Is the gentleman really serious about the amendment?

Mr. MAAS. I am tremendously serious. I may point out to the gentleman that this leasing policy is a very dangerous thing. What would be the situation if we had leased the Louisiana Territory instead of purchasing it? Today it would have reverted to Europe and that great Territory would be part of the European system.

Mr. BLOOM. But the gentleman stated at the outset that we would be buying a liability, did he not?

Mr. MAAS. An economic liability.

Mr. BLOOM. But it is a liability?

Mr. MAAS. An economic liability but a military necessity. I may point out that these islands have only one value, a military value, and from a defense standpoint they are of value only to the defense of the United States and the Western Hemisphere. They are too far from Europe to be of any value in the defense of Europe.

From an offensive standpoint they are of value only against the United States or the Western Hemisphere. They are too far from Europe to be used as a base of operations against Europe, but these islands in the possession of a power hostile to the United States are a terrible danger to the defense of the Western Hemisphere. Especially if these islands are fortified by us they may some day be turned against us to be used as bases and jumping-off points for invasion or as bases from which to operate a blockade against the Western Hemisphere. They should be in the system of the United States military and naval defenses. So long as they remain in the possession of Great Britain they are a guaranty and a hostage that we shall have to go to the rescue of Great Britain no matter when or where she shall go to war for fear that these islands may fall into the possession of some other power.

Mr. DINGELL. Mr. Chairman, will the gentleman yield?

Mr. MAAS. I yield to the gentleman from Michigan.

Mr. DINGELL. But the gentleman contends that under the terms of the bill before us the President cannot conduct negotiations and arrange a trade?



Mr. MAAS. No; I do not contend that he could not do it, but I am trying to direct that it be done.

Mr. DINGELL. Will the gentleman admit that it could be done under the terms of the bill?

Mr. MAAS. Yes; I think it could be done.

Mr. ROBSION of Kentucky. Mr. Chairman, will the gentleman yield?

Mr. MAAS. I yield to the gentleman from Kentucky.

Mr. ROBSION of Kentucky. May I inquire whether or not these island possessions of Great Britain have been used against us?

Mr. MAAS. They were used against us in the War of 1812; they were used against us in the Civil War; and they may be used against us again in the future unless they are our possessions. [Applause.]

I propose that we buy all their Western Hemisphere possessions with the exception of Canada and the Province of Nova Scotia and pay them a very liberal price. I have estimated that even after charging off their first World War debts to us against a most generous price there would be \$10,000,000,000 left which can be placed to the credit of the British in the Export-Import Bank of the United States for British purchases in the United States. This would cancel the first World War debt and allow the British to continue their purchases in the United States. It would at the same time remove from this hemisphere the ever-present danger that these islands might some day be used against this hemisphere as bases from which to carry on an invasion of the Western Hemisphere, or at least blockading operations. These islands in the possession of the United States and fortified by us, with the establishment of proper naval bases, would truly make the Western Hemisphere invulnerable against either Europe or Asia. This plan would give Great Britain all the credit necessary to make all the purchases that it desires and needs in this country without in any way involving us in the war itself. Then, regardless of the outcome of the war, we would not become involved over the question of the possible transference of these islands to another European or Asiatic power. They would already be our own territory. This plan would prevent the possibility of any of these islands being ceded under an imposed peace by the Axis to Germany, Italy, Russia, or Japan.

If England really wants merely further purchasing power in this country and not a subterfuge to force us into active participation in the war in her behalf, she will accept our proposal to buy her Western Hemisphere islands. If there is any undue delay in the arrangement, it will be the fault of Great Britain and not the fault of the United States. Assuming that it is true that her credit is now exhausted, my proposal contains immediate availability of a billion dollars for continuing Great Britain's purchases of war materials in the United States pending the outcome of the negotiations; this amount to be charged against the ultimate price agreed upon.

These Western Hemisphere islands have only one value, and that is military. Economically, they are a loss to the British and require a subsidy for the support of the inhabitants. It is quite true these islands would become an economic liability to the United States, but the purpose behind suggesting their purchase is not for economic profit but to bolster our national-defense system. All military posts and naval bases are economic losses. None of them are self-supporting. The Army and Navy themselves are not maintained at a profit but at an enormous cost, because they are essential to the defense of the Nation. The total cost of all defense, however, is merely an insurance premium to protect the perfectly enormous wealth of this Nation and this hemisphere.

Great Britain could hardly claim that ceding these islands to the United States would impair her own economic structure. These islands, from a military standpoint, have a defense value only to the United States and the Western Hemisphere. They are too far away from Europe to be of any value as operating bases to defend Europe itself; but the islands are absolutely essential to our own defense. At least, it is vital that they do not become part of any military or naval system of any overseas power. All of these islands, properly fortified and in the possession of the United States as part of its defense system, will make the Western Hemisphere really impregnable.

On the other hand, from an offensive standpoint, these Western Hemisphere islands are of value only in action against the United States and the Western Hemisphere. They are too far from Europe to be used by us as bases from which to carry on aggressive operations against Europe or Asia. They almost surround the United States, however, and other parts of the Western Hemisphere. Used as bases by a hostile force, they would be perfect jumping-off places for an invasion of this hemisphere or as bases from which to operate in blockading the United States and forcing us into ultimate subjugation. Therefore, since the only value of these islands is military, their only defensive value is to the United States, and their only offensive value would be against the United States, it is right and proper that these islands should be in the possession of and under the complete and exclusive control of the United States. Any other nation, including Great Britain, under similar circumstances, would have seized these islands long ago. I am proposing a different course. I am proposing that we purchase these islands from the British at a very generous price. I am using as my basis the price that we paid Denmark for the Virgin Islands. On the same basis the total amount for the British possessions would be about \$16,000,000,000, against which I am charging the debt of Great Britain to the United States of some \$6,000,000,000, leaving a net credit for Great Britain of \$10,000,000,000.

We should, however, make it clear that the United States must assume jurisdiction over these islands, with or without British consent. I think it is generous

enough to offer to purchase them. With the situation reversed, few will doubt that the British would not have seized these islands long ago.

I shall certainly vote against the so-called lend-lease bill in anything like its present form. I have been guided by just one principle, that is to vote for every measure to strengthen our own defenses, but against every measure that tended to involve us in foreign wars. Frequently, I have had to vote for measures that were very unpopular in my district and also against measures that were very popular. I voted for and worked for all increases in our own Army, Navy, and air force; and I voted for the draft. These were all measures designed to strengthen the United States. I voted against repeal of the arms embargo, for this repeal not only did not strengthen our own defenses, but weakened them. It is one thing to aid Britain to keep fighting until our own defenses are impregnable; it is quite a different thing to become a partner in a European War. If our partner, in spite of our help, should lose, then an attempt at an invasion of our country as a reprisal is almost certain. I am not talking about neutrality. No one even pretends that we are still neutral. To aid Great Britain by permitting her to purchase war supplies here is one thing; but for the United States Government, as such, to actually furnish those supplies is to become an active participant in England's war. Once in the war, it will not be very easy to get out.

[Here the gavel fell.]

Mr. BLOOM. Mr. Chairman, I yield 15 minutes to the gentleman from California [Mr. VOORHIS].

Mr. VOORHIS of California. Mr. Chairman, I come before the House this afternoon as one who is compelled to confess that this bill has caused him a great deal of distress of spirit, and it was with the hope that, perhaps, my remarks, which come out of some sleepless nights, might be helpful to some other Members who find themselves in somewhat the same position as myself that I asked for this time.

We are considering one of the most profoundly significant measures in all the history of American government. It ought to be considered without regard to partisanship and without regard to the political fortunes of anybody. As I see it, it has got to be considered with reference to the real, actual situation as it exists today in the world, and I do not think it can be considered without reference to the course of events which immediately precedes our consideration of the bill, regardless of whether that course of events has been actually the one that you or I might have chosen to have it be.

I am inclined to think that the action of the American Congress on this bill will be a matter of considerable importance and influence on world events, and so I do not believe that we in connection with this debate or with the amendments which will follow it ought to consider the matter wholly from the standpoint of what we would like to do



or what we might feel good about doing. I think we have got to consider it from the standpoint of its impact upon great events, which are beyond the control of any of us as individuals.

Now, we talk about defending democracy, and when we say that there are two words of tremendous importance. One of those words is "defense" and the other one is "democracy." I do not believe we can consider a measure of this kind purely on the basis of its implications from the standpoint of defense and the relationship of national arms and military strength to one another. I think we have also got to consider it with regard to its impact upon the relationship of Congress to the Executive and the place of Congress in the American Government's structure as a whole. Since it is democracy that we seek to defend, we cannot say that we have no time for considering the implications of this measure with regard to the prerogatives and duties of Congress. There are some things like congressional control of the purse, proper limitations as to the time and extent of extraordinary grants of Executive power that have always got to be fundamental.

But neither do I think we can decide to turn down a measure of this kind, which has a very intimate relationship to real events and conditions in the present-day world, solely on the ground that we do not like the way it conforms to certain established precedents.

It will contribute little to the cause of America if any of us resolve to be against this bill regardless of its effect upon tragic international events of the greatest importance, nor will it contribute anything of value if we fail to consider its possible effect on the position of Congress as the last great legislative body operating freely in the world. The only constructive point of view, as I see it, is that of one who is ready to consider this measure in detail, to try to guard as best he can the fundamental factors in our American government, but who keeps ever before him the tremendous importance of this bill as a whole from the standpoint of the present relationship of our Nation to the rest of the nations of the world.

There are two kinds of viewpoints that I think we have got to disregard. One of those viewpoints is the viewpoint of those people who already—and I hope and believe that their number is small—are prepared to go to war. The other viewpoint is the viewpoint of those who are still fighting the War of 1812 and who have for some reason a particular hatred of the British.

I think, perhaps, a clear statement of the relationship of our country to Great Britain in connection with this matter might be worth while.

#### TRUE RELATIONSHIP OF AMERICA TO THE WAR IN EUROPE

Britain is fighting her own battle. She is fighting a battle because she has to fight it. It so happens, however, as I see it, that our relationship to this matter is a deep and rather desperate interest in seeing to it that the balance of power in the world is not completely destroyed and that we do not have to witness a complete victory for the forces of dictatorship in

the world. I do not think the question as to whether one nation is pulling the other nation's chestnuts out of the fire has anything whatsoever to do with it in the present situation.

Now, there are two matters on which I think the House should be very clear. The first of these is the question as to just how this bill changes the present situation with regard to aid to Great Britain. I would like to hear tomorrow, and I shall be here all day as I have been from the beginning, members of the committee explain in more detail than has been done yet just exactly what the difference will be between the present situation with regard to aid for Britain and the situation if and when this bill, in substantially its present form, shall be adopted.

#### WHAT ARE AMERICA'S AIMS?

But the second thing on which I want to say a few words myself and on which I think we need to be clear is as to what the aims of America are in this whole matter. We have heard a lot about attempting to secure a statement of the war aims of Great Britain and I think we should know them, but it seems to me it is time for us to think through what the aims of our own policy are, and I want to endeavor in my remarks here to state as carefully and clearly as I can what my own conception is of that matter. May I say at the outset that consideration of these American aims so far as I am concerned centers about a pledge which has been given in the platforms of both great political parties to the effect that we would not send American soldiers abroad to attempt to invade foreign continents.

I believe it is necessary for us to decide now, and in the silence of our hearts, that if the time should ever come when a choice is to be made, whether we are going to do that thing, that our answer will be no. If I believed that this bill were a step toward our breaking that pledge, I would vote against it in a moment, and I think the only way that we can be certain that it is not going to be such a step is for us to do approximately what I am trying to do in these brief remarks, and that is to state what our own position on that matter is. I believe that has bearing on what America's aims should be; I think they are twofold. I think the first aim is to do what we can to bolster British resistance, not in the interest of the British Empire as an imperial aggregation, but in the interest of the continuous free existence of the British Nation in order that there may be standing in the world one more great nation that is not under the heel of the totalitarian dictatorships, one more great nation to whom we may look for friendly intercourse. I think that is very important, and this is why this bill is here. But, just as important, I think our second aim should be to bring about, as soon as we can, on a decent basis, a peace. The reason I think that is important is because if we are going to keep the pledge of which I spoke a moment ago, we cannot commit ourselves to a course of action which implies an invasion of the Continent of Europe. And so, considering the alternative to the second aim that I have mentioned, which it seems to me is the alternative of a very,

very long war from which only the forces of dissolution and chaos can profit, we must aim for those two things, and earnestly strive all the time to bring them about. We must spend our utmost effort to help Britain in her fight for her life. And we must strive for the earliest peace that can be made on a decent, fair basis.

I listened with great attention to the remarks of the gentleman from Texas [Mr. LUTHER A. JOHNSON] as I did to the remarks of other gentlemen. The gentleman from Texas said that the purpose of this bill is to empower the President to make the best negotiated arrangements he could in order to enable nations which are short of credit resources to secure the defense equipment that we want them to have. It seems to me that that is a reasonable statement of the bill. I agree with the gentleman from Texas that it is impossible for Congress as a body to carry on negotiations of that kind. I personally believe that to make transactions which are complete at the time of making them is vastly better than an extension of credit. I hope that some such arrangements as a transfer of certain British possessions to the United States in exchange for some of these materials may be made.

I think it would be better for all concerned if these transactions are complete, and that it does not take the form of another interest-bearing debt, which I hope I shall have time to speak about more at length before I get through. Indeed, since our friendly relations with the South American nations are so important, I cherish the hope that it may be possible out of these transactions for us to secure the return to some of them of territory previously taken from them, such as British Honduras and British Guiana. The effect of such action on our part would be incalculable, in my opinion.

Mr. MARCANTONIO. Mr. Chairman, will the gentleman yield?

Mr. VOORHIS of California. Oh, I am sorry, but I am not going to have time to nearly finish what I want to say myself. Mr. Chairman, we ought to be sure before we pass this bill that the bill does just what the gentleman from Texas said it would do, which seems to be reasonable and proper, and that it does not do a whole lot of other things. I shall listen with care to the presentation of amendments from that standpoint.

I am hopeful that when the time comes for the consideration of amendments that the bill can be put in such shape that it may receive the overwhelming approval of the House. I believe it is possible to do the thing the gentleman from Texas spoke about, which I think is essential, and still not have matters in the bill which some Members feel sincerely and deeply ought not to be there. I want to make it plain that I have no thought in my mind of distrusting for a moment the President of the United States. He said solemnly that soldiers would not be sent to Europe. I believe he meant it when he said it, and I believe he means it now. For my part, I am not any more willing to do that now than I was a month ago or a year ago. The President said that he was against convoys, and he said it in



the teeth of others who were saying that they were for convoys. He has indicated that he will do the very best job he can to protect the interests of the United States, and it seems to me that in the destroyer deal, so-called, that he made, that he did that very thing. But there is a deeper question and I recognize it, speaking as a Democrat.

**A RESPONSIBLE LEGISLATURE—WHAT SORT OF AMENDMENTS SHOULD BE CONSIDERED**

I recognize that there is a deeper question than the question of trusting the President. There is the question of the responsibility of Congress, when it does make an extraordinary grant of power, that it take care not to do things that will appear to the people to be irresponsible. I believe that unless a time limit is put on this bill, that a Member of Congress should not vote for it. I think there would be no harm to making the time limit 1 year instead of 2 years. Congress can very easily act in a simple fashion to extend anything of that kind.

Mr. FISH. Mr. Chairman, will the gentleman yield?

Mr. VOORHIS of California. I would like to proceed, if the gentleman does not mind.

Mr. FISH. I shall yield the gentleman some additional time.

Mr. VOORHIS of California. Very well.

Mr. FISH. I want to say to the gentleman, as a member of the committee that has given careful study to this matter, that is one of the most important amendments that could be placed on the bill. If you could put in an amendment limiting it to 1 year, it would be the most vital amendment in the bill.

Mr. VOORHIS of California. I hope I have made my position clear. I shall support such an amendment, for I believe it important for the Congress to carry out as carefully and meticulously as it can its responsibilities. I recognize, at the same time, that the only way the emergency we face today can be met is by an extraordinary grant of power to the Executive, and I do not fear what the Executive will do. But, for the other reasons I have explained, I wish that all throughout the bill grants of power could be specific; that language, instead of saying "or in any other manner," or "without regard to the provisions of other laws," could be sharpened so that we would know exactly what we were saying.

On the other hand, I recognize the fact, and I hope I will have time to make it plain, that we have already embarked now upon a policy of aid to the democracies. I think it is a policy that has the support of most of the American people. I do not think they have, and certainly I do not have, any interest in empire—in empire for Great Britain or empire for the United States. I do not believe empires ever brought happiness to the people of any homeland, all through history.

[Here the gavel fell.]

Mr. BLOOM. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. VOORHIS of California. I thank the gentleman. I do not have any interest in the gold standard, except that I believe it has been a means of oppressing commerce and industry, nor do I

have any interest in preserving empire or favorable trade balances; but I do have an interest in the way of life wherein free men can freely struggle to better their conditions, freely worship and believe according to their own consciences. I know that is not possible in a Nazi- or Communist-dominated nation.

So it seems to me that the importance of aid to Great Britain, of aid to other nations attempting to resist the totalitarians, has become a part of American policy. That crucial step has been taken. There was a time when our policy might have been different; when we might have had a thus-far-and-no-farther policy; when we might have said that America's interest stopped at a certain place and stuck to that religiously and scrupulously. Indeed, I have cast votes that I felt would lead to the adoption of that kind of policy. Frankly, I have preferred it. But it is not our policy. Since the crucial step has been taken, and we have started on a policy of aiding the democracies, Great Britain particularly, then it seems to me that all the risks and dangers involved in such policy are present immediately whether the aid given be large or small. Therefore the only sensible thing to do is not to pursue this policy in a half-hearted manner but rather to give that aid as efficiently and effectively as possible.

I think the President's phrase "an arsenal of democracy" is a good phrase. I think we have to seek to become as efficient and effective an arsenal as we can. I think the arguments of the proponents of the bill to the effect that by so doing, by coordinating the orders and procurement of the United States and Great Britain, there will be very important incidental benefit to America's own defense program, is sound.

So, on the basis of our present policy, because of things that have gone before, things we cannot take back, I believe that on balance there is probably less danger to the United States if we pass a bill of this general nature than if we defeat it. Under all the present circumstances, the sudden and early collapse of British resistance would, in my opinion, be the most serious single event that could happen to the United States, next only to our own involvement in war.

**WE MUST COUNT THE COST AND WE MUST LEARN TO USE THE CREDIT RESOURCES OF OUR SOVEREIGN NATION**

The question of our future, to say nothing of our present financial problem, has been raised. I have many times stated my views on this matter. In a nutshell it is this, that it is wrong and ridiculous for a sovereign state ever to contract an interest-bearing debt; that certainly in a time like this we ought to have the wisdom and the vision in a great Congress like this to vote, in the face of all the sacrifices that will have to go into this defense program, to finance this defense program without incurring an interest-bearing debt. It can be done. There is no question of that. It is all a matter of whether you want to or not. Any debt you contract must be redeemed out of future taxation which means out of future production, and there is not any reason, if you exercise the reasonable right of

sovereignty, why it has to be an interest-bearing debt.

I was going to read a quotation from one of the greatest journalists in California, Mr. Manchester Boddy, editor of the Los Angeles Daily News, on this subject, in which he says that the very future of this great international struggle depends upon whether America and Britain will have the vision to adapt their monetary systems to the modern world. It is on page 51 of the RECORD of January 8, 1941. I hope, at least, some of the Members will read it.

[Here the gavel fell.]

Mr. BLOOM. Mr. Chairman, I yield the gentleman 1 additional minute.

Mr. VOORHIS of California. This world conflict—for such it is—is a broader and deeper thing than the terrible wars that are taking place. It is a struggle between two different principles of life for the allegiance of men. It will be decided ultimately not by the sacrifice of young men's lives to preserve empire or a particular method of carrying on foreign commerce. It will be decided by the quality and character of life that prevails in the nations.

I am not minimizing the paramount importance of our military defense program. But I am saying that above and beyond that there arises the question of this century, and that question is this: Can the principle of democracy, the principle of government by consent of the governed, the principle of America produced by the labor and sacrifice of its people's minds and hearts, a society so devoid of unearned privilege, so knit together in unity of purpose, so clearly devoted to the basic welfare of its common citizens that it will draw unto itself the spontaneous admiration and allegiance of people around the world?

I believe we can do that. If I did not I would be hopeless indeed. I believe it because I believe there is a latent strength in right which those who serve the right can draw upon when they need to. But there is the point, they must need to. If, in half-hearted fashion, careful of the personal privilege which does society no good, we dally with our problems, then we shall neither need nor gain that strength of spirit of which I have spoken.

There is only one thing stronger in the world than the military might of a totalitarian state. That one thing is the voluntary devotion of a free people to the cause of freedom; but that devotion must be complete, and it affords no rest, no peace of mind, no calm repose to the one whom it possesses until his country's last problem has been solved and until the door of reasonable opportunity stands open before his lowliest fellow citizen.

Gentlemen, I bespeak of you your interest in that type of defense for democracy as well as in the type we are considering in this bill. [Applause.]

[Here the gavel fell.]

Mr. FISH. Mr. Chairman, I yield 15 minutes to the gentleman from Pennsylvania [Mr. RICH].

Mr. RICH. Mr. Chairman, I, too, dislike very much to impose myself upon the membership at this late hour of the day, but I realize the importance of this bill,



I have been waiting more than 4 hours to secure this time.

No bill that has ever come before Congress since I have been a Member of this body do I consider more important to the welfare of the Nation than H. R. 1776, now under consideration. I do not know whether the number "1776" was assigned to the bill by accident or by design. If it was in the regular course of events, all right; if it was by design on the part of someone, it certainly was all wrong, because I believe its purposes are diametrically opposed to what we have in mind as being associated with the year 1776. The things that happened then and the things that are happening today are as far apart as is the North Pole from the South Pole, and that is as far apart as we can get on this earth.

The title of the bill as written is, "Further to promote the defense of the United States." We call it the lend-and-spend bill. I think sometimes we might term it "bend and offend." The bend-and-offend bill of 1941, because if we put it into practical operation, as I read the bill, it certainly is going to bend the backs of the American taxpayers for the balance of their lives, and it certainly is going to offend every country in the world that we do not do something for nothing, or who we do not give a hand-out of war material and equipment.

In the last 3 or 4 years we have had a great deal of discussion about the good-neighbor policy and of neutrality. We have said to the world that we would stay at home and tend to our own business if we were not going to be a good neighbor to the other fellow, but I am afraid this bill is just the beginning of the end. I am afraid this bill is going to get us into the most grave difficulties America has ever faced. At a time like this, with conditions the world over such as they are, we ought to move slowly and take each step with caution.

I have heard some people say this was a political bill. So far as I am concerned, and I think so far as every Member of the House is concerned, it should be anything but a political bill. It would not make any difference to me if Mr. Willkie had been elected President of the United States and were now in the White House, I would be just as opposed to this bill as I am at present; and regardless of the fact that Mr. Willkie has gone to England, will come back, and may report on this bill, I do not think his report will influence any Republicans, nor do I think it will influence any Democrats. As was said here a few moments ago by the gentleman from Georgia [Mr. TARTER], almost everybody has made up his mind. I do not agree with that, providing the bill will be properly amended. I think the same as the gentleman from California [Mr. VOORHIS] stated a few minutes ago, we ought to know what the policy of America is going to be.

We ought to know definitely and without any equivocation just how far we are going to go, because I can see where we are leading up to the situation embraced in the question we asked the gentleman from Minnesota [Mr. MAAS] a little while ago, that if for any reason one of the vessels we are now constructing should be

sent under our flag across the seas, we having let down the neutrality bars, and should a vessel belonging to the United States be blown up, we should be faced with a very grave situation. What is going to happen? Are we going to declare war? If we do, it is the end of the American form of government and American liberty. With the help of God and with all the power at my command I am going to oppose anything of that kind. That will be the end of our form of government.

The most sacred things we have in America today are our traditions, our liberties, and our form of government; and I say that nothing must happen that will ever get us away from our cherished possessions.

What is proposed here? Under the lease-lend bill we are going to give power to the President of the United States in his discretion to give to Great Britain all the airplanes they want, all the submarines, all the battleships, all the gunpowder, all the guns, all the dynamite, TNT, and everything they need for destruction, everything that destroys. Certainly that would be a great present for a friendly nation.

What is the aim of Great Britain in this war? Do you know? Does anybody know? I am sure I do not know, for I have never been informed.

If we want to give aid to Britain, why do we not do that in an American way? Why do we not do it in the way we have always done it? Why do we not repeal the Johnson Act and why do we not grant a loan to England for one, two, or five billion dollars? That is the business way; that is the sensible way to aid any country. Also it will be necessary to repeal the Neutrality Act. Why not let them come in here and give their orders for such materials as they want and let our manufacturing establishments produce them? Why do we go to the point of suggesting such a foolish proposition as a lending and spending of implements of war? I never heard of anything so silly and ridiculous in all my days. I never heard of a piece of legislation that was ever proposed to the Congress that was as ridiculous and extraordinary as this piece of legislation.

Mr. ROBSION of Kentucky. Will the gentleman yield?

Mr. RICH. I yield to the gentleman from Kentucky.

Mr. ROBSION of Kentucky. The gentleman will observe, while he speaks of Great Britain, that the bill on page 1, section 3, says, "For the government of any country"; and in section 3, when they dispose of it, it may be disposed of to "any such government"; in other words, to any government.

Mr. RICH. Well, a loan may be made to any government; it does not make any difference what nation we deal with; it is the way we do business. These implements of war are only for destruction. This Nation is short-sighted in that it does not try to settle the differences growing out of the war that is going on all over the world. We ought to use every ounce of the energies possessed by the men and women of America to try to

settle these disputes and wars by peaceful means. I do not want anyone to think I am a pacifist, because I am not. I am 100 percent for the defense of America. I am for anything that will protect American rights and American liberties, I do not care what it is; then I want to protect the North American Continent; and, finally, I want to protect South America as far as we can.

We have discussed in recent years that great doctrine, the Monroe Doctrine, which we have already advocated, and which I believe we should protect and defend. But what was that doctrine? It was written in 1823 and was framed by John Quincy Adams. The principles in the decree as proclaimed by President Monroe were, first, that the Americas are no longer open for colonization by European powers; second, we made a promise of no interference in European affairs or politics; and, third, we forbade any interference in the political affairs of the Americas.

What are we doing by this bill? In my judgment, we might as well throw the Monroe Doctrine out of the window if we pass this bill. We are just sticking our noses into the business of the people of Europe. We are in effect going over there and trying to do what we said we would not do in the Monroe Doctrine, then turning around and saying to those people over there: "We do not want you to come over here and meddle in our affairs." Did you ever hear of anything as ridiculous as that? I never thought that the American Congress would be so ignorant as to even discuss a bill of this kind, not alone bring it on the floor, after we declared the Monroe Doctrine to be our policy. Who is the author of such a bill?

Mr. MARCANTONIO. Will the gentleman yield?

Mr. RICH. I yield to the gentleman from New York.

Mr. MARCANTONIO. At this time the British are bombing the Indians in the northern hills of India who are rising up for independence and freedom from the exploitation of British imperialism. By turning over bombers to England by virtue of this bill, can anyone assure us that those bombers will not be used in massacring the Indian tribes who are seeking independence and freedom from British exploitation?

Mr. RICH. How does the gentleman know but what they are going to be sent back here against us some of these days? That is what I am alarmed about.

Mr. Chairman, we had an experience in the last World War when we sent our men across the seas 3,000 miles away. After that war was over we said: "Never again." If you were to take a vote of the American people today they would say: "Never again." They come in here and ask you as a Member of Congress to give aid and assistance to Great Britain short of war. The great question is, What is short of war? Who knows what short of war is? I think short of war means that we should stay home here, attend to our own business, and stay out of Europe. [Applause.] That is my idea of short of war. That certainly is the policy I want our Government to take.



I have many people in my district who want me to vote for this bill. I have received telegrams from some of the people and I have read newspaper editorials for this bill and some of the best people that I have in my district write to me wanting me to vote for this bill. But I say now before Almighty God and this Congress that I am going to do everything to keep America out of war. I promise that. I do not care what the people in my district think. If I received a telegram tomorrow from everybody in my district wanting me to vote for this bill, I would resign my job in Congress before I would vote for it. I would not do it, because this bill is going to lead the American people into war. I would not come here and vote for doing that. If I did so, I would never be able to rest with my own conscience. I have more respect for myself and more respect for the people I represent, because I do not think the people I represent want me to get them into war, and I am going to try to avoid war if I can. I know they do not want war, and I will try to keep all the people from having it.

We sent men across the seas in 1918 and 1919. After that war was over what was the result? The allied nations got together, but they did not have a satisfactory peace to the Allies themselves even. Certainly there was not a peace promulgated that was satisfactory to their enemies. It was a forced peace and a forced peace never works.

A forced peace never will work. When you try to destroy, when you try to tear down, and when you try to annihilate a nation of people it will boomerang against the nation that tries to do it. We had those strings in our hands at one time. What was the result? Why, the Treaty of Versailles.

Where are we today? We tried by the last World War to make the world safe for democracy. Can you get any better lesson than that? Do you want to do the same thing over again? That is what you are getting into, and that is what you are heading for. We want a peace that is going to be everlasting. You cannot annihilate any of those people in Europe because there are too many tongues over there. You cannot put them all under a single dictator. Hitler will never survive, if he does conquer Europe. Napoleon tried it and he never got any place, and that is just exactly what is going to happen to Hitler.

I call your attention to the fact that since 1800 there have been 66 wars in the world; that is, in 140 years. Great Britain was implicated in 17 of these wars, or one each 8 years and 9 months. This shows she has quite a record for war.

I do not fear Germany's coming over here 3,000 miles. I am more concerned today with the "fifth columnists" who are in this country of ours. A few months ago we made a survey and asked the aliens in this country to register. We found that almost 5,000,000 aliens registered, aliens who are here under the protection of the Stars and Stripes, under the protection of the Constitution of this country. They are the people I fear today more than anybody in Europe or Asia.

If we do not ask these people to swear allegiance to the American flag and the American Constitution and ask for citizenship in this country, we ought to put them into concentration camps. I believe it is time now to act to save ourselves and America and American liberty and the American form of government. If these aliens do not want to do that, then we ought to use our ships to send them back to the countries from which they came, or we ought to put them into concentration camps.

As for me, Mr. Chairman, it is my belief that this bill will lead us into war and will cause us the greatest anxiety and trouble this country has ever had. I am sure the only way we can keep out of war is to defeat this bill. [Applause.]

When the world is at its worst we should be at our best. Empires or governments founded on blood, fear, and destruction will perish. Only those nations founded on good will, kindness, and love will survive. Had the Allies at the end of the World War been motivated by the Golden Rule we would not have so many wars today.

What is the cause of this war propaganda and fear? I am convinced it was the result of those Americans who have large business interests in Europe who want the American Government to save them. Personally, when a person invests in another country he is under the laws of the other nation and he should not except our people to save his investments; let the country where he made them do so. If they are unable to do that, then it is his hard luck.

After the World War we helped all the European nations; they repudiated their debts to us.

Those same nations, England and France, furnished Germany steel and all commodities for war as well as implements of war. What for? So they could get trade and money. Now they are being used against them. Lindbergh told them about it several years ago. They did not heed his advice. He was right; he has stated it exactly; his recommendations today are about the best we have had yet.

Let me quote to you from an article in the February 1941 issue of *Scribner's Commentator*, page 26, by William Griffin, who is editor and publisher of the *New York Enquirer*, as to a conversation which took place between him and Mr. Churchill in London in August 1936, when Mr. Churchill made this statement:

America should have minded her own business and stayed out of the World War. If you hadn't entered the war, the Allies would have made peace with Germany in the spring of 1917. Had we made peace then, there would have been no collapse in Russia, followed by communism; no break-down in Italy, followed by fascism; and Germany would not have signed the Versailles Treaty, which has enthroned Naziism in Germany. If America had stayed out of the war, all of these "isms" wouldn't today be sweeping the Continent of Europe and breaking down parliamentary government; and if England had made peace early in 1917, it would have saved over 1,000,000 British, French, American, and other lives.

See what Senator REYNOLDS, of North Carolina, had to say and his quotations in the *RECORD* June 19, 1939, about pages

7452-7453, and see what Mr. Churchill was quoted as saying about our war debts and America's entry in the World War.

Read the statements on the floor of the Senate by Senator Holt, October 18, 1939, page 559 of the *CONGRESSIONAL RECORD*:

Mr. HOLT. England has played either with the aggressors or against the aggressors, depending upon whether or not the aggression touched her. The English hate aggressors when the aggressors touch or approach a single foot of the British Empire. But where were the British when Czechoslovakia was destroyed by an aggressor? They were sitting around a conference table, agreeing to that aggression. And in the Italo-Ethiopian War, when it suited England's purpose, the British put on the sanctions, and then they took them off, depending upon whether or not it helped England.

But going back to the question of our part in that matter, the President issued a statement and put into effect the arms embargo in the Italo-Ethiopian War, and this is why he did it. I quote the words of his statement on October 5:

"In view of the situation which has unhappily developed between Ethiopia and Italy, it has become my duty under the provisions of the joint resolution of Congress approved August 31, 1935, to issue, and I am today issuing, my proclamation making effective an embargo on the exportation from this country to Ethiopia and Italy of arms, ammunition, and implements of war. Notwithstanding the hope we entertained that war would be avoided and the exertion of our influence in that direction, we are now compelled to recognize the simple and indisputable fact that Ethiopian and Italian armed forces are engaged in combat, thus creating a state of war within the intent and meaning of the joint resolution."

He recognized that Italy and Ethiopia were fighting without a declaration of war. Why has he not recognized Japan's invasion of China? Is it trade? Why has he not put the embargo in effect against Russia? Is not Russia in a state of war with Poland? Has not she done just the same thing that Italy did in Ethiopia? Oh, yes; but the arms embargo is not invoked against Russia. Why? Because it suits the purpose of the advocates of this measure as a good propaganda element to say that we can sell to Russia. Is that why? There is war between Russia and Poland today, and it is the duty of the President of the United States to put an embargo on the exportation of arms, ammunition, and implements of war to Soviet Russia. Why does he not do it?

Now you can see what the leader of England thinks of us. Are we going to bankrupt America for England or any other country? I do not share the idea that the English Fleet is our great savior.

No country wants to come here and attack us. Why should we go to them—3,000 and more miles away from our shores? It is suicide if we do.

What did England ever do for the United States? I ask you, and I have asked many people, but get no reply.

Give no more power to the President. Retain your rights in the House and Senate. No war in Europe for me or for our people.

Suppose we ship material to England in one of our vessels and it is torpedoed; what then? War! War! War!

Let Britain give up Bermuda, British Honduras, and other islands in the West Indies to the United States. Let them show us that they want to help us. They are strategic possessions for us to own,



but dangerous possessions for us in the hands of any European country.

Let me quote you from *Light*, the official magazine of the International Truth Society, an editorial, volume 8, No. 7, for February 1941. Summing up what they think of the lend-lease bill—and it expresses by sentiments—I quote:

The lend-lease bill is economic insanity. The lend-lease bill is unethical and unconstitutional. The lend-lease bill is totalitarian in spirit and undemocratic in operation. The lend-lease bill is the worst blow ever delivered by any President to the Constitution of the United States in times of peace. The lend-lease bill is the vestibule to war. Its passage would mean the establishment of the President as a dictator for the defense of foreign nations, the abdication by Congress of the need for its own existence in the field of foreign policy and national defense, and the beginning of government by Presidential decree. Therefore the lend-lease bill must be defeated at all costs. No political compromises by the President and no revisions or amendments by the Congress can offset or minimize its character as unethical and unconstitutional legislation.

I ask you to amend the bill very materially or defeat it. It is dangerous legislation.

[Here the gavel fell.]

Mr. FISH. Mr. Chairman, I yield 10 minutes to the gentleman from Michigan [Mr. DONDERO].

#### ARE WE BEING LED INTO WAR?

Mr. DONDERO. Mr. Chairman, this bill is entitled "A bill to promote the defense of the United States." It is a strange coincidence that the number of this bill in the House is the same as a portentous year in the history of the United States—1776—a year in which the struggle for independence began, a year in which the fires of war were kindled and bloodshed commenced.

If this measure becomes law in its present form, it too, may be the flint on which the spark of the fires of war will be struck in the year 1941. It might very properly be designated as a bill to black out a form of government once known as the Republic of the United States; not the democracy of the United States, for such it never has been and is not now.

Never before in our history has the Congress of the United States been asked to abdicate or surrender its war-making power under the Constitution and entrust the destiny and the fate of the Nation to one man. No other measure ever asked such sweeping dictatorial powers as this from the chosen Representatives of a free people.

Senator BARKLEY of Kentucky, Democratic floor leader in the Senate, inserted in the *CONGRESSIONAL RECORD* on January 10, pages 87 and 88, a brief but candid statement explaining the import and meaning of the bill. That explanation clearly sets forth that national defense is subject and secondary to social reform. National defense is not the first consideration even though we are asked to believe that the Nation is in great peril. Men must not be permitted to work more than 40 hours per week even though every patriotic American, rich or poor, high or low, weak or strong, would be willing to do so without inflicting a pen-

alty or imposing an additional burden on the vanishing Treasury of the United States. France and England also clung to social reforms and social gains in the face of imminent danger. The lot of France has become the slave of the despot and England now appeals to this country to save her from destruction.

Every daily newspaper informs this Congress and the President of strikes threatened and in progress in vital defense industries, and not a finger is lifted by the President to call a halt to the very things which have contributed to the destruction of other nations in times of danger. In my own State of Michigan five manufacturing plants were closed because of strikes although they were working on national-defense contracts. The President has informed the country publicly that social gains and social reforms must not yield even temporarily for national defense. One dictator nation in Europe has demonstrated to the world how to build a national defense and produce the weapons of war which have accomplished incredible and unbelievable results. It was not done by social reform nor social gains. It was accomplished by work, individual sacrifice, self-denial, frugality, and economy in government. We might at least look at a page from aggressor Europe's war primer and learn something about production for national defense.

We are informed by the Senate floor leader that this bill does not waive the Eight Hour Act, the Walsh-Healy Act, the Wagner Act, and similar domestic legislation.

Section 3 of this bill strikes down and repeals by implication the Johnson Act and the Neutrality Act. Many Members of this House will recall with what enthusiasm and aggressiveness the administration urged to passage the Neutrality Act as a means of preventing this Nation from becoming involved in war. I shared in that enthusiasm, lifted my voice, and cast my vote in behalf of the passage of that act. I was moved with others, because of the fine objectives of that measure, that peace might be the coveted blessing of the American people. That law has been shorn and stripped of every vestige of neutrality. It is a forgotten measure. Its heart and life are dead. It is in the wastebasket as an obsolete principle on which the Nation might base its action, and the bill before us will relegate it to the cemetery of forgotten dreams.

Under section 3 of this proposal, which is little short of a declaration of war, the President, and not Congress, the Representatives and the Senators who are directly responsible to the people and speak for them, can "notwithstanding the provisions of any other law" sell our Navy, transfer our Navy, exchange our Navy, lease our Navy, lend our Navy, or otherwise dispose of it to any government he sees fit and with "any defense article." The term "any defense article" is defined in the bill and means "any weapon, munition, aircraft, vessel, or boat." It means—

any machinery, facility, tool, material, or supply necessary for the manufacture, production, processing, repair, servicing, or operation of any article described.

But that is not all the President can do.

I call attention to subsection 3 of section 3. Under that section he may authorize defense agencies of the Government to—

test, inspect, prove, repair, outfit, recondition, or otherwise to place in good working order any defense article for any such government.

"For any such government" means any country whose defense the President deems vital to the defense of the United States. He is the sole judge. Senator BARKLEY frankly says that that section—could conceivably mean, for example, that the British battle cruiser *Renown* could be repaired in the Brooklyn Navy Yard if the President considered it in the interest of our national defense to do so.

Precedent seems to mean nothing to many of the present generation nor to the President and this administration, and the lamp of history is disregarded as a guide to light our way in a war-mad world.

I call to the attention of the House an event in our own history that ought to warn us to caution and invite the most careful consideration and meditation before we commit an act which may jeopardize the future welfare of our country. In the midst of our Civil War the Lairds Shipbuilding Co., of Liverpool, England, built with English capital in an English shipyard and manned with English seamen, several ships having the appearance of ordinary merchant vessels. They later became ships of war or privateers for the Confederate States of America. They were constructed and sailed from English ports with the knowledge and consent of the English Government and over the protest of the accredited representatives of our Government. The method employed for their armament and equipment was the same for all. One of those ships in particular won great fame as a raider and for the destruction and havoc wrought upon United States commerce. She sailed from Liverpool as an ordinary merchantman, for the Azores Islands. There she was met by another English ship which had followed her with guns, ammunition, and equipment, and became the famed Confederate privateer *Alabama*. At the end of the War Between the States this Nation called upon the English Government for damages or restitution to American commerce. A neutral and impartial tribunal assessed the damages at \$15,500,000 in gold which the British Government paid for her failure to act the part of a neutral nation.

As a neutral government, she was bound to use due diligence to prevent the fitting out, arming, or equipping, within its jurisdiction, of any vessel which it had reasonable ground to believe was intended to cruise or to carry on war against a power with which England was at peace.

If we pass this bill in its present form, which clothes the President with the unprecedented power of opening our Navy yards "for the repair, reconditioning, outfitting, or otherwise placing in good order" any British battleships or cruisers, or any American battleship or cruiser for the purpose of carrying on war against a power with which we are at peace, we will be in a far more unneutral



position with the Axis Powers than England was with us in 1865. Let us remember, no matter where our sympathies may lie, that we are supposed to be a neutral Nation, that we believe in neutrality, and that we were sincere when we placed upon the statute books of the land the Neutrality Act. We are still at peace with Germany and Italy, and they have not committed any act of war against us. Should Germany win the war and our unneutral acts cause damage to her commerce or nationals, we may be held to strict accountability to her for far more flagrant violations of neutrality than we compelled England to settle the *Alabama* claims with us, and settle them in gold.

This bill may aid freedom in the old world, but we will get something far different in the New World. It may aid democracy to survive across the sea, but it will establish some form of totalitarian government here at home. This bill is a complete black-out of our republican form of government. It is the complete abdication of Congress from its constitutional duty to the people of this Nation.

Are we a nation of law-abiding people? Does our Government recognize and obey the rules of international law and the law of nations? Pass this sweeping proposal, and our answer must be "no," for it violates every principle of neutrality and international law. Of course, our sympathies are with the Allies. Our sense of justice and humanity revolts against the ruthless invasion of defenseless, weak, and innocent nations. We condemn the merciless aggression of the invaders and their wanton murder of civilian populations. Yet we as a nation are at peace with the Axis Powers and they have been careful to observe, at least toward us, the rules of international law. This bill leads to war and invites it to our shores. I favor every possible aid to Britain within the provisions of our laws as they were when war broke out. Such is the course of a neutral nation—to remain unchanged after hostilities have begun.

There are two provisions in the bill which are dangerous to the peace and welfare of our country. The authority which will be delegated to the President to convoy ships of the allied powers with American vessels into the war zone and the further provision to repair, outfit, and recondition in American navy yards and American harbors any warships of a belligerent nation. To permit the conveying of ships from American shores into the war zone is an invitation to the destruction of such ships regardless of whether they belong to the United States or any other unfriendly power. To permit the repair and outfitting of the ships of belligerent nations in American ports, harbors, and navy yards means bringing the war to the shores of the United States.

These two proposals are two dangerous steps and in my opinion will ultimately lead this Nation into the war.

The bill H. R. 1776 nullifies the spirit of 1776 and the history of the United States that followed that fateful year. I believe it is the fixed and determined opinion of the great masses of the American people that they favor:

First, complete national defense; second, that we should not become embroiled in the conflict now raging in Europe; and third, that the flower of American manhood should not be sent abroad to engage in foreign wars.

The father of our country warned us not to become involved in foreign entanglements. This Nation failed to heed that advice a score of years ago to save the world for democracy. Time has demonstrated that the effort was futile. We sacrificed the best blood of America and brought to our land economic burdens that generations yet unborn must carry.

Now we are asked to take another fateful step which may lead us into the holocaust of war and which may mean the decline or destruction of the great Republic of the United States.

I am fully aware that unjust criticism will be the portion of the Members of this Congress no matter which way their conscience and judgment may lead them. Those who vote for this bill must bear the stigma of "warmonger" and those who vote against it will be smeared as unpatriotic and pro-Nazi or pro-Fascist. Neither those for nor against this measure will deserve the opprobrium of such public epithets. The common objective of all of us, my colleagues, is that what we do shall be for the best interest of our country and to promote the general welfare of the American people.

The Congress of the United States will be and can be in continuous session. Rather than delegate the war-making powers, vested in us by the people of this Nation under the Constitution, to the President, the better way is a close cooperation on the part of the Congress of the United States and the President in arriving at decisions jointly, which may decide the destiny of this freedom-loving Republic, the only one that still remains on this earthly globe. [Applause.]

Mr. FISH. Mr. Chairman, I yield to the gentleman from Indiana [Mr. LANDIS] such time as he may desire.

Mr. LANDIS. Mr. Chairman, we are now at the crossroads of America. On the decisions now made by our people and their leaders may depend our national welfare for years to come. What is best for America? This is the most important question today. This should never be a partisan measure, and as far as I am concerned there will be none, for my country comes first. Our slogan should be "America first."

The minds of the American people are confused. The issue must be presented to the American people openly, honestly, and squarely. I respect the views of honest Americans, no matter how opposed they may be to my own.

Where is our first line of defense? Is it in Europe or is it in the Western Hemisphere? I believe it is right here at home. This country, with its 130,000,000 people, its two great natural ocean barriers, and a proper national defense, can defend itself. A great nation that has to depend on others for its defense is on the downward path to destruction. Our security now and for all time to come is entirely dependent upon ourselves.

According to the polls taken in America, most of our people favor aid to Eng-

land, while the same polls show 86 percent of our people opposed to actual entry into the war. I believe a majority of our people who are advocating aid short of war do not desire us to enter the war. We are being edged into the war without the masses' knowledge. The course we are pursuing is bound to involve us in war. If we aid Britain short of war and beyond the limits of the Neutrality Act, it ultimately means war. We should give aid to Great Britain, China, and Greece on the basis least likely to involve us in war. We should continue to aid them by furnishing war materials which are not vitally essential to American defense. In return we should have full title to naval and air bases in Canada and West Indies recently leased from Great Britain. We should also trade them war supplies for strategic materials, such as tin, rubber, manganese, nickel, and chromium. Britain is now receiving about 85 percent of the combat-plane production of the United States. How many more planes can we give them without neglecting our own defense? Our first obligation is to build an impregnable defense for America in order that no foreign power or combination of powers can successfully attack us.

One thing the American people must realize is that the national-defense program and aid to England will lay a heavy burden upon every individual. We cannot meet the cost without sacrifice. To postpone it to some unnamed day of reckoning is to invite a major economic crisis. Since we do not live for the hour we cannot escape the necessity of anticipating the slump which is certain to follow when the force of the defense program is spent. In times of great emergency there should be a national expression of willingness to sacrifice. It should be shared by the Nation as a whole.

America is on the verge of throwing our treasure and our blood into the European war, with the consequences that no one can foretell. I believe our true mission is to follow the principles of foreign policy laid down by the founders of our country.

George Washington warned us in his Farewell Address when he said:

Europe has a set of primary interests which to us have none or a very remote relation. Hence she must be engaged in frequent controversies, the causes of which are essentially foreign to our concerns.

Under the policy laid down by our forefathers we became the greatest democracy, the most powerful, and the most prosperous in the world. For more than a hundred years we were content to work out our own destiny.

In 1917 we deviated from this doctrine and entered the World War to save this country for democracy. The United States received nothing from this war but a several-billion-dollar war debt, thousands of wounded young men, and shiploads of flag-draped coffins. Again this administration has departed from the established foreign policy made by the stalwart founders of our Nation. I believe it is a grave mistake. Surely it has not come to the point where America must raise a crop of boys every 20 years to be slaughtered in Europe. We do not



want to create a new generation of Gold Star Mothers.

We can preserve American democracy by keeping entirely out of the European war. We have made some noble advances in the long march toward justice, freedom, and democracy. If we go to war we cast away our opportunity and cancel our gains. We must not lose our democracy at home while seeking to preserve democracy abroad.

War, in reality, is the destroyer of life and property. War means blackouts, shrieking shells, and speeding bombing planes across the sky. Most of us remember the horrors of the last war and its aftermath; the dead upon the battlefields, disease, the bitter tears of womanhood, and hospitals where armless, legless, and blinded men await eternity. We also recall the terrible depression, the insufferable burdens of costs, and the dislocation of everything that makes for normal happiness.

Members of Congress and the President are responsible for the safety of the American people. Congress must maintain the right to declare war as laid down by the Constitution.

The present lease-lend bill asks for an enormous grant of Executive power. It takes only a majority in Congress to grant all power to the President but, lacking a time limit, would require a two-thirds vote to take it back.

This bill confers upon the President the capacity to make alliances of defense and offense with any government in the world. It does not specify or delimit the countries with which the President can make such alliances.

Section 3 of this bill confers upon the President the power to enter into a military alliance with any nation that he might see fit, and it does not have to be referred to the Senate for ratification.

Further, section 3, through conferring upon the President the power to make defensive military alliances with any country, confers upon him the power to make war on any country.

Section 3 (b) provides that the President can make such agreements for delivery of war materials on such terms as he might see fit. Under this bill he could give away the entire United States Fleet and all of the airplanes owned by the Army and Navy.

Under section 9 the President may promulgate such rules and regulations as may be proper to carry out the provisions of this act. Government arsenals could manufacture trucks in direct competition with private enterprise. The President can waive the provisions of the Bacon-Davis Act, the Eight Hour Act, and other laws regulating employment in Government establishments.

Since Congress is in session, and will remain in session, ready to take action to meet any emergency, it is not necessary to unload such enormous powers and responsibilities upon the shoulders of any one man. It is not necessary to create a dictatorship in America to fight dictatorship abroad. Let us be on guard constantly lest we be left ultimately with the empty shell of what we are now arming to defend.

We must keep America out of Europe and Europe out of America. As a veteran of the World War, I fervently believe that we should never again soak Europe's soil with American blood. [Applause.]

Mr. FISH. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. WILLIAM T. PHEIFFER].

Mr. WILLIAM T. PHEIFFER. Mr. Chairman, I am well aware of the time-honored tradition which has it that a new Member of Congress should take it easy for the first few months, observe the procedure of the House, and listen to the debates as engaged in by more seasoned Members. In ordinary times this unwritten rule would especially apply to me, for the reason that this is the first time I have ever sat in a legislative body; as a matter of fact, it is the first time I have ever held public office. It may truly be said that I have come to the House fresh from the people.

However, these are not ordinary times. In this crucial period of our Nation's history the people from all over the country are pleading to be heard through the voices of their chosen representatives. They cannot be here in person 130,000,000 strong, but this is their forum and it is here that they are entitled to express their views through us. Therefore, I ask your indulgence while I, after being in Congress all of 1 month, give you my observations on what I conceive to be the sentiments of a majority of my constituents on H. R. 1776, the so-called lease-lend bill, which, in my judgment, is a dangerous and deceptive bill.

When I say that I am giving you the sentiments of a majority of my constituents, I speak advisedly for the reason that I have recently conducted a poll in my district which has given me a rather clear insight of the thoughts of my people on this most important piece of legislation. When I speak of it as a dangerous bill I do not use the word "dangerous" in a general sense; oh, no. Despite the fact that the relations between this country and England during the past 22 years have not been characterized by sweetness and light, despite the fact that England welched on a war debt of something like \$4,500,000,000, which, incidentally, had it been paid on schedule, might have gone far toward softening the impact of our 1929 depression, and despite the fact that England added insult to injury by calling us Uncle Shylock—despite all these considerations, Mr. Chairman, in my judgment the vast majority of the people of my district and in the entire United States are fully in accord with the aim of this bill so far as it relates to giving material aid to England in the courageous fight it is putting up against the overwhelming odds offered by the Germany of Adolf Hitler, whose ideologies and whose tyrannies and oppressions are a stench in the nostrils of every decent man and woman on the face of the globe.

I charge that this bill is dangerous in the sense that it tramples roughshod on the American principles and precepts of government which have been the very foundation stones of our society since the birth of the Nation. In my judgment, something fine and vital was taken out of democracy by the mere introduction of

this bill. We emerged from one of the most bitter, one of the most heated, Presidential campaigns in the history of this country last November. During that campaign many of us on the Republican side traveled from one end of the country to the other and predicted that if the New Deal administration was returned to power for another 4 years it would spell the end of our democratic processes and our American way of doing things. I went back to my native Southwest and preached that gospel all the way from Tulsa to Santa Fe. A majority of the voters discounted those predictions 100 percent on November 5. We emerged on November 6 a united people. We hoped that our fears would not materialize; that everything would be very smooth in our relations domestically; and that partisanship would not enter into the formulating of our country's foreign policies. Yet, with tragic suddenness, just 2 months after that election, we find those predictions of the end of democratic processes hanging over the heads of the American people like the sword of Damocles. Within 2 months after being returned to office we find our President reaching out for personal power, in the form of this bill, beyond the wildest dreams of a Caesar or an Alexander. Is it not significant that the President waited only 2 weeks after his inauguration in 1937 to storm the ramparts of the Constitution in his effort to pack the Supreme Court, and we find him moving in the same direction, but with more sweeping strides, 2 weeks before his inauguration in 1941, when he came to this Chamber with his message on the 6th of January.

While I hold no brief for some of the practices of the great utility companies, and I am not here to defend them, yet the power grab frequently charged against the utilities by the administration is small potatoes compared with Mr. Roosevelt's grab for power. Not only is he seeking to vest himself with many of the fundamental rights and powers vested in Congress by the Constitution, but he is seeking to set himself up as a one-man board to exercise them as and when he alone sees fit to do so. While I certainly do not subscribe to the political philosophy of the late Huey Long, yet I do want to call the attention of the House to an amazing remark made by Mr. Long in one of his prescient moments. Here is what he said:

When fascism comes to America, it will be called antifascism.

The spectacle of the head of our Government seeking unexampled personal power under the guise of promoting the defense of the United States against the forces of totalitarianism brings us the stark realization that Mr. Long was not uttering an empty prophecy.

I am not speaking in a jealous or selfish spirit against the abdication in bulk by Congress of its powers and prerogatives and the transfer thereof to the White House. There is no room in this situation for personal feelings, but I do earnestly maintain that we cannot turn over lock, stock, and barrel to the Executive those powers which the people of the United



States have reposed in trust with the 531 Members of the Senate and the House of Representatives. It is a trust tinged with an interest only in the proportion that the number 531 bears to the number 130,000,000. It has been wisely said that the basis of all authority is the free consent of a majority of the people. If this bill is passed in its present form it will be an unauthorized act, in the sense that it will not be based upon the free consent of a majority of the American people. In so acting, we will be betraying our trust and at the same time label ourselves as a subservient body that jumps whenever the President says frog.

[Here the gavel fell.]

Mr. FISH. Mr. Chairman, I yield the gentleman from New York 5 additional minutes.

Mr. WILLIAM T. PHEIFFER. Divested of these powers and duties we will be relegated to the status of highly paid clerks, running errands for the folks back home but having no voice in decisions on foreign policy of such great moment that they may vitally affect the lives and happiness of our generation and many future generations of Americans. I have here a timely cartoon which appeared in the New York Sun of January 24, 1941. It hits the nail right where the manufacturer intended. It shows Congress personified by Samson, sitting docilely while his locks are shorn by the lease-lend bill personified by Delilah. I say to you in all earnestness that this Congress will be just as impotent, just as weak and futile a body, so far as foreign policy is concerned, if we pass the lease-lend bill in its original form as was poor old Samson when Delilah got through giving him a haircut.

I stated a few moments ago that I had been sounding out the sentiments of my constituents. Thousands of letters and telegrams, to say nothing of telephone calls, have been received from my district, the middle east side of New York City. I just want to read to you one or two typical excerpts from these letters. First, from a fine lady in the district, who speaks with great earnestness as follows:

I am writing to ask you as one of your constituents to vote against the lend-lease bill.

I am very much in favor of all aid to England. I think I can prove that by the fact that I have not only contributed small sums of money to their various organizations and am knitting for them, but I have also contributed blood to them. However, it seems extremely paradoxical to me for us to grant the President dictatorial powers when the whole fight is to preserve democracy.

Then, again, this brief excerpt from a letter from another constituent:

Believing in the constitutional form of government, I am against granting the President of this country such unlimited powers. In view of the past record of the present Executive for impulsiveness and unpredictability, I strongly urge you to vote against the present bill. While I agree that help should be extended to such a beleaguered country, I am absolutely against endangering the future of our Nation by permitting the President to have such unprecedented and unconstitutional power for use as he alone sees fit. The major power in this country should be retained by Congress and the Senate. Proper consideration and de-

liberation of all bills and commitments of this Nation are far more important than speed when such bills have so many far-reaching effects on every man, woman, and child in the United States.

I wish I had the time to speak on the economic aspects of this bill. I do not have that time, but suffice it to say that when we speak of giving the President a blank check we are speaking of a by-gone theory, a theory that is as dead as the fabulous "dodo bird," because a man does not need a blank check when you give him the key to the front door of the bank and the combination to the safe. That is exactly what we are doing under section 6 (a) of this bill, which reads as follows:

There is hereby authorized to be appropriated from time to time, out of any money in the Treasury not otherwise appropriated, such amounts as may be necessary to carry out the provisions and accomplish the purposes of this act.

It has truly been said that "coming events cast their shadow before." The President's desire for authority to spend unlimited sums in effecting the purposes of the lease-lend bill first became evident when, in speaking at a press conference on December 17, 1940, he urged that we do away with "the silly dollar sign" in future discussions of assistance to Great Britain. Boiled down to its essentials the administration is asking the country to finance, hide, tail, and horns, the cost of another world war. Parenthetically, I might add that Mr. Roosevelt's suggestion that the dollar sign be eliminated in connection with this undertaking can hardly be expected to engender confidence of the people in our fiscal affairs, particularly at a time when they are staggering under an all but overwhelming national debt. Under any circumstances it is unfortunate that the President saw fit to employ the adjective "silly" in speaking of the dollar sign. It would be almost as reprehensible to apply that adjective to the American eagle, because the eagle and the dollar sign have been the symbols of security and independence for the American people since the first days of the Republic.

Although the administration has promised that economy would be the watchword in connection with nondefense expenditures, it is already evident, from the appropriations voted by the House last week, that the deed is not being suited to the word. The lavish spending of public funds during the past 8 years has tended to dull the sensibilities of the people, and apparently of many of the Members of Congress, as to the peril of adding billion on billion to the public debt. We are even prone to forget the vastness of a billion, which, in terms of minutes, is the number of minutes in 200 years. By the same token, if we raise the debt limit to \$65,000,000,000 as urged by the administration, we are dealing with a figure that is the equivalent of the number of minutes in 13,000 years. If we fail to place a sensible limit on the amount of money to be spent in providing aid for our beleaguered sister democracies, we will, in effect, be buying a one-way ticket to the port of national bankruptcy.

Summing up, let us expand our production of arms and armament to the limit so that we may, directly and not by indirection, build an unassailable defense for our own shores and, at the same time, strengthen the arm of Great Britain by selling, or trading, to her all materials and implements of war which are not needed for home defense. While we are faced by a Herculean task, it can all be done as speedily and effectively within the framework of the Constitution as without. Our American system of government has not been found wanting in other great emergencies, and it will successfully weather this storm.

I love my country and I am devoted to its ideals and its institutions. I served my country in the World War, and am now a captain of cavalry in the United States Army Reserve Corps. Regardless of the fate of this bill, whether it passes in its present form, or in modified form, let me say to you that you will find me in the front rank supporting our Government in carrying out the will of the majority. There is no Republican brand of patriotism and no Democratic brand of patriotism. The Republican elephant and the Democratic donkey are going to pull together in double harness in the welding of all our people into a united front in our dealings with the rest of the world. Let us keep our feet on the ground, our heads up, and a smile on our lips, and our country will come through this crisis with colors flying and the band playing. [Applause.]

Mr. FISH. Mr. Chairman, I yield 10 minutes to the gentleman from New Jersey [Mr. CANFIELD].

Mr. CANFIELD. Mr. Chairman, my predecessor was the late George N. Seger, who served here for 18 years, respected and beloved by his colleagues on both sides of the House because of his manly attributes and sterling Americanism. It was my privilege to have been associated with Mr. Seger as his secretary throughout his entire service of nine terms. He was my mentor, guide, and friend; indeed, he treated me as though I were his own son, and not merely as an employee in his office. And it is gratifying to me to hear him spoken of by Members of the House in terms of warm affection. [Applause.]

Before he passed away last August, Mr. Seger contemplated retiring from Congress and expressed the hope that his mantle might fall upon me. In our intimate relationship he confided to me the disturbed condition of his mind due to the signs and trends of the times, and he expressed apprehension for the future of our country.

"GORDON," he once said to me, "you and I have been together here for nine terms. We have had many political and official headaches, but they have been relatively unimportant and of short duration. I fear you will suffer worse ones and encounter problems of greater magnitude and far-reaching consequences as a Member of the Seventy-seventh Congress than any I was called upon to face during my long service here." His words were prophetic, for here upon the threshold of this Congress I am confronted with the pending highly controversial measure.



On another occasion, that kindly, soft-spoken, white-haired gentleman of 75 said to me sadly, "I tremble at the trend toward one-man government in this Republic." If he felt that way then, what would he think of the bill under consideration which confers upon one man power over the destiny of this Republic and the issue of life or death of our form of government and of the people themselves? I believe I know what he would think of it, and, thus knowing, I shall act as he would act and decline to support a proposition as it now stands which surrenders the power of the people's representatives into the hands of one fallible man.

I am in accord with those constitutional authorities who tell us that while this bill pretends to be a measure for our own national defense yet in fact it employs the totalitarian technique which its proponents profess to despise.

As a new Member of this House and yet not altogether a stranger to it, representing over 300,000 Americans, I realize most profoundly the great responsibility resting upon me in this solemn hour. In all of the 18 years of his service, fraught as they were with many vexatious problems, my late chief was never called upon to vote for or against a bill as important nor as revolutionary as is the bill now pending. Keeping in mind his mature convictions and my oath recently taken to support the Constitution, the vote I shall cast this week will be one with which I shall have to live all the remaining days of my life. That vote shall represent my true convictions. I shall not gamble with fate nor with expediency. Searching my conscience I shall with heart, mind, and soul vote for what I conceive to be the best interests of our beloved country.

I am not an isolationist. Nor am I an appeaser, a term of opprobrium of which we hear little or nothing since the lifting of the moral embargo against Russia, a dictator nation not so long ago excoriated by the White House for its ruthless attacks on Finland. And as God is my judge I am not an interventionist.

Like most Americans I ardently wish to see Great Britain victorious over the Axis Powers, and to that end would gladly vote for speedy and liberal financial aid through the media of our lending agencies, and if sufficient collateral were not forthcoming then to extend that aid as a gift. This, in my judgment, could be done promptly and without the circumlocution and dangerous grants of power to one man provided in this bill. What more than by this simple and expeditious method could those ask who want to give aid to Great Britain, and at the same time safeguard our system of representative government?

Mr. Chairman, I do not go along with those who seem to feel that we must now go in for total war, nor do I take kindly to those off-the-record sentiments from military and other sources that we are in war right now.

The welter of hearings on this bill, and I have followed them closely, have been anything but enlightening. Regardless of their pros and cons it was the deliberate and designed purpose of those in control to give aid to Britain only as that

aid might be determined and dictated by the President.

Tell me not that the mothers of America want this bill, a long step toward our involvement in war. Tell me not that my comrades of the World War want this bill as it is. Tell me not that labor or that industry want this bill which may bind labor in the fetters of conscription and engulf industry in Government ownership, ending free enterprise in America.

Mr. Chairman, by my vote I want to help those gallant people who are fighting to preserve their homes and free institutions, but I refuse to do it by the method prescribed in this bill, a method whereby the Congress of the people would abdicate the powers of a free people. [Applause.]

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. CANFIELD. Yes.

Mr. HOFFMAN. The gentleman is a veteran himself. Can he tell us whether he has received many communications in respect to this bill from veterans?

Mr. CANFIELD. I have received many communications from veterans of foreign wars, and most of them are opposed to the bill as written. In this connection, let me tell you the story of a revealing letter that I received the other day. In the city of Passaic, in my congressional district, we have a memorial park where scores of sturdy oak trees are dedicated to the memory of the boys who fell overseas in 1917-18. Just the other day I received a letter from a nephew of one of those boys whose memorial is in Passaic Memorial Park. He said:

I am opposed to this bill, H. R. 1776, as written, and I don't want any oak in that memorial park named in my honor.

Mr. FISH. Mr. Chairman, I now yield to the gentleman from Michigan [Mr. HOFFMAN].

WHY GRANT POWER UNLESS IT IS USED AS INTENDED?

Mr. HOFFMAN. Mr. Chairman, why should Congress grant power to the executive department so long as that department exerts itself to prevent the accomplishment of the very things for which the power was granted?

In the present bill the Chief Executive is asking the legislative branch to give him unlimited authority to prepare for national defense, to extend aid to Great Britain, even though it be acknowledged that so doing will involve us in the war.

The Chief Executive has heretofore asked us to give him the authority and the money to prepare for national defense. We gave him that authority and we appropriated billions of dollars to enable him to prepare for national defense.

To prepare for national defense, the President established a Defense Commission and on that Commission he put Sidney Hillman, who is one of the vice presidents of the C. I. O.

Among the firms which can, which will if permitted, supply, and which are now engaged in supplying the materials for our national defense is the Ford Motor Co. While the Ford Motor Co. is engaged in building trucks ordered and required for national defense, the C. I. O., of which Sidney Hillman of the Defense Commis-

sion is a vice president, is carrying on a drive to compel employees in the Ford plant to become members of the C. I. O.

Philip Murray, president of the C. I. O., some time ago announced that it had the essentials for an organizing campaign; that it had men and funds sufficient. Evidently Mr. Murray, the president, knew that he had Sidney Hillman, his vice president, properly placed on the Defense Commission so that efficient aid might be rendered against Ford.

First, Vice President Hillman of the C. I. O., acting for and in behalf of that organization but as a member of the Defense Commission, demanded that certain contracts for defense material which had been awarded to Ford be canceled. He did not make that demand stick.

More recently, however, he did persuade Patterson of the War Department to refuse to give Ford a defense order, even though Ford's price was \$250,000 less than the next lowest bidder—this, it was said, because Ford would not sign a blanket contract to observe all labor laws, which, being interpreted, meant to comply with the demands of the Labor Board, lawful or unlawful, and with the demands of the officials representing the C. I. O.

The situation then is this: Congress gives the President authority and money to buy defense materials. He can buy them of Ford and get them quicker and cheaper than from any other source. But his man Patterson of the War Department will not purchase them of Ford because the President's man Hillman, acting as a member of the Defense Commission, insists that the Ford employees must join his C. I. O. before production can go forward on the order of the War Department.

But that is not the end of the coercion, the abuse, and the misuse of Federal power. Hiding behind and taking advantage of Hillman's official position with the Government—and, by the way, Hillman is serving two masters, the Federal Government and the C. I. O.—R. J. Thomas, president of the Detroit U. A. W. A., C. I. O., marches to the front and declares that defense materials shall not come out of the Ford Motor Co. When Knudsen sent his representative to Michigan's capital and Michigan's Governor called in 150 manufacturers to tell them that the situation was most serious and that production must be speeded up, Mr. Thomas, the president of the U. A. W. A., arose and brazenly announced, "I'm going to do everything I can to stop production at the Ford Motor Co." That was on the 28th day of January.

A press dispatch of January 31 shows that Mr. Thomas, speaking at a meeting of the Genesee County Bar Association at Flint, Mich., said:

I won't guarantee to anyone there won't be a strike at Ford's. I'm going to try to cause one.

And what is the issue? It is again the closed shop. The President backs Hillman, vice president of the C. I. O., in his demand that no American can work at the Ford Co. unless he puts money in the pockets of Hillman's organization. And Hillman backs Thomas, who, regardless of orders for defense matériel, boldly



announces that he is going to do what he can to tie up the Ford Motor Co., engaged in war orders, with a strike.

Now, in all candor, I ask this Congress why grant more power or more funds to the President to prepare for national defense so long as defense materials can be produced only by those men given permission to work by R. J. Thomas, head of the C. I. O. in Michigan?

Why give Franklin D. Roosevelt power and money to prepare for national defense so long as R. J. Thomas sits on the lid?

Why not first pass a law requiring Mr. Thomas and Mr. Hillman to permit the production of defense materials in the industrial plants of the country?

The issue which I raise is not a political issue. It is a practical issue, which has to do with production and, sooner or later, the American people are going to ask their Congressmen why it is that they vote money, billions of dollars, for national defense, and then permit a few loud-speaking, lawless-acting individuals to prevent the production of those materials.

When that time comes I am going to be able to say to my constituents that I did everything I could to carry out the defense program. [Applause.]

Mr. FISH. Mr. Chairman, I yield 7 minutes to the gentleman from Missouri [Mr. PLOESER].

Mr. PLOESER. Mr. Chairman, I am fully aware of the reticence with which a new Member should assume his duties in this House. It is therefore, with humility that I approach what I deem to be my patriotic duty. For me to keep silent when privileged with time in which to speak on a subject so momentous as the bill now before this House, would be an injury to my conscience and a display of weakness in my devotion to my country. I am deeply concerned.

Every member is fully aware that the President now could commit many acts which would actually prompt hostilities and leave this Congress with no other alternative but to declare war. This bill is provocative.

The public, as well as the House, realize also that it is the defined intent of this administration to give all possible aid to Britain. Though I find a surprisingly great number of my own people against any aid to Britain, I still believe that it meets with the general approval of Americans to aid Britain in her life struggle.

Now, if the aim of this Nation is to aid Great Britain and yet take no actual part in the hostilities ourselves, then I suggest that we deal plainly and candidly with our people and get down to the direct business of determining how much aid we are willing, and able, to give. It is our duty to make the acts of this Congress as plain as our intentions.

What power does this bill give the President in his program of "aid" that he does not now have? You might answer that it gives the President the power to extend credits or gifts to the British. When shall we give credits? Does any Member of this House wish to extend credits to England before England exhausts her own resources in this Nation?

Does anyone in this House want to give such aid to Britain, while her own Dominions conserve, here in our very Nation, their resources and dollar credits? I hope not. It is my observation, in my short time here, that a bill to give direct aid to Britain in the form of credits, after the exhaustion of her own and her Dominions' liquidable assets, would receive the overwhelming support of this House. Such a bill would have avoided all of the public confusion which has characterized this legislation.

There is, however, another kind of aid that we might give to Britain. We might give her, or lend her—and in this case it matters little which—our actual and necessary defensive implements of war. To this I am unalterably opposed. To this, I believe, the American people are unalterably opposed. If it is the purpose of some of the Members of the House to give away a part of our Navy, or a part of our Army equipment, then why do not the proponents of such action frankly state their purpose by introducing such a bill? It is my belief that such a bill would be overwhelmingly rejected and that no one knows it any better than the President himself. This bill permits the President to make such gifts. If it is not the purpose of the President to give away any of our own defense equipment, then why does he ask for such power?

It has been claimed that this legislation would speed up defense production. It is perfectly clear that this is not true, and I do not for 1 minute believe that any Member of this House has been misled by any such propaganda. The public, however, are not sure on this point. A portion of the public have been misled into believing that this is a defense measure directly and immediately beneficial to our own defense program. I would give the President full privilege of find nothing so beneficial in this bill.

None have denied that this measure the public purse. However, it has been inferred by the chairman of the Committee on Foreign Affairs that such a limit on the President's power of the purse existed in the language of the bill, wherein it is stated "in the interests of national defense." This bill, as I read it, vests in the President the discretionary power to be the sole judge of the emergency and of what constitutes "in the interests of national defense." Therefore, the sky is the limit. If you pass this bill H. R. 1776, the President will lend and spend, while the Congress will appropriate and appropriate, and tax and tax, while the people sweat and suffer under the load. Pass this bill, and the American people will pay in taxes what half of the world can destroy in war. If such broad provision is constitutional, which I question, I would not vote such power to any man. Loose fiscal policy in this Nation must be stopped. There is only one place in the Nation that it can be stopped, and that is in this very Congress.

It has been suggested by amendment that a time limit be put upon these powers. The power is no less because of a time limit. I firmly believe that these powers make of the President a dictator. A time limit makes him no less a dictator.

You are again reminded that Hitler's powers granted by the Reichstag in 1933, and more restricted than the powers contained in this bill, were limited to 4 years. That was in 1933—it is now 1941. The German emergency continues, at first in their false economy, which must surely break, and now in bloody war.

A time limit on a dictator means nothing. With the treasury and the sword what more would any dictator want?

The amendments, as proposed in the committee report, appear to me to be nothing but sops to appease a conscience or to tempt a vote.

The future course of America will be charted by this bill. In my belief, with the belligerent attitude and determination already displayed by the President, and his absolute disregard for the value of money or the pain of taxes, the course charted is the road to war, undeclared probably, but nevertheless, war; useless mass murder of our people plus decades of a living hell for the survivors.

I believe that every Member of this House before he can conscientiously vote for this bill must first satisfy himself that he is ready to cast a vote for war. I shall do everything in my power to help make this Nation strong economically and strong in its military defenses, but I will not, knowingly, vote for any bill, ambiguous as it may be, which may lead to either dictatorship, or war, or both.

The questions as I see them are two:

First. Dictatorship or democracy?

Second. War or peace?

I shall choose by my vote—democracy and peace. [Applause.]

Mr. FISH. Mr. Chairman, I yield 10 minutes to the gentleman from Minnesota [Mr. GALE].

Mr. GALE. Mr. Chairman, H. R. 1776 has been before Congress for almost a month. It has been discussed here and in every part of the Nation and I venture to say that everyone agrees in one particular, namely, that this so-called lend-lease bill is the most important issue now confronting Congress. Its provisions are well known, if its implications are not, so that I shall devote my time to consideration of the results which may well follow the passage of this act in its present form.

Let us consider only for a moment the extraordinary power which the bill vests in one man. He—

First. May acquire and give away anything in this country from foodstuff to tanks and battleships—or he may not.

Second. He may give or loan on any terms to England, China, Greece, or any other nation or he may spend within this country any amount of money—or he may not.

Third. He may disregard any existing law to the extent of virtually conscripting labor and confiscating property—or he may not.

It is unnecessary to dwell on the unpleasant fact that by passing such an act Congress may be setting the stage for a dictator, the very menace that we are trying to avoid. Nor is it necessary to mention the strictly temporary grant of special power by the German Reichstag to the Chancellor who happened to be Adolf Hitler. This temporary delegation



of power was made on March 23, 1933, and was to end 4 years later. It is now 8 years since the act was passed and if I am correct, Hitler still enjoys absolute power without hindrance from the Reichstag.

Aside from this important aspect of the bill I would like to speak of the immediate consequences which are of equal concern to the Nation and which may occur under the leadership of those whose inclinations and sentiments are unmistakable, in their enthusiasm for more active participation in the war.

With due regard for our own defense needs and with the consent of Congress, let us continue to do everything possible for Britain in the way of supplies and munitions. There is nothing that the supporters of this bill say they want that cannot now be granted by means of the existing machinery and a sympathetic Congress, even to the point of extending credit through the Export-Import Bank. Without question the people of the United States are sympathetic toward England and sincerely would like to see Hitler defeated, but let us not confuse "sympathy" with a desire to sacrifice untold wealth, personal liberty, and priceless lives in a long, bitter war.

H. R. 1776, if passed, may be the declaration of such a war and probably the only declaration that Congress will be called upon to make. Stripped of high-sounding phrases, of timid misconception, stripped of reluctance to face the truth, the issue before the country is not merely the lend-lease bill, but whether we shall have war.

What does "all-out aid to Britain" really mean? Is it possible at the moment to give more practical material aid than we are giving—87 percent of our aircraft production, including bomb sights, priority in munitions, and already 50 destroyers? The critical period for Britain will not be in 8 months or a year when the United States can deliver—the time for all-out aid is right now, today, before the Nazis strike and if the proponents of this bill were honest with themselves they would tell us that such aid logically means doing two things:

First. The use of our Navy to convoy and even more important, to help hold the channel which is the vital link in British defense.

Second. The immediate despatch of our air force—brave and well-trained boys doomed to death in antiquated planes.

Both of these moves are ill-advised and impractical. The first would leave the Pacific wide open. The second would rob us of what little air force we have. Assuming, however, that these unwise and fatal steps were taken—and they well might be under the lend-lease enthusiasm—and also assuming that the English survive the coming summer, our fighting spirit, prodded by our leaders and by propaganda would demand an expeditionary force, the ultimate and inevitable result of H. R. 1776.

This, gentlemen, is the logical sequence. This is the true meaning of that vague slogan, "All-out aid to Britain." This is the realistic view of the future: First,

the passage of H. R. 1776, then convoy, air force, expeditionary force.

I say again that the real issue before us is war. As a nation we neither want such a war nor, at the moment, are we in a position to fight such a war if we did want it. Very few Americans feel called upon to die in Flanders Field for either democracy or the British Empire. [Applause.]

Mr. FISH. Mr. Chairman, for the benefit of those who may be here and also the distinguished Chairman of the Committee, I wish to state that I have requests for tomorrow from 35 Members who want to speak. That will probably mean going fairly late at night so they may be heard. All of those have come to me of their own accord and asked for time.

Mr. BLOOM. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker pro tempore [Mr. JARMAN] having resumed the chair, Mr. POAGE, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H. R. 1776) to further promote the defense of the United States, and for other purposes, had come to no resolution thereon.

#### CALENDAR WEDNESDAY

Mr. BLOOM. Mr. Speaker, I ask unanimous consent that business in order on Calendar Wednesday may be dispensed with tomorrow.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

#### EXTENSION OF REMARKS

Mr. BLOOM. Mr. Speaker, the gentleman from Texas [Mr. KLEBERG] asked today for unanimous consent to extend the remarks he was going to make on the floor today. Not being able to do so, I ask unanimous consent that that permission be extended until tomorrow.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

#### GENERAL LEAVE TO EXTEND REMARKS

Mr. BLOOM. Mr. Speaker, I ask unanimous consent that all Members of the House may have 5 legislative days within which to extend their own remarks on the bill now under consideration.

The SPEAKER pro tempore. Is there objection?

There was no objection.

#### EXTENSION OF REMARKS

Mr. FISH. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. RICH] may have the right to insert some brief quotations in his remarks made today.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. JONKMAN. Mr. Speaker, I ask unanimous consent that my colleague the gentleman from Michigan [Mr. HOFFMAN] may be permitted to extend his remarks and also to print a statement by

George H. Kless made before the Committee on Foreign Affairs.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

#### ADJOURNMENT

Mr. BLOOM. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 59 minutes p. m.) the House adjourned until tomorrow, Wednesday, February 5, 1941, at 12 o'clock noon.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

165. A communication from the President of the United States, transmitting an estimate of appropriation, amounting to \$191,200, to supplement an appropriation contained in the Second Deficiency Appropriation Act, 1940, for constructing and equipping two surveying vessels for the Coast and Geodetic Survey, Department of Commerce (H. Doc. No. 68); to the Committee on Appropriations and ordered to be printed.

166. A letter from the Acting Secretary of the Navy, transmitting draft of a proposed bill "to provide an additional sum for the payment of claims under the act entitled 'An act to provide for the reimbursement of certain personnel or former personnel of the United States Navy and United States Marine Corps for the value of personal effects destroyed as a result of a fire at the Marine Barracks, Quantico, Va., on October 27, 1938,' approved June 19, 1939"; to the Committee on Claims.

167. A letter from the Acting Secretary of Commerce, transmitting a report of funds received by the Bureau of the Census to defray cost of special statistical studies upon payment of the cost thereof; to the Committee on Expenditures in the Executive Departments.

168. A communication from the President of the United States, transmitting supplemental estimates of appropriation for the Railroad Retirement Board, fiscal year 1941, amounting to \$462,000 (H. Doc. No. 69); to the Committee on Appropriations and ordered to be printed.

169. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the Public Health Service, Federal Security Agency, for the fiscal year 1941; amounting to \$525,000 (H. Doc. 70); to the Committee on Appropriations and ordered to be printed.

170. A letter from the Secretary of the Navy, transmitting a report of all contracts entered into under authority of section 4 of Public, No. 43, Seventy-sixth Congress, together with copies of contracts concerned, for the period June 11–December 31, 1940; to the Committee on Naval Affairs.

171. A letter from the Acting Secretary of the Treasury, transmitting a copy of a proposed bill to carry to the surplus fund of the Treasury certain trust funds derived from compensating taxes collected pursuant to section 15 (e) of title I of the act of May 12, 1933 (48 Stat. 40), as amended, upon certain articles coming into the United States; to the Committee on Ways and Means.

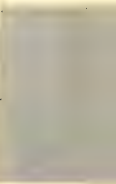
#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. TREADWAY: Committee on Ways and Means. Part II, minority views on H. R. 2959.



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than last year. Yet you let the people believe they will be less. The greatest debt in the history of the Nation is going to come to the country next year and nothing is being done to cut it down. What are we going to do, Mr. Speaker? I herewith give you the record to date of the Roosevelt administration, the greatest spending record of all the world, not alone of this country:

*Roosevelt deficit*

Mar. 4 to June 30, 1933-----	\$892, 600, 000
1934-----	3, 965, 991, 685
1935-----	3, 575, 357, 963
1936-----	4, 763, 841, 642
1937-----	2, 707, 347, 110
1938-----	1, 384, 160, 931
1939-----	3, 542, 267, 954
1940-----	3, 611, 056, 036
1941 to Jan. 10-----	2, 482, 601, 589

8 years less 54 days---- 26, 925, 245, 920

This means the average for each of the 8 years in the red, \$3,365,655,740.

This means each month of the 8 years in the red, \$280,471,312.

This means each day of the 8 years in the red, including Sundays and holidays, \$9,349,044.

This means each hour of the 8 years in the red, including Sundays and holidays, \$389,543.

This means each minute of the 8 years in the red, including Sundays and holidays, since Mr. Roosevelt became President, \$6,492.

Think of it, every minute since Mr. Roosevelt took office he spent more than the country received by over \$6,000 a minute. That would mean a grand salary for a man with a family for a year.

Where are you going to get the money?

EXTENSION OF REMARKS

Mr. GEARHART. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include an address delivered by Col. Russell L. Maxwell, Administrator of Export Control, before the Export Managers Club of New York on January 21, last.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. SABATH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. SABATH. I should like to reply to the gentleman from New Jersey [Mr. THOMAS] who evidently has raised the question as to why the Rules Committee has not acted upon the resolution to continue the Dies committee. I reached the floor just as my colleague and fellow member of the Rules Committee, the gentleman from Georgia [Mr. Cox], was replying that in all likelihood it would be taken up Friday.

For the information of other Members—I am sure that the gentleman from New Jersey [Mr. THOMAS] is now aware of this—I want to point out that the resolution to extend the life of the Dies committee was introduced on January 6,

and another resolution introduced by the gentleman from Alabama [Mr. STARNES] on February 3, which is just 2 days ago. As all of you know, there are many resolutions now pending before the Rules Committee that were received long before this one.

In the case of these resolutions it happens that I have not received any request for a hearing from the chairman of the Dies committee nor from any of its members. It is true that yesterday a gentleman talked to me, but it was not the gentleman from Texas [Mr. DIES], the gentleman from Alabama [Mr. STARNES], nor a member of the Dies committee. It was the gentleman from Georgia [Mr. Cox], who asked that action be taken on the resolution even before it had reached the committee.

In my opinion legislation now pending before this Congress is far too important to be interrupted by other matters. I have also felt that inasmuch as the Dies committee has not held hearings for several months, and as the chairman is not even in the city, the resolution certainly did not call for early action by the Rules Committee. It has always been the policy of the Rules Committee to have before it the chairman of any committee introducing a resolution, and I certainly hope that when this resolution does come up the engagements outside of Washington of the gentleman from Texas [Mr. DIES] will not prevent his being here.

I cannot promise the gentleman from New Jersey [Mr. THOMAS] that the resolution will come up on Friday, although it is possible it will come up then. However, it may not come up until Saturday, or possibly Monday. In any event, I want to make my position clear that I feel that any Member desiring to be heard on the matter of the continuance of this committee should be given the opportunity.

EXTENSION OF REMARKS

Mr. HINSHAW. Mr. Speaker, I ask unanimous consent to revise and extend the remarks I expect to make in the Committee later in the day by including certain excerpts.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HOFFMAN asked and was given permission to revise and extend his own remarks in the RECORD.

PERMISSION TO ADDRESS THE HOUSE

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, I want to ask the chairman of the Foreign Relations Committee a question. When this bill is passed and becomes a law, what, if anything, are you going to do to get production on that \$46,000,000 order that is with the Allis-Chalmers in Milwaukee, Wis., for war materials that the President wants? What are you going to do to get production on that order?

Mr. BLOOM. I understand the gentleman is asking his question of the chairman of the Foreign Relations Committee, so I would advise him to go over to the Senate.

Mr. HOFFMAN. You just pass the buck.

Mr. BLOOM. You asked the chairman of the Foreign Relations.

Mr. HOFFMAN. Will you open that factory? For 8 days or more Harold Christoffel, a Communist, has prevented somewhere around 7,500 men from working on orders for defense material. Has the majority party the courage to open that factory and get production?

Mr. BLOOM. Your question was addressed to the chairman of the Foreign Relations Committee.

Mr. HOFFMAN. And it has not been answered?

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. JARRETT. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include a short editorial.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

CURRENCY EXPANSION

Mr. RANKIN of Mississippi. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. RANKIN of Mississippi. Mr. Speaker, answering the distinguished gentleman from Pennsylvania [Mr. RICH] as to how we are going to balance the Budget, I desire to say that we will never do it on the present price levels or until we either take this gold we have buried in the ground in Kentucky, issue currency against it, or issue currency against the credit of this Government, until we expand that currency to such an extent as to restore commodity prices to their normal level, and in that way restore the Nation's income.

Until that is done we are simply going to continue to go into the red. So far as I am individually concerned, I am for a currency expansion that will raise farm commodity prices to their normal levels, restore the prosperity of the American people, and enable us to balance the Nation's Budget and to meet our other obligations. [Applause.]

EXTENSION OF REMARKS

Mr. BENDER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include a statement by Mr. George B. Sowers on the Great Lakes-St. Lawrence seaway project.

The SPEAKER. Is there objection?

There was no objection.

PROMOTION OF THE DEFENSE OF THE UNITED STATES

Mr. BLOOM. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state



of the Union for the further consideration of the bill (H. R. 1776) further to promote the defense of the United States, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 1776, with Mr. COOPER in the chair.

The Clerk reported the title of the bill.

The CHAIRMAN. At the end of the debate on Tuesday, February 4, the gentleman from New York [Mr. BLOOM], chairman of the Committee on Foreign Affairs, had consumed 5 hours and 18 minutes; the gentleman from New York [Mr. FISH], ranking minority member of the committee, had consumed 5 hours and 58 minutes. The Chair recognizes the gentleman from New York [Mr. BLOOM].

Mr. BLOOM. Mr. Chairman, I yield 5 minutes to the gentleman from Georgia [Mr. GIBSON].

Mr. GIBSON. Mr. Chairman and my fellow Members of the House, I am fully conscious of the fact that I am a new member of this body. I have no desire to become conspicuous, but on the contrary most sincerely desire the very opposite. However, I am fully conscious of the fact that I am the representative of near 300,000 of as good American citizens as the Anglo-Saxon blood affords, as loyal patriots as God has ever graced a democracy with, and that I am the only medium through which their will may be expressed in this branch of Congress. I am further cognizant of the fact that not since the banners of the red, white, and blue have waved over a free people in our democracy has there been before the National Congress a bill of the magnitude in importance of the proposed lend-lease bill that is before this body now. In the present world conflict there are definite signs that when God grants that civilized peoples of the world may breathe the air of peace again, there will be a new world order. In this important hour in our national life when destruction stands on the very threshold of democracy, were I to fail to record in the pages of history of this body my full support of this measure for aid to Britain I would feel cowardice creeping on my soul and that I was an unworthy servant of my people.

If liberty-loving people of democratic faith are to mold this new order and reassure the God-fearing peoples of the world their right to live in peace with the courage of the statesmen of old, then the democracies of the world must prevail against totalitarian advocates in the present European conflict. God forbid that we should ever permit our posterity to become subjected to the terror of an age in which the damnable and maddened theories of government of the Nazi reign. I have said before, and let me repeat, that I had rather see my wife and babies buried and follow by their side than to know that they had to live under the dictatorial powers of Hitler or others of his ideals of government.

Our burden and responsibility is too great to try to laugh it off. We need not

seek to kid ourselves, we cannot do it. It is great to boast of the powers of America to conquer, but please let me remind you that the America you see conquering any of her aggressors in your dreams of optimism, is a United America, one and inseparable in thought, purpose, and action. The life of our democracy is now calling for national unity. The maxims of heroism found throughout the history of this great commonwealth, I remind you, was not wrought in a divided house. The Nazi onslaught against free and representative government was well planned in advance and is a dangerous one. Even though crazed and maddened by their desire to enslave the world, we must not discount either the military genius nor purpose of those at the head of the Nazi regime.

Let me state here that seemingly the opposition to this bill have viewed and are discussing it, as a theory, when in truth and fact it is a problem, and its proponents are facing it as such. There is no one more opposed to the delegation of undue power to any one person than I; as a theory it is destructive, but we are facing a national crisis and emergency which we as a brave people must meet. The time consumed over the passage of this bill stands as full proof of the fact that to administer aid to Britain by the Congress would be a hopeless undertaking. We would revert to the days of Nero and my able colleague the gentleman from New York, HAM FISH, would fiddle while democracy perished. It is imperative that power to act quickly be vested in some individual and certainly our President and national leader is from every analysis the proper individual. By the authority of his office he is by necessity informed in international military questions more fully than the Congress could expect to be. Regardless to your personal like or dislike of Mr. Roosevelt he has proven himself a worthy and courageous leader, and one in whom the populace have utmost confidence. As has been stated from the floor before the grant of this power to the President is not an innovation. Just as great powers have been delegated to several former Presidents since the early life of our democracy.

Before proceeding further let me say that I favor the provisions of this bill and full aid to Britain short of men. I have said before, and say now, the place for American youth is on American soil and not under European soil. I favor the use of American materials instead of American men with the full hope and confidence that with our material aid the totalitarian powers will be crushed without American blood being spilled even on American soil.

With a conquered Europe and strengthened resources, it is ridiculous to assume, even for a soothing effect on our nervous system, that Germany with Japan as an ally would not seek new fields to conquer in the Western Hemisphere. There is but one answer to the present international status, it is a death struggle between totalitarian and representative forms of government, one must prevail, the other must perish, there is

no middle ground. Shall democracy with all its heritage and glory fade from the world, to leave as a marker of its lamented tomb, bought at the price of the blood of innocent mothers and babes, an enslaved people—my answer is "No."

How simple it is to say that if Hitler conquers Britain he will not secure by such means as are necessary the possessions of its Empire, with all their resources, to conquer what the English mothers and babes suffered to protect.

We as representatives of our people cannot permit ourselves to be soothed into that dreamless sleep that would cause us to trust Hitler or any of his emissaries, by the wild statements of Colonel Lindbergh and others of his school of thought, which, if by us can be considered as in good faith must be considered and accepted as born of ill-advice. We are so often told that we could not be invaded—accept this as true if you may. Let me remind you that England has not been invaded, but its land has been drenched with the tears of helpless women and its air terrorized with screams of horror-stricken babes—her national soul shocked from bottom to top.

Why and on what premise should we assume that we would be spared the fate of other peace-loving democratic people at the hands of a victorious Hitler in all of his mad lust for innocent blood? Power means more to him than God and all of His love. Trust him if you must, and see the soul of man crushed and the liberties of man perish before his ever-increasing fire of hatred and destruction. If it takes my blood and my life to defeat his purposes and program of human slavery, let it go. If it takes aid to Britain, let it go. My heart goes out to Britain—she is fighting the common cause of all the God-fearing, peace-loving people of all the world for that standard of peace, security, and liberty that was bought by the blood of the heroes through the ages. May God give her gallant people continued courage, hope, power, and might to hold the banners of her democracy above the mud, mire, and dust of a lost cause and enslaved people. When you think of death at its worst, it cannot compare with life in an age in which all the heritage of American liberty and tradition lie buried beneath a Nazi flag.

I am young in this body but old in my faith in democracy and in the belief that nothing has ever been gained by bowing a head or a heart to a tyrant. I love peace and hate war, but hold national and personal honor above blood, and before I would appease a monster whose only purpose was to banish love from the earth I would give my blood with a smile.

No tyrant has ever yielded to appeasement, nor will Hitler; he hears only the voice of force and will yield only to its demand.

With the courage of the gallant statesmen who have gone on before and with full faith and prayerful hope that I am right, I shall cast my ballot for the bill that is before this body, H. R. 1776, in the serene confidence that I have served my people and the cause of love and Christianity well. May God guide us through these trying hours and grant



that no American blood shall be shed in this great conflict. [Applause.]

Mr. BLOOM. Mr. Chairman, I yield 10 minutes to the gentleman from California [Mr. Izac].

Mr. IZAC. Mr. Chairman, the international situation may be likened today to a man struggling in a rapidly moving stream, we on the shore attempting to throw a rope to save him and a bystander responsible for his predicament standing by and saying, "It is all right to throw the rope but don't touch the end." Up to 20 centuries ago and the coming of the Christian era, we had the same philosophy that is trying to be brought back to the world today. I refer to the philosophy of force, the pagan philosophy. The only thing that mattered in those days, according to our histories, was that right could only be submerged by might; that nothing mattered except might; that he who had the might was strong and would prevail. It was not until the coming of the Christian era that we had a change of philosophy, and that new philosophy that we call the Christian philosophy or the democratic philosophy, if you will, has been having its troubles ever since. During the Dark Ages we saw a reversion to the old philosophy of paganism; and coming to a more recent time, the time of Frederick the Great, we saw the glorification of war as his watchword. He builded on the theory of force, and he built well. In later times the Kaiser did likewise, and many of us felt the pressure exerted by that monarch; but at no time in the history of the world of the last 2,000 years, has there been such a threat against the new, the Christian, the democratic philosophy, as there is at the present time. The most terrifying onslaught of all history is on the march today. You may ask me if it is our province to stop that, whether it is our will to stop that, or our ability. I do not know. I do not know how you feel about it, but I am convinced that all we have that makes life worth living is encompassed in that new philosophy of which I speak, and I shall explain what I mean. It is simply the American way. Let us contrast it for a moment with the other way, the totalitarian way.

On our Saturday nights our workingman can go to the boss and get his check. He can convert it into all of the things that he and his family need. He can get that pay check in coin of the realm. He can get it under our free institutions, and spend it for even recreation and the movies—spend it for whatever his heart desires; it is his pay for decent working hours and decent working conditions. On the other hand, contrast with that the situation in Germany. Hitler says to the workingman there, "You work as long as I tell you to work," and it is usually 12 hours a day. He tells them that they must work not 40 hours a week, but 6 or even 7 days a week. And at the end of that time the workingman gets a chit of paper which says, "With this you can get so much food and so much clothing." They even tell him for whom he may work and at what he may work.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. IZAC. The gentleman will pardon me if I decline to yield. On Sunday morning you and I can go and worship in any church that we desire, but you cannot do that in Germany. Look at the record that Hitler has made with the Lutheran Church, with the Reverend Niemöller. That reverend gentleman is still in a concentration camp; and then there is the cardinal archbishop of Munich, a Catholic prelate. They still have barbed wire around his mansion, and they still dictate the kind of prayer book out of which one shall pray. If there is ever an election in Germany, I do not know about it; but on last November 5 you and I faced an electorate with no fear in their hearts as to how they might be treated if they did not vote for you or for me. That is the difference that I try to show today—the difference between democracy and totalitarianism; between the new philosophy, the Christian philosophy, and the old pagan philosophy. I do not want to see that prevail in this world. I will go the limit against it.

Now, let us look at the military situation for a moment. I have heard, as you have, that the Monroe Doctrine was created for a certain purpose. I have to disagree with all the purposes I have heard advanced on the floor during this debate. The naval strategists realize that as long as we have had the British Fleet supreme in the Atlantic it has not meant any depredations against our liberties. For over 100 years that fleet in being in the Atlantic has given us an opportunity to go about our business as we saw fit. Why do you suppose we never feared the British Navy, even in times when our Navy was not at all comparable? Simply because Canada lay unprotected on our flank. We could overrun her. England could not have prevented it. We had something with which to combat an aggressive British Fleet. But change the equilibrium in the Atlantic and what have you? You have another nation coming in—over which we have no counteracting power.

When the debate was had on the floor about aid to Finland I first mentioned the advantage, in my opinion, of giving aid to Finland, stopping the Russians where they were, not that I hated Russia, but I did not want to see another power come into the Atlantic, and if they had gone through Finland, Sweden, and Norway could not have stopped them, and they would have been at the North Sea and had access to the North Atlantic. I offered then to give little Finland tanks, even destroyers, if we had to loan them—anything to help keep the equilibrium in the Atlantic. Then later on we saw the Germans come into this theater. They have access to the Atlantic now and you see what a threat it is to us. I understand, although I did not hear the speech of Hitler the other day, that he said, "You had better not send your ships over here because I will sink them." He could not say that after our destroyers got into action in the World War, because he did not have access to the Atlantic. Occasionally a submarine got out, yes; but it was no threat to us. Twenty or more of their submarines were

destroyed and they soon called a halt. Almost 2 months before the armistice was signed German submarines returned to home ports, on the surface, flying the white flag. They could not compete with American destroyers. But now it is different. Now, in the Atlantic, as I say, you have a new power, and that power sits there right athwart the line of communication between us and the democracies if we want to help them. What are you going to do about it?

[Here the gavel fell.]

Mr. BLOOM. Mr. Chairman, I yield the gentleman from California 5 additional minutes.

Mr. IZAC. Mr. Chairman, it is true the British Fleet is still in being, and as long as it is in being it is perhaps possible for her to protect the stream of arms and munitions we send, but I predict if this bill is not passed you will see a negotiated peace, which in no way will curb the onward march of Hitler and the totalitarian nations. [Applause.] But I think this bill is going to be passed. I would like to see fewer amendments even than those placed on this bill by the Committee on Foreign Affairs. I am thinking of the man struggling in the center of that stream and I would like to see us take hold of the end of the rope and pull him ashore; not just standing by, and when Mr. Hitler says "Do not touch that rope," to quail before his threat.

It can be done in this way. Our hemisphere—the Western Hemisphere—begins at the longitude of zero, Greenwich. Who is he to say that we cannot exercise our rights in that hemisphere? The Atlantic Ocean is our ocean just as much as it is anybody else's ocean. Is someone going to tell us we can go just so far and no farther? By giving power to the President to declare that the combat zone exists no longer west of Ireland we can take our ships that far, and I will guarantee you will have freedom of the seas, when you build up the Navy as you are building today, and neither Mr. Hitler nor anybody else can prevent aid going to the democracies if it is in our will to take those things there. They say it may mean war. My friends, you cannot tell, and I cannot tell, whether the passage of this bill means war or peace. We do not know. But I want to say that it is not in your power, and it is not in mine, to prevent war. I lost all patience with my people when they came to me during the last campaign and said, "Please don't get us into war." I said, "Don't look at me. I am not getting you into war, but there is one man who has the power to do that, and that is Mr. Hitler. Look at him."

Mr. FISH. Mr. Chairman, will the gentleman yield?

Mr. IZAC. I would rather not yield, if the gentleman will pardon me.

Now, that is the situation as I see it. I went through the last war, as did most of you. I hate war. I do not want to see war come to my country again. Sometimes, however, you do not have the power to say whether there will be a war or not; and I think one of those times is now. I believe it is in the hands of the dictator powers—Japan, Mussolini,



and Hitler—to say whether we are going to be dragged into this war or not; and one overt act on their part can cause it. Did you not read the other day where they dropped some bombs on the outskirts of Dublin? Poor little Ireland was not doing anything to cause that. All Mr. Hitler has to do to bring us into his war is to send an aircraft carrier or a merchant ship with a few planes aboard, if he has not any like ours that can cross the ocean, and drop his bombs on New York City; and what are you going to do about it? If he wants to get us into war, he will get us in, and you and I cannot prevent it. This is the situation that I say is fraught with all kinds of danger, and I am not going to quail before a fellow like this because I think there are so many other eventualities that might happen that are worse that I do not think it is worth considering.

Mr. MAY. Mr. Chairman, will the gentleman yield?

Mr. IZAC. I hope the gentleman will pardon me if I do not yield; I have but a minute left.

One other thing I should like to say, and then I am through. We have heard so much discussion on this I am not certain I can bring you any new thoughts, but on this subject of international law, let me say that international law is only a set of rules by which nations can get together after their troubles are over and see how much they owe each other. That is all its effect is, even though some say that international law may prevent our doing some things that are to our interest to do. In the present-day world Hitler, Mussolini, and every other ruler abroad ignores international law and the rules and regulations drawn up in accordance with those general basic principles at the first drop of the hat, at any time it pleases them so to do. Let us not therefore be too circumspect about that ourselves. Let us say, "Here is our hemisphere. We will do as we please in this." And I will go along with my friends for freedom of the seas in all parts of the world when you give us a navy sufficiently large to maintain that freedom of the seas. We are close on that now. When we have it I would refuse to permit Mr. Hitler to say where my ships will go and when. I trust this Congress will make up its mind once and for all time that we will not be dissuaded from that decision by any dictator, and that this way of life we call the American, the Christian, or the democratic way of life, will prove to be so superior in every way to the totalitarian way that our people will cling to it and rather fight than give it up. [Applause.]

[Here the gavel fell.]

Mr. BLOOM. Mr. Chairman, I yield 15 minutes to the gentleman from Ohio [Mr. Young].

Mr. YOUNG. Mr. Chairman, throughout this debate we have been delighted, regaled, and instructed by expression of views of Members on both sides of the aisle, each of whom has added something tangible in this discussion, and each of whom is sincere and unselfish in the intent to do the utmost for the welfare of our country in this time of its peril. The House of Representatives is a fol-

erant body, a true cross section of the American people. Let us hope that before we finally send this amended bill to the other body there will be a feeling of practical unanimity that we are united behind this bill and that all reasonable objections have been removed.

The national-defense bill, for which I intend to vote, does not change our status as a nonbelligerent. Nor is it a device to get us in war without consent of Congress, as claimed by the gentleman from New York. Nor does it involve the surrender of our war-making powers to one man. We are not at war. In my judgment this is not a war Congress. Only Congress can declare war. President Roosevelt is Commander in Chief of the Army and Navy. If the President wants war instead of peace he would not have to waste time on Congress. He could order our Navy to Singapore or Gibraltar the same as President William McKinley sent the *Maine* to Havana in 1898; the same as President Woodrow Wilson ordered American sailors and marines to attack Vera Cruz in 1914; 180 Mexicans were slaughtered and 19 Americans were killed and 63 wounded. This was without action of Congress. He could order our warships to escort merchant vessels into the English Channel and clear the sea lanes from Boston to Liverpool. Other Presidents have sent troops into Haiti, Nicaragua, China, and other countries to fight and without any act of Congress. Every American President has always had tremendous powers in the field of foreign relations. The Monroe Doctrine was not an act of Congress. It was the act of an American President who proclaimed this country would fight if any Old World power tried to take any territory in this hemisphere. Americans hold that doctrine as binding and as sacred as any act of Congress.

This debate is one of the most important ever waged in the American Congress. In his fascinating autobiography, *Pilgrim's Way*, Lord Tweedsmuir, Governor General of Canada, before his death a year ago, wrote something strikingly prophetic about the United States. "If America's historic apparatus of government is cranky," he wrote, "she is capable of meeting the instant need of things with brilliant improvisations." This bill to promote the defense of the United States by providing aid to Great Britain—to any country in fact whose defense is vital to our own defense—is precisely for the purpose of meeting the instant need with improvisations. We face unparalleled dangers and unprecedented Congressional action is required to avert them. President Roosevelt frankly stated in his press conference that while he does not crave the powers comprehended in this bill, it is indispensable that someone should have them in order that swift action may be possible. Speed in our aid to Great Britain he maintains is the all-urgent need. Foes of the administration cry "dictatorship," and that this bill gives President Roosevelt power to declare war. These charges are not true.

To those who shout or write "dictatorship" I quote Emil Ludwig, a very great German who loved his fatherland. He said—

Only those who have not lived in unfree air would speak of President Roosevelt as a dictator.

There is nothing in this amended national-defense bill which makes for war or dictatorship. The purpose of the McCormack bill, H. R. 1776, is to enable our Government—not our private bankers—to continue to aid nations whose defense we consider vital to our own defense, even though such nations cannot at the time pay for such supplies in cash. This authority permits of speedier action than could be had after various debates and discussions in both branches of the Congress. If our President wanted war instead of peace, he could involve this Nation in war, and no act of Congress could prevent it.

There are those who claim that Germany, prior to 1916, was traditionally friendly to this Nation, and that Great Britain never offered assistance to the United States. They should study history. In the year 1888 the United States and Germany were at a tension over coaling rights in the Samoan Islands. We had had a treaty for the use of the harbor since 1872, and that was amended in 1884, giving us exclusive rights in the harbor of Pago Pago for a coaling station. The Germans sent three warships and proceeded to take over the islands and denied our vessels the use of the harbor. Congress did not act, but the President immediately sent three warships and they entered the harbor and lined up broadside to the Germans. The American Commander told any of his crew who were German that they could go ashore during the fight. About a third of his men went over the side. This threw the advantage to the Germans, and one morning when the guns were all loaded and things were about to explode, the British cruiser *Calliope* steamed into the harbor and lined up with the American ships broadside to the Germans, cleared for action and the British Commander called the crew to quarters. That stopped at the moment what certainly would have been a war with Germany, and directly afterward an act of God, a terrific hurricane, scattered the warships of the three nations.

At the outbreak of the Spanish-American War the German Kaiser sounded out the British Government on a proposition to assist Spain. This German effort did not meet with success. Then directly after the Battle of Manila Bay, in May 1898, Admiral Dewey awoke one morning to discover that the German Government had reinforced its warships in the bay and Germany had a stronger fleet than his little squadron. Furthermore, the German admiral, Von Diederichs, took a hostile attitude. Admiral Dewey ordered a shell fired across the bow of the German cruiser when the German Admiral insisted upon steaming into a section of Manila Bay barred to his fleet by Admiral Dewey's orders. The American Admiral sent a hurry call for the battleship *Oregon*. Simultaneous with this, Von Diederichs asked the Commander of a small British squadron in Manila Bay what he would do if Germany took a hand in the affair and helped out the Spaniards. The English commander then uttered some very weighty words,



He simply said, "Blood is thicker than water." The battleship *Oregon* completed coaling at Hawaii and left under sealed orders. The day the *Oregon* left Hawaii Von Diederichs and his German Fleet moved out of Manila Bay.

I am unalterably opposed to sending American boys to fight on European battlefields. What is the future of America if Hitler wins? What of the future if we stop our aid to Great Britain, or delay? If Hitler reduces Europe and England to slavery and dominates the ocean lanes and the commerce of the world, what hope is there for the American way of life, for our peace, and for the maintenance of prosperity and contentment? Today thousands and thousands of children are marching to the schoolhouses of this land. Their liberty, their supremacy, and their happy and peaceful future are sweeter to us than the fragrance of the sweetest flowers. What hope is there for their future if we stand aside now and permit the lights of democracy to go out in Europe? My boy is 18. He will surely serve in this war if there should be a war. Yet what hope is there for him 10 years from now, or for his children 20 years from now, if we fail to send planes, munitions, guns, food, supplies to Great Britain and China, who are fighting valiantly against the evil forces that would crush democracy in our time? No one can positively know what road we should take to maintain peace and preserve democracy in America. My choice is to support President Roosevelt, who said:

I have one supreme determination to keep war away from the Western Hemisphere for all time. It is for peace I have labored, and it is for peace I shall labor all the days of my life.

Will the dictators in their arrogance bring the war to us the same as they brought it to Poland, Holland, Belgium, Norway, and Greece? We are a peace-loving people, but certainly no people on earth loved peace more than the Norwegians and the Dutch. Norway had not waged war in 102 years. Holland had not been involved in any war in 147 years. They did not want war. Hitler took the war to them.

National defense is not a political issue—it is a national necessity. Nevertheless, the most compelling issue in the recent campaign from a national standpoint was that of foreign policy. Notwithstanding the highly patriotic position taken by Mr. Willkie, the rejection of President Roosevelt would have been interpreted by dictators as a repudiation of American foreign policy. The overwhelming reelection of Franklin D. Roosevelt and a Democratic Congress is a clear mandate for the continuance of the forthright and unswerving foreign policy of President Roosevelt and our great Secretary of State, Cordell Hull, for the maintenance of a two-ocean navy, our first line of defense, as the mightiest in the world, and for the unflinching defense of the entire Western Hemisphere from all threats of dictatorship aggression. I will uphold the hands of our President in the maintenance of the integrity of our institutions and help write into history, not of war, but of humble people, their life, liberty, and pursuit of happiness.

I am much opposed to using American warships to convoy British merchant vessels, and I want all Americans to be compelled to remain out of European war zones. Nevertheless, every President from George Washington to Franklin D. Roosevelt has had or has exercised authority—and the Constitution gives the authority to the Executive—that might precipitate war regardless of the act or wish of the Congress. Obviously, the purpose of this bill is to accomplish the more efficient use of our resources to achieve national defense without war. As Congressman at large from Ohio—representative of nearly 7,000,000 constituents—in this time of grave danger to our Republic, to our security, and to our way of life, I am determined to do my utmost to keep war 3,000 miles distant from our shores. Let us strengthen, not weaken, the hands of the Commander in Chief of our Army and Navy so that no dictators will dare attack us.

House Resolution 1776 bears a prophetic number. H. R. 1776 is a virtual declaration of independence through Great Britain from the dictator powers.

This is our hour of decision. Some folks who now cry dictator, if they had their way, might experience Hitler as a dictator. Delay is dangerous. Hitler fears the industrial strength of America added to that of Great Britain. This is an emergency that calls for the utmost speed. The crisis confronting this Nation is more menacing than that faced by the North following Bull Run and before Gettysburg. In fact, had the South won the War between the States—we in Ohio refer to it as the Civil War—there would have been two American democracies instead of the United States; but if Hitler triumphs and controls the Atlantic, our free institutions are face to face with the destructive forces of autocracy. There might be no democracy. Our way of life—our standard of living for which our forefathers fought and bled—will be torn down. Great Britain is trusting Winston Churchill. We in America must place our trust in Franklin D. Roosevelt. The industrial force and strength of America behind the manpower of Great Britain will enable Britain to stave off destruction and disintegration without the loss of an American soldier. The British Navy plus American bombers manned by the Royal Air Force will enable Great Britain to continue its naval blockade, and in the end launch an air offensive over Germany and the hollow shell of Naziism will collapse. Then it is for American leadership to point the way—to chart the course—to help build the road through the jungles of Old World hates and desires for political aggrandizement—to a just and lasting peace in this desperate, war-weary world. [Applause.]

Mr. BLOOM. Mr. Chairman, I yield 5 minutes to the gentleman from Mississippi [Mr. COLMER].

Mr. FISH. Mr. Chairman, I yield 5 minutes to the gentleman from Mississippi [Mr. COLMER].

The CHAIRMAN. The gentleman from Mississippi is recognized for 10 minutes.

Mr. COLMER. Mr. Chairman and Members of the House, I am as keen in my desire to assist Great Britain and the other victims of aggression at the hands of the Axis Powers as any man on this floor. And while I am none too happy over the necessity for the enactment of such legislation as that now under consideration, I am reluctantly driven to the conclusion that in going along with this legislation I am accepting the lesser of the two evils offered—the necessity for aiding Great Britain with the risk of becoming involved in the war which that course involves, or accepting the other alternative of running the risk of allowing Great Britain to be defeated, thereby leaving America alone to withstand the onslaught of the totalitarian powers.

For more than a year the United States has been successful in its determination to prevent being drawn into the maelstrom of World War No. 2. The fact that it has been enabled to stay out of this war is attributable to the fact that on November 4, 1939, the Congress of the United States passed the so-called Neutrality Act, which provided that American ships should not enter the combat zones. I am convinced beyond the shadow of a doubt—and you will agree with me—that had it not been for the fact that Congress in its wisdom saw fit to pass this law, we would have been in this war long before now. You and I know, in the light of past experiences and with the knowledge of the temper of the American people, that had our ships been allowed to freely enter these danger zones, innumerable American ships would have been sunk by the Axis Powers and America today would be in the war. Lesser nations have been content in this and in previous wars to permit the sinking of their ships with the attendant loss of the lives of their nationals and the dipping of their flags into the sea; but the people of America—proud of their heritage, conscious of their vast resources, and resplendent in the knowledge of past achievements—are unwilling to withstand the shock to their national pride of permitting the sinking of American ships and the loss of American lives by a foreign belligerent. How long do you think a proud American people would tolerate the repeated glaring headlines which would appear in the press daily advising an inflamed public of the loss of American ships and American lives?

Mr. Chairman, with this in mind, I have endeavored by discussion with members of the Foreign Affairs Committee from the inception of this legislation to write into it a provision that the materials of war which this legislation proposes to give Great Britain should not be delivered in American bottoms. I think such a provision should have been written into the bill in the committee. Failing in that, I will offer at the appropriate time such an amendment for the consideration of the House. The amendment which I propose to offer is as follows:

Page 4, after line 5, add a new paragraph, as follows:

"(e) Nothing in this act shall be construed to authorize or permit any of the defense articles herein provided for to be transported to belligerents in American vessels."



In the consideration of this amendment, no doubt, we will meet with the argument by those in charge of this legislation, which they have heretofore advanced, that there is no necessity for such an amendment. That the bill does not specifically authorize the transportation of such materials in American bottoms. Our answer to that argument is that, if there is no such authority, either specifically set out or implied, the amendment can do no harm. However, I might point out, the legislation is so broad in its scope, its powers delegated are so numerous—both specifically and by implication—that there is grave doubt whether or not such power is conveyed in the bill. Again I would like to say that this amendment is in line, and on all fours with, the amendment adopted by the committee with reference to the conveying of ships by our war vessels. I am advised that the committee, in the consideration of this bill, took the position that they, no doubt, will take here, that there was no power either suggested or implied with reference to the conveying of ships written into the bill. And yet the committee saw fit to adopt the so-called conveying amendment.

Frankly I think that the committee should accept this amendment. They argue that it is not the purpose of this legislation to convey these articles in American vessels. Then, if that be true, what harm could there be in its adoption? Moreover, the committee, no doubt, will argue that this proposed legislation does not repeal the Neutrality Act, which prohibits our ships from going into combat zones. My reply to that argument is that the multitude of American citizens who are apprehensive of this bill and its broad powers will have their fears allayed by an affirmative reaffirmation and redeclaration of American foreign policy as set out in the neutrality law prohibiting American ships from entering the combat zones.

Mr. COX. Mr. Chairman, will the gentleman yield?

Mr. COLMER. I am delighted to yield to my distinguished colleague from Georgia.

Mr. COX. The gentleman has made a most excellent statement. I trust he will offer the amendment he has referred to. If he will offer it, I have the confidence to believe there will be enough Members to follow him to adopt it by an overwhelming majority. If the committee sponsoring the bill does not accept the amendment, it ought to.

Mr. COLMER. I agree with the gentleman that the committee should accept the amendment. I tried to get them to agree to it, but, so far, my efforts have been unavailing.

If such an amendment is adopted—I do not care whether it is in the particular verbiage I have proposed—but I think the adoption of such an amendment would be the most constructive thing we could do. I have no pride of authorship or verbiage in the matter so long as the principle is embodied.

And let me say in this connection that I propose, if I do not have the opportunity to offer this amendment, to vote for

such an amendment, whether it comes from this side of the aisle or from that side of the aisle. [Applause.] And I want to say in furtherance of that that I took occasion some several days ago to criticize—well, that is a little strong perhaps—but I did take occasion to rise on this floor and make some remarks about the partisan attitude that was being developed in the House on this legislation. I am happy to see as this debate progresses that less and less partisanship is being shown and a finer spirit of patriotism is being evidenced.

Mr. Chairman, I realize the full significance of the traditional method of legislating by committees and the full import of our traditional adherence to recommendations of departments and bureaus who sponsor the legislation which comes before the Congress. But I would remind you that in the final analysis it is to the Congress and not to the departments and bureaus, or even the President himself, that the people of America look. And it is the Congress of the United States which the people of the country hold responsible for the legislation enacted. Now I appeal to you as sovereign representatives of the American people in this hour of gravity and peril to the young Republic. I appeal to your sense of responsibility. I appeal to your patriotism. I appeal to your initiative and your spirit of independence. Is there anything sacred about a bill which is reported from a committee? Shall we surrender in toto our responsibility simply because a department of the Government, regardless of how much respect we may have for that department, has said to a committee of the House that the language of the proposed legislation shall be just as it was handed to the committee, and beyond that we should go no further? Let me put it this way. Suppose the State Department had said to the Committee on Foreign Affairs that they thought such a provision should be in the bill and had put it there. Can you conceive for one moment of such language being stricken from the bill? Or again, had the Foreign Affairs Committee, of which the distinguished gentleman from New York [Mr. BLOOM] is chairman, written this very provision into the bill when it was brought to you here on the floor of the House, can you imagine that it would have been stricken? Or, finally, suppose the gentleman from New York [Mr. BLOOM] were now to arise—as I think he should—and say that the committee accepts this amendment, do you think there would be any objection from this House? Now let's just use a little plain horse sense about this matter. Are we, the 435 Representatives of one hundred and thirty-odd million American citizens, to surrender completely to a department, to a committee, or even to one man—the distinguished chairman of the committee—our right to legislate on this important subject? I repeat the query: Is there any sacrilege in our adopting an amendment to this bill to which the only objection raised is that it is unnecessary? Who knows whether it is necessary or not?

Mr. FISH. Will the gentleman yield?

Mr. COLMER. I am compelled to yield to the distinguished gentleman under the circumstances.

Mr. FISH. I read in the newspapers a day or so ago that a spokesman for the White House said there will be no amendments in the House, that there were enough votes to pass the bill unamended, but they would make concessions in the Senate. Does not the gentleman think it is the duty of the House to legislate itself?

Mr. COLMER. Of course, I am not advised about the first statement the gentleman makes. As to his last statement, it is self-evident. It is the duty of this House to perform its own legislative function, and simply because this particular piece of legislation has been dumped into the lap of the Committee on Foreign Affairs is no reason why it should be adopted in that particular form.

[Here the gavel fell.]

Mr. BLOOM. Mr. Chairman, I yield the gentleman 3 additional minutes. Will the gentleman yield?

Mr. COLMER. I yield to the gentleman from New York.

Mr. BLOOM. Is there anything in this bill that gives the President the right to do anything that the gentleman's amendment applies for? Does not the Neutrality Act at the present time provide for just what your amendment states?

Mr. COLMER. Does the gentleman direct that inquiry to me?

Mr. BLOOM. Yes.

Mr. COLMER. I wonder if the gentleman would think I was facetious or presumptuous if I answered that by directing an inquiry to him.

Mr. BLOOM. I would be very glad to try to answer it.

Mr. COLMER. Immediately preceding the point where I propose to offer this amendment is another amendment which states in almost identical language that "Nothing in this act shall be construed to give power to convoy vessels." Carrying this matter further, may I ask the gentleman if there is anything in the legislation that gives the power to convoy vessels?

Mr. BLOOM. I will answer the gentleman in this way. There has been so much talk about that matter that the committee thought it would put that in there just to allay fear; but there is nothing in this act, and there is no reason for an amendment, which grants power of that sort in there, and the Neutrality Act specifically provides for that. In my speech of Monday I covered the question that the gentleman raises.

Mr. COLMER. The gentleman admits then that there is nothing in the legislation that would authorize the conveying of ships and that that was put in there to allay fears and to reaffirm and to redeclare the policy of this country with reference to that particular item. Is that right?

Mr. BLOOM. Yes; that is correct.

Mr. COLMER. Then would the gentleman have any objection to a reaffirmation and a redeclaration of the foreign policy as set out in the Neutrality Act which is on all fours and in line with the gentleman's statement on this question of



keeping our ships out of the combat zones?

Mr. BLOOM. We can write a bill of "don'ts" if that is what the gentleman wants to do. There are certain rights given to the President as Commander in Chief under the Constitution. Do you want to put in here that we give him or grant him these rights over again? You can go very far on that. You could say that this does not give the President the power to do this or that, and we could go on down and enumerate a hundred different things, but please remember the Constitution is written practically the same way as stated in there.

Mr. Chairman, I have taken up quite a bit of the gentleman's time and I yield the gentleman 3 additional minutes.

Mr. COX. Will the gentleman yield?

Mr. COLMER. I yield to the gentleman from Georgia.

Mr. COX. May I make the inquiry of the chairman of the committee sponsoring this bill whether he objects to the amendment to which the gentleman makes reference and which he says he is going to offer to the committee? May I say to the gentleman, further, that he has stated to the House and to the country that this is not a war bill, that this is a peace measure?

Mr. BLOOM. That is right, except I did not say it was a peace measure, it is a defense measure.

Mr. COX. All right. It has also been stated that the conveying of ships or the transportation of equipment in American vessels would certainly get this country into war. The gentleman's amendment is intended to prevent the doing of those things which the gentleman and his colleagues say may be provocative of war. In view of that statement, and in view of the position the gentleman from New York [Mr. BLOOM] has taken, is he opposed to the amendment that the gentleman from Mississippi will offer?

Mr. BLOOM. I will answer that in this way: The committee yesterday, today, and tomorrow morning has met and will meet to consider all suggestions and all amendments that are offered. I will be very glad to take the gentleman's amendment, present it to the committee, and if the committee should decide to agree to the gentleman's amendment or to act upon it, that is all right with me.

Mr. COLMER. I think that is a very fine and fair statement from the distinguished chairman of the Committee on Foreign Affairs.

[Here the gavel fell.]

Mr. FISH. Mr. Chairman, I yield the gentleman 2 additional minutes. The gentleman from New York [Mr. BLOOM] meant by his last statement that the majority members were called together. There has been no call of the minority members.

Mr. BLOOM. The gentleman from New York is making quite a few statements here. Naturally, the gentleman knew that I referred to the majority members of the committee.

Mr. COLMER. May I say to the distinguished chairman of the committee that I assume from what has been said here that he will have the cooperation of

the minority members in the adoption of such an amendment.

Mr. FISH. We hope that this is a non-partisan bill.

Mr. MICHENER. Mr. Chairman, will the gentleman yield?

Mr. COLMER. I yield to the gentleman from Michigan.

Mr. MICHENER. It was impossible to hear what the gentleman from Georgia [Mr. Cox] said when he was on the floor a moment ago. Possibly he covered the same ground. In answer to the gentleman from New York [Mr. Bloom] who says there is no necessity for the amendment to which the gentleman from Mississippi has referred, may I call attention to the fact that that is correct as far as the law today is concerned, but if this lend-lease bill becomes a law, that part of the Neutrality Act which is in existence today will be suspended or waived in the discretion of the President.

Mr. BLOOM. No; not at all.

Mr. COLMER. Mr. Chairman, I am firmly convinced that such an amendment written into this bill would be the greatest safeguard against this country becoming involved in war of anything that we could do. Let me remind you again that the one thing that has kept this country out of war to this date has been the keeping of our ships out of the combat zone. And I now make so bold as to predict that the day we allow our ships to go into these zones that day America actively and overtly enters the war. Aside from our desire to prevent the sacrifice in blood and money of such a war, the tragedy lies in the fact that America is not prepared for war. It seems to me that the greatest task that lies immediately ahead is a diplomatic one. We should see to it that America should stay out of this war at least until it is prepared to fight. God permit that we may stay out entirely. [Applause.]

[Here the gavel fell.]

Mr. FISH. Mr. Chairman, I yield the gentleman from North Dakota [Mr. ROBERTSON] such time as he may desire.

Mr. ROBERTSON of North Dakota. Mr. Chairman, members of the Committee, I cannot find myself in agreement with this bill in its present form. It seems to me that in order to correctly approach the question involved in this bill we must start with the beginning of the opening day of this session of Congress. It was on that particular day that I took my oath of office as a member of this body, and in that oath I was bound to "support and defend the Constitution of the United States against all enemies, foreign and domestic, to bear true faith and allegiance to the same," and to "faithfully discharge the duties of the office."

I assure you that it shall constantly be my endeavor to keep inviolate both the spirit and the wording of that oath. I have been impressed by the debate on both sides of this great question these last several days. I had hoped that on a matter so important as this, we would find ourselves in spirit at least in unity.

I would regard this as an important and forward step both for the welfare of this country and for the countries this bill is designed to assist. The wording

of this bill states in understandable language that its intention is "to further promote the defense of the United States, and for other purposes."

I have been impressed with the unity of purpose of all who have spoken on this bill insofar as their desire to aid Great Britain is concerned. I, too, share this view, and I am glad to find that on this particular point there is general agreement.

It seems to me that we must for a moment briefly analyze what is transpiring in the world that brings to us what the administration seems to feel is the need for this bill. I am inclined to think that there is going on today a great struggle that can be called a revolution of principles of government. That revolution is being led by the German chancellor and his associates. It is, in fact, a contest between the totalitarian types of government now so general in Europe, and for which the German chancellor stands as the speaker, against the democracies or the democratic plan of life, of which our American system is one.

There are many in this land who look with suspicion upon England. I am reasonably familiar with the history of the long span of national existence of the British Empire. I recognize that a nation with a history so long, that has played so important a part in the affairs of Europe, will by the very nature of things be adjudged guilty before the world of many mistakes. It is not my purpose here to attempt to defend the errors of England and her empire, and I am willing to include in that catalog another important event known as 1776. But it is my profound belief that the German Chancellor has committed more far-reaching crimes against the free peoples of Europe in the period of the last 12 months than was done by the British Government over a period of a thousand years.

So I, too, join with the others in a sincere desire to give every possible assistance to Great Britain as she fights valiantly today with her back against the wall.

The German Chancellor has publicly proclaimed his intentions, which are, in effect, to create a new world order, and we are left to assume by his remarks that he will mark the trestleboard as to the new kind of world order in which the nations of the world must live. Surely few Americans who hear these remarks and observe this revolution in government can fail to show an ever-increasing sympathy toward the democracies.

We have the word of the administration that the United States is already giving Britain all the aid possible to give without impairing our own national preparation. The passage of this bill, therefore, will not in itself either increase or speed up that aid; first, because such aid is already being extended to the limit of our capacity to produce; and, second, because such aid will no doubt continue to be extended whether we pass this bill or not. It seems to me, therefore, that the crux of this situation is not, as the administration supporters would have you believe, the matter of the



aid to Great Britain. We can give all aid to Great Britain without the passage of this bill, by simply passing a measure extending to her and other democracies such gifts, loans, and credits as this Congress deems essential.

So the real point at issue is not the question, in my mind, of whether we can extend greater aid to England. It seems to me the people of the country are overwhelmingly in favor of extending such aid. The real issue raised by this bill is whether or not we, as Members of Congress, are going to grant these vast and unrestricted powers to the President. Are we ready to abdicate our constitutional authority, which each of us assumed when we took our oath of office, Republicans and Democrats alike, and entrust the lives of all the people of this Nation to the judgment and wisdom of one man? Are we, ladies and gentlemen of this Congress, elected representatives of the people, going to surrender these rights which are vested in us by the Constitution which we have sworn to uphold? That, to me, is the issue that must be met as we meet to debate and discuss this bill known as 1776.

In my honest judgment, much as I desire to continue our material aid to Great Britain, and much as I desire to see Great Britain stop the German Chancellor in his march of destruction, I feel that there rests upon our shoulders a correspondingly greater responsibility, and that, the preservation of the Constitution of the United States. The passage, therefore, of this bill would, in my humble judgment, be an act of abdication by the Congress and the surrender of constitutional prerogative to the Chief Executive. Conduct of the foreign policy of the United States is vested in the President and the Department of State, but the founding fathers imposed upon this executive power two very important checks: Treaties with foreign governments require the ratification of the Senate, and the Congress alone was given the power to declare war. In effect, this bill sets aside these two safeguards. It would authorize the President to enter into agreements with foreign governments, wider in scope than even treaties, without seeking the advice and consent of the Senate as provided by our Constitution. It would authorize the President to engage the armed forces of the United States in undeclared wars at his own discretion without permitting the Congress to pass upon this most vital of all the issues; and thus I find myself, as I study this bill, drawn between two forces; a profound desire to assist England, and even more do I desire to preserve the democracies of our own United States.

I hold for the President a high regard, and an equally high regard for his office. I recognize that in our America we abide by a majority rule. I recognize that the President was elected by a majority vote. He is my President, and he is your President. It is our duty to support him as the President, but likewise it is our duty to "support and defend the Constitution of the United States against all enemies, foreign and domestic, to bear true faith and allegiance to the same," and to

"faithfully discharge the duties of the office."

Mr. FISH. Mr. Chairman, I yield to the distinguished gentleman from Ohio [Mr. SWEENEY] such time as he may desire.

Mr. SWEENEY. Mr. Chairman, I have a mandate from the voters of the Twentieth Congressional District of Ohio, whom I have the privilege of representing in this distinguished body, to vote against this vicious war-involving measure known as H. R. 1776—God save the mark. What an ironic gesture to identify the lend-lease, give-away bill with 1776. Our own American Revolution is associated with the spirit of 1776, which year brought forth our immortal Declaration of Independence.

In the congressional election of 1940 I presented my candidacy for reelection solely on the basis of no war and no war involvements. Democrats, Republicans, and Independents rallied to my support and elected me by a majority of 44,000, with full knowledge of my consistent record during the past few years in opposing every step bringing us nearer to war. My constituents had full knowledge that every metropolitan newspaper in my district who were daily urging the country to become engaged in the blood business of Europe fought my reelection.

I vigorously denounced the lifting of the arms embargo, permitting the sale of war supplies to belligerent nations on a cash-and-carry basis. I protested this measure as a violation of our neutrality law and a step that would only serve to prolong the war and ultimately hasten our entrance into the conflict.

I strongly opposed the policy of peacetime conscription of manpower and characterized that measure in debate as the very negation of democracy. The hullabaloo raised by the advocates of peacetime conscription about a foreign power invading our shores within 60 or 90 days has since subsided, and the 60 days passed with no invasion, as did the 90 days. The opponents of the peacetime conscription law have been consistent in their protest that a voluntary plan of enlistment with adequate pay would produce an army of manpower sufficient to repel any invading force that sought to invade in a military way the United States of America.

Recent events appear to justify the prediction of us who warned that a peacetime conscripted army would soon be used as an expeditionary force to pull the chestnuts out of the fire for Great Britain and once more "save the world for democracy."

We now predict that the lend-lease, give-away measure would invest in the Chief Executive the power to involve us in actual participation in the war. Never in the history of this Republic, nor in the history of any democracy, even in the history of Great Britain itself, has any legislative body, be it a congress or a parliament, attempted to delegate in peace or wartime such tremendous powers as this measure seeks to invest in one individual. I care not how sincere or patriotic any President of the United States may be, such power must be kept within the Congress. We are actually in the war once this bill is passed.

The authority to use our ships to convey vessels carrying munitions and war supplies through the actual war zones is bound to bring an attack upon our naval vessels by the powers now at war with Great Britain.

The authority to open our shipyards, docks, and naval bases for the repairing of warships belonging to Great Britain brings the war actually to our very door in Brooklyn, Boston, Norfolk, and every other naval base that may be opened for such a convenience to a belligerent power.

The authority to lend or lease any and all of our vessels, air bombers, and armaments to any nation whose defense the Executive deems necessary to the defense of the United States makes us the banker and the policeman of the entire world. The incidents that will flow from the administration of such power will undoubtedly force our American youth to any portion of the globe where we by our own belligerent acts, with chips on our shoulders, will impose our will and our philosophy, be it for good or evil, upon other nations.

One could not expect to constantly and without provocation punch Joe Louis, the champion of the world, without the pugilistic Mr. Louis returning a blow in kind. The analogy is perfect.

As a free people we despise the pagan philosophy of the totalitarian form of government, and we despise—at least, should despise—the selfish imperialistic philosophy of Great Britain, who controls three-fourths of the world and nearly one-half of the world's population. Our money, our blood saved Britain in the last World War and made possible her security as a world power. For that we received from the same officials, who are now begging us to once more save imperial Britain, the contemptible designation "Uncle Shylock," because we dared to remind our former ally of the huge war debt due this country.

Before we pass this bill we may well ponder over the statement of Ambassador Joseph Kennedy, that "democracy is dead in Great Britain." We are told that our first line of defense is the English Channel. We may well inquire just what sort of government or democracy we are about to save, if we do become involved in the war. Behind the chalk cliffs of Dover will there be a national socialist state, a Fascist regime, or the time-honored imperialism we have observed since Britain became the mighty empire that she is today?

Before we once more come to the aid of a tottering empire, may we not make bold to ask if you are the last bulwark of democracy the proponents say you are, that the newspapers say you are, and that your statesmen claim you are? What are your war aims? Will you continue to keep in subjection 400,000,000 human beings in India, who are clamoring for independence? Will you continue to keep in subjection embattled Dutch farmers—the gallant Boers of South Africa? Will you continue to encourage a dual form of government in Ireland, fostered and kept alive by religious bigotry and the mighty hand of your military strength? Will you continue, as Mr. Winston Churchill said recently, not



to relinquish 1 inch of your far-flung empire? These are questions some of us would like to ask before we take the fatal step in once again going to your aid. May we ask the further question, if you are a democracy, when did you become one in the fullest meaning of the term? Would you want the world to forget that only 20 years ago, under the leadership of your statesman, Lloyd George, you combed the slum sections of London and other English cities to pick up the worst types of humanity, paid for with your bounty and designated as the "black and tans," whom you sent into Ireland to plunder, rape, and destroy a peaceful, religious people whose only crime was to appeal to Your Majesty's Government for that God-given freedom which you now so valiantly boast you desire to secure for the world? Will you explain why, despite the fact you had a mandate to protect the Czechoslovak Republic and Poland, you permitted these countries to be conquered without lifting a finger to assist? The Czechoslovak Republic, France, Poland, and the other countries were in a true sense democracies, compared to your boasted democracy, and you stood by while they fell, contributing only a shower of paper pamphlets on Berlin from your boasted military bombers. All of this we in the United States know full well, and with tragic implication, hence we ought to know what democratic form of government you are fighting to preserve in Europe—the Europe of today.

We can and do sympathize with the poor people of England, and I dare say the poor people of Germany, who are not responsible for this war and who at night crawl into the bowels of the earth for shelter from aerial bombardments. The ruling class of Great Britain and France made possible Hitler's ascendancy and enabled him to build up the mighty military machine he is reputed to control today. Thank God, so far as it is known the United States had no part in the creation of a Hitler any more than we had to do with the creation of a Mussolini, or a Stalin, or in other days a Napoleon. There is no obligation on our part to destroy these dictators. The history of Napoleon presents a striking example of what happened to a dictator who sought to impress his will upon the people of the world. Left alone, they will destroy each other. Whether we will it or not, our actual participation in the blood business of Europe spells the doom of our democracy and paves the way for what most students of the situation predict a rise in communism throughout the world.

I am not a pacifist in any sense, but I believe like Col. Charles Lindbergh that the good offices of the United States, together with the other neutral powers and the head of Christendom, Pope Pius XII, should exercise every influence in the interest of a negotiated peace before the world is thrown into shambles.

Since my membership in this House I have supported approximately a billion dollars each year for national defense. I am wholeheartedly in favor of our present defense policy, the building of a two-ocean Navy, and the strong increase in

the military sphere of our national defense, and to make the United States the greatest power on earth in the field of aviation. To that end I subscribe to the defense of the Western Hemisphere. While I did not support the measure to subsidize the South American republics with a loan of \$500,000,000 through the Import-Export Bank, believing as I do that you cannot buy goodwill, and that the chief industry of most of the dictator countries in South America is revolution, nevertheless I am in favor of more cordial relations with our Latin neighbors to the south and with our Canadian neighbors to the north.

This measure is for the purpose of giving all possible aid to Great Britain, even though the name of that world power does not appear in the text of the bill. Great Britain is crying out for ships and more ships. Her next cry will be for men and more men. She has hundreds of ships now engaged in ocean traffic in the Orient, in African trade, and in the Atlantic, that she could very well put into service. But because of her selfish interests and fearful she may lose some small portion of the world trade she dominates she calls upon generous Uncle Sam to provide the ships for her war purpose and invite the loss we will have to assume while she minimizes her loss by carefully keeping her mercantile fleet away from the scene of conflict.

I believe when this conflict is over we shall have to sit around the table with the nation or nations who emerges as victor to discuss our economic and industrial problems. In the meantime it is my conviction that our forces should be kept intact and not weakened while we are engaged in the defense program, which is a program, we have been told, for the defense of the United States and the Western Hemisphere.

I honor the charge of the warmongers designating public officials like me and my colleagues, who place the interest of the United States first above every other nation on earth, as appeasers, pacifists, and what not and reaffirm we have no second choice, America comes first.

During the last World War certain Members of Congress who voted against our entering the war were threatened with physical violence and in some cases personally attacked. Time is a great healer. Every Member of Congress who voted against the war measure that brought us into the last war has been vindicated, and their action acclaimed by representatives of the American Legion, Veterans of Foreign Wars, and other organizations made up of men who went over the seas to bare their breasts for what they thought was a sacred cause. I firmly believe it will be the same with those of us who are against war involvement. Unjust criticism we expect to meet. Selfish interests who expect to profit by war will assail us at every turn.

Speaking for myself alone, I have registered a solemn vow that I would never under any circumstance vote for the shedding of a drop of blood of one American boy in this war business unless our beloved country was the victim of an attack by an invader. I am glad, Mr. Chairman, to cast my vote against this

measure, and to keep the record straight of consistently defending the land of my birth by trying to prevent the destruction of our manhood, the disunion of our people, and the collapse of our democracy by a man-made war.

One of the major causes of our participation in the last World War was the loans to warring nations by the international banking firm of J. Pierpont Morgan and others. Graciously we declared a moratorium on the war debts in December 1931. Not one red cent has been paid on these obligations save the token payments made by gallant Finland.

I venture to predict that this terrible holocaust in Europe was brought about by the same international bankers, who are now receiving hundreds of millions of dollars per year on their private loans, while Uncle Sam, figuratively speaking, plays the role of the beggar with the tin cup, shunned and cursed by the prosperous banker as he passes by.

It is significant that J. Pierpont Morgan does not appear on the front pages during these strenuous days. He is reputed to have reorganized his international banking concern and that the spearhead for the negotiation of loans with foreign powers is the junior partner, Thomas Lamont, one of the most vociferous war mongers of the Nation.

Lest we forget, it was Mr. J. Pierpont Morgan who happened to be in Europe negotiating with the powers that be when this terrible war struck the Continent in September 1939; and if we remember, it was the same Mr. Morgan, the international banker, who helped arrange for the visit of the King and Queen to the United States in June 1939. His picture appeared in every newspaper in the country when he attended the garden party at the British Embassy in honor of Their Majesties when they visited this Nation's Capital.

Our country with one-third of its population ill-clothed, ill-fed, and ill-housed should be more concerned with its domestic affairs than involvement in a quarrel which is not of our making. Our 10,000,000 unemployed are now the forgotten men of the administration. Our W. P. A. workers and our bread lines are now things of the past. Vicious cuts in the appropriations to sustain agencies of the Government for the protection of the unemployed and those on relief are now under consideration. Everything is relegated to the popular slogan of national defense. While it is true that this tremendous program may absorb many skilled workers who are now on W. P. A. and relief, every Member of Congress knows that in his respective district there are hundreds, aye thousands, of unskilled men and women who will never be able to receive steady and gainful employment in their lives under our present economic system.

Because I do not want to see the total collapse of the one remaining democracy in the world, save the Swiss Republic, with every force at my command I register my protest as an American citizen and as a Representative in Congress privileged to speak for hundreds of thousands of inarticulate citizens.



Mr. FISH. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. HINSHAW].

Mr. HINSHAW. Mr. Chairman, there are a good many things in both domestic and foreign affairs that should give us some pause these days. One of the things I have been wondering about is just what sort of a democracy we are going to be fighting for or are helping others to fight for. The Malvern resolution, which my colleague the gentleman from California [Mr. Voorhis] has obtained unanimous consent to place in the CONGRESSIONAL RECORD, according to Time magazine, the issue of January 20, was virtually unanimously sponsored by the Archbishop of York, 23 of the Church of England's 98 bishops, including top-ranking London and Durham, 14 deans, and a total of some 200 other churchmen.

The article in Time magazine states that this resolution calls for the unification of Europe in a cooperative commonwealth, communal ownership of the means of production, all of which spells communism to me; and on the negative side it condemned the profit motive, which I understand to be the mainspring of capitalism.

The article further stated:

Profit system condemned: Christian doctrine must insist that production exists for consumption. \* \* \* To a large extent, production is carried on not to supply the consumer with goods but to bring profits to the producer. \* \* \*

Further:

The monetary system must be so administered that what the community can produce is made available to the members of the community, the satisfaction of human needs being accepted as the only true end of production.

I recognize that the gentleman from California is interested in the monetary feature, but I should like to know whether a cooperative commonwealth of Europe and the communal ownership of the means of production, which sounds like communism to me, are the things we are asked to help defend in Britain today? [Applause.]

The gentleman from California [Mr. Izac] spoke a few moments ago of the "Christian democratic philosophy," if I quote him correctly. He did not refer to the Malvern resolution directly. Just what is this Christian democratic philosophy? Is it the philosophy of communism dressed up in Christianity? Is it the philosophy of the communal ownership of the means of production? Is this the philosophy of democracy? It is high time we learn just what it is that is proposed in "ordering the new society."

Not long ago I heard Sir Walter Citrine, secretary of the British Trades Union Council, address a Washington meeting of the American Federation of Labor and say that British labor leaders had come to the conclusion that socialism and communism meant slavery to labor and the loss of all the rights labor has so long fought to establish. He said that capitalism was the only system that men could live under and be free. We all know that capitalism is the foundation of democracy—not communism.

[Here the gavel fell.]

The article from Time magazine follows:

[From Time magazine for January 20, 1941]  
RELIGION

#### FOR A NEW SOCIETY

Church of England liberals moved boldly last week to seize for the church leadership in "ordering the new society" which they found "quite evidently emerging" from the war.

To that end they stole a march on the government with a program of post-war aims which, coming from any group, would be startling. Coming from the traditionally complacent and conservative established church it was little short of revolutionary. It called for unification of Europe in a co-operative commonwealth, communal ownership of the means of production, more religion and less liturgy. On the negative side it condemned the profit motive and the church's own financial dependence on ancient perquisites and levies.

Virtually unanimous sponsors of this program are the Archbishop of York, 23 of the church's 98 bishops (including top-ranking London and Durham), 14 deans, and a total of some 200 other churchmen. All of them seemingly remembered that the great ages of Christianity have come when the church took the lead in historic movements, which were as much economic and social as religious, like the Crusades and the Reformation. All of them were determined that the church should assume just such a leadership in post-war reconstruction. And all of them were determined that that leadership should come from the Liberal rather than the Conservative wing.

With greatcoats wrapped around them, they gathered day after day in the paralyzing cold of unheated Malvern College to hear speaker after speaker denounce present-day failure to identify Christianity with any great cause except "nosing out fornication." And then without a single dissenting voice they adopted a resolution presented by the archbishop himself. Chief planks:

Union then: "After the war our aim must be the unification of Europe as a cooperative commonwealth."

Commerce and conservation: "In international trade a genuine interchange of materially needed commodities must take the place of a struggle for so-called favorable balance. \* \* \* We must recover reverence for the earth and its resources, treating it no longer as a reservoir of potential wealth to be exploited, but as a storehouse of divine bounty on which we utterly depend."

Profit system condemned: "Christian doctrine must insist that production exists for consumption. \* \* \* To a large extent production is carried on not to supply the consumer with goods but to bring profits to the producer. \* \* \* This method \* \* \* which tends to treat human work and human satisfaction alike as a means to a false end—namely, monetary gain—becomes the source of unemployment at home and dangerous competition for markets abroad. \* \* \* The monetary system must be so administered that what the community can produce is made available to the members of the community, the satisfaction of human needs being accepted as the only true end of production."

Labor: "The true status of man, independent of economic progress, must find expression in the managerial framework of industry; the rights of labor must be recognized as in principle equal to those of capital in the control of industry, whatever the means by which this transformation is effected."

To this unanimous resolution the conference added "by a very large majority" a still more sweeping amendment proposed by Liberal Member of Parliament Sir Richard

Thomas Acland, which stirred up the only major controversy in the 4-day conference. This amendment asserted that "the ownership of the great resources of our community \* \* \* [by] private individuals is a stumbling block. \* \* \* The time has come, therefore, for Christians to proclaim the need for seeking some form of society in which this stumbling block will be removed."

Hardly less revolutionary than the church's program for society was its program for reforming itself:

Church's function: The church has the duty and the right to speak not only to its members but to the world concerning the true principles of human life. \* \* \* The church as we know it does not. \* \* \* We therefore urge that enterprises be initiated whereby that life can be made manifest.

Church militant: Christian people should take the fullest possible share in public life, both in Parliament, in municipal councils, in trade unions, and all other bodies affecting the public welfare.

Church finances: Christians, clergy and laity alike, cannot take part in this work unless they are prepared to advocate complete reorganization of the internal financial life of the church.

Form of worship: This must be so directed and conducted that its relevance to life and to men's actual needs is evident. \* \* \* Our traditional forms of matins and evensong, presupposing as they do acceptance of the tradition of the church and unfailing regularity of use, are largely unsuitable. They must in most places be supplemented by services of another type, whether liturgical or not, designed to bring before uninstructed people the truth concerning God.

Concrete Christian service: "The whole congregation habitually worshipping together should regularly meet to plan and carry out some common enterprise for the general good. If there are social evils in a locality, such as bad housing or malnutrition, let them consider how evil can be remedied. \* \* \* In other places let "cells" be formed upon the basis of common prayer, study, and service."

A far cry is all this from the class consciousness of the Church of England (and United States Episcopal) catechism: "My duty \* \* \* is \* \* \* to order myself lowly and reverently to all my betters \* \* \* and to do my duty in that state of life unto which it shall please God to call me." But World War No. 2 has merely speeded the shift from the old-time hunting-parson philosophy. Forerunners of the change were the Bishop of Ely's effort in 1939 to turn his palace into an old folk's home ("we keep too many gardeners to grow too many vegetables to feed too many servants to make too many beds"); the 1937 move by a group of bishops and clergy to give up the mining royalties of the poverty-stricken northeast of England which went to the church, because otherwise it "cannot hope to evangelize successfully a body of men (miners) who are strongly prejudiced against the sources of its supply."

If the Malvern resolutions were revolutionary, the speeches which spurred the conference to their acceptance were no less so. Seldom has the church called sinners to repentance with such bitter jeremiads as those by which 10 lay speakers called the church itself to repentance. Gloomed Critic-Philosopher John Middleton Murry: "The church has no relevant pattern of goodness to set before contemporary man. \* \* \* Regarding unemployment has the church done any other than acquiesce in the appalling solution which is the only one secular society has found, namely, preparation for war? \* \* \* The church fails in leadership because it shows no signs of having known despair; no evidence of having been terrified by its own impotence."

Poet Thomas Stearns Eliot attacked the church in wasteland accents for letting Christian principle vanish from education.



Sir Richard Acland was fiercer: "For over 160 years you have neglected your duty \* \* \* because of sheer funk. \* \* \* The whole structure of society \* \* \* is, from the Christian point of view, rotten and must permanently frustrate your efforts to create for the individual the possibility of a Christian life. \* \* \* This has given Hitler the opportunity for saying 'To hell with the whole order.' \* \* \* He said this, and from despairing humanity he wrung forth a tremendous and dynamic response. \* \* \* In order to save humanity from the horror of \* \* \* nazi-ism, we must find a way of living superior, not merely to nazi-ism, but to that which we ourselves knew before. \* \* \* We are unprepared for this. \* \* \* You must be prepared to offend people who are determined to preserve the existing order. \* \* \* I beg of you now to proclaim the new society openly. \* \* \* So only will you save yourselves and us."

Novelist Dorothy Leigh Sayers ("Lord Peter Wimsey") was even more vitriolic. "Suppose," said she, "that during the last century the churches had \* \* \* denounced cheating with a quarter of the vehemence with which they denounced legalized adultery [i. e., divorce and remarriage]. But one was easy and the other was not. \* \* \* To upset legalized cheating, the church must tackle the Government in its very stronghold; while to cope with intellectual corruption she will have to affront all those who exploit it—the politician, the press, and the more influential part of her own congregations. Therefore, she will acquiesce in a definition of morality so one-sided that it has deformed the very meaning of the word to sexual offenses. And yet, if every man living were to sleep in his neighbor's bed, it could not bring the world so near shipwreck as that pride, that avarice and that intellectual sloth which the church has forgotten to write in the tale of its capital sins."

No small part of the significance of the conference was that its convener and chairman was the Church of England's second ranking prelate and its real intellectual and spiritual leader—stout, brisk, erudite, 59-year-old Dr. William Temple, Archbishop of York. Son of an Archbishop of Canterbury, Dr. Temple was an Oxford don of philosophy at 23, a headmaster at 29, a bishop at 39, an archbishop at 47. A famed theologian and an ardent exponent of the ecumenical (inter-church) movement, he is likely to be first president of the still-organizing World Council of Churches. Said he at the conference:

"The war is not to be regarded as an isolated evil detached from the general condition of western civilization. \* \* \* It is one symptom of widespread disease and maladjustment, resulting from the loss of conviction concerning the reality and character of God. \* \* \* [We need] a new order of society—a new integration of religion, morals, politics, and economics. \* \* \* 'It is the business of Lambeth [the palace of the Archbishop of Canterbury] to remind Westminster [the Houses of Parliament] of its responsibility to God.'"

Conspicuously absent from the Malvern Conference was the suave, sail-trimming Archbishop of Canterbury, the Most Reverend and Right Honorable Cosmo Gordon Lang, evictor of Edward VIII, now 76 years old, whom William Temple may eventually succeed as primate of all England.

Mr. LUTHER A. JOHNSON. Mr. Chairman, I yield 20 minutes to a member of the Committee on Foreign Affairs the gentleman from West Virginia [Mr. KEE].

Mr. KEE. Mr. Chairman, it has not been my custom during the 8 years I have been in Congress to frequently engage in debate upon or discuss many of the measures coming before this body for

consideration. I have always entertained the opinion that this representative body of intelligent men, having every facility furnished to them to enable them to examine every possible suggested piece of legislation, would be able to make up their minds and vote their own convictions upon legislation without any aid from me.

Today I am taking the floor, however, for two reasons: First, the measure before us is one that I consider, and I believe it is considered by a majority of the House, a matter of greatest importance; and, second, since the preparation of this bill there has been much misrepresentation with respect to it. The misrepresentation includes various and sundry statements with reference to what the bill contains and what its effect will be. We have heard it said that the passage of this bill will enable the President to lead us directly to war; that the authority granted him by this bill to repair and allow the warships of belligerent governments to be repaired in our ports and in our navy yards would be contrary to international law and would cause us to enter the conflict. It has been said that this bill would enable the President to spend large sums of money; in fact, it would enable him to bankrupt the Government of the United States. It has been said there is no limitation to this bill, even though an amendment has been written into it providing a limitation. It has been said that the President, during the 2½-year period this bill is in force, would be able to engage in great undertakings and involve the United States Government in contracts which would neither be completed, finished, adjusted, nor executed for many years.

I want to use this occasion not to take up the bill in all of its phases and analyze it point by point and clause by clause, because that has been ably done by speakers who preceded me, but if I can relieve the minds of some of the Members who have misapprehensions with respect to the effect of this bill; and if by what I say today I am able to lead one Member out through the maze of doubt that has been thrown around the meaning and effect of this measure, then I will have served some good purpose.

Mr. Chairman, for 150 years, or ever since the foundation of our Government, this Nation and its people have lived under a constitutional government, free, happy, and contented. During that time we have blazed a way for the nations of the world. We have been the one great democracy and our example has been, until some years ago, followed by many of the nations of the earth. But today we find ourselves faced with a grave danger, a grave situation, not of our making.

Three of the great powers of the world have combined together for their own purpose and that announced purpose is the creation of a new order, not alone in Europe, or in Asia, not in any one continent, but a new order throughout the entire world. In view of that, can anyone assert that the United States is not interested in the new order proposed to be created and established in the world, not with the consent of the peoples which it

would affect, but established in the world by force of arms?

As I talk to you today that new order is being instituted and has been instituted in many nations that just a few short months ago were free and almost as democratic as our own. That order does not seek alone to change government, it does not seek alone to modify the methods of government, but its aim is to change every human relation. The dictators and those who are putting into existence the so-called new order propose to enter the individual homes of the world and there destroy every domestic tie, deaden every tender sentiment between parent and child, and eradicate every sense of loyalty binding together the members of the household. It means to regulate the relationship between man and man, destroy the friendship between individuals, and sever the ties that bind them together, whether they be business or social. This new order seeks to take away from men every initiative and to make each individual a mere unit, with no personal liberty or personal initiative and with no obligation of loyalty except to a state. Not only that, but as referred to by my distinguished friend from California, it destroys the most sacred and precious thing that mankind has, the right to worship a God of his own choice in a manner of his own selection.

In the past, under the most tyrannical governments in the world, as for example, the land of the Czars, the serfs, the most downtrodden people on earth, up to recent years had little churches at the crossroads out upon the barren, wind-swept spaces of Russia where after long hard days of labor they could kneel down and worship the God of their fathers and draw hope and comfort from the religion of the Lord, Jesus Christ. That privilege has been taken away from them and the same privilege and right is being rapidly destroyed in each of the totalitarian countries. Today in some of those countries God has been outlawed. With that same danger we are now threatened. When I say we are threatened, I speak advisedly.

We had witnesses in our hearings who testified that this country was in no danger of invasion from Germany. I call your attention to the fact that one of the chief witnesses who gave testimony to that effect was Col. Charles A. Lindbergh, who testified that only 10,000 airplanes would be necessary to fully protect this country from any invasion by a foreign government. But upon being questioned, Colonel Lindbergh admitted that there are only 1,800 miles of distance between the eastern coast of South America and the western shores of Africa.

He advised most earnestly that we at once acquire bases in South America on its east coast and establish air fields and army bases. For what purpose? There can be but one answer. We must establish bases in South America for the purpose of repelling an invasion which, according to this same witness, could not happen.

It has been shown by the history of Europe that certain unfortunate nations over there did not fear invasion, either. They were neutral; they endeavored to



remain neutral. More than that, they leaned over backward to be friendly with the totalitarian powers. But were their rights respected? One morning they were free, and the next morning they awakened to find that they were under the control of an alien power and no longer had any rights which that alien power was even expected to respect.

The only barrier that stands today between this country of ours and the threatened danger of the three totalitarian powers is the British Empire. Much has already been said on the floor of the House about the gallant stand being made by Great Britain against the forces of aggression. It will serve no useful purpose for me to add my praise to that which has already been given. The courage of the British soldier and sailor and the morale of the British people are beyond all praise. Whether Britain goes down in defeat or whether victory perches upon her banners, she will have written a glorious chapter in the world's history, a chapter emblazoned in letters of living light which will forever shine as a beacon for the guidance of generations yet unborn.

To my mind there is no necessity for us to argue today the question of whether or not we should aid England. That question has long been settled in the minds of the American people. That is today the fixed and determined policy of America and that policy is approved even by the greater majority of the opponents of the measure now under consideration. As a matter of fact, upon this question alone there is no difference of opinion between the gentlemen to my left and my colleagues to the right. The controversy is as to method alone. In other words, we are practically agreed upon the policy that it is to the best interests of the United States to give aid to Great Britain, and it is an assured fact that the greater majority of the American people today are in favor of our supplying this aid to the fullest extent short of war.

The question may well be asked "Upon what grounds do both the proponents and the opponents of this bill base their belief that it is to our interest to give aid to the British Empire in its fight against the aggressor nations?" It is quite evident that we all have the same reason, to wit: That the defense of Great Britain is essential to the defense of the United States. However friendly any of us may be toward the British, whatever our ties may be with the British people, none of us would advocate devoting the resources of this country to the aid of the British Empire did we not believe or were we not firmly convinced that the fall of that empire would place our own country in grave danger.

We hear it frequently said that Great Britain is fighting our fight. In a certain sense this is true, but in a more realistic sense it is not true. Great Britain is fighting her own fight. She is fighting for her possessions, for her trade, for her homes, and for her very existence as a nation. She does not have as an objective any interest of America, and not even Great Britain's warmest friend or strongest supporter in this country can conscientiously claim

that this was one of her objectives. On the other hand, however, and in another sense, England is today actually fighting our battle for upon her success, upon her continued national existence, depends our safety. To put it more bluntly, should England lay down her arms in defeat our security would demand that we pick them up. If the torch should fall from England's hand, it must be caught and carried by us.

As I have already said, it seems to me that the only controversy there is today between the opponents of this bill and its proponents is the question as to the best method to be adopted by this country to aid the British in their fight. In the bill now under consideration we are proposing a method to render this aid which, after long consideration, we deem to be sound and efficient. It was early recognized by the committee, of which I have the honor to be a member, that no method could be proposed which would not meet with objection from some quarter. The bill before us was neither hastily drawn nor ill considered. Every provision in it was written with studied care and the whole was designed to best carry out the intended purpose of rendering the greatest aid to Britain at the earliest possible moment.

I shall not attempt to make an analysis of this measure section by section, for that has been done many times, not only during the extensive hearings upon the bill, and in the report of the committee, but also by able speakers who have preceded me upon this floor. It is my purpose in the brief time allotted to me to take up and discuss one by one some of the objections and criticisms of the bill made by its opponents.

Early in this debate the statement was made and is still being made that this bill had been the subject of more misrepresentations than had any other measure ever considered by Congress. I agree with that statement, but I insist that these misrepresentations have been made not by the proponents of the measure but by those in bitter opposition to it. It has been labeled a dictator bill and a war measure. It has been represented as conferring upon the President of the United States not only vast additional powers but dictatorial powers to an extent only to be conjured in the vivid imagination of someone in violent opposition to it and careless of the methods used to defeat it; it has been represented as a measure prepared and intended for the sole purpose of dragging this country into war; it has been represented as a measure the passage of which could have no effect other than to at once precipitate this country immediately into the armed conflict now raging in Europe and to compel the sending of American soldiers to battlefields in foreign lands. These are the misrepresentations to which I hope the gentleman from New York [Mr. Fish] referred in his address to this body, and these are the misrepresentations which are without any foundation in truth.

One of the original criticisms of the pending measure was that it authorized the President to direct the convoy of ships carrying materials to the nations

for whom they are intended. If any of you were present at the hearings, you probably recall that Mr. Castle, a former Under Secretary of State, testified at the hearings and without any hesitancy at once said, "Oh, yes, this bill authorizes the President to establish convoys and send the naval vessels of this country to convoy shipments to the old country." Upon being required, however, to point out the section of the bill that contains that requirement, he was unable to do so, as is anyone within the sound of my voice or anyone else who has ever read the bill. There is not a single clause or provision in there that authorizes any convoy of these ships, by the orders of the President or anyone else.

To meet the objections, however, that were raised with reference to this proposition, and, as lawyers would say, out of an excess of caution, we have inserted an amendment in the bill which directly and explicitly states that nothing in this bill shall be construed to authorize the convoy of ships.

[Here the gavel fell.]

Mr. LUTHER A. JOHNSON. Mr. Chairman, I yield 5 additional minutes to the gentleman from West Virginia.

Mr. KEE. The question of whether or not the President himself can direct a convoy of these ships is another question. I say to you, and I think I say it advisedly, that a provision in this bill directly forbidding the convoy of vessels would not be constitutional.

Under the Constitution the President is the Commander in Chief of the Army and Navy. This is not an honorary position unaccompanied by authority, but it carries with it all the powers implied by the title. Who can say what the President may or may not do as such commander in chief? It is my considered opinion that in his discretion and under his constitutional authority he already has the power to order convoys for vessels bound to any part of the world. If that is true, this power of the President can neither be revoked or limited by congressional action.

History records many instances of the exercise by our Presidents of their constitutional power over the Navy. Jefferson sent our fleet against the pirates of Tripoli; McKinley sent our fleet, as well as troops to fight the Boxers in China; Theodore Roosevelt sent the Atlantic Fleet around the world, and other Presidents have sent units of the fleet to remote corners of the earth upon various missions and without any express or implied congressional authority. Even our good friend, Col. Charles Lindbergh, as was right and proper, was, by order of a President, "convoyed" home from France by an American warship on the occasion of his greatest exploit. It would, therefore, seem to be elementary that the President is already vested by the Constitution with the power to order convoys and that the only possible way of divesting him of this power would be by constitutional amendment. We certainly cannot do it by this bill.

I am personally opposed to the convoying at this time of British, American, or any other vessels by the American Navy. I firmly believe that should we undertake the convoying of vessels, such action



would invite attack and inevitably lead us into war. I would vote against any proposal to establish at this time and under present conditions a convoy system. At the same time, I am just as firmly convinced that the Neutrality Act, insofar as Congress has the authority to do so, meets the situation. It forbids American vessels from going into combat zones, and it is certainly apparent that ships cannot be convoyed where they cannot go. To enact legislation upon this question more stringent and far reaching than the Neutrality Act would, in my opinion, be going beyond the jurisdiction of Congress.

Mr. FISH. Mr. Chairman, will the gentleman yield?

Mr. KEE. I yield to the gentleman from New York.

Mr. FISH. Is it not a fact that the Secretary of the Navy, Mr. Knox, said the conveying of ships would be an act of war?

Mr. KEE. I believe myself it would be an act of war. I would vote against the conveying of ships if that question should come before us at this moment and under present conditions, but this bill does not authorize any conveying and does not say anything about it.

Mr. FISH. But this bill surrenders a great many of the powers of the Congress to the Executive. In my opinion, it surrenders some of our great constitutional powers to the President.

Mr. KEE. In my opinion, it surrenders very few.

Mr. FISH. If we do that and surrender our powers to the Executive, why should not the Executive be willing to surrender some of his power and accept an amendment of that kind, if it is the will of the Congress and the American people?

Mr. KEE. The President himself is just the same as any other individual. He cannot violate the Constitution. He can neither surrender any right under the Constitution nor abdicate his powers, and if the Constitution gives him a power he would have the right to exercise that power.

Mr. FISH. But we in this bill are surrendering much power. We permit the President to give away any part of the Navy.

Mr. KEE. And the gentleman thinks that there ought to be a trade between us and the President?

Mr. FISH. What is sauce to the goose is sauce for the gander.

Mr. KEE. I am sorry, but I cannot yield any further.

One of the criticisms of the bill early voiced by its opponents was the fact that no time limit was fixed for its expiration. Your committee recognized that there were grounds for this criticism, and in consideration of this fact the bill comes to you with an amendment definitely providing for its termination on June 30, 1943. Now we find that this concession is unsatisfactory to the objectors and a new criticism is offered to this provision. The claim is made that the provision is in fact no time limit because, they say, that during the period the bill is in force and effect the President of the United States can make and enter into agree-

ments which will not be completed at the termination of the time limit. The fact that the President can make contracts which will not be executed until after the legislation is no longer in force is true, but that fact is not properly the subject of criticism. A contract as to the time for its execution is always governed by its own terms and not by the law under which it is made. It would indeed be a foolish and futile thing for Congress to do to pass an act giving a power of attorney to the President to make contracts for and on behalf of the United States and by the same act fix a definite time limit for the execution of all contracts made under the power. The time limit of something over 2 years, fixed as the lifetime of this measure, emphatically designates the date on which the powers conferred herein upon the President expire and after which they can no longer be exercised. To say, however, that a contract made by the President prior to the expiration of his authority must also end with the date his authority expires would simply mean an inhibition against the President entering into any contracts other than those that must necessarily be executed within the shortest possible space of time; it would mean that on the expiration of the President's power no uncompleted contract could be completed, no uncompleted settlements could be settled, no undelivered goods or materials agreed to be delivered could be delivered, and no unfinished job could be finished. It certainly seems to me that to any man of the slightest experience in the business world the absolute futility, not to say injustice, of inserting a clause in this measure, which in effect absolutely forbids the completion of a valid and subsisting contract, should be at once apparent. Any individual who has ever found it necessary to give a power of attorney or to transact business with one holding a power of attorney will at once recognize that such a power would be absolutely useless should it contain a provision to the effect that contracts made thereunder might not be executed after the termination of the power.

[Here the gavel fell.]

Mr. BLOOM. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. KEE. Under a limitation a half-completed battleship would remain on the ways, an undelivered consignment of commodities would stay on the docks, an unfinished fleet of torpedo boats would remain uncompleted, unpaid bills could not be liquidated, and there could be no settlement or final adjustment of the entire program. The common-sense and businesslike method is to have each contract made under the power granted in the bill to contain a provision for its termination, either at a fixed date or when and if a change in the situation justifies its termination. I personally am confident that such a limitation will be written in every contract made under this act.

Another amendment insisted upon by the critics of the bill and which has been incorporated for the purpose of relieving any undue misapprehension is the provision requiring that, before the disposing

of certain materials as defined in the measure, the President shall consult with the Chief of Staff of the Army and the Chief of Naval Operations. This amendment is a mandatory clause and compels the President to do that which, without compulsion, the evidence before the committee showed he has always heretofore done. The critics, however, would go further and have this clause amended in order to specifically require the President not only to have such consultation but also, before taking any action, to secure from the Chief of Naval Operations or the Chief of Staff of the Army, or both, a certificate to the effect that the materials to be disposed of were not required by the American Army or Navy.

To demonstrate the unsoundness of this latter proposal, it is only necessary to point out the fact that both the Chief of Naval Operations and the Chief of Staff of the Army are subordinates of the President. He is the Commander in Chief of both the Army and Navy and the officers referred to are both subject to his orders and direction. He has the power to remove them at his discretion and for cause. It must appeal to any thoughtful mind that it is nothing short of ridiculous to impose upon a commander the requirement that he secure the consent of a subordinate to any proposed action. It would be just as reasonable to impose upon the manager and owner of a mercantile establishment the requirement that he secure the consent of his bookkeeper as a condition precedent to his purchase or sale of a bill of goods.

In addition to the above argument against the clause under discussion, I can also authoritatively state that the committee had before it conclusive evidence that the necessity of making certificates of the character named—a requirement heretofore imposed—has not only been unsatisfactory to all parties concerned, including the Chief of Staff of the Army and the Chief of Naval Operations, but has from time to time been the direct cause of chaos and confusion in the departments, with resultant trouble and delays.

I would like to discuss, if I have sufficient time, section 3 of this bill, which is claimed to give the President so many extraordinary powers. I want briefly, however, to discuss before I close one other point, and that is the question raised with reference to the limit of expenditures that can be made under this bill. Everyone is agreed that this bill is not an appropriation bill; it is a bill of authorization. It authorizes merely the appropriation of what money may be necessary to carry out the purposes of the act; and the appropriation to be made is a future thing to be done by the Congress and is in the control of the Congress.

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. KEE. I beg the gentleman's pardon, but I only have a few minutes and cannot yield.

There may be an amendment offered on the floor providing for a limitation of the appropriation authorized by the bill. It is said that such an amendment will



limit the appropriation to \$2,000,000.-000. This bill, as all knows, does not appropriate a single dollar to carry out its purposes. Therefore the matter of the amount to be expended for such purposes is left entirely in the control of Congress. The bill is an authorization only. Before a single dollar can be expended it will be necessary for the President to come to Congress for an actual appropriation of such amount as he may deem necessary. The amount to be expended will, therefore, be for the determination of Congress alone. I know that it is said that under this bill the President can engage in undertakings and can incur obligations which will necessitate an appropriation by Congress to liquidate them. This is not true. There is a constitutional inhibition against incurring such obligations, and the President as well as all others are bound by this constitutional provision. Where, therefore, is the necessity of putting a ceiling upon a mere authorization? If we were authorizing the construction of a Federal building, or the building of a flood-control dam, it would be perfectly feasible, through the estimates of construction engineers, to stipulate a maximum authorization. In the instant case, however, it is not possible to compute in advance the expenditures that may be necessary to carry out the purposes of the act—purposes involving the defense of one and perhaps more great nations. As the bill stands, Congress will hold the purse strings and will be absolutely able to control and fix the amount of the necessary appropriation. In this authorization there is no place for a limiting amendment.

The claim that the President might or could under the terms of this act give aid to aggressor nations is equal in absurdity with the idea that the President would give away the American Navy. The bill authorizes aid only to nations whose defense is vital to the defense of this country, and there is no aggressor nation on the face of God's earth whose defense would be considered by the President as vital to our security.

Objection has been made to the authority granted in the pending measure for the repair of belligerent vessels in American harbors or shipyards. In my opinion this action by us could not possibly plunge us into war any quicker than would acts we have already committed. Under existing conditions Adolf Hitler is the last man on earth who wants war with the United States. If war with us would be to his interest we would have had it a long time since. It cannot be disputed that we have already committed many unneutral acts or acts which could be labeled as unneutral under international law. Today, however, international law is practically nonexistent.

Germany, Italy, and Japan have time after time violated or entirely disregarded every provision in international law inconsistent with their national interests. Treaty after treaty, solemnly made and signed by these countries and presumed to be valid, binding and subsisting contracts have been consistently violated or repudiated by each of the Axis Powers. Their solemn promises, their pledged

faith, their national honor have all been thrown to the winds in every case where it served their interests to do so. When and if Hitler wants war with the United States it will be unnecessary for us to give him an excuse. He himself will find a reason. In any event, even under international law as once observed, it is allowable for ships of a belligerent nation to be repaired and made seaworthy in our harbors, even though it requires a period of more than 24 hours to make such repairs. Therefore, the clause in this bill authorizing the repair of ships in American shipyards or harbors may be justified even under international law.

I have already explained that the words "notwithstanding any other law," contained in section 3 of the act does not repeal a single existing statute. This fact is clearly explained in the report of the committee bringing this bill to the floor of the House. The Neutrality Act and the Johnson Act are in nowise repealed or modified by this bill. The quoted phrase merely means that, during the life of this measure, any provision of another statute which may be in conflict with the provisions of this bill, is suspended for that period only. In all other respects all laws continue in full force and the suspended provisions are restored upon the expiration of this act.

It has been well said that the heart of the bill under consideration is section 3. It is also true that the bulk of the criticism against the bill is directed at this section. That criticism can be boiled down to one premise upon which all of the objections of the opponents of the bill are based, to wit: That Congress is giving too much power to the President. Section 3 has been repeatedly explained and analyzed. It is not complicated, neither is it vague nor indefinite. Its meaning can be expressed in a few simple sentences. It simply means and says that notwithstanding the provisions of any existing law to the contrary the President may, if he deems it in the interest of the defense of our country, authorize our Secretary of War and Secretary of the Navy to manufacture in plants under their jurisdiction, or otherwise procure, articles deemed necessary to the defense of any nation whose defense is vital to the defense of our country, and to put such articles into the possession of the country to be defended; it further authorizes the placing of such defense articles into workable condition, the communication to the government receiving them, of information upon how to use them, and the release of such articles for transportation to the government to which they are furnished.

We have heard it repeatedly asserted by the opponents of the bill that under this section 3, read in connection with other sections of the measure, the President could do strange and wonderful things to the grave danger and injury of our country. We have been told that he could, and great fear has been expressed that he would, give away the entire Navy of the United States; that he could bankrupt the Nation by making large expenditures of money without any further authority from Congress; that under these provisions he could give aid to aggressor na-

tions; that by permitting the repair in American harbors or American plants of vessels belonging to belligerent nations he would immediately plunge this country into war; that the words "notwithstanding any other law" necessarily repealed many vital statutes of this country; that under section 3 the President could order the transportation of war materials to foreign countries in American ships; that the authority granted by the bill to the President was so broad in its scope that it meant the entire surrender by Congress of its every prerogative.

The idea that the President might give away the Navy of the United States was, no doubt, born of ill-will or hatred of our great Executive; was carefully nurtured in the hope that it would grow into a great fear in the minds of the American people and undermine their confidence in the man who for 8 years has directed the affairs of the Nation without the commission of a single act in betrayal of that confidence. Paragraph 2 of section 3 gives the President the power to authorize our Secretary of War or Secretary of the Navy "to sell, transfer, exchange, lease, lend, or otherwise dispose of to any such government any defense article." The delegation of that power to the President is for the sole purpose of national defense—the protection of our country by aiding in the defense of any country whose security is vital to our defense. No other reason would justify our parting with a single boat or a single gun. But when and if we are assured that our national security, our very national existence as a free people, depends upon the successful defense of another nation, we would then be traitors to our country should we niggardly withhold that which we possess of what that nation may require. If we are going to lend our aid at all, it must be limited only by how much we have of what is required to protect and save the nation whose defense is vital to our own. It is for this reason that the broad power is given. Anything less would be futile and useless. The talk about the President of this great nation giving away the American Navy is childish and absurd. Not a single witness of the opposition appearing before our committee at the hearings would admit any fear of such action, and no one can tell me that any such fear is in the mind of any Member of this Congress.

Like my friend the gentleman from South Carolina, who most ably discussed this measure on yesterday, I frankly say that I do not know whether this bill, if enacted, will keep us out of war or not. I echo his prayer that it may. I do know that it is our duty as Representatives of the American people to devote our minds, our hearts, and our every energy to the task of defending this, the last and greatest of the world's democracies, from the danger which threatens us and to the preservation for our children and our children's children of that liberty and freedom which was our priceless heritage. It is our duty at this time of grave danger to lay aside the petty things of everyday life, to forget party affiliation, to overlook personal disagreements, and to unite as one man in our effort to find and pursue



the best method to accomplish the purpose that is in all of our minds. I am of the firm and unalterable conviction that the passage of this act is the best means we could adopt for our present defense. As time passes other measures may be necessary, but for the moment this is the action that we should take, and I trust that we will take it. Let us pass this bill and look forward to the future not only with hope but with faith in the ultimate triumph of a righteous cause.

[Here the gavel fell.]

Mr. FISH. Mr. Chairman, I yield to the gentleman from California [Mr. LELAND M. FORD] such time as he may desire to use.

Mr. LELAND M. FORD. Mr. Chairman, after listening for the past 2 days to the speeches and remarks that have been made on the so-called lease-lend bill, No. 1776, and after reading and listening to the testimony and statements of the various witnesses, given before the Foreign Relations Committee, I would like to make a few remarks on this matter.

We have heard a great deal about the importance of this bill to our country. The danger and the safety of this country have been greatly stressed by both the proponents and the opponents of this bill. Unfortunately, due to the conditions over which we certainly had no control, and in which we had no voice nor vote, I believe this situation is fraught with great danger. I think this danger is evident in two ways. First, as it affects our national defense and safety.

Second, the danger as it affects our American form of government as we have known it, and the changes in the functioning of this Government that might occur as a result of the passage of this bill.

Much has been said on both sides by those who are for and those who are against. The peculiar thing about this whole bill is that much that has been said on both sides is true, and I believe that my colleagues who have made these statements are certainly conscientious and patriotic, but present the side as it particularly occurs to them respectively.

The fact that there is such a difference of opinion by such conscientious and patriotic men does indicate that the bill is defective and is certainly open to many different interpretations. Unfortunately, every one of these interpretations is extremely important to the safety and welfare of this Nation, either from the standpoint of our own national defense, or from the standpoint of the change it may make in the American form of government.

So far as I am concerned—and many others on both sides of this House feel the same way that I do—my opinion is this: That this country has already gone so far in this matter that they cannot turn back, and it is not a matter of a free choice, but now becomes a matter of making a choice against our will, with the hope that we will be guided in our judgment to do the very best we can for the country, considering all sides of the question. Many of the things that put us in this position were done over our heads, against our wishes, against our voices,

and against our votes. There is no use to dwell on why these things were done, but we must actually meet the conditions as they are and face them. Therefore, I say that we are not free in our choice and we have perhaps gone so far that we cannot now turn back. Summed up, the things we would like to do are these:

First. We must do the thing that will protect America first, above everybody else's interest.

Second. In order now to protect America we must give the British aid.

Third. We should not abdicate as Congressmen and change the American form of government.

Fourth. We would like to keep this country out of war.

How we can do these things and still keep this country out of war depends upon the handling of the whole matter by our administration itself. After all, the conduct of foreign relations is vested in the administration, and when the administration seeks this power it certainly does take the responsibility that goes with it, as well as the accountability to the whole Nation for its ultimate action. The administration was elected upon a platform pledging to keep us out of war, and now that this is beyond our control, with particular reference to foreign relations, it is up to them to make good.

Very frankly, I do not like this bill, although I may have to vote for it. I am sorry to see this kind of a bill presented in this form on this floor. I feel that a better bill could have been drawn which could have been much simpler and much more understandable and subject to only one interpretation. I feel that the objectives could have been accomplished, first, by presenting a single bill to aid England, without incorporating therein this tremendous grant of power to the administrative side of government, and still accomplish its purposes.

Stress has been laid upon the speed with which Congress acts, and much comment has been made about speed of action. I submit the actions of Congress itself as evidence that it can act speedily when bills that have only one meaning are presented to it. It has voted billions of dollars when it came to a question of national defense. We have put these bills through in one day and in some instances in less than a day. Therefore, I again say that if a single bill is presented to this House in proper form this House can and does make speed. I offer the above as evidence that it was unnecessary to place before this House this double-barreled bill.

Many of my friends on both sides of this House and myself would like to vote on these issues separately. There is no doubt but that nearly every Member of this House would vote to aid the British, and do it quickly.

There is no doubt that these same Members, including myself, would vote down this Presidential power. If we were permitted to do that, we would then be having a free choice in this matter and vote freely.

As against this, we have not a free choice to vote on this bill in its present form. I say to you that we are being de-

nied free choice as Congressmen to vote as we would like. Expressed in other words, it simply means that we are disenfranchised to a certain degree. My proof of this statement is that, if we vote "yes" on this bill in its present form, we would accomplish the thing that we would like to do, namely, give aid to the British, but at the same time this "yes" vote would automatically give away powers of the Congress that we do not want to give away, and if we had a free choice, we would not give them away.

If we vote "No," we accomplish one of the things that we want to do, namely, not give away the powers of Congress, but by that same vote we automatically deny that aid that all of us want to give to Britain. What the amendments may be in their final form none of us now knows, but I ask this Congress to amend this bill in such a way that it will give aid to the British and modify or cut out that part which would change the American form of government.

The thing every one of us here is going to be faced with in the last analysis is a vote on this bill. Facing the facts as they will be, we will then be confronted with a "Yes" or "No" vote.

Many of us will probably vote for this bill, but will do it reluctantly, feeling that we have gone so far out already, and feeling further that we are more or less gambling and will have to choose the lesser evil or the lesser gamble, namely, the safety and welfare of this country from a standpoint of national defense, as against the loss of certain congressional powers, and in voting this way I feel that if we come through this whole situation, we can again regain those powers of Congress and regain our American form of government, where we could not do so if the country was lost.

Therefore I again ask the Members of this House to look carefully at each amendment and to carry these amendments that would modify the Presidential powers and give us the greatest protection.

Mr. FISH. Mr. Chairman, I now yield to the gentleman from Pennsylvania [Mr. VAN ZANDT].

Mr. VAN ZANDT. Mr. Chairman, I ask unanimous consent to extend my remarks in the Appendix.

The CHAIRMAN. Is there objection? There was no objection.

Mr. VAN ZANDT. Mr. Chairman, this lend-lease bill is the most important piece of legislation that the Congress of the United States has been asked to consider in the past 160 years of our existence as a free Nation. There is not one of us who is not alert to the situation and who has not spent hours analyzing this bill, as well as all testimony presented at the hearings. Frankly, gentlemen, we have all lost sleep over this important measure.

It is common knowledge that prior to my election to Congress I was active in veteran circles throughout the United States, and that during such activity I constantly stressed the need of an adequate national defense, the preservation of our American form of government, and, above all, the keeping of America out of another futile World War.



Since coming to Congress I have continued my efforts in support of those views, believing them to represent a gospel of real Americanism. While I do not pretend to speak for organized veterans, the right to employ the knowledge and experience gained from firsthand observations during my veteran activities should not be denied me.

I am not content to accept at all times the philosophy of those who would have us as a nation police other portions of the globe; nor do I wholeheartedly subscribe to isolation theories in their entirety. There may be occasions when both these different schools of thought have merit to their contentions. What I have honestly tried to do is to utilize the good points of both isolationists and interventionists, thereby promoting the best interest of America in acquiring an adequate national defense, preserving our form of government, and keeping America out of futile Old World struggles.

An analysis of my voting record in Congress will indicate that I have zealously followed my honest convictions. Gentlemen, to chart such a course and remain true to it has been difficult in the face of a wave of organized propaganda the like of which the world has never witnessed.

At this point I want it understood that I join the overwhelming majority of the American people in approving all possible aid to the valiant sons of the British Empire. Moreover, I sincerely pray that the courageous English people will emerge victors in resisting the iron hand of Hitler. Like the vast majority of the American people, I do not favor stripping our own defenses of needed military supplies so essential to our own national security.

Unfortunately, this bill before us has been labeled as a measure "to aid Great Britain." Nothing could be further from the truth. The bill grants nothing to Great Britain directly. Britain is not named in the bill. Every grant made by the bill is a grant, not to Great Britain or any other nation but to the President of the United States. In reality, stripped of its camouflage, it proposes to have Congress delegate its constitutional powers to our Chief Executive under the guise of helping any warring nation designated by our President.

There is no doubt in my mind that those who designed this bill have employed clever partisan strategy, hoping that in using the slogan "to aid Great Britain" we will yield our constitutional powers as representatives of the American people to attain such an objective. The sponsors of this legislation bluntly ask us to accept this measure and abdicate our powers or take the consequences of being labeled as opposed to aiding Great Britain. Since aid to Great Britain is the paramount issue, why does the administration refrain from advocating direct aid to Great Britain?

We all know that Great Britain is not directly mentioned in this bill. Furthermore, a bill for a specified sum of money as aid to Great Britain will have my hearty support, and I am certain will be overwhelmingly approved by the great majority of Congress.

My brief summary of the so-called lend-lease bill indicates that we are placing our own national defense in absolute jeopardy by giving the President power to direct the heads of the Army and Navy to sell, transfer, exchange, lease, or otherwise dispose of any defense article to any country the President deems vital to the defense of the United States after consulting with the Chief of Staff of the United States Army and the Chief of Naval Operations, or both.

Let us concentrate for a few moments on the picture before us. Here we have the Chief of Staff of the United States Army and the Chief of Naval Operations, both military appointees, conferring with their appointer, the President, who is also their Commander in Chief. It is a basic law of military life that a good soldier follows the advice of his superior officer, or he is returned to the ranks; or, in the case of generals or admirals, being offered the gracious consideration of asking for retirement. In a few words, it is possible to be asked to concur in the recommendations, or else be replaced. The fate of former Secretary of War Woodring remains as a grim warning of the futility of opposing seasoned politicians.

Christian charity prompts me to refrain from saying that President Roosevelt would discard the measured judgment of General Marshall or Admiral Stark; but then let it be remembered that we are all human and susceptible to our emotions.

In all seriousness, gentlemen, this so-called provision for consultation by the President is empty and meaningless. In reality we are taking our whole national defense and its many component parts out of the hands of Congress and military experts and placing it in the hands of an astute politician.

Do you realize that from basic industries related to national defense, such as cotton, wheat, steel, and so forth, that the President may literally take the clothes off your back, so wide is the authority conferred under this bill?

In line with this thought, efforts were made to ridicule the oft-repeated statement that the President could give our Navy away. Any controversy over the truth of such a statement was definitely settled when Secretary of War Henry L. Stimson, the administration's spokesman, testifying before the House Foreign Affairs Committee on January 16, 1941, declared in answer to this question:

This bill permits the President to give away all or any part of our Navy, doesn't it?  
Well—

Mr. Stimson replied—  
it permits him to transfer it on considerations that he thinks concern our defense. I can foresee conditions that might make it desirable that the Navy be transferred. A situation might arise where it would be to our advantage to do so.

There, gentlemen, in Secretary Stimson's own words you have an authoritative interpretation of what can really happen under this bill. We all recall that a few months ago the President had to call off a deal which involved a number of modern torpedo boats because

Congress called to his attention the violation of an existing law, and the Attorney General concurred in the opinion of Congress.

Such action as giving away necessary critical equipment that is vital to our own national defense is directly opposed to our preparedness program and my idea of building an adequate national defense. While I do not say the President will again indulge in such attempts, nevertheless the authority is there in unmistakable language this time and requires no scholarly opinion of the Attorney General.

The same rule of conduct can be applied to our Army, and no one will be able to question the motive or act itself. Here is where the issue of an adequate national defense asserts itself.

Gen. George C. Marshall, in the American Legion Monthly for January 1941, says:

The surest road to peace today—indeed, the only road—is for us to become so strong that no one will dare attack us.

If we are to follow the sage advice of America's No. 1 military man, let us, in the name of common sense, not fall into the grave error of placing such discretion in the hands of one lone individual. We cannot afford to gamble with our national security when in the words of our own military leaders, as quoted by Gen. Hugh Johnson in his news column of January 30, General Marshall is authority for the following statement:

We could not transfer to Great Britain surplus stores of Army equipment. Stores? We have no stores. It will be a happy day when we can speak about stores of Army equipment.

We have a need for all modern equipment delivered us.

Supporting General Marshall's position, according to the Washington Times-Herald of January 17, 1941, Assistant Secretary of War Robert P. Patterson stated:

At present the Army does not have sufficient modern weapons to outfit completely an army corps of three of its streamlined divisions, or a total of less than 40,000 men.

Last week the Washington Times-Herald related that—

Members of the Senate Foreign Relations Committee were startled by testimony concerning the deplorable state of the Nation's air defenses which was elicited from Secretary of War Henry L. Stimson.

Stimson's evidence was given at a secret session of the committee after he had pleaded for permission not to be asked questions concerning the Army's air strength at an open hearing, according to the Times-Herald.

Under close questioning Secretary Stimson revealed that not a single combat plane in the Army fulfilled all the requirements of modern air fighting in Europe. He further disclosed, of approximately 2,800 combat planes produced in the United States last year, that about 400 were kept here for the Army and Navy. The Army now has about 650 combat planes—bombers and pursuit type—of all ages, Stimson told the committee.



Added to Secretary Stimson's shocking revelations of the true condition of our national defense, we have the following pointed remarks of Ambassador Joseph Kennedy uttered December 14:

As it stands today our production for defense is nowhere near adequate for the protection of our own situation, let alone aid Britain. While our own defenses are weak, we are limited as to what we can do for Britain; even though we want to. Therefore our first obligation is to speed up defense with all our might. It would be suicidal for our country to get into war in our present state of unpreparedness.

Thus spoke our Ambassador to the Court of St. James's, and whether or not you agree with Marshall, Stimson, or Kennedy you must admit that someone in stripping this Nation of needed military supplies has been gambling with our own national defense and the security of the American people.

As a nation we should be thankful that no overt act occurred during this period of unpreparedness that would force us into war. I make these observations fully aware of the great efforts being made by the Army, Navy, and private manufacturers in building up our national defense.

Yet, on the other hand, we must recognize that we are asked in this so-called lend-lease bill to give one man the power to hold the destiny of this great Nation in the palm of his hand.

Congress, in being asked to surrender its constitutional powers to the President by relaxing its vigilance over national defense, is in the same breath being asked to abandon its position as the watchdog of the Treasury, in section 6 of this so-called lend-lease bill, which in simple language provides that the President may spend Federal Government money in any way beneficial to our defense as the President sees fit and in any amounts.

By this section of the lend-lease bill the President is given authority to obligate this country in underwriting a great portion of the cost of the present war for Russia, Japan, China, Greece, Great Britain, and the countries of the Western Hemisphere, and many others. It is noteworthy that the daily cost of the war to Great Britain alone is \$43,000,000.

It must be kept in mind that the money President Roosevelt can spend in purchasing articles of defense is not confined to this country. Under section 8 of this bill he can purchase or otherwise acquire arms or implements of war produced within the jurisdiction of any country whose defense the President deems vital to the defense of the United States.

In doing so the industries of Canada, China, Greece, England, and Russia stand to profit by either being revitalized or expanded with American taxpayers' money.

When the war clouds lift and peace is restored we will have developed our foreign competition and lie prostrate, the victim of national bankruptcy.

Little or no attention has been given to the provisions of this bill which permits the President to authorize the testing, repairing, reconditioning, or otherwise to place in good working order any defense article for any country whose defense the

President deems vital to the defense of the United States. In other words, this simply means our navy yards and arsenals will become repair shops for favored warring nations.

Such a violation of neutrality can only have one result—the plunging of this Nation into another World War. It is my honest opinion that unless this bill is radically changed we are not only jeopardizing our national defense but we will be actually at war, which will demand as a sacrifice that we surrender the American way of life.

A thorough canvass of my congressional district reveals that the majority join me in favoring all possible aid to Great Britain without stripping our own national defense and, above all, without yielding our form of government by becoming involved in World War No. 2.

And let none of us be so smug as to utter, "It can't happen here." This lend-lease bill contains 872 words and is similar to the vehicle upon which Hitler rode into power when he deftly began to translate the meaning of the German Constitution so as to further his own political aims.

It is interesting to study the following laws enacted by the German Reichstag on March 23, 1933.

The Reichstag has enacted the following law which, with the consent of the Reichsrat, and in view of the determination that the requirements for laws changing the constitution have been complied with, is hereby promulgated:

ARTICLE 1. National laws can be enacted by the national cabinet as well as in accordance with the procedure established in the constitution. \* \* \*

ART. 2. The national laws enacted by the national cabinet may deviate from the constitution insofar as they do not affect the position of the Reichstag and the Reichsrat as such. The powers of the Reich President remain untouched.

ART. 3. The national laws enacted by the national cabinet are prepared by the chancellor and proclaimed in the Reichsgesetzblatt. They take effect, unless otherwise specified, upon the day following their publication. \* \* \*

ART. 4. Treaties of the Reich with foreign states which relate to matters of national legislation do not require the consent of the bodies participating in legislation. The national cabinet issues the necessary provisions for the execution of these treaties.

ART. 5. This law becomes effective on the day of its publication. It becomes invalid on April 1, 1937; it further becomes invalid if the present national cabinet is replaced by another.

The above laws established Hitler as a dictator and abolished the usefulness of the German Constitution insofar as it affected the rights of the German people to carve out their own existence.

Mr. Chairman, when you start tinkering with a Constitution such as ours you are shaking the mighty foundation of this great Republic. As a Member of this House elected to represent over 300,000 of my fellow Americans, I took an oath to uphold the Constitution of these United States, and to vote for this lend-lease bill in its present form I would be violating my oath of office. Likewise, I would be false to the ideals that have motivated my actions the past years in advocating an adequate national defense,

preservation of the American form of government, and keeping America out of war.

I repeat again, I am asked to yield my constitutional power as a Representative in Congress on the flimsy excuse that it is aid to our heroic English neighbors.

Mark you! I am for all possible aid to Great Britain and will sit here 24 hours a day to legislate appropriations necessary to aid in repelling the forces of Hitlerism.

I resent being asked to surrender my congressional powers by supporting a cleverly disguised legislative measure whose slogan "aid to Great Britain" is not only a misnomer but an insult to my intelligence and a fraud upon the

Mr. FISH. Mr. Chairman, I yield now 5 minutes to the gentleman from New York [Mr. ANDREWS], the ranking minority member of the Committee on Military Affairs.

Mr. ANDREWS. Mr. Chairman, it has been my privilege, thanks to the courtesy of the chairman of the Committee on Foreign Affairs, to have heard practically all of the testimony before that committee during the past 2 or 3 weeks. I think I have read all of the correspondence which has come to me on this subject for and against the bill, and I have heard a great many of the radio talks and read most of the columnists. It would be presuming for me to think that I could offer any new thoughts on this subject, even though the debate itself has consumed but a few days. I wish, however, to make myself perfectly clear, for the information of any of those whom I have the honor to represent who may be interested. I think it safe to say that 90 percent of all of the people in this country today are against our entry into the war. Considering that proportion, I am led to believe that you could not find 40 Members of the House, or a 10-percent representation of all of the people, who would be for a declaration of war. I think it is also generally agreed that there are probably 75 percent of the people today who come within the general classification of wanting to help England short of war. Of that 75 percent, however, there are in my opinion a great many people who have not thought this thing through. Of this group, short of war provides the debatable ground. I feel that if this group knew that any sort of aid to England short of war would mean the eventual use of American troops, or that such aid might mean involvement in war, then the percentage of people who would favor help to England short of war would drop from 75 to about 45 percent.

Mr. Chairman, I am not one of those who share the great apprehension of the dire consequences to this country in the event that the British Isles go under. I also believe this—and I think a great many Member of Congress would admit it to be true—that if all of the things we hear today in the way of alarming possibilities and threatening conditions to this country are true, and I am thinking now also of what the gentleman from Massachusetts [Mr. GIFFORD] said yesterday about public opinion and the fact that



he made up his mind 2 months before public opinion had crystallized on this matter; if the value of our taking a position as a nation means anything, and if the morale referred to by the gentleman from New York [Mr. WADSWORTH] means anything, and if we really take that attitude, provided the conditions are as acute as some today consider them—then we ought not to be discussing this question today, but we should be considering the matter of a declaration of war.

It all boils down, in the last analysis, to one consideration; and each Member of Congress, regardless of public opinion, regardless of party and of what the effect may be on his own future success, will have to reason the thing out on the basis of his own convictions. Is this our war or is it not our war? If it is our war and we feel that we should go into it to defeat Hitler for our own sake, then we should declare war now. If it is not our war, and I do not think it is, we are not going to have a declaration of war, for it is evident that the people are against our entering the war, because that is reflected here now in the opinions of the Representatives in Congress.

On the other hand, we wish to help England, for hereditary or other reasons, beyond what we are now doing, so we have a bill before us that was conceived very hurriedly and in the drafting of which the minority leadership of the House and of the committee were given little or no consideration. Personally, I am in favor of helping England, and I will vote for this bill providing additional and perfectly reasonable amendments, which have been suggested, are adopted. I wish to address myself now principally to the controlling gentlemen of the majority on the Committee on Foreign Affairs, the majority leader, and also the Speaker of the House. This matter could have been worked out by another method along more moderate lines than those provided for in the original bill. The President of the United States, by his own recent approval, has indicated that the original bill was extreme in his willingness to accept four amendments thereto. The bill as it is now does not represent enlightened and considered thought on our real responsibilities of the moment. I venture the opinion that there will be changes made in the Senate if they are not made here tomorrow or before we vote upon it. The real vote on this bill will be when it comes back from the Senate after conference. Referring to the bill, it has seemed to me that the gentleman from New York [Mr. WADSWORTH] is a very reasonable man, and I think he has a conception of our foreign relations equal to that of any man on the majority side. His record proves that. He has been particularly reasonable on all measures in the last few years affecting the welfare of this country. He has made some very pertinent and considered suggestions for amendments. These would go a long way to satisfy the doubtful and, to my mind, would strengthen the bill. If we are going to have unity, there must be consideration of the best opinions on both sides of the aisle, and I think it would

reflect more unity in this country if the vote for this bill in the end is a vote by a large majority rather than the question of limitations or no limitations.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. FISH. I yield the gentleman 1 minute more.

Mr. ANDREWS. I want to leave just one thought with you: Why not some limitation on the expenditure of funds? We are charged with the responsibility of voting those funds, and we should fix the limitations on this measure. The gentleman who just preceded me spoke of the impracticability of limiting future contractual obligations beyond the date covered by this act, but they can all be figured out in dollars and included under the lump-sum limitation when the time comes. I do not care whether it is two billion or three billion or even four billion, but it is a reasonable amendment, and I venture to say to the members of the Foreign Affairs Committee on the majority side that the biggest proportion of the membership on the Democratic side would be very glad to see such an amendment adopted. Who will guide you? I think it would be reasonable and smart for the President of the United States to go along with it, if he, too, wants unity. [Applause.]

[Here the gavel fell.]

Mr. FISH. Mr. Chairman, I yield 15 minutes to the gentleman from Minnesota [Mr. KNUTSON].

Mr. KNUTSON. Mr. Chairman, in my consideration of H. R. 1776 I have been entirely free from any fear that it is within the range of possibility that the United States of America can be invaded by any single nation or combination of nations in Europe, or Asia, or both. I am not one of those who holds such a poor opinion of the fighting qualities of the American as to tremble with fear over the possibility that the war in Europe may end in a way that is neither pleasing nor satisfactory to us. Neither am I one of those Americans who believes that the navy of a foreign country is our first line of defense. The first line of defense for America is 132,000,000 free men, women, and children, and so long as we remain free and fully protected there will be no danger of invasion.

I cannot bring myself to believe that a people who in 150 years transformed a wilderness empire into the greatest and mightiest nation in all the history of the world have so deteriorated that they are incapable of protecting their firesides under all conditions and against all odds. It may be charged that that feeling of security is due in a measure to the interior location of the great State which I have the honor to represent in part, but I will not concede that, because those Americans who live in the coastal zones of the country are just as independent and self-reliant, just as ready to rely upon themselves as are their kinsfolk in the interior.

There are few left in this and in the other body of those who served in the World War Congress 24 years ago. They must be impressed, as I have been, with the fact that we are now being subjected to the same waving of flags, the same beating of breasts, the same roll of the

tom toms that blitzkrieged us into the World War nearly 24 years ago. The only difference that I can discern is that today a comparatively new instrumentality—the radio—is freely being made use of by both sides.

There is another difference in the two campaigns to embroil America in the war. Twenty-five years ago the anger of our people was raised to a fighting pitch by cleverly concocted stories of unspeakable atrocities that we found, after the war was over, to have been a tissue of lies invented and disseminated by the most expert propaganda organization in all the world—the British Foreign Office.

Now we know that our expedition to Europe in 1917–18 was a tragic mistake. That war marked the closing chapter of the America that we had known and under which all had greatly prospered. It ushered in a new era of wasteful spending and an ever-increasing tax load that will sit upon the shoulders of unborn generations like the old man of the sea.

When we went into that war our national debt was about \$1,000,000,000. During our excursion to Europe we spent about \$36,000,000,000, or let me put it this way—\$36 for every minute since the dawn of the Christian era. And it is estimated that before the last obligation of that war has been paid its total cost will be in excess of \$100,000,000,000.

Now we are getting all set to repeat that folly. It seems that we did not learn much of anything from our former European experience. Twenty-five years ago we were told that it was necessary for us to go over there to make the world safe for democracy. When the war was over there was not a single dictator left in Europe. The Czar and the Kaiser had been driven from their thrones; Hitler, Mussolini, and Stalin had not been heard of; new and free nations were created—Poland, Finland, Czechoslovakia, Latvia, Lithuania, Estonia—all of them democracies—came off the ways and were launched on the sea of democracy. Alas, the good that was wrought soon disappeared, like the snows of yesterday. Germany, Italy, and Russia are today dictatorships, and in all Europe only two real democracies survive—Finland and Switzerland. So much for what we accomplished then.

Now we are again being urged to go over to Europe on the plea that Britain, who, they tell us, is our first line of defense, is being seriously threatened, and we are further told that, if she goes under, we will be next. They are not trying the old atrocity stories on us this trip. Oh, no! We may bite on the same substance twice, but it must be dished up in a different form. Twenty-five years ago they played upon our hates and passions. Today they play upon our fears.

I do not believe that there is a single military authority in all the land who will seriously claim that this country is in danger of invasion; neither do I believe that there is serious danger to South America from that source. If Germany finds it difficult to cross 20 miles of water, how can she or any other country hope to successfully invade countries separated by 3,000 miles of water? Any invasion of Latin America must be purely eco-



conomic and will be due to the ability of competing nations to undersell us. We cannot expect to gain and hold economic supremacy in South America because a majority of the countries down there produce products that compete with American products. Aside from coffee, manganese, some tin and rubber, practically everything produced in South America is of a competitive character. The countries of South America must buy where they sell.

Is there anyone within the sound of my voice who is so fatuous, so naive, as to believe that we can ever hope to establish real reciprocal relations with Argentina? That country produces cattle, sheep, swine, corn, wheat, and, I believe, some cotton. Is there one of the products I have just named that we would be willing to let come into this country under a reciprocal arrangement? Argentina must and will do business with the countries that buy her products. The same is true of Uruguay and, in a measure, of Brazil and Paraguay. We may loan them money until we have pauperized ourselves, but it will not—it cannot—change the picture.

My countrymen, I appeal to you to be practical in this matter. Do you realize that if we go through with the ambitious lend-lease program that the administration has mapped out it may result in raising the national debt to as much as eighty or one hundred billion dollars, and that would be about one-third of all our wealth of every kind and description?

Less than 8 months ago we raised the limit for our national debt from \$45,000,000,000 to \$49,000,000,000. Only the other day the Ways and Means Committee reported out a bill to further increase the national-debt limit from \$49,000,000,000 to \$65,000,000,000, and we were told that this is necessary if the Federal Treasury is to meet the Nation's obligations in May. We were told by responsible representatives of the Treasury that it is imperative that this increase be voted at an early date. Indeed, the Secretary of the Treasury told the committee that the Government's financial condition is such as to cause him many sleepless nights and yet you are giving serious consideration, and will probably give approval to a proposal to give the President a blank check in spending. With all due respect to the great office of Chief Magistrate of the United States, I ask you if it is safe to grant that extraordinary and unheard of power to any human being? And I ask that question in all sincerity and in all charity.

On March 23, 1933, Hitler promised the German people that he would surrender to them in 1937 the extraordinary powers conferred upon him by the Reichstag, but he has never done so; neither can I recall any of the great powers heretofore conferred upon Mr. Roosevelt being surrendered by him. My friends, we are playing with fire.

In the 8 years that Mr. Roosevelt has been President he has increased the national debt from \$22,500,000,000 to about \$43,000,000,000 and the Budget Bureau estimates that the public debt will attain the stupendous sum of \$58,367,000,000 in 1942. And all this, notwithstanding that

the net revenue of the Government increased from \$2,080,000,000 in 1933, to \$5,387,000,000 in 1940. These are figures that can hardly be grasped by astronomers who spend their lives computing the mileage between the various heavenly bodies.

My friends, you are proposing to embark upon a program of spending that will sell unborn generations of Americans into lifetime bondage of debt. You are proposing to so increase the national debt that the living level of the American people will be reduced to that of pauperized Europe. It is all very well to get up here and beat your breast and talk about the great man in the White House; that he will not usurp or abuse any power given him, but it is not so long ago that we elected another President on the plea that he would keep us out of war. It may be that Mr. Roosevelt is sincere when he says that he does not want to get into this war, but when I see someone walking around with a chip on his shoulder, as he has been doing for the past several years, it is a pretty good sign that that someone is looking for trouble.

To you newer Members who feel that you must blindly follow the President I would suggest that you study the congressional election returns for 1918 and reflect upon the habit history has of repeating itself. To you older Members who say you believe that the future welfare of America demands that we again mix in European power politics, let me urge that you be your age. [Applause.]

Mr. FISH. Mr. Chairman, I yield to the gentleman from Kansas [Mr. CARLSON] such time as he may desire.

Mr. CARLSON. Mr. Chairman, we are now debating for the third day H. R. 1776, known as the lend-lease bill. This debate has brought out an honest difference of opinion as to what is the best course for our Nation to follow. There are those who contend that the pending bill must be enacted into law immediately if we are to maintain our democracy. There is an equally sincere group who contend that its enactment means the end of our democracy and our entry into the present European war. Patriotism is not a partisan issue. We are facing the most critical period in our history. Sincere and honest debate of this problem must be had in order to clarify, if possible, our best future course for our country.

Our Nation is in danger of being carried into a war by propaganda and emotion. Our sympathies are so strong for the Allies that it is hard to approach this subject on its merits. We are not neutral in our thinking or our actions. My sympathies are all for those people who are fighting to protect their country, their homes, and their liberty against cruel, despotic rulers. Our Nation must make a vital decision—a decision that may forever destroy our democracy. The pending bill does more than furnish aid to England. In fact, testimony before the Foreign Affairs Committee assures us that this legislation cannot be of any assistance to that country for many months. That being the case, I would like to ask why all the haste in securing its enactment. I do not impugn the motives of anyone who favors this legislation, but I

do believe the American people should be taken into the confidence of those who are sponsoring this legislation.

They are asking now:

Is it necessary for this Nation to adopt a policy that approaches dangerously near to a dictatorship in order to oppose dictatorships in foreign lands?

Why should Congress, composed of Senators and Representatives elected by the people, give the power to one man, without restriction, to declare war, to raise and support armies, to maintain a navy, and to spend the taxpayers' money?

Why not follow the course laid down by the Constitution and have Congress openly declare war rather than give the President powers which may ultimately drag this Nation into war?

Since Congress is now in session, and will no doubt be in continuous session for this year, willing to meet any emergency, why abdicate its constitutional responsibilities?

Is this legislation necessary to aid Great Britain, or can more aid be extended by other methods?

These are fair questions. They are vital questions, and the American people are entitled to an answer. It is the American people who will have to pay the bills incurred by this legislation. They will have to die on foreign soil and possibly on the battlefields of every continent if we are to police the entire world. For years our Nation has followed the advice of Washington, Jefferson, and Jackson when they urged us to keep out of foreign entanglements. That tradition or that foreign policy has enabled us to make the most remarkable progress in history. We, by our example of peace and progress, have not only preserved our democracy, but we have been an example, a shining light, to the people of all nations.

Surely we have not forgotten that 24 years ago we ventured into a European war to make the world safe for democracy. That war resulted in an unjust Versailles Treaty which insured another war. It resulted in the destruction of democratic government on the Continent of Europe and replaced it with communism in Russia, nazi-ism in Germany, and fascism in Italy. Are we not in danger of losing our own democracy if we become embroiled in the present European conflict? The last war cost us casualties of more than 500,000 American men and the loss of more than \$30,000,000,000, which resulted in war debts, depression, financial and economic destruction. The American people have not yet recovered from the suffering and misery of that war. Our aim must be to preserve our democracy in order to perpetuate the last stronghold of liberty on this continent and in the world.

The American people are opposed to war; they are opposed to sending their sons to fight a war 3,000 miles from our shores; they are opposed to foreign entanglements, alliances, and power politics; they are going to hold their Representatives in Congress to a strict accountability. This bill, if enacted into law, takes us one step closer to actual belligerency. No one believes that we can furnish war materials, airplanes, convoy merchant ships, repair belligerent



ships in our harbors, and use our economic weapons without sooner or later sending our men into actual battle.

This bill transfers the powers of Congress to the President, and by so doing we evade our responsibility. That is not democracy. To continue our democracy, we must guard zealously every right granted us under the Constitution. It is easy to relinquish these powers, but it is another and serious matter to regain them. America has a great future, but that future lies in the power of the people. [Applause.]

Mr. BLOOM. Mr. Chairman, I yield 40 minutes to the gentleman from Massachusetts, the majority leader [Mr. McCORMACK].

Mr. McCORMACK. Mr. Chairman, with the danger that confronts us, with the known knowledge of the viciousness and ruthlessness of the destructive forces that exist in the world today, with their known objectives of the destruction of democratic processes of government, and of our civilization, it is apparent to all that our country is justified in and should take action at this time to defend our people and our institutions by preventing the present conflict later coming to our shores.

The present bill is a peace measure for our people. It is based on the necessity of our own self-defense, and our country has a right—and it is our duty to do so when danger exists—to provide for our self-defense, international law to the contrary notwithstanding. The real warmongers are those who oppose action, and in their blind opposition are attempting to divide our people. This is no time for division. This is the time for unity. Division at this time will result in harm. It might result in destruction. If the opposition succeeds in preventing the passage of this bill or amends it so that for all practical purposes it is useless or meaningless, and if Britain, Greece, and China are defeated, do they, such persons, for a moment think that we will be left unmolested? Do you think so? What do you think Nazi Germany and Army-controlled Japan will do to the United States in the case of an Axis victory? Do you think they will let us alone?

An economic attack, such as they can and will wage against us in the first instance, closing the world's markets to all American products that can be obtained elsewhere, and the flooding of our markets with the products of their forced labor of itself would have a serious, if not fatal effect upon our economic, social, and political life. Do you think that those countries, the Axis Powers, are going to permit us to continue on our even way? Every person in his own mind and heart feels and knows that a victorious Axis will demand their tribute of us in some way, and unlike the crude method of the pirates of the Barbary coast of old, they will exact tribute in a brutal, vicious, ruthless, modern manner.

Having that picture in mind, the question for us to decide is whether we are going to close our eyes to the plain facts or if we will view the existing world

situation and the apparent dangers that confront us from a practical and realistic manner, and take such steps, short of war, that the present conditions justify and warrant, in fact demand.

One thing is certain, inaction now is an open invitation to an attack later on, either from an economic or a military angle or through a combination of both. It is not alone a question of where our sympathies lie but is a question of cold, calm, practical, and realistic judgment as to what course, in the light of the existing dangers, we should take in the best interests of our country. One thing is certain, inaction and indecision will be injurious and harmful. This is the time for quick and correct judgment, devoid of our likes or dislikes, with unity of action along a course that is certain and definite, having foremost in mind the best interests of our country, and then to have the courage and the determination to carry that judgment quickly into effect.

Is there any Member of this body, or any American, who thinks that a defeated Britain, China, or Greece means an untouched America later on? Any person taking that position would properly be indicted as being blind to the existing dangers, to their conscience, and to the truth.

Suppose, in the papers of tomorrow or later on, the people of America should read of the defeat of Britain, what do you suppose will be their feelings? Will it be one of calmness, of safety and security, or will it be one of alarm, one with the feeling of fear, of impending danger? Would not their feelings be properly summed in the words "we are next"? That is the reason why this is a defense measure and a peace measure, so that "we will not be next."

It is amazing to me how many people think in terms of keeping our country out of war. Every one of us by nature and at heart is a pacifist. I do not want to resort to violence. In my contacts with my fellowman as a youngster and growing up I ran away from danger until some greater danger compelled me to enter into conflict, into battle with some of the youngsters with whom I grew up. That is my feeling today. It is the natural feeling of all persons. We do not want trouble. We do not want war. Our inclination is to run away, to do everything we can to avert it. But sometimes the law of self-preservation stares us in the face as individuals and the same law of preservation at times stares a nation in the face. In the face of a greater danger—destruction in all probability—we are compelled then to react in a contrary direction to what our natural instincts prompt us to do. That is why there are two aspects involved, one of which is to keep our country out of war—that is the easiest thing we have to do. All we have to do is do nothing, but if we do nothing, does your judgment tell you that we are keeping war from our shores later? In order to keep our country out of war, as I see it, in the face of the imminent danger that confronts us, to prevent that danger from becoming actual we have to

take affirmative steps of some kind to prevent the war later coming to our shores.

The purposes of the pending bill is to keep our country out of war and to keep war from coming to our shores later on. That can only be done by preventing an Axis victory. It is unfortunate that the present world situation exists that requires us to consider legislation of this kind. That condition was not brought about by us, but it exists just the same. We are confronted with a condition, not a theory. Most of the arguments of those who oppose ignore the indisputable fact that a condition exists in the world today that menaces our future safety and existence. It is here, and, much as we dislike it, we must meet it. The law of self-preservation applies to nations just the same as it applies to individuals. When danger confronts an individual he must form a quick judgment, and he must act accordingly, and with courageous certainty. The same applies to nations. In this case it is our country. Indecision and inaction in the face of danger is fatal to a nation, just the same as it is to an individual. The mere fact that we are a powerful and wealthy nation does not make us an exception to the necessities of self-preservation when danger confronts us. We, as a matter of fact, alone in the world, as we will be, will be attractive prey for the destructive hunters.

Everyone agrees that imminent danger confronts us now. Is it for our best interests to remain idle, to hesitate, to react to fear, or is it for our best interests to act while we have friends remaining, before it is too late? The answer to this and other similar questions is clear to me. Now is the time we should and must act if we want to prevent the "imminent danger" that confronts us from becoming an actual danger. This is not time for splitting of hairs on the part of those who realize the dangers of the present situation, and the necessity for action. It will be useless for us to offer alibis later on for the inaction and indecision of today.

In the face of the danger that confronts us, I beg of you, those who realize the situation, to let all minor differences of opinion as to some provisions of this bill—some differences of opinion as to details; all feelings, personal, political, or otherwise, to disappear or be laid aside during the period of the present crisis. We have too much at stake to allow such feelings or differences of opinion as to details, divide us in this hour of danger.

We of this generation of Americans have inherited a great trust from the past. It is our duty as Americans to preserve in our generation our institutions of government. We have received our great heritage from past generations with the unwritten mandate, the duty to preserve and to pass on. We are a generation living in the face of grave danger to our country. We will be judged by our children and their descendants by the results we obtain.

We cannot view this serious situation from the angle of hind thought, and leg-



islate accordingly. We all wish that we could. Looking ahead, as we must, and in the light of existing conditions, we must now determine the course of action necessary to perform our trust, the preservation of the Union and of democratic processes of government. The future will appraise us by what we do now. Past generations of Americans, those that underwent days of trial and danger, have kept their trust. Will we? On what you and I of this Congress do now will depend the answer to that question.

Are we going to be recorded in history as a generation of Americans that failed? Unity, judgment, courage, and action as Americans, is the road that we must take to be recorded as a generation that succeeded. Inaction, indecision, is the road to failure.

For myself, my duty is clear, and that duty I will perform as my conscience convincingly dictates to me. I am more concerned with the preservation and the future of my country than I am with the preservation or future of my political life.

I wonder if those who vote against this bill will be able to convince their people or Americans everywhere that they voted right if Hitler wins and overt acts are directed toward our country? I wonder if they will then be able to satisfy their people, yes, themselves, if, in splitting hairs over some of the provisions of this bill, they vote against it. I would not want to have it on my conscience that in this hour of danger to my country that I split hairs or that I blew hot and cold at the same time, or that I tried to play both ends against the middle on this bill. I have no difficulty in wondering what will be the opinion of the American people against those who voted against legislation, if Hitler and his international group of pagan bandits win, and our country is next on the list.

The opponents advance all kinds of arguments in an effort to justify their position. To one who takes the position that under no conditions should the Congress pass legislation of this kind, much as I disagree with such persons, I respect their views and their honesty. Such a person takes a clear and definite position. They are outright and unadulterated isolationists. There are some such persons in this country. Such persons will have to later assume their full responsibility and blame if, due to serious amendment of this bill, or due to unnecessary delay, actual danger comes to our country. If actual danger is averted, it will not be due to any cooperation on their part.

There are others who, realizing the danger, feel that something should be done in an effort to avert its actual arrival to our people who oppose for various minor reasons. I urge them to stop, look, and listen and not to play with fire but to unite in certain and definite action as contemplated by the provisions of the pending bill.

During the course of the hearings and the debate, we have heard with frequency the charge of dictatorship. We have been hearing the same argument for the past 8 years, on every important piece of legislation that Congress has considered.

It is about time that the opponents of this measure coin out of the English language another word or slogan in an effort to excite the fears of the people. We heard that cry made against the securities and exchange bill, the wage-and-hours law, the National Labor Relations Board legislation, the monetary legislation, the reorganization bill, the repeal of the embargo, and other legislation. I remember well the furore created when the reorganization bill was pending in Congress only a few years ago. The fears of hundreds of thousands of fine persons were played upon. The charge resounded throughout the country that the passage of the reorganization bill meant dictatorship.

We all remember well that legislative battle. The bill passed. It is now no longer a law, its operation expiring on January 20, 1941. Where is the dictatorship that the opponents assured was coming?

The same old attempt is now being made to divide our people by playing upon their fears by the making of statements that are unwarranted. There is too much involved in the future of our country to resort to such specious arguments engendering fear for the purpose of dividing the unity of our people.

To listen to this argument, one would think that delegation of power in itself is dictatorial. One of the first bills passed by the first Congress in the easier and more simple economic system that existed than today, was a bill delegating certain powers to the executive branch of our Government. Practically every important bill that any Congress has ever passed, or will pass in the future, carries with it delegations of power, necessary to make the law effective. Congress cannot legislate on every detail that confronts or relates to the operation of our Government. Democratic processes must serve its people just the same as any other government, and in order to serve it must work. The greater the emergency, the greater the danger, the more necessity exists for the delegation of powers during an emergency. And, lest we forget, this bill delegates the powers therein contained to whom? To the President of the United States, an elective official, not an appointive one, in the face of danger, under the Constitution, our Commander in Chief, and the only elective executive whose constituency is the whole country, and all of our people. If I have a choice of electing between delegating powers to an elective or an appointive official, I prefer to delegate them to an elective official. And this opinion is no reflection upon appointive officials.

We have the fact that in this bill 95 percent of the money necessary to carry it into operation must later be appropriated by the Congress. The power to appropriate carries with it the power not to appropriate. The power to appropriate carries with it the power to appropriate as requested or recommended in whole or in part, or to appropriate with limitation. Therefore, under this bill we have reserved to ourselves, by the fact that the President must recommend to the Congress the appropriations neces-

sary to carry it out, jurisdiction over at least 95 percent of the operations of the bill.

On this question "dictatorship" advanced by opponents of this measure, let us remember the last time that our country faced a danger that threatened its continued existence. That was during the Civil War. The men who fought on both sides of that conflict fought honorably and for the principles they believed in at that time. As we look back, we all realize that a divided Nation would have been harmful to both sides. In those days the immortal Lincoln, the saviour of the Union, was also charged by his opponents—and they were from the North, not from the South—with being a "dictator," and as "a destroyer of the Constitution." Thomas Jefferson, of immortal fame, was bitterly attacked in his day as "a violator of the Constitution" for making the Louisiana Purchase. Even the Father of the Country, George Washington, who will always be foremost in the minds of Americans, was accused in his day of wanting to perpetuate himself in office by establishing a monarchy, with himself as the king. Every strong President has met the charge of wanting to be a dictator by his opponents and enemies. Every strong President will. There is absolutely no justification for such a charge being made against this bill. To the contrary, it might well be advanced that the enactment into law of the pending bill will prevent an alien ideology, and a foreign dictatorship being imposed upon us.

The argument has also been advanced that this bill will lead us into war. I cannot agree with that view. It is my opinion that this bill is the safest course that we can take to keep us out of war and to lessen the chances of war coming to our shores later on.

No matter what course we take, inaction or action as proposed in the pending bill, certain risks are involved. The question in this respect is whether by inaction we take a greater risk than we will take by proper judgment and action that we deem necessary for our welfare. The conscience of each individual American must answer that question. In connection with this, there is one question that I cannot escape asking myself, and which I must answer, and upon my answer depends my course of action. Will an Axis victory be followed by an economic or military attack upon my country?

To me there is only one answer. It is my firm opinion that in the event of an Axis victory, which will mean that all of Europe, Asia, Africa, Australasia—the whole world outside of the Western Hemisphere—will be conquered, controlled, or dominated by the Axis Powers, and that of the once numerous democracies of the world, our country will be alone. The countries of Central and South America, having their own problems and cultural associations, will be affected, and in all probability compelled, of necessity if not otherwise, to wean away from the United States. The "squeeze play" of Germany, Italy, and Japan will then be ready for operation. That pact, as we all know, constitutes a



direct threat to the United States. That was its purpose. Japan will in all probability only move when that country thinks it can do so with safety and with chances of success, and that will undoubtedly happen if Britain is defeated. Is it a reasonable probability to draw that we will be left alone in the event of an Axis victory?

In all probability inaction now is the road to tribute first and war later. In any event it is the road to adversity and troublesome days for our country.

Respecting as I do the views of those on this question, that inaction now is the best course to pursue, I cannot escape the conclusion that action now is vitally necessary and that prompt aid to those countries now or in the future, while the present emergency exists, who are resisting the attack of the totalitarian aggressors is essential to our national defense. I recognize and appreciate the fears of those who feel that the passage of this bill will result in a declaration of war by Hitler and his allies. My answer to that is, much as they dislike to see this bill pass, that prior to the defeat of Britain they will not dare declare war. To do so means that by their own act—not ours—they will bring into operation the full force and power of our Government and of our great resources, and they do not want that to happen.

One might say, "If we do nothing we will be left alone in case of an Axis victory." My answer to that is that if we did everything that Hitler wanted us to do, short of establishing a Nazi-controlled form of government, that he and his partners would not leave us alone. One thing is certain, a defeated Hitler, or a Germany that does not win, means a secure America from future attack of any kind.

There are some who advance the cry that this bill will lead us into war who made the same cry when the bill repealing the embargo was passed. That was well over 1 year ago. They predicted that its passage would result in our entry into the war within 60 or 90 days. They were wrong then. They make the same cry now.

There are some who are trying to impugn the motives of President Roosevelt. He has been the subject of that attack for the past 8 years. When we hear some of the charges made, I sometimes wonder if those who make them realize that every elective official, from President down to the smallest office, is elected by the people, and for a time certain, and that the people are well aware of that fact.

I deplore such attacks upon any President. I may disagree with a President of our country, as I have, but I will never impugn his motives, no matter who he may be, and I will never doubt his patriotism and his love of our country.

Some have even gone to the extent of charging that the President recommended this bill in order to bring us into war. That is a statement that is unwarranted, unfounded, and in complete disregard of the truth. A declaration of war is an act of Congress. Only Congress can declare war. But, they say, a President can create an incident that will result in war. To charge any President with that

purpose goes far beyond the limits of decency. However, every President in the history of our country, and under the constitutional powers conferred upon him, could do that if he wanted to. If President Roosevelt wanted to create such an incident, the last thing he would do would be to seek the passage of the pending bill. Under the broad powers conferred upon the President under the Constitution, he or any other President could create an incident which some other country could consider an act of war. But, instead, President Roosevelt recommends this bill, showing his intention and determination to take such steps as he deems necessary for our defense—necessary for the preservation of our institutions, and essential to the keeping of our people out of this war, and by keeping war away from our shores in the future.

In taking the proposed steps, in addition to taking a course of action that present world conditions require in our own defense, by the passage of this bill we will also render a greater service to mankind. The present war is not one of mere conquest alone. The "new order" of Hitler and his allies have clearly evidenced a determination to destroy the civilization of which we are a part, and which we believe in, a civilization that recognizes the omnipotence of God, and which has its origin in "love of God, and love of neighbor." The new ideology has its origin in the theory of the supremacy of man and its accompanying element of hate. It is purely paganistic. Not content with its acceptance by the people of those countries that voluntarily want such a paganistic form of government, its leaders are attempting, and determined, if possible, to impose their will upon the peoples of all nations of the world.

The minority report is an interesting report in many respects. In it those that signed the same say they recognize the danger to our country \* \* \* that action is necessary at this time. They admit the grave danger to our country. Their eyes are open, so they say, by the very report they have made. And yet, with the admission of grave danger, they hesitate, and propose a bill that practically everyone knows, if enacted, would be meaningless and ineffective. They recommend the passage of legislation that our military and naval advisers have stated would be a mere gesture \* \* \* wholly inadequate. They undertake to substitute their views for the views and the opinions of men who are giving their whole lives to the national defense of our country.

The Washington Star of last Sunday in an editorial stated in relation to the minority report:

In effect, they recognize the importance to us of a British victory by advocating aid to Britain, but they are not willing to sanction that degree of assistance which, in the judgment of our own military experts, is essential to prevent a Nazi victory.

The minority report also stresses, as an objection, the proposition that under the bill—

We surrender our democratic way of life now for fear of a future threat to our democratic way of life.

They say—

Fear of a future threat.

Everyone with an appreciation of danger knows that the danger is imminent, not from within, but from without. To sit idly by and by our inaction permit the vicious forces of destruction to develop a situation where they can, as they will, attack us later on, would be recreant to our duty \* \* \* recreant to the trust we have inherited from the past, recreant to our responsibilities of the present, and recreant to the obligations that we owe future generations to transmit to them the democratic institutions of government we possess and which we inherited.

In conclusion, practically everyone agrees on the necessity for action. I respect the views of those who honestly disagree with me. There are those who say nothing should be done at all, but a great majority of us realize the imminent danger. A great majority of the American people realize something must be done; realize that we are justified in taking steps to preserve ourselves against the threat that is apparent. Everyone realizes that if Britain is defeated that America is next in some way. We have seen other countries, through their inaction, take a course of action that later resulted in their destruction. The mere fact that we are powerful and wealthy is not sufficient. We will be alone in the world. An economic attack, properly waged, might of itself have a serious effect upon our institutions of government.

Suppose, for example, and it is a probability, the chief products of the forced labor of Nazi-controlled Europe and the Japan Army-controlled Asia were to be shipped into the United States, with the world markets closed to those goods that are produced in the United States now and which can be obtained elsewhere. Our country would then be faced with the proposition of building a tariff wall around itself that would make us as self-contained as possible. Then Mr. Hitler and his allies would say to the United States: "We consider that an offensive act." If we were alone in the world, I do not care who made up the Congress, we would think twice, being alone in the world as we would be, if Britain and China were defeated, but particularly if Britain were defeated—being alone in the world as we would be, I doubt very much if we would undertake to create a barrier against the imports from Nazi Germany and army-controlled Japan. The result would be that millions of Americans would be thrown out of work and there would be all the economic distress that would flow therefrom. Military attack is not necessary, in the first place. Economic attack, in my opinion, will be the first step, and the economic attack will have serious if not vital consequences to our country, even though we are a powerful nation.

Inaction means injury and harm. Action along the lines outlined in this bill is consistent with international law, because self-defense transcends international law. We have got to do something; we should do something. This bill proposes the journey we can properly take at this time. It is a bill we should enact into law for the preservation of the



institutions of government we have inherited and which we as Americans of this generation and Members of this Congress with full responsibility must preserve for future generations of America. [Applause, the Members rising.]

The CHAIRMAN. The gentleman from Massachusetts has consumed 38 minutes.

Mr. FISH. Mr. Chairman, I yield 1 minute to the gentleman from South Dakota [Mr. CASE] to ask a question.

Mr. CASE of South Dakota. Mr. Chairman, the majority leader has made a characteristically forceful and thoughtful speech.

Referring to his statement with respect to the control of Congress over the situation through control of appropriations, and referring to the discussion which the majority leader and I had on the subject some days ago, I should like to ask the gentleman if he means to say that Congress will have control over this situation? Because there will be no transfers of defense articles except those that are to be provided by future appropriations and that there will be no transfers of existing defense articles and those already on order?

Mr. McCORMACK. My answer to the gentleman is that under this bill Congress in its practical operation reserves to itself through power to appropriate, 95 percent jurisdiction over the bill. By this, I mean we have got to appropriate money to carry out approximately 95 percent of the provisions of the bill.

In my opinion the President would not take any substantial amount of the moneys we have appropriated for the regular departments of the Government, the War Department and the Navy Department, to use to carry out the purposes of this bill. After an appropriation is made for this bill I can see where out of appropriations made to the War Department and the Navy Department for the purchase, say, of airplanes, and they are already under construction, that these airplanes might be transferred for use under the provisions of this bill; but from the amount provided by Congress for the carrying out of this bill sums would be transferred that would fill up the gap in the regular appropriations of the War and Navy Departments.

I cannot visualize for a minute any President utilizing large sums of money out of regular appropriations that Congress has made.

Mr. CASE of South Dakota. If 95 percent of this is to come from future appropriations, will the material be there in time?

[Here the gavel fell.]

Mr. FISH. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, I have on my list the names of 30 Members who want to be heard on this bill this evening. So far I have yielded to but 3 Members. If the other 27 wish to be heard, I believe the House will have to stay in session until about midnight. I thought I should make this announcement now.

So far as appropriations are concerned, I believe this bill authorizes the President to go ahead and spend enormous sums of money, whether it is \$20,000,000,000 or

\$50,000,000,000; and the moral responsibility rests upon the Congress which gives him this authority to appropriate the money.

[Here the gavel fell.]

Mr. FISH. Mr. Chairman, I yield to the gentleman from Vermont [Mr. PLUMLEY] such time as he may desire.

#### FLOOD OF ORATORY

Mr. PLUMLEY. Mr. Chairman, there has been such a flood of oratory on the floor that one hesitates to take a chance and walk down into the well without a life preserver. There has been too much talk in view of the exigency and the emergency that confronts us. We are at and in war all but the shooting. Do not forget it.

The lend-lease bill undertakes to make the defense purchasing units of this country function for both America and Great Britain.

#### ECONOMIC ALLY

The bill undertakes to make us an economic ally of Britain in war. No fooling. We are still dreaming of a peace that does not obtain. We have all the alibis in the world from prejudice to President to obstruct our saving ourselves. No man has more zealously, persistently, or pertinaciously opposed the policies of the New Deal than have I. But I do not propose to sacrifice myself or my convictions to make a partisan Roman holiday when the time comes, as now it has come, for me to make a decision for or against my country. I am for America first; and therefore for all aid to Britain, short of war, now. As Alf Landon once said, "partisanship ceases at the seashore."

#### LIMITATION OF POWER OF PURSE AND LIMITATION OF TIME OF GRANT

Circumscribed and limited by the retention of the power of the purse in Congress and a limitation on the time within which the delegation of extraordinary authority to the Commander in Chief is prescribed, and with further amendments included to satisfy a public state of mind, which further amendments, though perhaps not necessary, are expedient in such an emergency in order to conduce to unity, the bill is not half so bad as some would have you think. I do not like to have to vote for it, I admit. I think a bill could be drafted better to my liking. However, I have a choice—vote for it or vote against it.

If the bill were to be amended as has been suggested, I could vote for it without reservation as a bill "to promote the defense of the United States," which, in my judgment, if amended, by its terms does not suggest or accomplish the abdication of Congress or the surrender by it of its prerogatives. I would have no question as to my duty under my oath. So others feel.

#### SHORT-SIGHTED POLICY

How we may be forced to vote by the short-sighted policy of those who prefer to dominate rather than cooperate is yet to be determined. The responsibility is theirs, not mine. I am for united action against a common foe and for aid to Britain as a defense for America; and since it involves every citizen, I think the wishes of a large portion of the people to be assured with respect to certain matters

involved in this bill are entitled to and demand respectful consideration.

I do not agree, in entirety, with the interpretation assumed by the Committee on Foreign Affairs in its majority report involving the construction of the language "notwithstanding the provisions of any other law," which appears in section 3 of the bill.

If time permitted, I think we might have an interesting discussion which, after it was all over, like the dictum of the Court, would get us nowhere. However, the committee, right or wrong, has clearly, definitely, and positively stated that the bill as drawn, with the language referred to included, means just what they say it means; that its purpose and intent is exactly that which they declare it to be in their report, unequivocally and beyond all question of doubt.

#### CONSTRUCTION OF THE LAW

Now, the committee has designedly been very careful to take these definite steps in making its report in order to make it impossible for anybody, anytime, anywhere, to misunderstand, misconstrue, or incorrectly interpret the meaning, purpose, or intent of the act.

Those familiar with and skilled in the rules and methods employed in the interpretation and construction of laws realize that a committee of Congress is charged with the responsibility of investigating the necessity for the act concerning which it is its duty to report. Further, it is understood that a committee report is not conclusive in itself; yet as the report is made as a duty, and it is done in the execution of a duty, it has been repeatedly held by the Supreme Court of the United States that the measure that the committee recommends has the purpose that the committee declares it to have, and that it will accomplish the purpose as it is declared so to do by the committee.

#### THE LIMITATIONS

So it is well enough for those who are in doubt with respect to what limitations, if any, the language referred to has or carries to remember the full force and effect of committee reports, and that such a report must be read and studied and will control the actions had and to be taken by all parties in interest as to the question of what is exactly meant by the act, how it must and shall be construed and interpreted, and how they shall proceed in the administration of the act, if and when enacted.

I admit that the report of the committee as made has disposed of certain objections which I had to the bill in its original form. I still do not like the bill unless further amended.

Why we in the House of Representatives consistently permit ourselves to be wagged like the tail of a dog is beyond my comprehension. We know perfectly well that this bill is going to pass. Why not pass it in such form as that in which we have a right to assume it will come back to us? Why not, in addition to the amendments already proposed, forestall objections and relieve the public mind by further amending the bill to provide:

#### NECESSARY AMENDMENTS

First. A top limitation on the sum authorized to be appropriated for the program.



Second. A limit, expressed in dollars, on the amount of contract authorizations or future commitments the President might make under the terms of the bill.

Third. A definitive, specific, unqualified time limitation on powers granted. Such amendments, while it may be contended that they are not absolutely necessary and that impliedly what they attempt to effect is already in the bill, or in the proposed amendments, would, nevertheless, satisfy the demands which are being made upon many Members of Congress under no circumstances to vote for the bill unless such provisions are definitely and specifically included within the clear language of the act as written. And in the bill they do not detract from its force or effect, but simply define both.

If these several amendments to which I have referred are adopted, I can vote for the bill. I know several others who now oppose it, whose substantial and reasonable objections to it would be dissipated almost completely by such action as I contemplate ought to be taken.

#### AMEND THE BILL HERE

Why not amend the bill here and now instead of sending it along, incomplete and imperfect; having it sent to a conference; having a conference report; and eventually adopting the report of the conference committee?

Why do we not assert ourselves as representatives of the people, stand up and protect our rights and prerogatives, complete our job now, instead of cheapening our effort by leaving something for trading purposes to be used in another body of this legislative branch of government? That, as I see it, is the test of our patriotism and of our courage and of our desire to unify the country back of this measure.

Mr. FISH. Mr. Chairman, I yield such time as he may desire to the gentleman from Ohio [Mr. JENKINS].

Mr. JENKINS of Ohio. Mr. Chairman, I appreciate the courtesy of having this time extended to me, and it shall be my purpose to speak briefly.

The day following the introduction of this bill in Congress I made a speech against it. Section 3 of this bill, which gives to the President such tremendous powers, so shocked me that I felt I should record my sentiments while the conviction in my heart was so strong that the bill should be defeated. I had no doubt as to what I should do, and I am still of that opinion.

I listened to the hearings before the Foreign Affairs Committee of the House, before which men of great prominence testified. Four or five members of the President's Cabinet testified. Naturally they supported the bill that would give to them and the President these tremendous powers. Few dictators will admit that they are dictators, and few people will admit that they have too much power. Mr. Lindbergh also testified before that committee, as did Norman Thomas and many other men whose influence rates high with the American people. None of that testimony convinced me that my first impressions of this bill were wrong. Rather they strengthened that conviction. I would

have the House understand, however, that those hearings were pitched to a very high plane and that the testimony of those who appeared before that committee proved again that they were men and women of great capacity.

The debates on this bill in this House are now running well into the third day. These debates have been sincere and illuminating. Men and women from all parts of the United States, representing all sections of the country, have stood up and given us their views and their reasons for the position which they expect to take when this bill comes up for final vote. I have no quarrel with any of them. Those who agree with my point of view encourage me in my belief, and those who disagree with me when they give their reasons prove to me more completely that this bill is fraught with great possibilities and great danger.

I want to compliment those who prepared the report made by the majority members of the Committee on Foreign Affairs, and I wish to especially compliment those who prepared the minority report. The majority report is not an aggressive report, but on the contrary it is in its nature conciliatory even unto being apologetic. On the other hand, the minority report takes the position that the bill gives the President unlimited, unprecedented, and unpredictable powers and maintains that it is violating all the principles of international law. It especially stresses the fact that under the bill the President may give away our Navy, our airplanes, our arms, and our war secrets.

If I have time, I shall revert again in this discussion to this minority report.

While it is fresh in my mind, I wish to discuss with you briefly the prepared address delivered by the majority floor leader, the gentleman from Massachusetts [Mr. McCORMACK]. Because of his position he is assumed to speak for the administration and especially for his party. In his speech he takes the position that Great Britain is our first line of defense. Some members of his party have in the past taken the position that the Rhine was our first line of defense. If the Rhine is our first line of defense or if Britain is our first line of defense, then it would seem that this must be our war. While I sympathize with Britain and while I abhor the atrocities practiced by Hitler and his followers, I still think that the United States of America, with her great resources and with her great Navy and with 132,000,000 people, does not need to permit this trouble in Europe to fix her first line of defense.

I much prefer to believe that our first line of defense is any place where anybody infringes upon our liberties in such a way as to become a menace to the general welfare of our people. I do not believe that we should take offense at any and all trivial insults that might be accorded to our citizens that might be in distant lands, but any studied and serious infringement upon our national activities, wherever that infringement is done, is where our first line of defense should be. Primarily the first line of defense is in the patriotism of our executive officers, especially the Chief of Staff of the Army and our Chief Naval Officer and the Sec-

retary of State. I repeat that we should not permit a quarrel or war between foreign nations to be considered, so long as we are unmolested, to be such an invasion of our liberties and such an insult to our national memories as to fix our line of defense. We fixed it for ourselves in the Revolutionary War and we maintained it successfully. We fixed it for ourselves in the War of 1812, when we maintained our claim that the seas should be free. We have maintained it ever since, and I think that we are as well able to maintain it today as we ever have been.

From the speech of the gentleman from Massachusetts [Mr. McCORMACK] I have been strengthened in my belief that there is something in connection with this bill that has not yet been brought out. At first we were given to understand that this bill was drafted as the free handiwork of the Congress. That is not true. This bill has been cautiously and clandestinely put together. Ostensibly the physical drafting of it was done by a group of Congressmen, but its genius was in the heart and mind of someone aside from the active membership of Congress. Its genius comes from those who want the United States of America involved in this world conflict. There are powerful influences in the United States of America that would not stop in their determination to involve us in war, regardless of how dire the consequences might be. The cry of American mothers against another war that would rob them of their sons is not heard by this group. The prospect of the loss of lives and the loss of property and the bankruptcy of the Nation do not deter this group. They want Hitler destroyed for a different reason than what most of us have for his destruction. That this bill had all been thought out is proven by the President's message to Congress delivered on the 6th of January, which was several days after the bill was introduced. In this message he said that he would be compelled to ask Congress for money and materials that he might transfer them to the belligerents in this war. Through all these debates and through all these hearings I have been seeking to locate the real genius of this bill. Can it be in the insatiable ambition of the President to want to have a hand in the domination of the world? Can it be in moneyed influences against whom Hitler has committed some special act which they resent? Or can it be as the result of fear of world domination from Hitler and his followers? I must confess that I do not know the answer, but I have a strong conviction that, as I have already stated, this bill has behind it and back of it some motives the purposes of which have not yet been disclosed. The tenacity with which the President and his group have refused important amendments is proof that they think this bill must be passed without any curtailment of the tremendous powers which it gives to the President. There are some who think that the President wants this bill so that he may then be able to take from Great Britain, or at least to share with Great Britain, the active management of the war. If the President could, under threat of withholding money and supplies, demand that the war be carried on



along certain lines, he would be in a position to have his demands recognized. If he assumes a position of collaboration and cogeneralship with the war leaders of Great Britain, we are then actively in the war.

Before I leave the speech of the gentleman from Massachusetts [Mr. McCormack] let me take issue with him where he says that 90 percent of all the President's activities under this bill will be directly controlled by the Appropriations Committee of the House. If the President can give away our Navy which is already built he will be disposing of many millions of dollars without consulting the Appropriations Committee, then he can give away about thirteen billions of value that is now being constructed from last year's appropriation, the gentleman from Massachusetts [Mr. McCormack] was badly mistaken in his percentage. I must not continue further in this vein for I want to discuss with you for a few minutes a great speech delivered yesterday by my friend and colleague, the gentleman from New York [Mr. Wadsworth]. Because of his candor and his honesty in the presentation of his arguments, he always commands a large and attentive audience in this House when he speaks. Yesterday he was at his best. I shall not have time to go into detail in an attempt to answer his argument but I wish to make some comments with reference to what I considered was the heart of his speech.

He stressed the Executive powers of the President. He made it appear that there was something almost sacred in connection with the executive powers of the President. He admonished us that Congress and no one else had any authority to curtail these executive powers. He cited the action of Thomas Jefferson in negotiating the purchase of what is known in history as the Louisiana Purchase. He cited in support of his argument the powers exercised by President Lincoln in calling out volunteers without the action of Congress.

I would most humbly call the attention of the House to this proposition—that if the House should be careful of its invasion of the executive powers of the President, likewise would it not be the duty of the President to be careful of his invasion of the powers of the House? If the executive powers of the President are such that he could not surrender them and no one could infringe upon them is it not more important to the people whose direct representative is the Congress that the President or no one else should invade the prerogatives of Congress and thereby invade the rights of the people.

Let us go back to the Constitution, the source of all authority, and from it compare the powers of the Executive and the powers of Congress as they apply to war. I would ask you to consider with me carefully for a moment that when the Louisiana Purchase was effected we were not at war, and no war was imminent, and that it was not a matter that would be in any way affected by war. It was simply the purchase of a large acreage of land. Jefferson had a chance to make the deal and he took the prelimi-

nary steps toward making it. The deal had to be ratified in the proper legal way. The whole deal up to the payment of the money was not handled by Jefferson. He only negotiated it. Likewise, in the case of Mr. Lincoln with his volunteers. The Civil War was not considered as a war. There was no formal declaration of war. It was considered as a civil insurrection or is sometimes called a civil rebellion. The President acted immediately as he had a right to do as Commander in Chief of the Army to take such steps as were necessary to prevent those who first precipitated the civil rebellion from continuing in their course. They had fired on Fort Sumpter and gave every indication that they intended to persist in their course. The whole Nation had been stirred for many years with the question of slavery and the action of those who participated in the firing on Fort Sumpter was not the action of a mob of hoodlums or lawbreakers but it was the action of a group of determined people who felt keenly on a great subject. Lincoln was always careful not to have the world consider our War between the States as a war in the full acceptance of the term in international law. He considered that he was the President of all the States even when some of them were in open rebellion.

All that the Constitution says about executive powers is contained in the first sentence of article II, which says:

The executive powers shall be vested in the President of the United States of America.

Further it says that the President shall "take care that the laws be faithfully executed." All this means is that the President shall carry into execution the laws that the Congress passes. The constitutional provision with reference to the powers of the Congress are numerous and I shall not cite them here, but we should confine our words in this discussion to what the Constitution says with reference to war. The Constitution makes the President of the United States the Commander in Chief of the Army and the Navy. It does not give him any powers in war until the Congress has declared that a state of war exists. The Constitution prescribes specifically that it is the exclusive province of Congress to declare war and to raise and support armies. And it further provides that even the Congress cannot appropriate money for that purpose for a longer period than 2 years. In other words, the Constitution itself gives to that branch of the Government nearest to the people the right to declare war. Consequently there can be in this bill no attempt to invade the rights of the Executive, but this bill is an example of the terrific desire of executives all over the world to grab to themselves dictatorial powers.

I repeat, therefore, that Mr. Wadsworth's great speech, in all due respect to his ability and his well-recognized patriotism and candor, is not well grounded, for this bill surely amounts to a surrender by the Congress of the United States of its power to declare war and to raise armies. If this bill is passed and the President proceeds under it to sell to Great Britain or to China or to Greece a number of our battleships that

surely would be construed by Germany as a warlike act. If in addition he should transform the United States, as he says he will do, into an arsenal from which England and Greece can draw their supplies in unlimited quantities without let or hindrance or without price then, of course, we will be in the war. If he cannot do this except by the authority of this bill then, of course, those who vote for this bill will in effect be declaring war.

I voted against the repeal of the Neutrality Act and I voted for the Vorys amendment in 1939. But the majority of the House and Senate repealed the neutrality laws and the President has been operating since that time under the law in its present form. Of course, after Congress had passed the law and the President had signed it, it would not become me or anyone else who voted against the law to sulk in our tents and to refuse to support the President in his actions. I am for the President of the United States regardless of who he is and almost regardless of what he does as against any ruler anywhere in the world. I feel that the President has for years indicated that he has a chip on his shoulder and has been too anxious to speak and give expression to his personal views as though those were the views of the Nation. This bill will give him more power of this kind. If he takes an active interest in the management of the World War or if he permits our battleships to do warlike duty in behalf of one of the belligerents or if he permits our battleships to do convoy duty, there is no question but that sooner or later we will find ourselves in the midst of this conflict.

Just today, the gentleman from New York [Mr. Bloom], the chairman of the Foreign Affairs Committee of the House, admitted that the amendment which his committee has agreed to accept to the effect that nothing in this act shall be construed to authorize the President to send naval vessels as convoys is an innocuous amendment and has no force and will have no effect. In other words he knows that the American people are unalterably opposed to the President having the right to send our battleships as convoys. Yet he says that this amendment, which will be adopted tomorrow, is nothing but a sop to the American people. The report of the minority members of this committee, which we have before us, makes it clear that this amendment which the majority offer as a sedative will not prevent the President from sending convoys.

A very strange situation has developed in these debates with reference to this proposition. The original bill carried no provision with reference to convoys except the general provision that the President would do almost what he pleased with American war materials. This might have meant that when the bill provided that the President could "sell, transfer, exchange, lease, lend, or otherwise dispose of" any war materials that the President could convoy these goods and deliver them to the belligerent nation wherever he deemed best. If this language does have this meaning, then the



proposed amendment should have great effect. Therefore, if the gentleman from New York [Mr. Bloom] maintains that the bill does not give the President any right to convoy, why should his group offer an amendment? And again, if the minority membership of the committee maintains that the amendment is of no effect, and that the President may use the battleships as convoys regardless of the passage of this bill, then we should look into the matter to see how this could be done. Let me repeat, how can the Republican membership of a committee claim that the President can use battleships as convoys if this bill does not give him the power, and if the amendment does not have anything to do with it? This is one proposition that has not been discussed as yet. What they mean is that the President may, if he cares to exceed his authority as Commander in Chief of the Navy, decide in his own mind that in order for a certain shipment to reach its proper destination it should be accompanied by an American battleship, and he therefore might order a battleship to proceed as a convoy to that vessel. This brings up the question of what power has the President, as Commander in Chief of the Navy, over the battleships of the Navy. He cannot sell one of them under the present law, but after this bill is passed he may, by the express language of the bill, sell one of them. If he can sell one, he can sell them all. The bill also provides that he may "otherwise dispose of" them. That might mean that he might give away any or all of the American Navy. The President answers this fear with the statement that a cow might also jump over the moon, which is highly improbable, or that he might stand on his head in Pennsylvania Avenue, which is also extremely improbable. These facetious illustrations do not answer or satisfy the grave fears which the American people have. Just recently the President did practically give away 50 American destroyers, clearly contrary to law, and one of the principal purposes of this bill is to change the law so that he might give away the next 50 in accordance with law. As Commander in Chief of the Army and Navy the President can order the Navy to the protection of American interests any place and any time when the rights of America or its citizens are abused. But he cannot lawfully order the Navy to deliver munitions to belligerents in a war in which we are not parties. I have no doubt he will do so. When he does we cannot blame Hitler if he sinks the ships.

Mr. Chairman, let me quote in a few words the heart of this bill and with that I think I shall have stated sufficient reasons why any Congressman should be careful of his vote.

This is the language:

Notwithstanding the provisions of any other law the President may \* \* \* when he deems it in the interest of national defense authorize the Secretary of War, the Secretary of the Navy, or the head of any other department or agency of the Government to manufacture in (American) arsenals \* \* \* any defense articles, to sell, transfer, exchange, lease, lend, or otherwise dispose of \* \* \* any defense article.

As I have already stated my sympathies are entirely with Great Britain.

The President has gone farther than I thought originally he should go but since he has gone, we must stand by him in what he has done. Already Great Britain has been getting practically all the war material that we have been able to produce in our country. There is no disposition on my part to curtail this program. I think that those in charge of our defense program, although under terrible handicap, have attempted to do a good job. I think that within a few months our production will be a marvel to the world. I hope it comes in time to do Great Britain much good. In spite of all this, I still maintain that our Government is a government of law and not of men and that heretofore we have waged wars by cooperation between the legislative and executive departments and that it is not now necessary for the legislative department to capitulate and surrender its constitutional prerogatives to the Executive. I think he is asking for more power than any other President ever asked for and I think his request should be denied.

Mr. FISH. Mr. Chairman, I yield to the gentleman from Michigan [Mr. SHAFER] such time as he may desire.

Mr. SHAFER of Michigan. Mr. Chairman, I fully realize that whatever I might say concerning the pending legislation, H. R. 1776, will have little or no effect on the final vote. It is my desire, however, to go on record as being emphatically opposed to it. I am convinced that its passage in its present form—and it is obvious that it will not be improved—would effectuate a virtual adjournment of Congress insofar as the present world conditions are concerned, because it will delegate to one man all the powers of the Congress in regard thereto.

I am unalterably opposed to any legislation that will further divest the Congress of its powers. In my opinion, we have already surrendered too many of them, and experience has proven that it is impossible to recover them once we have delegated them to the present occupant of the White House. With Congress continually in session, as it will be during the present European crisis, the conveying of so much authority to one man, as is provided in this bill, is as unwise as it is unnecessary.

There is no question but that there are enough votes in the House of Representatives to pass this bill. I hope, however, that before it is passed it will be so amended that it will not give any one man the uncurbed and uncounseled power to spend the wealth and the property of this country to finance a war that is not of our making. I hope, too, that this bill will be so amended that it will positively prohibit convoy of shipping in war zones and to provide for tangible collateral or security for such loans as are contemplated through the transfer to the United States of British possessions in this hemisphere.

I do not oppose aid to Great Britain but it seems to me to be unwise, yes, plain ridiculous for the United States to advance moneys, munitions, and materials of war while our own defenses are known to be so woefully lacking in this same defense equipment. Our best military and

naval experts cannot, and will not, deny that our fighting forces would be unable to carry on a war of 3 weeks' duration with the materials and the munitions now on hand.

The Chief of Staff of our Army, Gen. George C. Marshal, only recently testified during the hearings on this legislation that—

We have no stores \* \* \* It will be a happy day when we can speak of stores of Army equipment. \* \* \* We have need for all modern equipment delivered to us.

I say, Mr. Chairman, let us go all the way on national defense, but let us be done with playing the role of Santa Claus to the entire world. I believe I am as good an American as any Member of this Congress, but I cannot help feel that this is not our war. Even William Allen White has made that same statement. We were not consulted about this war, so why should we be expected to pay for it? And permit me to add right here, I do not subscribe to the contention of proponents of this bill that the British Navy is our first line of defense; that Great Britain is fighting our battle. That is bosh. If that were true, we had best accept a dominion status and be done with it. I am one Member of Congress who believes that our own Navy and our own Army are our first lines of defense, and I believe that they should be properly and adequately equipped before sending all of our equipment and munitions to a foreign nation which, down through history, has never been too friendly.

Certainly my sympathies are with Great Britain in this war. I want no part of Hitler nor Hitlerism. But I cannot forget the disparaging remarks that were made by high British officials concerning the help we gave in the last World War, and the cries of "Uncle Shylock" when we asked Great Britain to settle her war debts. It seems to me that England's attitude regarding her debts should be a sufficient lesson to us. We would be fools to be burned in the same place the second time.

Almost a quarter of a century has passed since the World War and during those years England has persisted in her refusal to pay her debt to us. In fact, she has led all other debtor nations in their refusal to pay. In the meantime, however, England has been able to accumulate enough reserve capital to begin another gigantic war which we are now expected to finish for her either financially, or with men and materials, or all three. In other words, we are again to become Uncle Sam rather than Uncle Sam.

I say that instead of financing a world war every quarter of a century—wars from which we get nothing but dislike and hatred from those whom we defend and befriend, let alone those whom we antagonize—let us spend our money in preparing our own armed forces so that there can be no question in the future as to who is protecting who, and why. [Applause.] Let us do this before we lease, lend, or give anything to anyone. If we will do that, we will have no worry about any European-promoted wars, economically or otherwise. Under



the program we have followed during the past 12 months our own military and naval forces have been stripped while we have furnished Great Britain with war planes, guns, ammunition, and other materials. England is getting practically everything we produce. It seems to me that it is high time that we equip our own forces and end for all time the contention that Great Britain is fighting our battles. If we equip our own forces we will be well able to take care of ourselves. But what will we do if England fails and our fighting forces are found lacking in equipment?

While, as General Marshall has testified, "we need all the modern equipment delivered to us", in the first 11 months of 1940, we have shipped to Great Britain more than 3,300 war planes, 92,585 pistols and revolvers, 29,000 shotguns, 932,639 Army rifles, 143,059 machine guns and heavy ordnance guns and carriages, 29,485,632 1-pound armor-piercing shells, and other equipment. During the month of November last there were manufactured in this country 356 war planes, of which 350 were exported to Great Britain. This in spite of the fact that the airplane factories of this country have been placed upon a strict war-plane production program while the airplane factories of Great Britain are still manufacturing commercial airplanes. Only recently in Great Britain, workmen of munitions factories created a debate in the House of Commons by threatening to strike because the munitions they were manufacturing were being shipped to Japan.

Besides war material, the United States has furnished Great Britain with raw materials and other essential items including 2,725,583 tons of scrap iron and 739,169,682 tons of copper. These figures have been taken from the Monthly Summary of Foreign Commerce of the United States and further show that during the first 11 months of 1940 there was exported \$217,788,776 worth of power-driven metal-working machinery. Steam engines, airplane motors, locomotives, machine tools of every description and character, including engine and turret lathes, milling machines are going out of the United States in a steady stream today despite the fact that industrialists say that lack of this equipment is causing one of the greatest bottlenecks in our defense program. Many of these machines are going to Great Britain while others are going to Japan and Russia and other countries subjugated by Hitler. The British are already complaining that the war materials we have sent to Russia are finding their way into Germany.

In view of the amount of aid we are already giving, only a portion of which I have enumerated here, this so-called lease-lend bill, in my opinion, is unnecessary. It seems to me, as I have said before, ridiculous for us to pass such a measure while Canada, a member of the British Commonwealth of nations, does not have such a law. While many Americans are protesting that England should not be made to convert her investments in this country into dollars with which to buy our armaments, Canada is selling her armaments to her mother country on exactly that basis. Why should we adopt

a policy that Dominion of Canada has not yet adopted?

In conclusion, Mr. Chairman, permit me to say that what ought to be accomplished to aid Great Britain could be accomplished without Congress passing this legislation and thereby relinquishing its powers insofar as the present world problems are concerned. I think a mere glance in our history books will indicate that many more democracies have been destroyed by the abdication of legislative bodies than by invasion. I think the great need in the United States today is a strong, virile Congress.

I am certain that the majority of the taxpayers of the Third District of Michigan, who have honored me with a seat in this Congress, do not want me to support such legislation as this. I do not believe they want me to vote for a bill that so lavishly and so foolishly throws away their money and jeopardizes their own economic safety. My people want a sane and substantial government, an honest and adequate national defense, but they want no part of this European mess. [Applause.]

Mr. FISH. Mr. Chairman, I yield to the gentleman from Missouri [Mr. SHORT] 15 minutes.

Mr. SHORT. Mr. Chairman, I trust that I can speak out of a mind this afternoon that is clear and calm; but I must confess that I speak from a heart that is heavy and troubled and from a soul that is sick. Ever since World War No. 1 ended, in which we fought to make the world safe for democracy and to end all wars, we have witnessed war going on in practically every continent of this earth. It has been my opportunity to have witnessed, first-hand, the slow, gradual, and certain death of democracy in most of the countries of the Old World. I saw it die in Germany, I saw it extinguished in Russia, I saw it perish in Italy, I saw it end in France, I saw it finally surrendered in Britain, and for the last 8 years I have witnessed the insidious assaults upon it here at home, which is the last stronghold and the only citadel where democracy is found on the face of the earth today. I am not so sure that it can long survive here, because in the measure before us we propose the very thing we detest. We embrace the thing we abhor. We ignobly confess failure of the democratic processes and propose to turn over to one man a constitutional prerogative of the Congress of the United States to this man who, after taking the same oath that you and I have taken to preserve, protect, and defend the Constitution, has demanded that we pass legislation, whether it be constitutional or not. No doubt this will give comfort to all dictators. When the highest tribunal of our land threw many measures out of the window as unconstitutional, he deliberately attempted to undermine and destroy the independence and integrity of that free judiciary by packing it with stooges.

When he was opposed in that nefarious scheme, he deliberately invaded the sovereign States in an attempt to purge men who dared stand and vote their conscientious convictions. [Applause.] He has defied the third-term tradition and has

taken huge funds, running into billions of dollars, voted by the Congress of the United States, to perpetuate himself in power indefinitely. He has asked, and has been granted, the power, never exercised before in peacetime by any of his predecessors, to conscript human life; and now, the last straw that breaks the camel's back, is, in my opinion, the most dangerous proposal that has ever been offered to the Members of this body in this bill that is hypocritically and ironically numbered 1776.

Oh, what a travesty on justice, what an insult to our national pride and honor. I want to read from Sol Bloom's book and his story on the Constitution:

We, therefore, the Representatives of the United States of America in General Congress, Assembled, appealing to the Supreme Judge of the world for the rectitude of our intentions, do, in the Name and by Authority of the good People of these Colonies, solemnly publish and declare, That these United Colonies are, and of Right ought to be Free and Independent States; that they are Absolved from all Allegiance to the British Crown, and that all political connection between them and the State of Great Britain, is and ought to be totally dissolved.

And for the support of this Declaration, with a firm reliance on the protection of Divine Providence, we mutually pledge to each other our Lives, our Fortunes, and our sacred Honor.

Yet the distinguished chairman of our Foreign Affairs Committee, who made both Thomas Jefferson and George Washington famous by distributing this periodical, now offers us this bill, 1776, that is the very antithesis of the stand taken by the fearless men who signed the Declaration of Independence. [Applause.]

It is interesting to also note that Thomas Jefferson, the founder and patron saint of the Democratic Party, once wrote this:

For us to attempt to reform all Europe and bring them back to principles of morality and a respect for the equal rights of nations, would show us to be only maniacs of another character.

Of course, Jefferson lived in the horse-and-buggy age, he did not know much, but he is the author of the Declaration of Independence, and he is one of the collaborators of the Constitution of the United States. And in connection with the sound advice he gave, so the Father of Our Country, who was also a pretty good American, had this to say in his Farewell Address:

Against the insidious wiles of foreign influence (I conjure you to believe me fellow-citizens), the jealousy of a free people ought to be constantly awake; since history and experience prove that foreign influence is one of the most baneful foes of republican government. But that jealousy to be useful must be impartial, else it becomes the instrument of the very influence to be avoided, instead of a defense against it. Excessive partiality for one foreign nation and excessive dislike of another, cause those whom they actuate to see danger only on one side, and serve to veil and even second the arts of influence on the other. Real patriots, who may resist the intrigues of the favorite, are liable to become suspected and odious,



while its tools and dupes usurp the applause and confidence of the people to surrender their interests.

Mr. Chairman, I never knew I would live to see the day when a good Irishman like JOHN MCCORMACK, from Massachusetts, would openly admit that Great Britain is our first line of defense. [Laughter and applause.] That certainly is not the position taken by the distinguished Irish senior United States Senator from his State, who came out last night in New York against this bill.

Somebody called this our war. I say that that statement is not only untrue but it is cowardly. It is a dastardly thing to say that Great Britain is fighting our war when the United States had nothing whatever to do with this present conflict in Europe. It broke out over there without our advice and without our consent. When did Britain ever fight our battle? Was it in 1775 when some of our flesh and blood were spilled with Washington at Valley Forge to throw off the yoke of British oppression and to escape the heel of British tyranny? Was it in 1812 when our forebears tried to keep the British from burning this very Capitol? Was it in 1860 when Britain aided one side of the War between the States, not because of any love for that side but in order to sever us, when some of our own fathers were fighting to preserve the Union?

If this is our battle, we should long ago have been in it. When have Americans depended upon anyone else to fight their battles? Our own defense is our own selves.

When is it that Great Britain has ever fought anybody's battle except Britain's? [Applause.] Shame on anyone who says that the safety of America depends upon the British across the seas. I do not possess the prophecy or the clairvoyant powers, and I cannot speak with such dogmatic authority as some gentlemen do on world problems, but it has been my privilege to have lived and studied in different countries of Europe. I know something of the historic hatreds, entrenched interests, bitter animosities, racial prejudices, the religious intolerances, and the conflicting interests between those countries. I know that Thomas Jefferson never uttered a truer word than when he said that the nations of Europe are "nations of eternal war."

George Washington, in closing his Farewell Address, said:

Why forego the advantages of so peculiar a situation? Why quit our own to stand upon foreign ground? Why, by interweaving our destiny with that of any part of Europe, entangle our peace and prosperity in the toils of European ambition, rivalry, interest, humor, or caprice?

Mr. BLOOM. Will the gentleman finish it now? Read it all.

Mr. SHORT. If the gentleman will give me time, I should love to read the whole Farewell Address of Washington, because I am sure the gentleman never absorbed any of it when he had it printed.

Mr. BLOOM. I will give the gentleman time if he will read what George Washington said about entangling alliances, as the gentleman said, or foreign alliances. Read it all.

Mr. SHORT. The gentleman knows I have only 2 or 3 minutes left.

Mr. BLOOM. I will give the gentleman time if he wants to read the other sections in there. Go on.

Mr. SHORT. You find it for me, Sol.

Mr. BLOOM. I will show you where to read, if you want to read it. Read down to here, this part in here. Read it all.

Mr. SHORT. Mr. Chairman, I understand that this is out of the time of the gentleman from New York [Mr. Bloom].

Mr. BLOOM. To finish what Washington said.

Mr. SHORT. Is this out of the time the gentleman gives me?

Mr. BLOOM. Yes. Go ahead and read it. I will give the gentleman the time.

Mr. SHORT. Has the gentleman given me the time?

Mr. BLOOM. I am giving the gentleman the time to read what Washington said about foreign entanglements.

Mr. SHORT. How much time does the gentleman yield me?

Mr. BLOOM. It will not take over 2 minutes, if the gentleman can find it.

Mr. SHORT. Yes; it is here. It is all worth reading.

Mr. BLOOM. You bet it is.

Mr. SHORT. I will read it:

'Tis our true policy to steer clear of permanent alliances with any portion of the foreign world; so far, I mean, as we are now at liberty to do it; for let me not be understood as capable of patronizing infidelity to existing engagements. I hold the maxim no less applicable to public than to private affairs, that honesty is always the best policy. I repeat it, therefore, let those engagements be observed in their genuine sense. But, in my opinion, it is unnecessary, and would be unwise, to extend them.

Mr. BLOOM. Yes; but how about temporary alliances? What does Washington say about them? Go on and read it.

Mr. SHORT. I do not want to take all the time in my speech.

In 1917 we were told by the same proponents who are now advocating union with Britain, going into another war, that we were entering it to fight for humanity and to fight for democracy. We got 2,000,000 men to France, we spilled their blood and spent our treasure, and we came out of that conflict without a dollar indemnity and without a square acre of territory. We got nothing and we asked for nothing. We got just what we asked for, except that we got 10 years of depression, 10,000,000 men out of work, \$13,000,000,000 of bad war debts we will never collect, and we got 4 cemeteries in France. The only thing we can get out of another conflict will be higher taxes, deeper debts, more graveyards, and a more prolonged depression.

There is one question I believe every Member of this body should ask himself before he votes for this bill. Am I willing to go the whole way? You cannot be half way in war and half way out of war. [Applause.] You cannot insult people, spit in their faces, slap their jaws, kick them on the shins, and then say, "We do not want to fight." There is no such thing as what is expressed by that sham slogan of "methods short of war."

You lifted the embargo on arms and started furnishing munitions. That was the first step. The next step is that you will furnish money. The third and final step will be that you will furnish men. Those are the three steps that led us to war in 1917 and they are the same three steps that are leading us into this conflict today; munitions, money, men.

Mr. CASEY of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. SHORT. I yield to the gentleman from Massachusetts.

Mr. CASEY of Massachusetts. I agree with the gentleman in everything he said about Great Britain. The gentleman has made a very splendid speech, which has received the thunderous and almost unanimous applause of his Republican colleagues. I ask him now, Does the gentleman favor aid to Great Britain?

Mr. SHORT. I favor aid to Great Britain. [Applause.] I am not talking for Great Britain or against any other country. I am talking only for America. It is not that I do not love Britain, but that I love America first. I hope the time will never come when we will have to take down that picture of George Washington and put the picture of George III in his place, or place the Union Jack ahead of the Stars and Stripes. [Applause.]

Regardless of where our inherent sympathies may be, our first duty is to our own country, the United States of America, and to our own people. We have almost reached the point today when, unless you put the interest of Great Britain first, you are branded as unpatriotic, un-American, or pro-Nazi. I have lived in both Germany and England, and I love both peoples. The great tragedy to me is that these two mighty civilizations, great peoples, which have contributed much to the world's culture, its philosophy, its science, literature, music, and art, are now tearing each other to pieces, while the real enemy of mankind—godless, atheistic Soviet Russia, the moral embargo against whom we have lifted, is standing on the sidelines laughing, hoping that the United States, the last great capitalistic nation, will become involved, and that we will be bled white, so that when the deluge is over she can move in and on the ruins plant the world revolution.

I hate dictatorships. I think that dictatorships are bad wherever they are found. God knows I despise fascism. I detest Hitlerism or nazi-ism. I hate communism. But I have no great love for British imperialism, and I do not think it is the duty of Uncle Sam to police the world or to underwrite this war of Britain's by surrendering our economic strength in this bill. Why should the United States of America, with a national debt of \$50,000,000,000, headed for bankruptcy, underwrite Great Britain's war when she is the mightiest and wealthiest empire in all the world. Where are Canada, South Africa, Australia, New Zealand, and India? After this war we may qualify as a colonial possession or a dominion.

Mr. BLOOM. Mr. Chairman, will the gentleman yield?

Mr. SHORT. I will be glad to yield.



Mr. BLOOM. I would like to call the gentleman's attention to Washington's Farewell Address—

Mr. FISH. Mr. Chairman, I think this is an attempt to break up the speech of the gentleman from Missouri.

The CHAIRMAN. The gentleman from New York [Mr. FISH] is out of order. The gentleman from Missouri has the floor and the control of his own time.

Mr. SHORT. I am sure the gentleman from New York [Mr. BLOOM] can take the time to read the whole Farewell Address to us, and heaven knows—

Mr. BLOOM rose.

Mr. SHORT. No; I do not yield.

Mr. BLOOM. The gentleman has yielded.

The regular order was demanded.

Mr. BLOOM. Point of order, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. BLOOM. I asked the gentleman if he would yield to me, and the gentleman, I understood, did yield to me. Now, after the gentleman yielded to me, the gentleman from New York [Mr. FISH] interrupted, and I am just asking the gentleman a question because he had already yielded to me and I think I am in order in asking the gentleman this question.

The CHAIRMAN. The gentleman from Missouri has the floor.

Mr. SHORT. Since I have only 1 or 2 minutes left, I refuse to yield.

[Here the gavel fell.]

Mr. FISH. Mr. Chairman, I yield the gentleman 5 additional minutes and I will say to the gentleman that no one interrupted the gentleman from Massachusetts [Mr. McCORMACK] and I hope the gentleman will proceed without interruptions.

Mr. SHORT. That is all right. There will be lots of interruptions, I am afraid.

I want to say this to the membership of the House. I can conceive of nothing more dastardly or reprehensible than any legislator or statesman to vote for any measure that will put us into war or bring us nearer to an armed conflict that will send the youth of America away to fight in foreign fields, perhaps, for a cause in which he himself does not sufficiently believe to risk his own hide.

I think you should have just two amendments to this bill. The first would be to insert the word "not" in line 1, "be it not enacted." You can dress this measure up all you please, you can sprinkle it with perfume and pour powder on it, masquerade it in any form you please with these innocuous and meaningless amendments that have been offered, but it is still foul and it stinks to high heaven. It does not need a doctor, it needs an undertaker, and the minute we pass it we are completely abdicating our constitutional prerogatives. I confess we do not surrender the power of Congress to declare war, but every Member in this body knows that modern wars today are not declared. They start fighting without anyone ever declaring them. We do, in effect, repeal the Johnson Act by extending credits to the Government of Great Britain. We do, in effect, repeal the neutrality law that

will permit, or certainly not prohibit, the carrying of American munitions in American ships to belligerent countries. We do take not one or two but several other steps nearer the brink, nearer the precipice toward active involvement, and if you cannot kill this bill, then I would like to see you offer an amendment that the Members who vote for this vicious thing will, the day war is declared or we become involved, resign their seats and go in the front contingent. [Applause.] That, of course, will never happen.

This bill is a war bill, it is a dictatorship bill, and it is a bankruptcy bill, and as the gentleman from New York [Mr. FISH] has pointed out you cannot repeal any one of those three things.

I hope and pray to God that the Congress of the United States that has already surrendered control of the purse strings to the Executive, granting him vast discretionary powers over monetary affairs; I trust that the Congress of the United States, that has turned over to him the authority to negotiate treaties with foreign countries, without those treaties ever being considered, let alone ratified, by the United States Senate, will not go the last step in total capitulation, in complete surrender of democracy by giving the President the power to take funds of the American people in any amount or munitions of war, be they planes, tanks, or ships, and transfer, lease, lend, or even give away, dispose of in any manner that he may see fit, that would constitute an act of war and actually get us engaged in it.

These are my reasons for opposing this measure. I think in all seriousness that it is the most dangerous bill that has ever been presented to any free legislative body, and though my hope is very faint and though my faith is very weak, at last, perhaps, when it gets over into the other body, sufficient time will be had so that the American people can be advised and that they will awaken to the real dangers of this bill which would raise up a Hitler in America to get rid of one 4,000 miles away. [Applause.]

[Here the gavel fell.]

Mr. BLOOM. Mr. Chairman, I yield 15 minutes to the gentleman from Pennsylvania [Mr. EBERHARTER].

Mr. EBERHARTER. Mr. Chairman, the gentleman from Missouri [Mr. SHORT] has followed his usual custom of delivering to the membership of the House a very interesting speech. You will notice that his entire remarks were generalized, that nowhere in them did he refer to any of the specific provisions of the bill. In fact, he seemed very careful to refrain from discussing any of the provisions of the bill, and the result is as usual with the speeches delivered by the gentleman—he delivered more heat than light on the subject. He did admit, however, that he is in favor of aid to Great Britain, which is something for that gentleman to admit. The gentleman did say that this bill would drive the United States in effect to dictatorship. I fail to see wherein this measure, H. R. 1776, any citizen of the United States or anybody of the United States is being deprived of the right of freedom of speech,

where anyone is being deprived of the right of free assembly, where anybody is being deprived of the right to worship God as he pleases, or where anybody is being deprived of the precious right of freedom of the press. The gentleman from Missouri declared his great love for the American democracy and its institutions. He praises American institutions, but does he want to do anything about them when they are in danger? No; he wants to sit idly by and do nothing to protect or defend them. In other words, his policy is to divide the unity of the country and to do nothing whatsoever for his beloved country in time of danger.

Mr. SHORT. Mr. Chairman, will the gentleman yield there?

Mr. EBERHARTER. I yield.

Mr. SHORT. I believe in national defense, I believe in adequate defense, I think, as much as any Member of this body, and I have supported measures for it and shall continue to do so, but I want the defense to be for America, and not for some other country.

Mr. EBERHARTER. The gentleman again generalizes very freely. Of course, we all agree that he loves America and we believe that he wants to defend America, but when a specific proposition or bill is brought before the House he is always against it and has never once offered a substitute. Therefore, I have no reason to believe that he will offer any proposition any better than the one offered so far, and if the gentleman is going to criticize a constructive measure, it is his duty to offer some substitute or proposition so that the Congress can give proper consideration to it.

Mr. SHORT. Does the gentleman think it wise to give away our munitions, our battleships and planes when we are told that our domestic supply is inadequate to defend ourselves?

Mr. EBERHARTER. The gentleman has evidently not studied all of the provisions of the bill. The bill does not call for giving away munitions except when it is necessary and vital to the defense of the United States, and the first consideration of this bill is that it is necessary for the defense of the United States.

Mr. SHORT. But it leaves it in the hands of one man rather than the Congress.

Mr. EBERHARTER. Oh, surely the gentleman would not want any contemplated transfer or lease or exchange to be debated in this House by the membership. With all the silver-tongued orators there are here we would never come to a conclusion on anything.

Mr. SHORT. If the gentleman is logical, he would simply do away with parliamentary government.

Mr. EBERHARTER. Mr. Chairman, this afternoon there came into my possession a newspaper which I understand has quite general circulation throughout the United States, evidently published in New York City. It is dated January 30, 1941. The name of the newspaper is the Free American and Deutscher Weckruf und Beobachter. On the first page of that newspaper, with a heavy black line around it, appears an article, as follows:

You German-Americans:

Show that you are Americans by exercising your American rights. As you love the United



States and its institutions, let your protest against the treason bill H. R. 1776 be heard in Washington. If you believe that your Senator or Congressman will pigeonhole it or consign it to the wastepaper basket, send it to Senator EURLIN K. WHEELER. If you can't send a telegram or a letter, just write a post card:

"I am a voter and I take this means to register my protest against the passage of H. R. 1776."

Then sign name and address. Or write:

"As H. R. 1776 contravenes the letter and spirit of our institutions, I beg you to do your utmost to defeat the measure, however amended, since it empowers the President to make Britain's war our war."

Or write:

"The Congress of the United States has no constitutional right to surrender its power to the President, and I (we) urge you to do your utmost to defeat H. R. 1776."

It is your duty as a loyal American to do this unless you want your sons to fight Britain's war. If a million such protests pour in upon Congress, they will not fail to influence the fate of the proposed betrayal to the Republic.

There is no "emergency" save such as the President creates every time he wants a free hand to use the United States as a pawn for Britain's imperialistic purposes. The Tories, Anglophiles, interventionists, and international conspirators constitute a minority bloc, but they control the press, the radio, and the screen. The opposition, constituting 83 percent of the American people, are helpless to make themselves felt except by wiring and writing letters of protest.

Free America of its dictators by rendering them impotent to guide the country's destiny. Germany has been our friend from our infancy. It has no designs on our territory or our institutions, while England has been our constant enemy.

If America should succeed in helping England to win the war, the next great war for which your sons would be drafted will be between the British Empire and the United States.

Don't be a mollusk. Write today.

Mr. Chairman, I read that article and I wanted it to get into the RECORD because I think it illustrates very clearly, without any question, the depths to which the Nazi propaganda machine will go in attempting to influence the Congress in its deliberations on this bill.

This paper, Mr. Chairman, is published in New York City by the A. V. Publishing Corporation, Inc., G. Wilhelm Kunze, president; August Klapprott, vice president; Gustav J. Elmer, treasurer; and Willy Luedtke, secretary.

Mr. Chairman, the Nazi propaganda machine is making the same mistake today in its attempt to influence American people that the Germans made 20 years ago. Mr. Chairman, I think this is an insult to the thousands and thousands of loyal, patriotic, freedom-loving American citizens whose ancestors came from Germany. For myself, my father was born in the old country and he was known as a German, but if he were living today I know that he would resent with every fiber of his being such an insult to his intelligence and such an attempt to segregate class against class, nationality against nationality, just as I today, as a World War veteran, resent this from the very innermost of my being.

He calls this newspaper "the Free American" and he attempts to influence the people of the United States of America. "America is in no danger."

In other words, this agent of Hitler does not want any power given to the President of the United States. He wants this Congress to fail to pass this measure and thus accede to his wishes. This is Hitler's order. This is Hitler speaking. He has the nerve and the gall, in effect, to name a gentleman who is in the Senate of the United States as perhaps the leader of an effort to follow the wishes of Hitler. He calls upon the august Senator from the State of Montana to lead this fight and do his wishes. I think this should be resented. If a publication like that appeared in any of the countries under the domination and heel of Hitler, those responsible for its publication would not last one week.

Mr. Chairman, the able speech made by the majority leader the gentleman from Massachusetts [Mr. McCORMACK] covered the various provisions of this bill very well, I think. It is my conclusion that, with very few exceptions, everybody is agreed on the policy of extending the utmost material aid to Britain—all aid short of war. And we who agree on that proposition do not do so because we hold any extraordinary love for the British Empire but because we deem it the best policy in the interest of our own national defense and the preservation of our own democracy, and so I may say that practically all of us are in entire accord on the basic reasons which caused the introduction of this bill.

The only difference between those in favor of H. R. 1776 and those opposing it is a difference of opinion and judgment, as I see it, as to what will constitute the best procedure and the best method for security for ourselves—national defense—through the giving of aid to Great Britain and the other democracies fighting the onrush of the forces of aggression and the dictator powers.

I think I am correct in saying that the opposition bases its stand mainly on the premise that the bill would vest too much power in the hands of one man, but I think that if we can agree that an emergency exists at the present time, and in my mind it is an emergency of a most grave and serious nature, and that our future as a great world power depends on the outcome, then it must be admitted that in order to meet the emergency and to insure speedy and effective action that it will be necessary for the Congress to grant emergency powers, and the question then arises as to whom these emergency powers should be granted.

It is obvious to any student that democratic processes are slow. For Congress to attempt to debate and decide on every contemplated transfer, exchange, or lease would entail momentous and most likely disastrous delay. To me it also seems quite clear that it would be just as impractical to place the power of decisive action in a committee composed, if you will, of Members of the Senate and the House, or of a committee composed of Justices of the Court, or of industrialists or financiers or any committee, no matter how its personnel be chosen. The experience of all American history shows conclusively that every President, from Washington to the present time, has at all times exercised the utmost restraint and deliberate judgment, when it came

to the conduct of foreign affairs and the involvement of the United States in international disputes.

The Constitution gives to the President of the United States practically unlimited power to deal with foreign governments, and the Supreme Court of the United States has just recently upheld the wisdom of the framers of our Constitution in that regard.

The President, as Commander in Chief of the Army and of the Navy, under the Constitution holds the fate of the United States in the hollow of his hand insofar as his ability is concerned to involve this country in a dispute with a foreign power, and if any President at any time desired to involve this country in war, he could, by an order to the Navy or to the Army, do so, regardless of any legislation that a Congress might pass in seeking to curb him. This Congress cannot take away any of the rights given to the President of the United States by the Constitution.

Opponents of this measure make much of the fact that too much power will be vested in the hands of the President. Let me call your attention to some of the powers which we, the Congress of the United States, have legislated to the President for authority during an emergency. All of us know that during the World War much power was given to the then President. All of us also know that since 1932 many emergency powers have been granted to the President. The President now has, if he declared by proclamation that an emergency exists, these powers:

To take possession of and assume control of all transportation facilities necessary to move the armed forces; to prohibit transactions in foreign exchange, suspend all trading on national security exchanges for 90 days; to take certain action in the extension of credit; to close any radio station or take it over for Government use and to require priority for communications essential to national defense; to take over power houses, dams, and conduits and reservoirs for the purpose of munitions manufacturing; to suspend provisions of laws prohibiting more than 8 hours of labor in any 1 day by persons engaged on work covered by contracts with the United States; to prohibit imports from countries which have restricted imports from the United States contrary to the law and the practice of nations, and to refuse clearance to vessels belonging to belligerent countries against which discrimination is charged; to requisition any merchant vessels documented under the United States laws, control the movements of foreign and domestic shipments in all continental and territorial waters; to take possession of such vessels and to remove their officers and crews; and to require the Interstate Commerce Commission to set up such preferences or priorities as the President may designate.

Will any of us say that the President of the United States has so gloried in these vast powers vested in him that he has abused them or made unwise use of them, and these are domestic powers.

In the field of international affairs any President, knowing of the importance and the magnitude of decisions resting with him, would most certainly be conservative, careful, and circumspect, and would without any doubt whatsoever, confer and consult and advise with those persons most competent and most expert. No one will gainsay the fact that the present President loves the democratic way of



life. No one will deny the patriotism of the President and his fidelity to our institutions and to our form of government, and to me it seems almost a sacrilege to charge, or even to intimate that he will ever for an instant have uppermost in his mind any other course than the one which will be for the best and lasting interest of his country, and the preservation of its democratic institutions and the enlightened American way of life. For myself, I am willing to entrust him, and as a practical matter, I do not see how it is possible to effectively provide for the only kind of aid which will achieve the purposes we all have in mind without the granting of emergency power to the President, and the temporary suspension of some of the statutes which definitely hamper and delay the speedy action so badly needed.

Section 3 (a) contains the clause "notwithstanding the provisions of any other law." Many persons upon first seeing this clause might jump to the conclusion that all laws on the statute books, were in effect repealed. I would like to emphasize that this clause refers only to the subject matter contained in section 3 of the bill.

At the present time there are many statutes which relate to the disposition of War Department and Navy Department material, and the authority to dispose of many types of equipment is contained in those statutes. However, they were passed sporadically one by one during a long period of time. They have never been codified or revised, so as to form a reasonable or workable program of action.

The terms and conditions imposed on the transfer vary with the different types of equipment in a way which is haphazard and in many cases totally unrelated to existing conditions.

In many cases efforts to dispose expeditiously of any military equipment cannot be effected without enormous delay. In many cases the conditions imposed by the existing statutes are virtually impossible of fulfillment, although practical terms equally beneficial to the United States could be easily suggested. Often the statutes will authorize the disposition of the component parts of a unit, and yet it will not authorize the disposition of the complete unit equipped to function as an effective weapon. In such a confused state of the law you can see how impossible it would be to render the effective aid which is called for in the present crisis. If we are to proceed in a prompt and effective manner it is essential that the Congress provide in one bill specific and clear authority.

#### ACTS WHICH WOULD BE AFFECTED BY ENACTMENT OF THE LEND-LEASE BILL

Where a statute, limited in its operation to a specified time, covers a somewhat general field, such as the disposition of military and naval equipment to a foreign government, it suspends more specific statutes covering the same subject matter or inconsistent with it.

By way of illustration, the following are some of the statutes which would be temporarily suspended if H. R. 1776, as amended, were enacted.

For purposes of clarity they will be grouped under the following headings:

1. Manufacture of defense articles for transfer to foreign governments.
2. Transfer of existing defense articles to such governments.
3. Reconditioning of foreign-owned defense articles within the United States.
4. Acquisition by the United States of defense articles abroad.
5. Disposition of moneys received in consideration of defense articles transferred.

#### 1. Manufacture of defense articles for transfer to foreign governments

Section 11 of the Criminal Code (U. S. C., title 18, sec. 23) provides:

Whoever, within the territory or jurisdiction of the United States, fits out and arms, or attempts to fit out and arm, or procures to be fitted out and armed, or knowingly is concerned in the furnishing, fitting out, or arming of any vessel, with intent that such vessel shall be employed in the service of any foreign prince, or state, or of any colony, district, or people, to cruise, or commit hostilities against the subjects, citizens, or property of any foreign prince or state, or of any colony, district, or people, with whom the United States are at peace, or whoever issues or delivers a commission within the territory or jurisdiction of the United States for any vessel, to the intent that she may be so employed, shall be fined not more than \$10,000 and imprisoned not more than 3 years. And every such vessel, her tackle, apparel, and furniture, together with all materials, arms, ammunition, and stores which may have been procured for the building and equipment thereof, shall be forfeited; one half to the use of the informer and the other half to the use of the United States.

Section 3 of title V of the act of June 15, 1917 (40 Stat. 222; U. S. C., title 18, sec. 33), provides:

During a war in which the United States is a neutral nation it shall be unlawful to send out of the jurisdiction of the United States any vessel built, armed, or equipped as a vessel of war, or converted from a private vessel into a vessel of war, with any intent or under any agreement or contract, written or oral, that such vessel shall be delivered to a belligerent nation, or to an agent, officer, or citizen of such nation, or with reasonable cause to believe that the said vessel shall or will be employed in the service of any such belligerent nation after its departure from the jurisdiction of the United States.

It is clear that section 3 (a) (1) of the bill suspends, so far as the Government is concerned, the provisions of those sections. That was the view taken at the time of the introduction of the bill in the Senate. (See 87 CONGRESSIONAL RECORD 88, Jan. 10, 1941.)

#### 2. Transfer of existing defense articles to such governments

Section 6 of the act of July 2, 1940 (Public. No. 703, 76th Cong.), provides:

Whenever the President determines that it is necessary in the interest of national defense to prohibit or curtail the exportation of any military equipment or munitions, or component parts thereof, or machinery, tools, or material, or supplies necessary for the manufacture, servicing, or operation thereof, he may by proclamation prohibit or curtail such exportation, except under such rules and regulations as he shall prescribe.

Since implementation of that statute is in the hands of the President and en-

trusted entirely to his discretion, it would not appear that any provisions of the proposed bill exercise a substantive effect on the section just quoted.

Section 7 of the Neutrality Act of 1939, act of November 4, 1939 (54 Stat. 8; U. S. C., Supp. V, title 22, sec. 245j-6), provides, in part, as follows:

(a) Whenever the President shall have issued a proclamation under the authority of section 245j (a), it shall thereafter be unlawful for any person within the United States to purchase, sell, or exchange bonds, securities, or other obligations of the government of any state named in such proclamation, or of any political subdivision of any such state, or of any person acting for or on behalf of the government of any such state, or political subdivision thereof, issued after the date of such proclamation, or to make any loan or extend any credit (other than necessary credits accruing in connection with the transmission of telegraph, cable, wireless, and telephone services) to any such government, political subdivision, or person. The provisions of this subsection shall also apply to the sale by any person within the United States to any person in a state named in any such proclamation of any articles or materials listed in a proclamation referred to in or issued under the authority of section 245j-11 (1).

(b) The provisions of this section shall not apply to a renewal or adjustment of such indebtedness as may exist on the date of such proclamation.

(c) Whoever shall knowingly violate any of the provisions of this section or of any regulations issued thereunder shall, upon conviction thereof, be fined not more than \$50,000 or imprisoned for not more than 5 years, or both. Should the violation be by a corporation, organization, or association, each officer or director thereof participating in the violation shall be liable to the penalty herein prescribed.

In contradistinction to the scope of the Neutrality Act of 1937, interpreted in an unpublished opinion of the Attorney General to the Secretary of the Treasury, dated April 19, 1939, the 1939 statute covers extensions of credit by Government corporations. (See (1939) 85 CONGRESSIONAL RECORD 1655; (1939) 85 CONGRESSIONAL RECORD 894.) If it is then possibly concluded that the United States as a legal entity is also within the purview of the act's prohibition, section 3 (b) of H. R. 1776 would suspend, pro tanto, section 7 of the Neutrality Act of 1939, since section 3 (b) of the lend-lease bill authorizes the transfer of defense articles on such terms as the President deems satisfactory. Such suspension, pro tanto, however, would not affect operation of the provisions of the Neutrality Act of 1939 on the conduct of persons other than the Government.

The so-called Johnson Act, act of April 13, 1934 (48 Stat. 574; U. S. C., title 31, sec. 804a), provides:

It shall be unlawful within the United States for any person to purchase or sell the bonds, securities, or other obligations of, any foreign government or political subdivision thereof or any organization or association acting for or on behalf of a foreign government or political subdivision thereof, issued after April 13, 1934, or to make any loan to such foreign government, political subdivision, organization, or association, except a renewal or adjustment of existing indebtedness while such government, political subdivision, organization, or association, is in default in the payment of its obligations, or any part thereof, to the Government of



the United States. Any person violating the provisions of this section shall upon conviction thereof be fined not more than \$10,000 or imprisoned for not more than 5 years, or both.

As used in this section the term "person" includes individual, partnership, corporation, or association other than a public corporation created by or pursuant to special authorization of Congress, or a corporation in which the Government of the United States has or exercises a controlling interest through stock ownership or otherwise.

Since Government corporations are excluded from the operation of that act, a fortiori, the United States is not bound by its limitations. It cannot be maintained, therefore, that H. R. 1776 would suspend or modify the Johnson Act.

Section 3 (a) (2) and section 3 (a) (5) of the bill, authorizing transfer and release for export of defense articles to foreign governments, suspend section 3 of title V of the act of June 15, 1917 (40 Stat. 222; U. S. C., title 18, sec. 33), set out in part (1) of this memorandum.

Section 14 (a) of the act of June 28, 1940 (Public, No. 671, 76th Cong.), provides:

Notwithstanding the provision of any other law, no military or naval weapon, ship, boat, aircraft, munitions, supplies, or equipment, to which the United States has title, in whole or in part, or which have been contracted for, shall hereafter be transferred, exchanged, sold, or otherwise disposed of in any manner whatsoever unless the Chief of Naval Operations in the case of naval material, and the Chief of Staff of the Army in the case of military material, shall first certify that such material is not essential to the defense of the United States.

The Attorney General in an opinion to the President, dated August 27, 1940 ((1940) 39 op. Atty. Gen., No. 134), has intimated that the discretion of the military officers named is personal and may not be controlled by the President. Since the President is not similarly restricted in H. R. 1776, and since that statute is inconsistent with the provisions of H. R. 1776, it would appear that the limitation contained in the act of June 28, 1940, will be suspended.

Section 4 of the act of September 1, 1937 (50 Stat. 787; U. S. C., Supp. V, title 50, sec. 165), provides in part:

No helium gas shall be exported from the United States, or from its Territories and possessions, until after application has been made to the Secretary of State and a license authorizing said exportation has been obtained from him on the joint recommendation of all of the members of the National Munitions Control Board and the Secretary of the Interior.

Enactment of the lend-lease bill would, through section 3 (a) (5), enable the President temporarily to transfer helium abroad to foreign governments without regard to the formal restrictions of the 1937 statute.

From time to time the Congress has enacted other statutes governing the disposition of war materials by the War and Navy Departments. Some pertinent sections will now be considered.

Section 2 of the act of August 5, 1882 (22 Stat. 296; U. S. C., title 34, sec. 491), and section 5 of the act of March 3, 1883 (22 Stat. 599; U. S. C., title 34, sec. 492), provide respectively:

It shall be the duty of the Secretary of the Navy to cause to be examined by competent boards of officers of the Navy, to be designated by him for that duty, all vessels on their return from foreign stations and all vessels in the United States as often as once in 3 years, when practicable; and said boards shall ascertain and report to the Secretary of the Navy, in writing, which of said vessels are unfit for further service, or, if the same are unfinished in any navy yard, those which cannot be finished without great and disproportionate expense, and shall in such report state fully the grounds and reasons for their opinion. And it shall be the duty of the Secretary of the Navy, if he shall concur in opinion with said report, to strike the name of such vessel or vessels from the Navy Register and report the same to Congress.

It shall be the duty of the Secretary of the Navy to cause to be appraised, in such manner as may seem best, all vessels of the Navy which have been stricken from the Navy Register under the provisions of the preceding section. And if the said Secretary shall deem it for the best interest of the United States to sell any such vessel or vessels, he shall, after such appraisal, advertise for sealed proposals for the purchase of the same, for a period not less than 3 months, in such newspapers as other naval advertisements are published, setting forth the name and location and the appraised value of such vessel, and that the same will be sold for cash to the person or persons or corporation or corporations offering the highest price therefor above the appraised value thereof, and such proposals shall be opened on a day and hour and at a place named in said advertisement, and record thereof shall be made. The Secretary of the Navy shall require to accompany each bid or proposal a deposit in cash of not less than 10 percent of the amount of the offer or proposal, and also, except as provided in title 6, a bond with two or more sureties to be approved by him, conditioned for the payment of the remaining 90 percent of the amount of such offer or proposal within the time fixed in the advertisement. And in case default is made in the payment of the remaining 90 percent, or any part thereof, the Secretary, within the prescribed time thereof, shall advertise and resell said vessel under the provisions of this section. And in that event said cash deposit of 10 percent shall be considered as forfeited to the Government and shall be applied, first, to the payment of all costs and expenditures attending the advertisement and resale of said vessel; second, to the payment of the difference, if any, between the first and last sale of said vessel; and the balance, if any, shall be covered into the Treasury: *Provided, however*, That nothing herein contained shall be construed to prevent a suit upon said bond for breach of any of its conditions. Any vessel sold under the foregoing provisions shall be delivered to the purchaser upon the full payment to the Secretary of the Navy of the amount of such proposal or offer, and the net proceeds of such sale shall be covered into the Treasury. Except as otherwise provided by law, no vessel of the Navy shall hereafter be sold in any other manner than herein provided, or for less than such appraised value, unless the President of the United States shall otherwise direct in writing.

The Supreme Court has held that the terminal exception clause in the last quoted statute empowers the President not only to authorize a sale for less than the appraised value, but to direct a departure from the manner of sale as above set out. *Levinson v. United States* ((1922) 258 U. S. 198, 201) relied on in the opinion of the Attorney General to the President dated August 27, 1940 ((1940) 39 Op. Atty. Gen., No. 134). While by the terms of the statute the

President may direct a departure from its requirements, that is possible only when he acts by executing a writing. However, H. R. 1776 temporarily suspends the requirement of any writing.

Section 1 of the act of January 28, 1915 (38 Stat. 800; U. S. C., title 14, sec. 69), provides in part:

The President may from time to time cause such of the Coast Guard cutters as have become unfit for further service to be sold; and the proceeds shall be paid into the Treasury. \* \* \*

Likewise here, section 3 (a) (2) of H. R. 1776 suspends the implied requirement of the 1915 statute that cutters sold must be unfit for further service.

The act of August 29, 1916 (39 Stat. 605; U. S. C., title 34, sec. 493), provides:

The Secretary of the Navy is authorized to sell any or all of the auxiliary ships of the Navy classified as colliers, transports, tenders, supply ships, special types, and hospital ships, which are 18 years and over in age, which he deems unsuited to present needs of the Navy and which can be disposed of at an advantageous price, which shall not be less than 50 percent of their original cost, the money obtained from such sale to be covered into the Treasury as miscellaneous receipts.

The limitations as to age and unsuitability of the vessels to be transferred and the requirements with regard to sale price and the disposition to be made of its receipt are suspended by provisions of the proposed bill.

The act of March 2, 1906 (33 Stat. 837; U. S. C., title 10, sec. 1372), provides:

No steamship in the transport service of the United States shall be sold or disposed of without the consent of Congress having been first had or obtained.

Clearly that statute is suspended by the lend-lease bill.

Section 2 of the act of August 5, 1882 (22 Stat. 296, as amended; U. S. C., Supp. V, title 34, sec. 544), provides in part:

No old material of the Navy shall after August 5, 1882, be sold or exchanged by the Secretary of the Navy, or by any officer of the Navy, which can be profitably used by reworking or otherwise in the construction or repair of vessels, their machinery, armor, armament, or equipment; but the same shall be stored and preserved for future use. And when any such old material cannot be profitably used as aforesaid, the same shall be appraised and sold at public auction after public notice and advertisement shall have been given according to law under such rules and regulations and in such manner as the said Secretary may direct.

The restrictions imposed by that statute must be considered suspended by section 3 (a) (2) of the proposed bill.

The act of July 19, 1918 (40 Stat. 850), as amended by the act of February 25, 1919 (40 Stat. 1173; U. S. C., title 40, sec. 314), provides:

The President is authorized, through the head of any executive department, to sell, upon such terms as the head of such department shall deem expedient, to any person, partnership, association, corporation, or any other department of the Government, or to any foreign state or government engaged in war against any government with which the United States is at war, any war supplies, material and equipment, and any byproducts thereof, and any building, plant, or factory, acquired since April 6, 1917, including the lands upon which the plant or factory may



be situated, for the production of such war supplies, materials, and equipment which, during the emergency existing July 9, 1918, may have been purchased, acquired, or manufactured by the United States: *Provided further*, That sales of guns and ammunition made under the authority contained in this section or any other act shall be limited to sales to other departments of the Government and to foreign states or governments engaged in war against any government with which the United States is at war, and to members of the National Rifle Association and of other recognized associations organized in the United States for the encouragement of small-arms target practice. \* \* \*

If there are war materials falling into the category set forth in the above provision available for transfer as defense articles to foreign governments, the limitation with respect to eligible transferees is apparently done away with by section 3 of H. R. 1776.

The act of July 11, 1919 (41 Stat. 105, U. S. C., title 1, sec. 1265), provides:

In addition to the delivery of the property authorized prior to July 11, 1919, to be delivered to the Public Health Service, the Department of Agriculture and the Post Office Department of the Government, the Secretary of War is authorized to sell any surplus supplies, including motortrucks and automobiles, on July 11, 1919, owned by and in the possession of the Government for the use of the War Department to any State or municipal subdivision thereof, or to any corporation or individual upon such terms as may be deemed best.

If that statute might be construed as providing by implication that foreign governments are excluded as purchasers, its limitation is suspended by the provisions of the lend-lease bill.

Section 1241 of the Revised Statutes of 1873 (U. S. C., title 10, sec. 1261) provides:

The President may cause to be sold any military stores which, upon proper inspection or survey, appear to be damaged or unsuitable for the public service. Such inspection or survey shall be made by officers designated by the Secretary of War, and the sales shall be made under regulations prescribed by him.

The act of June 5, 1920 (41 Stat. 949; U. S. C., title 10, sec. 1262), provides:

The Secretary of War is hereby authorized, in his discretion, to sell to any State or foreign government with which the United States was at peace on June 5, 1920, upon such terms as he may deem expedient, any matériel, supplies, or equipment pertaining to the Military Establishment, except foodstuffs, as or may be found to be surplus, which are not needed for military purposes and for which there is no adequate domestic market.

Under the proposed bill there is no requirement that defense articles to be transferred to foreign governments must be damaged, unsuitable for the public service, surplus, not needed for military purposes, or that there must be no adequate domestic market for their disposition. The implicit limitations of those sections are, therefore, suspended by section 3 (a) (2) of the lend-lease bill.

The act of July 26, 1919 (41 Stat. 272; U. S. C., title 10, sec. 1252), provides:

No loan of tents shall be made except to the Grand Army of the Republic, the United Confederate Veterans, the United Spanish War Veterans, and to recognized organiza-

tions of veterans of the late World War by whatever name they may be known.

Assumed that tents are included within the category, defense articles, enactment of H. R. 1776 would suspend that statute to permit transfer of tents by the President to foreign governments.

### 3. *Reconditioning of foreign-owned defense articles within the United States*

The operation of section 11 of the Criminal Code, set out above in part (1) of this memorandum, appears to be suspended by section 3 (a) (3) of H. R. 1776.

Section 12 of the Criminal Code (U. S. C., title 18, sec. 24) provides:

Whoever, within the territory or jurisdiction of the United States, increases or augments, or procures to be increased or augmented, or knowingly is concerned in increasing or augmenting, the force of any ship of war, cruiser, or other armed vessel which, at the time of her arrival within the United States, was a ship of war, or cruiser, or armed vessel, in the service of any foreign prince or state, or of any colony, district, or people, or belonging to the subjects or citizens of any such prince or state, colony, district, or people, the same being at war with any foreign prince or state, or of any colony, district, or people, with whom the United States are at peace, by adding to the number of the guns of such vessel, or by changing those on board of her for guns of a larger caliber, or by adding thereto any equipment solely applicable to war, shall be fined not more than \$1,000 and imprisoned not more than 1 year.

Likewise, the prohibition of that statute is suspended by section 3 (a) (3) of the lend-lease bill.

Section 17 of the Criminal Code (U. S. C., title 18, sec. 29) provides:

The several collectors of the customs shall detain any vessel manifestly built for warlike purposes, and about to depart the United States, or any place subject to the jurisdiction thereof, the cargo of which principally consists of arms and munitions of war, when the number of men shipped on board, or other circumstances, render it probable that such vessel is intended to be employed by the owners to cruise or commit hostilities upon the subjects, citizens, or property of any foreign prince or state, or of any colony, district, or people with whom the United States are at peace, until the decision of the President is had thereon, or until the owner gives such bond and security as is required of the owners of armed vessels by section 23 of this title.

A proper construction of that statute would seem to require a finding by the President, before he orders the release of a detained ship, that the vessel is not about to engage in any of the prohibited activities. Section 3 (a) (3) of H. R. 1776 would suspend the restrictions of the above-quoted section 17 when the President has authorized the Secretary of the Navy to recondition armed vessels (owned by foreign governments) for the commission of hostilities.

Section 11 of the Neutrality Act of 1939 (U. S. C., Supp. V, title 22, sec. 245j-10) provides:

Whenever, during any war in which the United States is neutral, the President shall find that special restrictions placed on the use of the ports and territorial waters of the United States by the submarines or armed merchant vessels of a foreign state will serve to maintain peace between the United States and foreign states, or to protect the commercial interests of the United States and its

citizens, or to promote the security of the United States, and shall make proclamation thereof, it shall thereafter be unlawful for any such submarine or armed merchant vessel to enter a port or the territorial waters of the United States or to depart therefrom, except under such conditions and subject to such limitations as the President may prescribe. Whenever, in his judgment, the conditions which have caused him to issue his proclamation have ceased to exist, he shall revoke his proclamation and the provisions of this section shall thereupon cease to apply, except as to offenses committed prior to such revocation.

Pursuant to the authority there granted, the President, in Proclamation No. 2375, dated November 4, 1939, proclaimed:

Now, therefore, I, Franklin D. Roosevelt, President of the United States of America, acting under and by virtue of the authority vested in me by the foregoing provision of section 11 of the joint resolution approved November 4, 1939, do by this proclamation find that special restrictions placed on the use of the ports and territorial waters of the United States, exclusive of the Canal Zone, by the submarines of a foreign belligerent state, both commercial submarines and submarines which are ships of war, will serve to maintain peace between the United States and foreign states, to protect the commercial interests of the United States and its citizens, and to promote the security of the United States.

And I do further declare and proclaim that it shall hereafter be unlawful for any submarine of France, Germany, Poland, or the United Kingdom—India, Australia, Canada, New Zealand, or the Union of South Africa—to enter ports or territorial waters of the United States, exclusive of the Canal Zone, except submarines of the said belligerent states which are forced into such ports or territorial waters of the United States by force majeure; and in such cases of force majeure, only when such submarines enter ports or territorial waters of the United States while running on the surface with conning tower and superstructure above water and flying the flags of the foreign belligerent states of which they are vessels. Such submarines may depart from ports or territorial waters of the United States only while running on the surface with conning tower and superstructure above water and flying the flags of the foreign belligerent states of which they are vessels.

And I do hereby enjoin upon all officers of the United States, charged with the execution of the laws thereof, the utmost diligence in preventing violations of the said joint resolution, and this my proclamation issued thereunder, and in bringing to trial and punishment any offenders against the same.

And I do hereby revoke my Proclamation No. 2371, issued by me on October 18, 1939, in regard to the use of ports or territorial waters of the United States by submarines of foreign belligerent states.

This proclamation shall continue in full force and effect unless and until modified, revoked, or otherwise terminated, pursuant to law.

While by the terms of section 11 and of the proclamation itself, the restrictions on use of American ports by submarines may be revoked under certain circumstances, revocation apparently requires a formal act rather than a mere informal authorization. In consequence, section 3 (a) (3) of H. R. 1776 may be said to suspend section 11 and render inoperative the proclamation to the extent of permitting the President informally to authorize reconditioning of foreign-owned defense articles within the United States.



It is clear, nevertheless, that section 11 and the proclamation would remain in full force in respect of all situations where the President does not order otherwise under section 3 (a) (3) of the lend-lease bill.

*4. Acquisition by the United States of defense articles abroad*

Because of the expressed purpose and content of section 8 of H. R. 1776, it seems almost unnecessary to mention that the advertising and bidding requirements of section 3709 of the Revised Statutes, as amended (U. S. C., title 41, sec. 5), are inapplicable. The similar stipulation of the act of March 3, 1893, 27 Stat. 732 (U. S. C., title 34, sec. 566) concerning purchases of gun steel or armor for the Navy must be regarded as suspended for the purposes of the lend-lease bill. The above-mentioned statute provides:

No contract for the purchase of gun steel or armor for the Navy shall be made until the subject matter of the same shall have been submitted to public competition by the Department by advertisement.

It is also clear that the provisions of the so-called Buy-American Act, act of March 3, 1933 (47 Stat. 1520; U. S. C., title 41, secs. 10a-10c), do not control Government purchases under section 8 of the lend-lease bill.

Section 1 of the act of June 19, 1912 (37 Stat. 137; U. S. C., title 40, sec. 324), requires the insertion in specified public contracts of a clause prohibiting the employment of any laborer or mechanic for more than 8 hours in any day of the week. The Comptroller General has ruled that that provision is inapplicable to contracts entered into by the Government in foreign countries and involving the services of foreign workmanship ((1939) 19 Comp. Gen. 516). By analogy, the so-called Walsh-Healey Act, act of June 30, 1936 (49 Stat. 2036; U. S. C., Supp. V, title 41, secs. 35-45), requiring compliance with certain fair labor standards on the part of persons supplying materials, and so forth, to the United States by stipulation for inclusion in the contract of representations by the contractor of his compliance with those standards—should be held inapplicable to acquisitions in foreign countries made pursuant to the authority of section 8 of H. R. 1776. In the case of each statute the purpose of enactment was to protect American labor, while in the case of contracts under section 8 the employment of foreign labor only would be contemplated. In no way, then, would the provisions of the 8-hour law or the Walsh-Healey Act be affected by the lend-lease bill.

Owing to the informality of transaction apparently permissible under section 8 of H. R. 1776, it is probable that the restriction imposed by the act of June 21, 1930 (46 Stat. 796; U. S. C., title 5, sec. 219), is suspended from acquisition of arms, ammunition, and implements of war from the specified foreign countries. That statute provides:

Whenever contracts in excess of \$500 in amount which are not to be performed within 60 days are made on behalf of the Government by the Secretary of War, or by officers

authorized by him to make them, such contracts shall be reduced to writing and signed by the contracting parties. In all other cases contracts shall be entered into under such regulations as may be prescribed by the Secretary of War.

Section 307 of title III of the act of June 17, 1930 (46 Stat. 689; U. S. C., title 19, sec. 1307), provides:

All goods, wares, articles, and merchandise mined, produced, or manufactured wholly or in part in any foreign country by convict labor or/and forced labor or/and indentured labor under penal sanctions shall not be entitled to entry at any of the ports of the United States, and the importation thereof is hereby prohibited, and the Secretary of the Treasury is authorized and directed to prescribe such regulations as may be necessary for the enforcement of this provision.

It is not impossible that in some of the foreign countries specified by section 8 of the lend-lease bill arms, ammunition, and implements of war are produced under conditions of "forced labor" within the meaning of the statute prohibiting importation into the United States of convict-made goods. In consequence, section 8 of the bill suspends that statute to the extent that it would touch the specified defense purchases authorized to be made by the Secretaries of War and of the Navy with the President's approval.

*5. Disposition of moneys received in consideration for defense articles transferred*

In the Permanent Appropriation Repeal Act, 1934, act of June 26, 1934 (48 Stat. 1224; U. S. C., title 31, sec. 725, et seq.), provision was made for deposit into the Treasury, as miscellaneous receipts, of the proceeds of sales of various military supplies, stores, and so forth. See sections 4 and 10 of the act (U. S. C., title 31, secs. 725c, 725i). Among the appropriations affected were those contained in section 2748 of the Revised Statutes (U. S. C., title 14, sec. 69)—proceeds from sale of Coast Guard cutters available for purchase of new cutters—and in the act of April 23, 1904 (33 Stat. 276; U. S. C., title 50, sec. 73)—moneys derived from disposition of Army ordnance available for replacement purposes.

Section 3618 of the Revised Statutes, as amended (U. S. C., title 31, sec. 487), provides, with certain exceptions not here applicable:

All proceeds of sales of old material, condemned stores, supplies, or other public property of any kind, \* \* \* shall be deposited and covered into the Treasury as miscellaneous receipts, on account of "proceeds of Government property," and shall not be withdrawn or applied, except in consequence of a subsequent appropriation made by law.

The act of January 22, 1923 (42 Stat. 1142; U. S. C., title 50, sec. 74), provides:

The net proceeds of sales of useless ordnance material by the Navy Department shall be covered into the Treasury as "Miscellaneous receipts."

The act of August 29, 1916 (39 Stat. 605; U. S. C., title 34, sec. 493), provides:

The Secretary of the Navy is authorized to sell any or all of the auxiliary ships of the Navy classified as colliers, transports, tenders, supply ships, special types, and hospital ships, which are 18 years and over in age, which he deems unsuited to present needs

of the Navy and which can be disposed of at an advantageous price, which shall not be less than 50 percent of their original cost, the money obtained from such sale to be covered into the Treasury as miscellaneous receipts.

Under the terms of section 6 (b) of the lend-lease bill, moneys received from foreign governments in consideration for defense articles, and so forth, may revert to the appropriation out of which expenditures for such defense articles were made, and are then available for expenditure for the purpose of the original appropriation during the fiscal year in which the moneys are received and the ensuing fiscal year. It is apparent, therefore, that the miscellaneous receipts provisions of the other statutes referred to above are inapplicable.

It should be borne in mind in considering the effect of H. R. 1776 that it suspends existing Federal statutes only to the extent that it covers the same subject matter or is inconsistent with their provisions in terms of specific situations, and only for the period in which the bill, if enacted, remains in force.

It should be borne in mind that these various statutes are suspended only to the extent that they cover the same subject matter, or the extent to which they are inconsistent with the provisions of H. R. 1776.

The statutes mentioned are not the only ones applying to the disposition of material. I have recited some of them in the hope that it might impress you with the complexity and the maze of red tape under which the War and Navy Departments, and the various executives have been laboring.

Imagine, if you will, the staff of lawyers the Chief of Naval Operations and the Chief of Staff of the Army would have to have at their elbow to advise them whether or not any contemplated action by them violated any of the minute provisions of any of these many acts. Is it any wonder that there is confusion and delay? In passing these various statutes at various times, the Congress was without doubt motivated by the best of intentions to protect the interest of the Army and Navy, as well as the taxpayer, but it is inconceivable to me that in the present crisis the Congress wants to hamper and restrain the President with such a maze of red tape. It is the duty of Congress to give clear authority to assure the prompt disposal of material, where such disposal will be helpful and vital to our own defense.

The same thing is true of our production efforts. Every possible effort should be made to simplify every step in the production of munitions. The plan is to make the United States virtually the sole purchasing unit for war materials to be ordered from the manufacturers in this country; that the Government shall thus become what might be called one great funnel through which all the production of such materials in this country will be ordered, and through which the materials will flow when finished and following that the United States Government itself will be in a position to distribute and apportion these munitions to ourselves and to the other democracies as best suits



the interests of our country. This plan will eliminate the competition of many different purchasing agents from different countries. At present there are perhaps a dozen different foreign purchasing commissions in this country. Under the contemplated plan, the manufacturer would deal almost entirely with the one purchaser—the Government.

For 20 years Army and Navy officials have been making studies and have devised a well-ordered system of placing contracts, and it is further contemplated that in the placement of all future contracts only those items will be manufactured which the Army and Navy of the United States can themselves use and with which the armed forces of our country are familiar as to utilization. For instance, rifles and guns of only the caliber that have been adopted by our armed forces would be produced. Only such ammunitions as could be used in the firearms adopted by us could be authorized, and so on down all along the line. This in itself is of tremendous importance to the future defense of the United States, and it will tremendously speed and increase production, and finally the United States Government would have complete control over the distribution of the munitions after they have been produced. Whatever we needed ourselves we would keep, and whatever we could spare or dispose of to best help our defense would be left to the discretion of the United States Government. Is this not a better plan than the alternative suggested of making a direct loan of \$2,000,000,000? With the competition which would ensue between the British Government's purchasing commission and the officials of the United States Government, more delay, more confusion, and less defense for the United States would result; and insofar as a loan of \$2,000,000,000 is concerned, we could not entertain much hope of ever being repaid, but the plan of H. R. 1776 is that the United States shall impose terms and conditions upon which any foreign government receives aid, and that these terms and conditions will be satisfactory to the President and of benefit to the United States, either by payment or repayment in kind or property or other direct or indirect benefit. Surely this is to be preferred over merely making what will amount to an outright gift of \$2,000,000,000.

The more one studies the provisions of H. R. 1776 and contemplates the plan of operation under it, the more certain he becomes that it is definitely to the best interest of the United States for the Congress to speedily make its provisions the law of the land.

[Here the gavel fell.]

Mr. FISH. Mr. Chairman, I yield to the gentleman from Kansas [Mr. HOPE] such time as he may desire.

Mr. HOPE. Mr. Chairman, before entering upon a discussion of the pending measure I want to make my position perfectly clear upon the issue of aid to Britain. I am not an isolationist. I would like to be. That is, I would like to feel that it is possible for this country to live entirely independent of the remainder of the world. I would like to believe that what goes on in other quarters of the globe is no concern of ours. I would like

to believe that we can shut our eyes and our ears to what is going on in Europe and Asia and dismiss the matter by the simple statement, "It is a dirty mess and we will have nothing to do with it." Unfortunately, if we are honest with ourselves we can do none of these things.

There has been no time in our history when we have been free from the effects of what has gone on in the remainder of the world. The complete answer to those who contend that we are not concerned and are not affected by what happens on other continents is that we are today engaged in a national-defense program on a scale heretofore unequalled by any nation in the history of the world. The reason for this program is that we cannot isolate ourselves, we cannot ignore what is going on in Europe, Asia, and Africa, and we must make these tremendous preparations to meet situations which have arisen there and which vitally affect our national existence. That this viewpoint is recognized by all our people is shown by the fact that the defense program has the support of practically everyone, no matter what his previous views on international policy may have been.

I do not believe that this is our war. It arose over matters concerning which we have heretofore assumed no responsibility and over which we had no control. Nevertheless, it would be foolish to say that we do not have an interest in its outcome and that a British victory will not have a very different meaning for us than a German victory would have. Does anyone think for a minute that we would have embarked upon this great defense program if we were sure that Britain would win the war? This program, which may eventually involve an expenditure of between forty billions and fifty billions of dollars, is being undertaken as insurance against a Hitler victory. If England wins, it will be materially lessened and modified.

For these reasons I favor aid to Britain short of war. As long as Britain has or can procure dollar exchange to pay for war supplies I think she should pay for them. When funds are no longer available, then we should provide other means by which these supplies can be secured. I prefer outright grants or gifts to an extension of credit. Our experience with war loans ought to convince us that some other method should be used. It is almost a certainty that any war indebtedness incurred by Britain to this country will never be repaid. Because of our interest in the outcome of the struggle, however, we can well afford within reasonable limits to make advancements with no expectation of repayment. This is on the assumption that such advancements will bring about a British victory and save us the expenditure of many billions of dollars in the future.

I believe that a great majority of the American people share the views which I have just expressed. Those who are sponsoring the present legislation are attempting to sell it to this great group of our people on the ground that it is the only effective way of aiding Britain and other countries fighting the totalitarian nations at this time. I believe that many millions of people in this country

have been deceived by the ballyhoo and propaganda for this bill into thinking that this is true. I think that accounts for most of the popular support which the bill has received up to this time. I further believe that if people generally understood that Britain can be aided effectively without legislation of this type and understood fully the nature of the powers which are being relinquished by Congress to the Executive there would be a tremendous upsurge of opposition to the measure.

The passage of this bill is not essential in extending aid to Britain. Its initial result will be to establish a dictatorship in peacetime, its secondary effect will be to drag us into a war for which neither the Nation or its people are prepared.

Let me deal first with the question of aid to Britain. Up to this moment the British Purchasing Commission has had no difficulty whatever in securing for that nation such war material as is available. The difficulty that has occurred lies in our own failure to get into extensive production those items of equipment which were most desired. Later, when our vast industrial machine begins to function, there will arise the question of funds with which to pay for these supplies. That is a question, however, which can easily be solved without recourse to the drastic powers which are given to the President under this bill. As far as the urgent and immediate situation is concerned, there is not one thing which can be done under this bill which cannot be done without it, unless the proponents of the legislation are mistaken in their definition of the powers it gives the President.

This measure takes from the British Purchasing Commission, which has been doing a good job, the procurement of British supplies and turns that responsibility over to the President of the United States. I believe that the British Purchasing Commission working with our Office of Production Management can do as good and perhaps a better job of procurement than can be done if the President is forced to assume the responsibility for meeting not only the needs of this country, but of Britain, Greece, China, or any other country which he decides should be aided in the interest of our defense.

There is a greater reason, however, why I feel that we are making a mistake in giving the President the responsibility and the power to furnish war materials to Britain and every other country which may be able to convince the President that it is fighting in our defense. If we furnish to Britain, China, or any other country such supplies as they deem necessary for the conduct of their war, that is one thing. Such a policy does not make their war our war or tie us up in any way with future developments. If, however, the President of the United States undertakes the responsibility of saying what supplies Britain shall receive, what shall go to Greece, what shall go to China, to the Free French forces, to Turkey, or to any other nation which might conceivably enter the war, then in that event the President becomes the master strategist of the war. He has the power, if he cares to exercise it, of determining policies, of saying where campaigns shall



be fought, of what supplies will be used, and the character of the campaign to be conducted. In this age of machine warfare, the man who operates the arsenal and distributes the supplies from it is the man who dictates the course of the war. When this measure becomes law, the President of the United States rather than Winston Churchill, will take over the conduct of the war. From that time on it will be our war. We will be committed to its success or failure and will be bound to go through with it to the bitter end, if it takes 10 years and 5,000,000 men. In other words, if we pass this bill and the President exercises the powers given him, we are in the war and in it to the finish.

I know that there are those in this country and perhaps there are those in Congress who believe that we should get into the war as a belligerent. The great majority of our people, however, while for aid to Britain, are bitterly opposed to getting into the war or taking steps which might logically be expected to involve us. It may be entirely proper that consideration now be given to the question as to whether or not we will enter the war. If that question is to be considered, however, it should be debated openly and frankly. The American people have a right to express their opinions, and Members of Congress the right to vote their convictions as to whether or not we become a belligerent. The present bill will put us in the war in the end just as surely as if Congress had voted a declaration of war. We will be in for all purposes and to the finish. We will be in without any vote in Congress on the question and without the great majority of our people having any idea that this momentous step has been taken.

We are unprepared to go to war from the standpoint of matériel and equipment. Our people are psychologically and morally unprepared for war at this time. Let us look at this thing with our eyes open. Let us be realistic. This Congress would vote overwhelmingly against a declaration of war if the proposition were put up to it today. Our people would vote overwhelmingly against war if they had an opportunity to express themselves; yet we are preparing in what we still call a democracy to take steps which are equivalent to a declaration of war and are investing the President with powers which could only be justified if we were in a state of war and would be debatable even then.

I realize that if we were in a state of war strong arguments might be made as to the necessity for giving the President the powers contained in this bill, notwithstanding the fact that they are greater powers than the English people have seen fit to give Churchill after a year and a half of war. Granting these powers, however, after we are in war and granting them now is an entirely different situation. Once Congress declares war our policy is determined. We are in it to the finish. The paramount problem is to function as effectively as possible in the waging of war. It is not a question of determining policy, for policy has already been determined. Rather it is a

problem of the choice of methods to carry that policy into effect.

Here, however, we have an entirely different situation. The policy of the country has not been determined. Congress does not consciously determine it in this bill. Congress avoids the determination of a policy, but gives to the President vast and far-reaching powers in the field of policy making. In this bill the President is not only given the power to procure the construction and manufacture of new defense articles for any country to whom he may see fit to deliver them but he has the power to give away our Navy, our air force, and all of the equipment of our Army. He can give away every bit of the defense material, the construction of which has been authorized for our own defense. Within a period of slightly over 2 years he can make contracts and agreements which can be carried out for an indefinite period far into the future. To this extent the time limitation in the bill means nothing. In the end the powers granted in this bill mean power to get us into the war. It is almost incomprehensible that such powers should be delegated by a legislative body in a democracy in peacetime.

If it be granted that it is the will of the majority of the people of this country to aid Britain, then this legislation can be justified only on the ground that it offers the only way to extend such aid. That is definitely not the case. There are other methods, the simplest and easiest of which is to permit the British purchasing commission to carry on just as it has as long as its resources hold out and when those fail to make available to it credit or preferably grants in whatever amount the Congress of the United States feels to be necessary. Britain will not suffer under such a policy. The limit as to the amount of aid which can be given will in that case, just as it is now, be determined by our ability to produce and the extent of British need. Irrespective of the method we take of making it available to them under that kind of a program, it will be Britain's material and Britain's war. If we pass this bill, it will be our material and our war.

We do not want to make this our war. The American people want peace. They are anxious to contribute their part in bringing about world peace. No man in these times can see far into the future. God grant that our Nation may be able to remain at peace. If, however, the changing course of world events should make it seem that our best interests will be served by becoming a belligerent, then the question should be faced fairly and squarely. It should be debated in Congress, in the press, and in every public forum. Finally, with our eyes open and with a full realization of the consequence of our action we should decide the question, having in mind one thought: What is the best policy for our beloved country? [Applause.]

Mr. FISH. Mr. Chairman, I yield to the gentleman from Kansas [Mr. WINTER] such time as he may desire.

Mr. WINTER. Mr. Chairman, on the 3d day of January 1941 we, as Members of the Seventy-seventh Congress, took an oath to defend and support the Constitu-

tion of the United States. We were not sent here by our constituents to obey the instructions of, or comply with, the desires of someone else. We came here bound only by our oath of office to honestly and fearlessly discharge our constitutional functions, not in the light of what is best for us from a partisan standpoint, not in the light of what is best for other nations of the world, but in the light of what is best for the United States of America, and any Member of this body who casts his vote for H. R. 1776 should be able with a clear conscience to say to himself, "I have performed my constitutional duty for the best interest of the United States of America," and that I cannot do as this bill is presented to us.

This bill is the most extraordinary, and in my opinion unconstitutional, delegation of legislative authority that has ever been proposed by any President to the Congress of the United States either in peacetime or in wartime. That it is a departure in the history of lawmaking in this body is beyond the pale of argument.

Notwithstanding the fact that we have passed through several very critical periods in our national history, no President has ever asked or been granted authority that begins to compare with that provided in this bill. During the War of 1812, when the very existence of this Nation was at stake, when the Capitol had been burned and the officers of the Federal Government were fugitives, made so by the fortunes of war, no one ever suggested that the ordinary processes of democratic government were not sufficient to meet every issue then facing this Nation. Even during the Civil War, when the enemies of the Republic were knocking at the gates of the Capitol and had reached Fort Stevens, now within the limits of the city of Washington, the immortal Lincoln did not ask Congress to surrender all its power and authority over national defense to him. But now, with the enemy 3,000 miles away, and with our high-ranking military and naval authorities agreeing that we are in no danger of immediate attack, we are feverishly asked to delegate to the President authority which contains a complete pattern for a military dictatorship in this country just as powerful and arbitrary as any dictatorship existing anywhere in the world today.

This bill describes the defense articles over which it gives the President power to do with as he chooses as any weapon, munition, aircraft, vessel, or boat; any machinery, facility, tool, material, or supply necessary for the manufacture, production, processing, repair, servicing, or operation of any article; any component material or part; any other commodity or article for defense; and, I repeat, any other commodity or article for defense. This means, if I can understand the English language, that if in his discretion he so desires, all the resources of the United States would be defense articles under the absolute control of the President.

Notwithstanding the provisions of any other law, this bill provides the President with authority to control every farm, every factory, every ship, every piece of equipment, and every human being in the United States. It provides him with au-



thority to sell, transfer, exchange, lease, lend, or otherwise dispose of our entire Navy, the whole equipment of our Army, and every airplane we now possess or hereafter may acquire. It provides him with authority to open our ports as bases for foreign nations. It provides him with a blank check of at least \$20,000,000,000 which he can spend without further action of Congress. It provides him with authority to purchase war materials from any country in the world and transfer them to any other country he might desire. It provides him with authority to manufacture in Government-controlled arsenals, factories, and shipyards, or otherwise procure, any defense article for any country whose defense he deems vital to the defense of the United States. It provides him with authority to release for export to any nation, under terms and conditions that he alone may approve, any such defense article. Section 9 of the bill provides the President with authority from time to time to make such rules and regulations as he deems necessary and proper to carry out any of the provisions of the act.

It was the results of just such provisions as section 9 of this bill that caused the Seventy-sixth Congress to pass the Walter-Logan bill in an effort to relieve the people of this Nation from the all-embracing dictatorial powers assumed from time to time as a result of the rules and regulations promulgated by the various departments and agencies of the Government.

What happened to the Walter-Logan bill? You all know that when it reached the President, he vetoed it. He did not want any of his departments and agencies to be faced with the probability of surrendering any of the power and authority they had assumed under the provisions of language exactly like that which is contained in section 9 of this bill.

Is there any Member of this House that doubts for one moment that the rules and regulations promulgated under this section will not be as far-reaching as the extraordinary powers therein specifically delegated to the President? If there is, take a look at the rules and regulations already promulgated by this administration under similar authority in other bills that have been passed by Congress.

Most dangerous of all is the authority this bill gives the President, coupled with his power as Commander in Chief of the Army and Navy, to commit acts of war and make war against foreign nations without the consent of the Congress or the people of the Nation.

Even in Great Britain, enveloped in total war, Parliament has not been asked to yield so much of its power to its Prime Minister, Winston Churchill, and remember this, Parliament's control over Churchill is absolute because it can remove him from office in an hour's time if it so desires. But once this Congress delegates the authority contained in this bill to the President, it will only revert back to the people, through the Congress, only on the expiration of the time limit placed therein or by repeal which may have to be passed over a Presidential veto.

As the full implications and far-reaching potentialities of this bill become apparent the American people are going to realize, too late for them to do anything about it, if Congress passes this bill, that they have been stripped of their freedom and that they have been led as a blindfolded and deceived people step by step into war.

Only you and I, as Members of Congress, can prevent this usurpation of authority and this last master step to war—and if we fail—the next time our people accept a pledge as they did in the last election they will see to it that they get more valuable security than they got last November.

There is not a Member on this floor who hates Hitler and all he stands for more than I do. I am of English extraction. My grandfather was an English sailor. I have relatives who are citizens of and live in England at the present moment—and of course I want to aid England—but I want to do it without weakening our own defense; without involving this Nation in war; without the Congress surrendering its constitutional functions and duties, and without granting dictatorial powers to the President—and such aid to England can be speedily accomplished without involving this Nation in war by amending H. R. 1776 to conform to the provisions of the report of the minority members of the Foreign Affairs Committee or by substituting therefor H. R. 2790, introduced by the gentleman from South Dakota [Mr. MUNDT], a member of the Foreign Affairs Committee.

If the proponents of this so-called lend-lease bill will permit it to be amended as provided in either the minority report or H. R. 2790, so as to maintain inviolate the constitutional powers and duties of Congress and protect the people in their God-given rights guaranteed to them by the Constitution of the United States, I will give it my wholehearted support. But if they will not—I am not willing to gamble every dollar of wealth, every dollar of property, and the life of every young man in America to satisfy a will for power.

Mr. FISH. Mr. Chairman, I yield to the gentleman from New York [Mr. HANCOCK] such time as he may desire.

Mr. HANCOCK. Mr. Chairman, like every other Member of the House, I have given this bill a great deal of earnest and prayerful thought. I have tried to banish both sympathy and prejudice from my mind and come to a logical conclusion based on premises I believe to be true.

There is general agreement on certain facts. Great Britain is engaged in a desperate struggle for existence against a foe stronger in manpower and in all categories of military weapons except naval vessels. Her own capacity for the production of arms and munitions is inferior to that of her enemy. Therefore it is almost a certainty that Great Britain will be crushed without prompt and substantial aid from abroad, and we are the only important source of supply.

Only a few dispute that the success of the Axis Powers would constitute a grave threat to our American institutions and way of life. There is an almost universal demand in this country that we mobilize our human and material resources for

national defense, that we build a Navy strong enough to defend ourselves and protect our friendly South American neighbors in both the Atlantic and the Pacific. People fear aggression from abroad but not from Great Britain, Greece, or China.

The gentleman from New Jersey [Mr. EATON] described the danger so eloquently on Monday his words are worth repeating:

Spiritually this is a war of atheism against Christianity. Politically it is a war of despotism, dictatorship, and tyranny against the ideals and institutions of free, self-governing democracy everywhere. Economically it is a war of state socialism of varying types against every form of private enterprise, private ownership of property, and free labor. In the largest sense, this is a battle to the death between world slavery and world freedom.

The final issue of this war will determine the destinies of the whole world for generations to come. If Britain falls, and Hitler, by the defeat of Britain, wins his announced objective, mankind everywhere will be plunged into a new dark thousand years. And America can no more escape contact with this universal tragedy than a ship can escape contact with the tides upon which it floats.

I think the gentleman from New Jersey has drawn too dark a picture, but there can be no doubt that our vital interests are on the side of Britain. She desperately needs war materials, which we alone can give her. It is clear that we must supply them.

Many Members have stated that they favor all aid to Britain and the other victims of aggressor nations "short of war." That is an adroit catch phrase, but it means very little. No man can know the last step short of war until after it has been taken, just as one cannot know the straw that breaks the camel's back until the back breaks. I do not believe the increased aid to Britain contemplated by this bill will enlarge the danger of our active involvement in war. Although I was one of those who voted for the Neutrality Act and against the lifting of the arms embargo, I realize that today it is foolish to attempt even the pretense of neutrality. Hitler will turn his guns on us if and when he deems it to his advantage. There is far less danger of it while Britain fights than after she lays down her arms.

Not only the sentiment but the best opinion in this country is opposed to sending our armed forces across the Atlantic. Although we fervently wish for Britain's success for her sake as well as our own, it is not our war she is fighting, and we are by no means willing to concede that we cannot successfully repel any invader who attempts to set foot on American soil either on the Atlantic or the Pacific coast, or both. The safer course, however, is for us to help Great Britain and the other nations resisting the Axis Powers now.

We have already been committed to a policy of material aid to Britain and that policy has popular support. The immediate problem is how best to give it. The bill confers on the President the power to determine what defense articles shall be transferred, on what terms, and to what nations, provided he deems such transactions to be in the interest of our own defense. These are questions which we



must trust the Chief Executive to decide in consultation with his chief military and naval advisers, whether we like it or not. In the very nature of things, the two Houses of Congress could not determine such questions without endless debate and dangerous delays, even if they had the constitutional authority to do so. The power to conduct negotiations with foreign nations and make prompt decisions can only be exercised by one supreme head, and that must be the man in the White House.

There is much to be said in favor of the alternative plan of extending aid to Great Britain by the making of loans of money or credit on fixed terms and for specific purposes. I believe, however, that better results can be obtained by the direct transfer of war materials. Our gigantic defense effort and our aid to Britain can be coordinated, the industrial resources can be organized on a Nation-wide basis, competition between various purchasing agents, and working at cross purposes can be eliminated under the provisions of this bill.

The power to be conferred upon the President is stupendous and frightening. Every reasonable limitation should be imposed and I should like to see a number of safeguarding amendments adopted in addition to those offered by the committee. I think the powers should be granted for a definite period with the proviso that they may be terminated at an earlier date if Congress shall so determine by concurrent resolution. I think the President should not be given power to transfer naval vessels if by so doing the strength of the Navy will be weakened below its present strength in any of its categories.

I do not believe the President has any intention of depleting our own defenses; I do not believe he desires war. No sane man elected to his high office by the American people could so betray his sacred trust.

There is no safe course for us. War is raging on three continents. Unpredictable things have happened and events are moving with incredible swiftness. We are witnessing a second World War and perhaps a world revolution, too. We cannot look into the future and plan our movements, but we must act to meet exigencies as they arise. Despite its dangers and imperfections the bill before us will go a long way toward solving our immediate problem of arming ourselves and promoting our national defense by aiding those who are fighting the totalitarian powers.

All the nations of the world are watching our proceedings this week. As Members of the House we are confronted with the alternative of voting for this bill with the best amendments we can obtain, or of voting against it. We know the bill will pass. Every vote for it will strengthen and hearten the nations we wish to help and every vote against it will give encouragement to our potential enemies. I regret that the President and his advisers did not call into consultation a group of thoughtful and patriotic citizens representing divergent points of view for the purpose of working out a bill that could receive practically unanimous support. It

could have been done because there is little disagreement among us as to objectives. With the situation as it is I feel it my duty to vote for the bill.

Mr. FISH. Mr. Chairman, I yield to the gentleman from Massachusetts [Mr. WIGGLESWORTH] such time as he may desire.

Mr. WIGGLESWORTH. Mr. Chairman, the bill under consideration is one from which momentous consequences may come for every American citizen. Its far-reaching implications must be appraised for each one of us in terms of what is best for the Nation as a whole, regardless of any other consideration. It must be considered against the background of the tragic world situation and in the light of all available evidence, including the most expert military and naval opinion available.

Like our distinguished and beloved colleague from New Jersey [Mr. EATON], I am neither an isolationist nor an interventionist.

I favor every possible aid to Great Britain, in her valiant fight, consistent with our security. I favor, as stated repeatedly during the campaign, every possible aid to Britain consistent with our needs for national defense and keeping out of war. I favor giving the President any legislative power which may be necessary in this connection.

I am opposed, however, to stripping ourselves of items essential for national defense. I am opposed to plunging this country into war, lamentably unprepared as we are. I am opposed to the delegation of legislative power to the President unnecessary to assure maximum aid to Great Britain.

I regret that the bill under consideration has been offered to the House in its present form. I regret it because I am wholeheartedly in favor of its ostensible purpose—aid to Great Britain short of war. I regret it because, in my judgment, the bill, in its present form, is not the type of legislation which is best calculated to assure the desired purpose, either from the standpoint of America or from the standpoint of Great Britain.

In my judgment, there is a far better and far simpler way in which to assure every possible aid to Great Britain with minimum risk to America. Britain does not need this form of lend-lease bill. To accomplish the main objective of this legislation, she needs two things and two things only. She needs, first, the maximum industrial production at the earliest possible moment under the leadership of Mr. Knudsen. She needs, second, the assurance of financial assistance when her dollar balances become exhausted, to enable her to purchase all of that production, or other articles of defense, which we can safely spare. The simple and straightforward way to meet these needs is by authorizing an appropriation not exceeding \$2,000,000,000, or such other sum as the Congress may determine, for loans or credits to Great Britain to make possible the purchases in question. A simple provision of this character, with such additional features as may be desirable, would assure Great Britain of the maximum aid which can be safely given, would relieve Great Brit-

ain of direction or dictation from the White House, would reduce to a minimum the risk of being plunged into a war though woefully unprepared, and would retain in the Congress the legislative power which properly belongs to it.

I can see no aid which could safely be given under the pending proposal which could not be given under the proposal revised in this manner. I believe the revised proposal would be far better for England and far safer for America. I shall support proposals for revision or amendment which will be offered to this end.

Mr. FISH. Mr. Chairman, I yield to the gentleman from South Dakota [Mr. MUNDT], a member of the committee, 15 minutes.

Mr. MUNDT. Mr. Chairman, I think it might be an interesting question if it were not too embarrassing to ask the members of the committee who are here this afternoon who have read these hearings through from cover to cover to raise their hands, but I am not going to ask that question. I do, however, want to urge those of you who have not read the hearings—and I am afraid there are many—to do so before you vote on this important legislation. I recommend it for the reason that I believe many of you perhaps who intend to vote for this legislation will do so expecting to find substantiating evidence for your vote in these hearings. It is not available. As you study them after the vote you will be surprised to find that that which you expected to find in the hearings is not there.

I believe one of the conclusions you will quickly arrive at will be a surprising one, and that is that witness after witness for the administration was quick to disclaim any responsibility for authorship of the bill. The first witness who appeared before our committee was Secretary Hull, and Secretary Hull was the first witness to disclaim responsibility for this legislation. I quote to you from the hearings, on page 18, the gentleman from Massachusetts [Mr. TINKHAM] talking to Mr. Hull—

May I ask you, Mr. Secretary, whether your office drew this bill, or whether you drew it?

Secretary HULL. I have stated three times before that the Treasury Department drew up this bill.

With that background, it is not surprising that when Mr. Morgenthau, Secretary of the Treasury, was before our committee, he was asked by the gentleman from New York [Mr. FISH] whether or not he had drawn up this legislation. I quote you now from page 57 of the hearings, the gentleman from New York [Mr. FISH] talking to Mr. Morgenthau—

This is the gentleman from New York [Mr. FISH] talking to Mr. Morgenthau:

Am I correct in saying that you initiated the bill in the Treasury Department?

Mr. MORGENTHAU. No; I do not think you are correct.

Therefore, exit Mr. Hull; exit Mr. Morgenthau, and we go to the next witness for the administration, Mr. Stimson, Secretary of War, the man who, in connection with a real national-defense bill, should certainly be consulted and should have a large part in drawing the



bill. He is interrogated by the gentleman from Massachusetts [Mr. TINKHAM]:

Mr. TINKHAM. Now, I would like to know whether you helped draw this bill?

Secretary STIMSON. No, sir.

Exit Mr. Stimson.

In order to make this more conclusive, I want to quote another question asked Secretary Stimson by the gentlewoman from Ohio [Mrs. BOLTON], a member of the committee:

Mrs. BOLTON. Mr. Secretary, I have some very simple questions.

Oh, how cleverly the art of woman disarms her adversaries.

Here is the question:

We learn from the testimony we have had that the Secretaries did not sit in on the original drafting of the bill. Am I right in that?

Mr. STIMSON. I did not.

Mr. Chairman, we are confronted with a very strange and a very unique situation—a situation in which the Secretary of State, Mr. Hull, charged with the responsibility of maintaining the peaceful neutral relations of America, refuses to admit that he had anything to do with drafting the legislation now before us. We are confronted with a situation in which the Secretary of the Treasury, who had been charged with initiating the bill, who is charged also with the responsibility of rescuing this country from bankruptcy, if he can, disclaims any authorship of the bill. Stranger than that, we are confronted with a situation in which the Secretary of War, Mr. Stimson, a man certainly who by his belligerent advocacy of quick and vigorous steps, shorter and shorter of war, marks him as a man who would not disclaim any responsibility in this respect, the Secretary of War charged with defending these United States, a Secretary of War who must operate under a bill labeled "for purposes of national defense," repeatedly states he had nothing to do with drafting the bill. He said he did not see it until its draft was completed—and so it goes. Secretary after Secretary testified in that fashion.

It may be that those portions of the bill which say "for other purposes" have some well-known consultants who helped draft the bill; but insofar as the other portions of the bill at least are concerned, and insofar as its national-defense purposes are concerned, we find this strange piece of legislation disclaimed by the Secretaries of the President's Cabinet. We find this piece of legislation—surreptitiously conceived, individually disclaimed, of unknown parentage—placed before us, like a baby in a basket on our doorstep, and we are asked to adopt it.

I think it is mighty important, Mr. Chairman, that we pause to wonder a bit why this legislation, containing so many powers that the President says he did not ask for and that the President did not want, was drawn in such a unique manner, because it is kind of stimulating to contemplate what person or what power put into this bill those undesired and undesirable powers, since they are definitely found in the legislation. We are asked to violate all pretenses of neutral-

ity; we are asked to disregard the remaining vestiges of international law; and the Secretary of State, charged with the responsibility of maintaining our peaceful relations, disclaims authorship.

I have said that this bill is a very important piece of legislation and that it was conceived in a most unique manner. I think that the vast delegation of powers taking place in this bill, enormous as they are, probably are equaled and excelled only by the anonymity of their enormity. I think it is amazing that we are confronted with a situation of this type in a bill of this importance, when Secretaries testifying before this committee, members of the President's Cabinet, argue that the bill may be necessary but answer as few questions as they possibly can concerning whether or not the bill is wise.

If this bill is designed primarily, as I am afraid it is, for "the other purposes" aspect of this act, this evasiveness is understandable; but if the bill is devised primarily for the national-defense purposes of this act, it seems to be uncommon strange that those charged with administering it should disclaim any responsibility for initiating this particular legislation.

I think, too, that this Congress should be slow to strip itself of powers reposing in it and to delegate them to the President, when he says he does not want them, when he says he will not use them, and thus turn back the pages of freedom 700 years to the days of the Magna Carta, when freemen won for the first time control over the purse. This bill would leave freemen with that sole remaining control—an uncertain restraint on the purse—and all the advancements in human legislative freedom of the past 7 centuries would be discarded, and we would have to start all over again, as they did in 1215 with a faltering control over the purse. I do not believe you Members willfully and willingly wish to support legislation as comprehensive as that.

A careful study of the hearings will reveal something else equally surprising as the anonymity of the sponsors of this act. There are two reasons—and two valid reasons alone—for bringing new enabling legislation before this Congress at the present time, and I remind the Members that, after all, we are not here this week to decide whether or not we will aid Britain and her gallant associates in their brave fight. That decision was made more than a year ago. Our decision today is something altogether different from that. We are deciding today how far we shall go in a program of aid to England and her associates, and we are to decide how best to implement a program of aid that will not involve us in war and which will not weaken the national defense of this country.

Mr. Chairman, I submit that the decision which faces us today should be that simple one and not a discussion of a comprehensive bill like H. R. 1776 which brings a dozen other matters into consideration, including the decision whether or not this country should go back to the formula of medieval Europe and accept the doctrine that the king can do no wrong, with its inevitable

corollary that the Representatives of the people cannot be trusted to do right. I do not believe that should have a part in this discussion, but unfortunately it is the most important part because it is the vital "for other purposes" aspect of this highly, comprehensive and unprecedented legislation.

I say the hearings disclose two valid reasons, and two valid reasons alone, for even discussing new legislation at this time in our desire to be of assistance to our friends across the seas.

The first is that foreign purchasing power is running low. Mind you, it is not said, and it is not proved, that foreign purchasing power has run out. Foreign purchasing power is running low. That is the first valid reason for bringing new legislation before this House.

The second valid reason brought before this House is the fact that there is a reasonable desire for greater coordination for procurement of defense materials, so that orders placed here by foreign countries and by the United States can be handled more efficiently.

We are now sending from 80 to 90 percent of the new war planes manufactured in this country overseas and much of the other new defense materials being produced. You can read the hearings from cover to cover, you can read the bill word by word and paragraph by paragraph, and I defy you to find any single sentence or a single phrase which will enable us to produce an additional plane. Our limitations on sending new supplies across the seas today are limitations of production, and not of legislation. You do nothing in this bill to increase the production, nothing in this bill to meet the emergency spoken of by the majority leader when he said that in 60 or 90 days a tragedy is apt to take place. There is nothing in this legislation to avert such a tragedy if, unhappily, it is on the horizon. In fact, this bill in its present form, with its possibilities for disrupting existing production and its potentialities for putting political puppets in charge of industrial plants, may well do more to decrease than to increase production.

The second aspect I wish to call to your attention is that today we are sending overseas such defense articles from our existing supplies as the chiefs of staff will certify are not necessary to our national defense. There should be nothing in any national-defense bill permitting us to strip our national defenses beyond the point where the chiefs of staff say they have reached a minimum essential to our national defense. So, unless you are willing to sacrifice and jeopardize the defense of this country, which you took an oath to support; unless you are willing to do that, there is nothing in this bill which in any way at any time could give any assistance to the countries across the seas from the existing war materials on hand or on order at this time.

This being true, I submit to you as legislators that our job is to devise legislation—and pass it quickly—which will answer the only two deficiencies presented to us in this volume of testimony which I have before me. Our job as legislators is to meet the problem, and to



solve it, which was presented to us by the testimony of these witnesses. Those of us who want to aid England and her associates, and who couple with that desire a desire to make good our responsibility to keep America out of war, and who also wish to preserve the integrity of Congress, have a responsibility I will recognize, to offer a substitute piece of legislation which will meet the difficulties brought out by the gentlemen appearing before the House Committee on Foreign Affairs as expert witnesses. Such legislation can be written simply and it can be quickly passed. Such a program is what America wants. Such a program is what 90 percent of your constituents want.

[Here the gavel fell.]

Mr. FISH. Mr. Chairman, I yield 5 additional minutes to the gentleman from South Dakota.

Mr. MUNDT. Such a program is a program behind which 90 percent of America can unite. Such a program, unfortunately, is what your constituents think they are going to get if we pass H. R. 1776. But when they find out, as find out they must, that you and I have deceived them by betting the United States on the outcome of the war, by divesting Congress of all its prerogatives to protect the peace of the United States, their disappointment, I dare to prophesy, will be excelled only by their disillusionment when the act which we now put in operation leads this country into war, which I fear is inevitable if this legislation is passed, and which each of you in his heart must recognize as the probable outcome of such legislation.

Along that same general line, may I say that he who votes for this great gift of power, he who endorses this bill on the final roll-call vote, votes for the last step in the operation of the act when he votes for the first step in adopting the act. He who accepts responsibility for endorsing this legislation accepts responsibility for every act, for every transfer, for every movement under the act, because no matter how he might protest against it, he has deliberately voted to divest himself of any and all future control of such matters of our public policy. Let no man satisfy his conscience, then, by voting for this bill and saying, "I can disclaim the consequences."

Let me point out that any man who approves this bill, who accepts this road, accepts the route, accepts the goal, accepts the destination to which this road will take us. When the majority leader, the gentleman from Massachusetts, speaks about the decision between action and inaction, he fails to recognize that in-between these two extremes are 90 percent of the Americans, who want neither action leading to war nor inaction showing indifference to the problem. There is a vast contrast between the attitude of an iron deer standing in a park and that of a wild stampede rushing to destruction. In-between can be many proposals such as the substitute I am going to offer under the 5-minute rule, such as I placed in the RECORD on the 29th day of January, where you can find it. It is H. R. 2790, and you can get it in the document room. In-between the two extremes mentioned

by the gentleman from Massachusetts [Mr. McCORMACK] there is an American approach to this problem. In between there is an approach which would answer the two deficiencies brought out by the witnesses before our committee. In between is a course which will not divest Congress of all its powers and will not set up one-man government in our country, but which defines the limits to which we are going to go and describes the path we are going to follow in giving legitimate and early assistance to our friends across the seas, and in declaring again that we are not going to enter this war as an active belligerent unless attacked.

My bill, H. R. 2790, is along lines suggested by Senator Johnson of Colorado, by Mark Sullivan, by Gen. Hugh Johnson, and others. It provides aid to those with whom we sympathize, but it also protects democracy at home. Unlike H. R. 1776, it is not a step in the dark—it is a decision to stand on American ground.

The bill H. R. 1776 is a method to solve these problems, and only that. It is an approach, and only that, an approach anonymously conceived. Who knows what Secretary Hull might have brought in had he written this legislation? Who knows what Secretary Stimson might have produced had he conceived the bill? They tell us now this is the only answer to the problem, still the Secretaries who have to administer the act had no part in its original writing. By what strange magic has this bill now become so suddenly the only answer to the problem?

I say there are other approaches, there are other answers. Like loyal members of the President's Cabinet, to be sure, the Secretaries came before our committee and testified for the administration policy. They could do no less and with honor fail to resign their posts. But we wonder what type of legislation might have come had they in the first instance written the bill now before us.

As a proposed amendment to this bill, I say, I offer the bill H. R. 2790. I hope you will read it. I hope you will do your constituents and your conscience the justice to study it. I think it offers a reasonable approach. It provides not in excess of \$2,000,000,000 of immediate purchasing power for England and her associates.

It meets every argument advanced by Mr. Knudsen for further coordination of procurement and it meets every argument advanced by Mr. Morgenthau for new purchasing power. It does not tie the hands of the President, nor does it put Congress in a strait jacket for the duration of the war. I introduced this bill as separate legislation on January 29 after failing to have it accepted as an amendment in our committee.

Congress can give additional billions afterward if this initial step proves wise. My bill provides that all orders supplied for countries benefiting from this extension of funds supply their orders in America through the Office of Production Management and on terms approved by it, thus providing for 100-percent coordination of foreign and domestic defense orders. There can be no greater degree of coordination than 100 percent,

and we do not need to risk war to get it nor to abdicate as legislators to secure it. My proposed substitute answers every need revealed in nearly 3 weeks of testimony before our committee and it does it in an American way, for an American purpose, to encourage democracy abroad and in perpetuation of democratic processes at home. Ladies and gentlemen, you can vote it down if you will, but you cannot add to the defense purposes of H. R. 1776 by so doing; you can only add to the "for other purposes" objectives of this legislation, and it is my solemn conviction that the more you add thereto the more the country and our cause will lose.

Except for those who would have us extend supplies overseas far enough to include men and war, and except for those who are unwilling to give any further aid to England and her Allies, my proposed substitute will answer every argument for new legislation at this time, including the fact that it will give new stimulus to the morale of those fighting aggression without deceiving them into believing that our men are again going to follow our materials into battle.

[Here the gavel fell.]

Mr. FISH. Mr. Chairman, I yield to the gentleman from South Dakota 2 additional minutes.

Mr. MUNDT. Let us meet the issues squarely and honestly. If more is wanted than new purchasing power and complete coordination, just what power is wanted? And why is it wanted? And what will be done with it? True, we can try to define these powers under H. R. 1776 by amendments here and restrictions there, but unless we would flirt with fate and waddle toward war we need take no desperate chances with our own peace, and with the lives and liberties of our own people to implement the aid which we all want our friends to have. It can be provided by a simple substitute.

I used to work as a boy in a country store where part of my duty was to candle eggs. The first day on the job, I came across a discolored egg and asked the owner what to do with it. "Discard it," he said, "The only way to amend a bad egg is to trade it for a new one." Let us be equally wise. Let us substitute a clear and direct bill for H. R. 1776 and pass it quickly. Such a bill will give aid faster by many days than H. R. 1776 because it will not be delayed in the Senate and by conference reports; such a bill will give America the united front we want because it implements the heartbeat of America and does not lead to war. Such a bill will not give us a cure which is worse than the disease but will enable us to treat with the disease at its source. Above all, such a bill will retain congressional powers in congressional hands, put Presidential powers in Presidential hands, and deny to the world the seductive deception that democracy cannot function when we need it most.

To my mind that is the saddest travesty of all and I hope this House will unite in nailing such a libel to the cross that future generations of Americans—yes



and Europeans too—will know that this Government of, by, and for the people is so cherished by the people that through their Representatives in Congress they can prepare to defend it, they can protect it against invasion from without and against erosion from within, and that above all this form of free government which is worth fighting to protect is fit to be relied upon while men are fighting. [Applause.]

[Here the gavel fell.]

Mr. FISH. Mr. Chairman, I yield to the gentleman from Michigan [Mr. MICHENER] such time as he may desire to use.

Mr. MICHENER. Mr. Chairman, I have been very much interested in the observations just made by the distinguished gentleman from South Dakota [Mr. MUNDT], a member of the Foreign Affairs Committee.

Ever since H. R. 1776 was introduced into Congress there has been speculation as to its origin. Just who drafted the bill? By quoting the hearings, the gentleman from South Dakota [Mr. MUNDT] has made it clear that Mr. Stimson, Secretary of War, disclaims all knowledge of its authorship; that Secretary of State, Mr. Hull, in answer to a question, replied, "I have stated three times before that the Treasury Department drew up this bill"; that Mr. Morgenthau, Secretary of the Treasury, denies that the bill originated or was drafted in the Treasury Department. While the genesis has not been discovered, we are making progress by the process of elimination.

The gentleman from South Dakota also made it clear that at this time only such national-defense articles, from our own existing supplies, are being sent overseas as the Chiefs of Staff of the Army, Navy, and Marine Corps will certify are not necessary to our own national defense. To me this is most gratifying, because our own national defense must come first. However, when this bill becomes a law, those experts charged with our national defense will no longer control, and the President alone will be the judge.

Mr. Chairman, it is contended by the proponents of H. R. 1776 that during the Presidential campaign in 1940 there was complete agreement between Candidate Roosevelt and Candidate Willkie as to the foreign policy of this country in connection with the wars raging in Europe and in Asia. It is claimed that the electorate was fully advised, and in the election on November 5, 1940, approved President Roosevelt's foreign policy, thereby giving him a mandate to carry out his announced program.

Well, in the language of one of the Nation's most distinguished citizens, let us take a look at the record.

The best evidence is to be found in the platforms of the Republican and Democratic Parties, the interpretation of those platforms by the candidates, and the campaign promises made by the candidates to the people. I summarize:

The Republican platform, written at the Philadelphia convention, said:

The Republican Party is firmly opposed to involving this Nation in foreign war. \* \* \* We favor the extension to all peoples fighting

for liberty, or whose liberty is threatened, all such aid as shall not be in violation of international law or inconsistent with the requirements of national defense.

The Democratic platform, written in convention at Chicago, said:

The American people are determined that war raging in Europe, Asia, and Africa shall not come to America. We will not participate in foreign wars and we will not send our Army, naval, or air forces to fight in foreign lands outside of the Americas, except in case of attack. \* \* \* We pledge to extend to these peoples all the material aid at our command consistent with law and not inconsistent with the interests of our own national defense.

Candidate Willkie, running on the Republican platform, on October 4, 1940, and many times thereafter by transcription over the radio, said:

If I am elected President of the United States I shall never lead this country into any European war. As a matter of fact, I shall never lead the country into any kind of a war unless the people, through their representatives in Congress, insist upon it, and I shall also refrain from indulging in extravagant attacks upon other nations. The best way for us to keep out of this war is by rebuilding our domestic economy and by the building of a great national defense and by bringing our people into one united, common purpose to develop our own country and to keep out of other people's troubles.

Speaking in Boston on October 12, 1940, Mr. Willkie said:

We can have peace, but we must know how to preserve it. To begin with, we shall not undertake to fight anybody else's war. Our boys shall stay out of European wars. There is only one way. We must become strong. We must build ourselves an air force, a Navy, and an Army so strong that no dictator will dare to tamper with our commerce, our interests, or our rights. That is the defense program we must have.

Speaking from Baltimore, on October 30, 1940, Mr. Willkie said:

I have given you my pledge many times over. I will work for peace. We are against sending our boys into any war other than the defense of our own country.

Speaking in New York, on October 26, 1939, President Roosevelt said:

In and out of Congress we have heard orators and commentators and others beating their breasts and proclaiming against sending the boys of American mothers to fight on the battlefields of Europe. That, I do not hesitate to label as one of the worst fakes in current history. It is a deliberate setting up of an imaginary bogeyman. The simple truth is that no person in any responsible place in the national administration in Washington, or in any State government, or in any city government, or in any county government, has ever suggested in any shape, manner, or form the remotest possibility of sending the boys of American mothers to fight on the battlefields of Europe. That is why I label that argument a shameless and dishonest fake.

President Roosevelt, addressing the Teamster's Union, on September 11, 1940, said:

I hate war, now more than ever. I have one supreme determination—to do all that I can to keep war away from these shores for all time. I stand, with my party, and outside of my party as President of all the people, on the platform, the wording that was adopted in Chicago less than 2 months ago. It said: "We will not participate in foreign wars, and

we will not send our Army, naval, or air forces to fight in foreign lands outside of the Americas, except in case of attack."

Speaking at Philadelphia, October 23, 1940, Candidate Roosevelt said:

We are arming ourselves not for any purposes of conquest or intervention in foreign disputes. I repeat again that I stand on the platform of our party: "We will not participate in foreign wars and we will not send our Army, naval, or air forces to fight in foreign lands outside of the Americas, except in case of attack."

Speaking at Boston Garden, on October 30, 1940, Candidate Roosevelt said:

Your boys are not going to be sent into any foreign wars. They are going into training to form a force so strong that, by its very existence, it will keep the threat of war far away from our shores. The purpose of our defense is defense.

In a fireside chat, on December 29, 1940, President Roosevelt said:

There is no demand for sending an American expeditionary force outside our own borders. There is no intention by any member of your Government to send such a force. You can, therefore, nail any talk about sending armies to Europe as deliberate untruth.

In his message to Congress on January 6, 1941, President Roosevelt declared it to be the policy of the American Government to defend freedom and democracy everywhere in the world, and he said:

In the recent national election there was no substantial difference between the two great political parties in respect to that policy. No issue was fought out on this line before the American electorate.

The President stated the truth. The respective political platforms, as well as their candidates, advocated aid to the democracies, but only by "measures short of war" and measures "within the law." The people had a right to believe, and did believe, that any assistance to be rendered to the democracies was to be assistance "short of war" and within national and international law.

"He kept us out of war" was an effective slogan in 1916. "All aid short of war" was an effective slogan in 1940. It is devoutly to be hoped that the 1940 slogan meant more than the 1916 slogan. It is interesting to note, however, that so far as I can learn, the President has made no reference to "measures short of war" since the 1940 election. After the election was over, we began to hear about "all necessary aid" and, finally, "all-out aid" not only to Britain but to all the democracies. Yes, Mr. President; the American people thoroughly believed that this country was not to get into any foreign war and elected you on that basis.

In November 1940 the people did not have the remotest idea that the President was going to demand any legislation akin to this lend-lease-give bill. In no sense did they give the President a mandate to require such legislation by Congress. We might take a different view if, instead of the President's promises which I have just quoted, he had promised the American people this:

If I am reelected, we are going to go all-out for England. If I am reelected I shall demand that the Congress delegate to me the power, in my own discretion, to conduct undeclared American war anywhere in the world in defense of the democracies, and to employ for



that purpose any weapons, munitions, aircraft, and vessels, commodities, and facilities whatever; and power, moreover, in my own discretion to make such laws as may be necessary. I should have the power to select our friends among the democracies and to determine which are the aggressor nations and which nations should be our enemies. And then, my friends, we need not waste your time and my time debating whether or not to repeal the neutrality law, the Johnson law, or any other law that interferes with any program of national defense I may think advisable.

Now, is there a single Member of Congress who is so naive as to believe that the American people would have elected President Roosevelt last fall on any such platform?

I challenge anyone to find a scintilla of proof in either platforms, or utterances of candidates, giving the slightest suggestion that the Congress was to be asked to abdicate its war powers in favor of the Chief Executive. Where is the mandate given to the President for all-out aid to the democracies of the world? Where is the direction for this country to underwrite a military victory in any foreign war? No; my colleagues, the people of this country, in solemn conclave at election time, did not direct the Congress to authorize the President to do those things that might require American boys to fight on foreign soil.

If there was any controversy between Candidate Roosevelt and Candidate Willkie in reference to our foreign policy it was a contest between them as to which could give the stronger assurance to the American people that, if elected, he would keep this Nation out of foreign wars; that only such material aid would be extended to foreign countries as was consistent with the Johnson Act, the neutrality law, and every other law of the land. The people were promised that we would not participate in foreign wars except when we were attacked; that we would develop our own country and keep out of other nations' wars. In short, both candidates were for peace and against war. Regardless of whether one voted for Roosevelt or Willkie, he had the right to believe that he was voting for peace and to keep out of war.

Section 3 is the heart of this bill. All the rest is window dressing. The bill is artfully drawn. It could be shortened by striking out everything after the enacting clause and inserting the following:

*Be it enacted, etc.,* That the President of the United States is hereby authorized and directed to do that which in his opinion is for the best interests of the national defense, all laws, national and international, to the contrary notwithstanding.

H. R. 1776 is just that broad. Let us be frank about this matter. I said the bill is artfully drawn because it does not specifically repeal, change, or modify any law of the land. It does, however, authorize the President to waive or ignore any law of the land when he is so disposed for the purposes indicated. I do not say that the President is a dictator. I ask the question, however: What more power could any dictator have, concerning national defense, than that granted in this bill? After Hitler took over Germany, he had the Reich pass a law au-

thorizing and directing him to act for the Reich. Since that authorization the Reich only meets when Hitler desires, and for the purpose of saying "yes" to what Hitler demands. Oh, yes; there is a Reich or a Congress in Germany, but what power has it? What function does it perform?

The Constitution lodges the war-making power in the Congress. The majority of our people do not understand that this bill gives the President the right to determine the aggressor nations, the right to select the democracies we are going to aid, and not only the amount of aid but the manner and kind. The President will choose our allies and our enemies as well as the countries for whom this country is to be the arsenal. In short, this lend-lease-give bill gives the President the power to do that which amounts to making war and carrying on undeclared war at such times, in such places, anywhere throughout the world, as he may determine. Do the American people want their Chief Executive to have any such power? I do not believe they do. Would they vote for this bill if given the opportunity? I do not believe they would.

When the boys returned home after the last World War, the American people, with one accord, said, "Never again." Since that time we have been groping for some solution or some formula that would make it possible for this country to keep out of these recurring foreign wars. Pursuant to that desire, the Congress, in 1935, enacted a neutrality law. In 1937 this neutrality law was amplified and strengthened. In 1939, at the President's request, the cash-and-carry provision of the neutrality law was adopted. By this act neutrality was abandoned and our country took sides and became a nonbelligerent in the pending European war. The neutrality arms embargo was lifted and by that act this country made a promise to the democracies and a threat to the totalitarian nations. In the debate in the House, when that bill was under consideration, I said:

Much is implied in that word "promise." If the Congress, by the removal of this embargo, leads France and Great Britain to believe that we are to become their ally in the production of war supplies in the eventuality of war, then in good morals we must fulfill the promise. We must at least be a silent partner in the war. Great Britain has cash enough to pay for munitions from this country for a time, but it would not be long before her cash supply would be exhausted, exactly the same as was the case in the World War. The next step in the partnership would be for our Allies to ask this country for credit, the money to be spent in the United States, as was done in the World War. In the meantime our munitions factories would be expanded, our whole economy would be changed, and we would be enjoying that which for the moment seemed like economic prosperity. However, we would be paying for that prosperity with the money we loaned the Allies. In the end we would be "holding the bag," just as we were after the World War. We would have gone so far that it would be very difficult to cease; because if we did, first, we would be breaking our implied promise and pledge and deserting our Allies. Second, we would be upsetting our whole local employment and economic situation.

Well, we have followed that road since 1939. We have gone so far that it is very difficult to cease. And if this bill becomes law, we will travel to the end of that road—total war, if necessary, under the all-out-aid promise.

H. R. 1776 will implement any agreement or understanding which the President now has with the democracies. It will make it possible for the President to underwrite not only British victory but the victory of all democracies throughout the universe. By the same token, the President will be able to guarantee, insofar as this country's financial and manpower resources are concerned, a complete military defeat of totalitarianism everywhere.

Where is the American frontier—the Rhine, in the English Channel, or where the Western Hemisphere begins? If I believed that our frontier was in Europe and that the European war is our war, then I would have the courage to say so. Candor and forthrightness are still virtues even in high government places. The proponents of this bill insist that it is a peace measure and not a war measure. I cannot bring myself to that conclusion. To me this is an involvement war bill and is just another step in the program that has been followed since the neutrality law was amended in 1939. Then the war sentiment in the country was negligible. Gradually, but surely, war psychology is becoming more general. The radio, the picture show, the columnist, and the lecturer are making it clear that war is inevitable. This is but history repeating itself. Many years ago, the late Mark Twain, in his own inimitable way described our present situation precisely when he said:

There has never been a just war or an honorable one. I can see a million years ahead and this rule will never change. The loud little handful will shout for war. The pulpit will object at first. The great big, dull bulk of the Nation will rub its sleepy eyes, and try to make out why there should be a war, and will say, "It is unjust and dishonorable, and there is no necessity for it." Then the handful will shout louder. A few fair men on the other side will argue and reason against war and at first will have a hearing and will be applauded; but it will not last long; those others will outshout them and presently the antiwar audiences will thin out and lose popularity.

Before long you will see this curious thing: The speakers stoned from the platform, and free speech strangled by hordes of furious men, who in their hearts are still at one with those stoned speakers—but do not dare say so. And now the whole nation, pulpit and all, will take up the war cry, and mob any honest man who ventures to open his mouth; and presently such mouths will cease to open.

When this lease-lend-give bill becomes a law, the Congress will have written the biggest blank check of authority ever given to a President in this country. This bill will make us an actual belligerent in an undeclared war. It will put the United States economically, morally, and officially in the war. A declaration by Congress will not be necessary. I do not believe that any President should be permitted to assume any such responsibility. Billions of dollars will be necessary to fulfill the obligations assumed by the enactment of this law. These dollars



will follow the lease-lend-give bill as the night follows the day. The die will have been cast, and there will be no turning back. This country will take over the wars of other nations and assume responsibility for their successful conclusion. Our people will be called upon to implement the policy and to finance and police the world. To me this is an adventure in futility. It is an impossible task. It means lowering the standards of living in our own country, if not actual bankruptcy. It means a sacrificing of freedom and liberty which we now enjoy.

Thomas Jefferson once said:

For us to attempt to reform all Europe and bring them back to principles of morality, and a respect for the equal rights of nations, would show us to be only maniacs of another character.

He knew the problems of Europe in his day and generation, and those conditions have not changed. Europe's fighting never ceases. Its quarrels are never settled, and for us to become entangled on one side, to pay their bills and fight their battles, endows the words of Thomas Jefferson with importance never before appreciated.

It is regrettable that all of our people do not understand this lend-lease-give bill with its tremendous implications. Very few of my constituents are for getting into this war. At the same time, a large majority of them are for furnishing all aid short of war to England. They believe this bill stops short of war. You and I know that all-out aid is not aid short of war. Under this bill our country will produce the defense articles. We all know that the democracies are in no position to come and get all of this war material. In these circumstances, the next step will be for this country to deliver these defense articles to the democracies in the lands where they are needed. Of course, this means transporting in our own ships, conveying with our Navy craft, or actual transportation by means of subterfuge; that is, the time will come when the argument will be made that all-out aid contemplates delivery by us in war zones. This means that the totalitarian nations will sink our ships and our convoys in order to prevent the fulfillment of our mission as the arsenal of the democracies. Will this not put us into the active shooting war? I believe that it will. When our all-out aid has progressed to this stage, and some of our convoy ships have been destroyed, what will be the attitude of the American people about getting into the war, even to sending men? Will they say that it is dangerous for us to proceed further along the charted course and insist upon the withdrawal of this all-out aid, or will they proceed, as Americans always have proceeded, to finish the job? To finish the job will mean American soldiers fighting on sea and eventually on land in order to fulfill the pledges written into law in H. R. 1776. Many eminent military experts tell us that there can be no complete victory in this war in Europe without invasion. Navies can start wars easily enough, but they cannot finish them. England must be invaded before there is a complete capitulation. The Continent must be in-

vaded before Hitlerism is eradicated from Europe. The only alternative is a negotiated peace and the President is opposed to that. I cannot escape the conclusion that the policy established in this bill will reach fruition only with American soldiers fighting in war zones and on foreign soil. So believing, to vote for this bill would be doing violence to the pledge which I have made to my people that I would not vote to send our boys to fight in any wars outside the Western Hemisphere. I shall keep faith with my constituents.

Mr. FISH. Mr. Chairman, I yield to the gentleman from Pennsylvania [Mr. DITTER] such time as he may desire to use.

Mr. DITTER. Mr. Chairman:

This Nation has placed its destiny in the hands and heads and hearts of its millions of free men and women.

Those words, Mr. Chairman, are not original with me. They are the solemn words, meant to convey confidence and hope to the American people, voiced by the President just a month ago in his message to this Congress on the state of the Union. That declaration is the foundation of our faith in the ability of free men to determine their destiny. It is the cornerstone of our structure of self-government. It is a denial of the need of dictatorial powers. It is an affirmation of the sufficiency and the competency of our orderly processes of representative government to continue to function at a time which the President described as "unprecedented in the history of the Union." It is all of these and something more. It is a denial of the need of delegating dictatorial power to any man to determine the destiny of a free people.

To me, Mr. Chairman, that declaration is most significant and pertinent today as we consider the bill now before us. I am persuaded of its significance and pertinency because of my fear that this measure is a complete and categorical contradiction of that declaration—my fear that this bill will substitute for "the hands, and heads, and hearts of its millions of free men and women" as the determining factor of our national destiny, the will and plans and purposes of one man. To a large degree this is the issue with which we are confronted—whether parliamentary processes—that is, the powers of the Congress—must give way to an unprecedented and unheard of delegation of authority to the President in this critical hour of destiny.

Differences of opinion have developed since the introduction of the bill. For the most part, Mr. Chairman, I believe the opinions that have been entertained by the Members are honest opinions, reached after conscientious consideration and painstaking study. I accord to those who may differ with me the right to their convictions. I crave, and I believe that I enjoy from them, the same privilege. It is probable that opinions may be changed as the debate continues and as amendments may materially affect the terms of the bill.

I have carefully followed the hearings on this measure and have directed my attention to the debate here on the floor. Of one thing I am certain—im-

patience, intolerance, and irritability will contribute nothing to either the intelligent discussion of the issues involved or to the wisdom of the ultimate decision which will be made. If we have learned any lesson from the recent events in Europe, it is that impatience, intolerance, and irritability have been the distinguishing characteristics which have marked the road of autocratic arbitraments. And that road must be avoided if free institutions are to survive.

One thing has impressed me, Mr. Chairman, during the course of the hearings and throughout the debate on this bill—a reluctance on the part of the proponents to make a free and full disclosure of the purposes and plans embraced in the proposal. A veil of secrecy has been thrown about certain features. The advocates insist that these objectionable portions are absolutely necessary for the consummation of the plan. I can have little confidence in any plan which presupposes that the execution of the plan is its only possible proof of merit, and that the ultimate purposes toward which the plan is directed dare not be disclosed. Can the destiny of the Nation be determined by "millions of free men and women" if conjecture is to be their only guide. I can have no very exalted opinion of the virtue of any plan which depends for its acceptance simply on the blind credulity of the citizen and on which the proponents appear to resent the intrusion of an intelligent and impartial investigation of its purposes.

Again, Mr. Chairman, I find it difficult to understand the need of a complicated legislative scheme, involving as it does an adventure into fields which are hazardous to our constitutional system of government, for the doing of a comparatively simple thing—the attainment of a defined goal. Intricate and involved policies ever have and always will produce confusion and uncertainty. Simple and straightforward methods which can be appreciated as easily at the beginning, as cunning ones can at the end, are still the surest and safest approach to any problem. The present case is no exception.

The professed purpose of this legislation is to aid Great Britain in her valiant and heroic struggle. With that purpose I am in accord, and should like to have the opportunity of rendering substantial assistance within such defined limitations as are consistent with our own defense needs and which are consonant with our commitments to the American people. I intend to support any and every effort made to reach that objective. I believe that our own defense needs must be our first concern. Our primary objective should be our own security—national security—security for the millions of Americans who still cherish the hope that they may be spared from the scourge of war—security for the humble, honest toiler in field and factory, in the office and in the shop—security for those tireless toilers who make the homes of our land the citadels of our faith and the foundation stones of our institutions—security, not primarily for those who can



have a sense of security by reason of prestige or power, but security for those who must rest their case on their faith in the strength of our common welfare and in the ruggedness of our national integrity. That objective I insist must be of paramount importance to us.

Nor can I dismiss, Mr. Chairman, the commitments made during the last campaign by both major political parties. Solemn pledges were made to the people at that time from which they had every reason to assume that we would pursue every precaution possible against being drawn into war. If the extraordinary powers conferred upon the President in this measure are granted, the Congress will have passed over to the Executive these commitments. To say that the Congress retains the right to declare war, even though this measure is enacted, cannot be considered tenable. With the investiture of authority and discretion in the President such as this bill provides, acts may be committed, incidents may even be invited, which would make war inevitable and its declaration an unnecessary gesture. I need not dwell upon details here. And further, there is no need for exaggeration where the reading of the bill and the plain inferences and deductions which every reasonable man can make, prove beyond a doubt that forces may be set in motion by the Executive under this delegation of power from which there would be no escape but war if our honor as a nation is to be maintained.

No one will deny that this bill confers on the President far wider powers than have ever been granted to any President. Our duty is to judge the bill on the basis of what it grants—not on any assurance that the powers will not be used.

Have we come to the point that our security depends upon delegating to the President the right to make military alliances with any nation in the world on any terms which he alone considers best for our welfare? Can this be said to be compatible with the declaration that "this Nation has placed its destiny in the hands and heads and hearts of its millions of free men and women?" Will it contribute to our own national security to permit the President to manufacture munitions for foreign nations as he deems vital to our defense and in addition, to sell, exchange, or give away any Army or Navy equipment now owned or to be acquired in the future by this Nation? Has self-government—"the hands and heads and hearts of its millions of free men and women" become so enervated, so helpless that recourse must be had to measures such as these for our own safety? Of what value will the treaty-making power of the Senate be, and remember, that is a power conferred upon the Senate by the Constitution—of what value will this power be if the President is permitted to embark upon an excursion into foreign relations such as this bill contemplates? Will there be a need for treaties if secret alliances have already been entered into? Have treaties no part in the determination of the destiny of the Nation—that destiny that has been "placed in the hands and heads and hearts of its millions of free

men and women?" I need hardly remind you that experience has demonstrated that power and authority, once secured, are seldom surrendered.

Objections to these delegations of power have been met with the plea that unity and loyalty demand an extraordinary degree of confidence and that only as such commitments of confidence are made can we hope to present to the world an expression of our position. If this be true, then every vestige of representative responsibility vanishes. A plea for confidence will then commandeer us into any position. I do not believe that the loyalty of "millions of free men and women" should be, or for that matter, can be commandeered. That unity and loyalty must be challenged by reposing in them the confidence that permits them to determine their destiny, by forthright declarations of purposes, by candid statements of policies, and by an all-embracing course of conduct which assures them that they are the arbiters of their fate—the captains of their souls.

Those who urge upon us the enactment of this measure demand that we make a choice between our desire to aid Britain and our willingness to surrender the time-tested securities of our own freedom. I contend, Mr. Chairman, that such a choice is not necessary. I believe that we can render effective and immediate aid to Britain without tearing down our traditional bulwarks of Constitutional liberty and making impotent the representative branch of our Government. Such a course is possible. There is no reason why it cannot be pursued. Suggestions have already been made which would provide assistance with promptness and dispatch to the British people. I believe those suggestions are practical and constructive. I plead with the proponents of this measure to dismiss the fears of those who oppose the delegation of power and bring to a speedy consummation our earnest desire to join with them in the enactment of a measure which will secure almost unanimous support.

Mr. Chairman, this is not a partisan issue. It is an issue which is fundamental—an issue which strikes at foundations. Self-government, self-determination are at stake. I have sought to be painstaking in my study, temperate in my judgments and reasonable in my conclusions. We are dealing today with possessions that are precious—the heritages which have been bequeathed to us by courageous ancestors—the institutions which have given form and substance to those bequests, the hopes and ambitions of those who still cherish freedom and love liberty, the security, the contentment, the happiness, and the peace of our people. It is a grave and serious responsibility.

God give us men! A time like this demands Strong minds, great hearts, true faith, and ready hands;

Men whom the love of office cannot kill;  
Men whom the spoils of office cannot buy;  
Men who possess opinions and a will;  
Men who have honor; men who will not lie;  
Men who can stand before a demagog  
And damn his treacherous flatteries without winking!

Tall men, sun-crowned, who live above the fog

In public duty and in private thinking—  
For while the rabble with their thumb-worn creeds,

Their large professions, and their little deeds,  
Mingle in selfish strife, lo! Freedom weeps,  
Wrong rules the land, and waiting Justice sleeps!

There recurs to me, Mr. Chairman, the solemn words of the President that "this Nation has placed its destiny in the hands and heads and hearts of its millions of free men and women." I have but one purpose in mind, one hope in my heart, one pledge to fulfill—to make real and practical and effective that declaration. [Applause.]

Mr. FISH. Mr. Chairman, I yield to the gentleman from Indiana [Mr. Ludlow], a man who loves peace and hates war, as much time as he may desire to use.

Mr. LUDLOW. Mr. Chairman, my ancestors on both sides came from the British Isles and I have great sympathy with the democracies, but I am trying to look at this proposition from the viewpoint of America first. Instead of having a paltry 3 days to discuss this bill, 3 months would not be too long a time too acquaint the people with its epochal meaning.

My chief worry over this bill is concerned with what I believe it would do to the Congress of the United States and thereby to our American form of government. During the debates connected with the framing of the Constitution there was a fierce struggle as to where the war power should be placed, whether in the President or the Congress. The monarchists wanted that power vested in the President as Chief Executive. The Democrats of that time, headed by Thomas Jefferson, recalling how tyrants had wantonly made war without the consent of the people, were determined to place the power to make war as closely to the people as possible. The means of communication were then so imperfect that a referendum to the people on war was obviously impossible. So, the Jeffersonians combined their efforts to secure a constitutional provision placing the power to declare war exclusively in Congress, which was as near to the people as it could be lodged under the conditions then existing.

After long debate and a memorable battle the Jeffersonians won. The aim of the monarchists of that time to give the President the power to declare war was defeated and Jefferson, referring exultantly to that victory for the people, in a letter to James Madison, said:

We have already given one effectual check to the dog of war by transferring the power of declaring war from the Executive to the legislative body, from those who are to spend to those who have to pay.

If the lend-lease bill passes it will nullify the war-making clause of the Constitution so sacredly fought for by Jefferson and his compatriots. In effect, it will transfer to the President the power to make war without a declaration of war. Under the power that would be conferred upon him in this bill any



President could commit a thousand acts of war and handle our foreign affairs as he pleases without reference to Congress. The lend-lease bill would set aside the Congress of the United States, as far as our foreign relations are concerned.

Whether they realize it or not, the Members who vote for this bill will be voting for congressional abdication and for the establishment of a dictatorship in the field of foreign affairs. In the circle of domestic affairs the Congress already has voted so many blank checks of money and power to the Executive that the influence and authority of Congress has sunk to the lowest point in all of its history.

Shall Congress, by now abdicating its authority and prerogatives in the realm of foreign affairs, become a complete rubber stamp in every respect? This would be a black-out of the ideas of the founding fathers, who created, as they thought, three coordinate branches of government of equal dignity and responsibilities, giving to the Congress, as they imagined, the major function in respect to making war by vesting in it the exclusive authority to issue a declaration of war.

If the founding fathers could have resumed the status of sentient beings they would have been astonished I am sure if they had looked in on this Chamber on January 10, 1938, when the might of Executive authority, clamped down on Congress, prevented the law-making body from even considering my resolution to give the people a right to vote on sending their boys into overseas wars, and I am positive they would be more than astonished—they would be dumfounded—if they could realize the destructive nature of the pending lend-lease bill on our democratic form of government and how it would bring about the abdication of Congress in the field of foreign relations.

As an American who believes our Government is the greatest government ever conceived by the mind of man, and whose motto at all times is "America first," I am heartsick over the great amount of whittling that has been going on, and by that I mean the whittling down of the powers of Congress. I do not think that this process of weakening the congressional authority and piling up Executive authority is good for the country. I would like to see Congress recapture and reassert the powers it once held. In other countries the experience has been that the whittling down of the legislative bodies which represented the people has invariably been the first step toward a totalitarian dictatorship.

Germany once had a law-making body to which the world gave its attention and respect. Who cares what the Reichstag says these days? It might as well be extinct. All it amounts to is that it furnishes a little window dressing whenever Hitler cares to use it for that purpose.

God grant that the time will not come when the Congress of the United States will become mere window dressing. I am sure it will not if the spirit of 1776 is still alive in this country. Every war

this country has fought has been fought within the four corners of the Constitution and I cannot see why it is necessary in a time of peace, in order to furnish aid to Britain, that Congress shall abdicate its constitutional functions and surrender its authority. Hard-pressed as the British are at this time, they have not done that. In the midst of a war for their very existence, the Parliament at London is functioning 100 percent, with all of its powers in full use.

It is difficult for me to imagine anything worse that could happen to our country than the surrender of congressional authority over the war power. Suppose, for instance, that some act of war should be proposed under the authority conveyed in this bill and that Japan should say that if that act were committed she would declare war on the United States. That is just a hypothetical instance, one of a thousand that might happen. The people of the United States, who are unqualifiedly opposed to entering foreign wars, would then say to their representatives in Congress: "We are opposed to entering this war 10,000 miles away and we are depending on you to keep us out."

Would it not be most humiliating for Members of Congress to have to say: "We regret that there is nothing we can do about it, as we passed legislation in the winter of 1941 surrendering the war power."

Is there any doubt that the people would be bitterly resentful or that their wrath would be visited on the Members of Congress who, in abdicating their power over war, let down the constituencies who sent them here?

Let me cite another hypothetical case: I never imagined that I would live to see the day when one of my constituents out in Indiana would have the few remaining red financial corpuscles squeezed out of him to raise the taxes to buy a gun to give to a Greek to shoot an Italian. If that is not mixing in the world's affairs with a vengeance, I do not know what would be. Nobody ever asked me where I stand on this bill. Everybody assumed that I was against it. Everybody was right. I am not out shooting people in far-away parts of the globe and I want my constituent, whose brow is deeply furrowed with care and whose back is already broken with taxes, to have an opportunity to use his few remaining red financial corpuscles to buy food to feed the hungry mouths of his precious little ones and to clothe them as they should be clothed, and to educate them so they may grow and bloom and be a credit to their father and mother and to their Creator.

As a member of the small Subcommittee on Deficiencies through which all extraordinary defense appropriations are routed for inclusion in appropriation bills, I have voted for every dollar of the colossal amounts required to build up our defenses to the highest point of perfection, and I shall continue to do so. At the expense of being repetitious, let me say that my main objection to the pending bill is that it sets aside the Constitution and takes away from Congress

its authority over foreign relations, giving the President the power to make war without declaring war. My objection to the bill is all the more strenuously and insistently urged because it is wholly unnecessary to dissolve Congress from its control over foreign affairs in order to achieve the declared objective of the bill, which is the furnishing of aid to Britain. We cannot preserve democracy by surrendering it.

Instead of being a poor, weak mortal I wish that I had the tongue of angels that I might plead with you, my fellow Members, not to make a blanket surrender of the powers of Congress and thus destroy our priceless heritage of democracy made possible to us through the agonies at Valley Forge and the blood and tears of the founding fathers. Let us insist instead that every separate transaction which amounts to an act of war shall be brought before this Congress and receive congressional approval before it becomes effective. Instead of a wider separation, amounting to a complete divorce between the executive department and Congress in handling international affairs, which this bill would bring about, I would like to see closer-knit cooperation between the White House and Congress, with frequent consultations between the executive department and the legislative department before, and not after, momentous decisions are reached.

To save my life I cannot see how the statesmen and press of America view with such complacency the approach of the totalitarian state. I cannot see how they reconcile themselves to the threatened collapse of our American democracy. I would think that they would be screaming an alarm from the housetops to arouse the people to the danger that hangs over our country. The great American democracy that was proclaimed in 1776 will be dealt a terrific, perhaps mortal, blow if H. R. 1776 passes Congress.

I was raised an old-fashioned Democrat, and my belief in democracy—the democracy of our fathers—as the best form of government is deeply ingrained in my being. There are several features of this bill which I think are dangerous and likely to involve us in war at a time when we are woefully and tragically unprepared, but let me again say that I am chiefly concerned over what it does to our American form of government.

To the extent that it takes away from Congress its control over foreign relations it paralyzes our legislative processes and establishes here in our own country a prototype of the dictatorships of foreign countries which we Americans have always professed to abhor as being utterly repugnant to our American way of life. For these reasons I cannot conscientiously support the pending bill. I will never, never do what I think I would be doing if I were to vote for this bill. I will never vote to stab my country in the heart. [Applause.]

Mr. FISH. Mr. Chairman, I yield to the gentleman from Missouri [Mr. BENNETT] such time as he may desire to use.

Mr. BENNETT. Mr. Chairman, I yield to no man in degree of sympathy for the



victims of aggression in other lands. I stand ready to do my bit to succor them just so long as help can be given without jeopardizing the peace of my own country. I am sure that full aid to England, consistent with international law and the defense of the United States, has the approval of a vast majority of Americans. I have backed the President in every request for such aid thus far. There is a sharp division of opinion, however, whether aid to England should be at the risk of war and, further, to be permitted to interfere with the functioning of our system of free government.

I am opposed to passage of the "lend lease bill" by which we would surrender to the executive branch of our Government important fundamental rights delegated by the people through their Constitution to their Congress.

It is to me astounding that any man, or group of men, would suggest that national defense requires substitution of dictatorship for representative democracy. Mr. Chairman, I cannot support H. R. 1776 which I consider utterly in conflict with my oath to support the Constitution.

In my opinion, abrogation of constitutional government can never serve the defense of democracy but can only cause its destruction and lead to war. No man has answered the question, "What can be done short of war under H. R. 1776 that can't be done and isn't being done now under authority of Congress?" The President already has power to dispose of military equipment as demonstrated in turning over of 50 destroyers to England. As Commander in Chief, he determines what part of our production shall be kept in the United States and what part should go to England or any other country. So, it is very apparent it is not necessary to have the so-called lend-lease bill in order to help Britain. In fact, aid to Britain is not mentioned in the bill. That is not the issue. Do not be confused.

The only argument seriously advanced for these powers is that Britain does not have the finances to continue purchases in this country. This is a mooted question. All of the British Empire is not yet in this fight. Other countries, notably Holland, would suffer more than we from an Axis victory. With her far-flung colonial possessions, Holland could render great material help to England. Then there is the matter of island possessions off our shores that England could convey to her defense credits. May I add right here that we should be satisfied with nothing less than fee simple title to any defense bases on such islands. A 99-year lease may be all right as a private business transaction. It is a very brief span in the life of a nation. My own grandfather, if living, would now be 111 years old. Many of our grandchildren will be living when the leases given in exchange for our destroyers have expired. Who knows that England may not be ruled by a dictator as ruthless as Hitler 99 years hence? Are we to tax our children for forts that may be used against our grandchildren? God forbid. Yes; there are many ways by which help can be given to England without creating a dictatorship here.

This bill goes far beyond any powers ever granted an American President even in time of war. And may I remind you that one of the first requests this President ever made of Congress was for more power. Such requests have come from him to the people's representatives at frequent intervals. Many additional powers have been granted; none have been surrendered.

I listened with interest to the eloquent words of the President spoken in this Chamber a few days ago when he said:

We are seeking a world founded on freedom of speech, freedom of worship, freedom from want, and freedom from fear.

The President pictures world conditions devoutly desired, but as long as the hatreds of Europe exist we shall frequently hear the tramp, tramp of many feet and see the silent upturned faces of the battlefield. Not until practice of the Golden Rule supersedes such hatreds will peace come to abide in Europe. This change will come not from the sword but by Christian evangelism. If America wants to serve humanity, let her hearken to the words of the immortal Jefferson, who said:

For us to attempt to reform Europe and bring them back to principles of morality and a respect for the equal rights of nations would show us to be only maniacs of another character.

Europe's fighting never ceases. Their quarrels are never settled. They are the results of hatreds engendered by frequent conflicts through the centuries. If we keep meddling, their hatred for America will soon implicate us in eternal wars.

Yes, Mr. Chairman, if we want to help the oppressed, let us do it in compliance with our Constitution and international laws. Let us do it short of war, which phrase is ominously missing from recent utterances of the President. The conclusion is inescapable that the President is reconciled to active military intervention if such intervention is needed to defeat the Axis in this war.

"But our boys are not going to be sent abroad," says the President.

Well, he has promised many things during the last 8 years and has done the opposite thing.

Nonsense, Mr. Chairman; even now their berths are being built on transport ships.

Even now tags for identification of the dead and wounded are being printed by the William C. Ballantyne Co., of Washington. Here and now I go on record as unalterably opposed to American participation in any war except a war of defense.

In closing, Mr. Chairman, I pledge full and hearty cooperation in the plan for strong national defense and any aid that can be given to England under present national and international laws without weakening our own defenses. But never by my vote will American youth be sent to help settle the age-old quarrels of Europe; never by my vote shall crosses rise row on row in another Flanders Field. This bill means war. My vote will be recorded "No." [Applause.]

Mr. Chairman, I submit the following letter from the Springfield Chamber of

Commerce, Springfield, Mo., and also a brief article from the Washington Post of today:

SPRINGFIELD CHAMBER OF COMMERCE, INC.,  
Springfield, Mo., February 3, 1941.

Hon. PHIL A. BENNETT, M. C.,  
Washington, D. C.

DEAR CONGRESSMAN BENNETT: At today's meeting of the Springfield Chamber of Commerce the following resolution was adopted: "To the directors of the chamber of commerce:

"On Monday, January 27, 1941, there was referred to the legislative committee of the chamber of commerce a communication from the United States Chamber of Commerce in relation to House of Representatives bill No. 1776, commonly known as the lease-lend bill, with a request that said committee make a study of this bill together with the suggestions of the United States Chamber of Commerce and report our conclusions with respect thereto.

"Your committee begs leave to report that on Wednesday, January 29, 1941, it held a meeting to consider same, at which a quorum was present; that after much study and discussion of said bill and communication from the United States Chamber of Commerce, your committee begs leave to report as follows:

"1. That we recommend that our representatives in Congress give full support to the administration in the objectives of providing adequate national defense, and all aid to Great Britain and other oppressed democracies who are resisting the attack of totalitarian or aggressor nations.

"2. That while we recognize that when national emergencies arise, such as now exist, that power of direction to preserve the integrity and stability of the Nation must of necessity be reposed in our chosen leaders, yet in view of the fact that we are chiefly concerned about the present war and world conditions because they menace our ideals of a democratic form of government throughout the world, we believe that we should, in the preparation of our defenses and in furnishing aid to Great Britain and other democracies, move as far as is possible within the orbits of our democratic form of government; and to that end we propose the following amendments to the bill before the Congress known as the lease-lend bill, to wit:

"(a) That a ceiling be placed over the amount of credit or cash that may, on direction of the President, be furnished to Great Britain and the other democracies in which this Nation is interested.

"(b) That no ship owned by the United States, or flying its flag, be sent into the war zone as defined by the Neutrality Act, except with the prior express approval of the Congress.

"(c) That no soldiers, sailors, or other representative of the armed forces of the United States, other than high-ranking officers, be sent into the war zone except with the prior approval of the Congress.

"(d) That in providing aid for Great Britain and the other democracies, that no act of war be committed as recognized by international law. That the President be required to make periodic reports to the Congress of all military properties as now or hereafter may belong to the United States, which have been sold, leased, or given to the British Empire and other democracies, which said reports shall provide the Congress with detailed information of the country to whom such military properties have been sold, leased, or given, and the nature, quantity, and the terms thereof.

"(e) That the bill as presently written be so amended that the powers conferred thereby shall expire in not to exceed 2 years from the date of final passage and approval.



"3 Your committee further recommends that, if this report shall be adopted, a copy thereof be forwarded by air mail to Congressman BENNETT and Senators TRUMAN and CLARK, and that a copy be furnished to the United States Chamber of Commerce.

"ARTHUR M. CURTIS,  
"Chairman, Legislative Committee."

The above for your information.

Sincerely,

LOUIS W. REPS,

For Springfield Chamber of Commerce.

NEARLY \$150,000,000 GOLD BROUGHT FROM  
AFRICA IN CRUISER

WASHINGTON, February 4.—Nearly \$150,000,000 of gold brought from South Africa by the American cruiser *Louisville* helped swell gold imports last week to \$166,115,127, the largest amount in any week since June.

The Navy and Treasury have announced that the cruiser brought gold from South Africa, but declined to give the amount. Today the Commerce Department disclosed \$149,633,653 worth of the metal arrived from South Africa in the week ended January 29. Presumably all or nearly all of this amount came on the *Louisville*.

Coincidentally, the week's import total was the largest since another Navy movement of gold. In June the Navy carried about \$300,000,000 of French gold across the Atlantic.

When normal shipping methods were used in subsequent weeks, gold imports fell as low as \$4,152,581 recently and amounted to \$21,577,682 in the week before last.

Other large shipments last week were \$5,458,003 from Canada, \$4,501,498 from India, and \$3,150,243 from Colombia.

Part of the incoming gold, instead of being sold to the United States Treasury, was deposited under earmark to the credit of foreign governments and central banks. The total of such deposits in the Federal Reserve System increased \$24,510,494 to a total of \$1,848,104,978.

Silver imports amounted to \$895,997 last week, about the same as the preceding week, but slightly below normal. Imports included \$284,990 from Mexico, \$212,203 from Canada, and \$195,179 from Japan.

No gold was reported exported. Silver exports were \$19,782.

Mr. FISH. Mr. Chairman, I yield to the gentleman from Oklahoma [Mr. RIZLEY] as much time as he may desire to use.

Mr. RIZLEY. Mr. Chairman, I had not intended to participate in this debate or, indeed, to take part in these deliberations, except to exercise the prerogative of suffrage secured to every Member.

I am, as all of you well know, a freshman in this Chamber, and perhaps custom, as well as wisdom, would decree that I remain silent. But, Mr. Chairman, as spokesman for almost a quarter of a million peaceful, liberty-loving, pure-blooded American citizens of the Middle West, engaged almost exclusively in the vocation of agriculture, and who will be affected perhaps more than any other class by the changes sure to come with war, I think I would be derelict in my responsibility were I to remain silent.

May I suggest, Mr. Chairman, that often in the discussion of matters where opinions so sharply conflict gentlemen sometimes almost forget that in this Chamber each Member is presumably the peer of every other, and that perfect freedom should abound and the utmost of candor mark our bearings, never forgetting, however, that every Member is

entitled to an honest expression of what is in his heart and to be attributed with the best of faith and sincere motives.

I want to be understood from the outset that I am in favor of aid to Britain—and lots of aid. As was so ably suggested by my distinguished colleague the gentleman from New Jersey, who for more than 15 years has been a member of this committee:

This is more than simply a war between foreign nations, waged to decide issues affecting only the particular nations involved.

We need only look to Hitler's own utterances to satisfy ourselves about that. You will recall that in his recent birth-day speech he said, in substance:

The time will come when the so-called democracies will send a committee to us asking us the detail of our plan for social justice. Our aim is to unite all Germans into one great Reich. We stand ready—

He declared—

to strike when the time comes—to enforce our demands.

He denounced as impudent liars those asserting that he had set out to conquer the world, but failed to set any limitation upon the conquests necessary to unite all of the German people under one great German Reich.

While inveighing conditions under democracies, he made no comparison of such conditions prevailing in Germany and its subjected states under the tyrannical rule of Hitlerism, where all the freedoms are denied and all the people are in servitude.

With his record of murder, slaughter, and tyrannical rule, it does not lie within his province to talk about a plan for social justice, and it will be a distant day, indeed, when a committee from any civilized country goes to Hitler for plans of social justice.

I therefore hope that those of us who oppose this bill in its present form may do so without being branded as Hitler sympathizers, disloyal American citizens, or have applied to us the already too-much-over-worked term "appeaser."

This bill will not accomplish the purposes for which the people have issued the so-called mandate which we hear so much about; namely, aid to Britain short of war. Because if this bill were enacted today it would not make the slightest difference in our war production next month, or the next, or the next. Our Army and Navy have placed orders running many months ahead and still have plenty of money unallotted.

Presumably, our production is already geared as high as the administration and American industry can gear it. If not, the remedy lies elsewhere. This is not a bill to increase production.

It cannot be rightfully termed a defense measure, because if carried out to its ultimate aims, it could totally strip this Republic of everything necessary for its own defense.

It goes without saying that the average American is sympathetic with the British and other democracies in the present world struggle. Various polls have clearly indicated that more than 90 percent of our people hold such views.

But the matter of sympathy and the matters of practical aid are two separate problems. In the last World War there was similar sympathy, and that expert propagandist, George Creel, coined the phrase which was put into the mouth of President Wilson that "we must make the world safe for democracy."

Well, we tried it. We won the war for the ever-quarrelsome democracies of Europe—and we are still paying for it.

But where is the safety for democracy? Did those allied nations really want all democracies to be safe?

The question is old, but very new, and as the proponents of this bill now attempt to hurry through this measure, granting to the President unprecedented and extraordinary powers, unlimited, it is to be wondered just what is safe for democracy. Should we endanger our own in order to guarantee such a form of government to other nations, some of which, whatever their contentions, have maintained at best a very doubtful form of democracy?

In the bill in its present form, in order to lend aid short of war, must we commit technical acts of war? Must we violate our own neutrality laws? Must we invest a President, the head of our Republic, with the powers of an arch dictator? Must we clothe him with a further mantle of indispensability and leave to him alone to decide when and under what conditions this mantle shall be discarded, if ever?

There is very little doubt about the course intended to be pursued under this demanded grant of power. The President, and he alone, will decide just what aid is short of war. And the facts being what they are, it is patent that much of the aid that the proponents of this bill have in mind is not short of war. The destroyer deal was not short of war.

How much further the President would go with the unlimited grant of power given to him in this bill is only a matter for conjecture. According to the press reports, when asked what would be the first thing that would be done for England upon the passage of this bill, he stated that he might stand on his head on Pennsylvania Avenue.

I submit that the matter is far too serious to joke about. When our boys start coming home in wooden overcoats it will not be a joking matter with the mothers of this country.

If this is a defense measure or has for its purpose aid for Britain short of war and is not merely a grant of extraordinary and unprecedented power, what can be the objection, as suggested by the gentleman from New York, to placing a limitation upon the amount authorized to be appropriated?

Why do not some of the gentlemen who are proponents of this measure tell us what is wrong with a plain, simple, straightforward bill granting Britain a certain specific sum of dollars' worth of American credit, to purchase war supplies as she may need from time to time?

Why cloud the simple issue of aid to Britain with unheard-of delegations of power?



The ideas and ideals of democracy of the proponents of this measure, if we are to believe the record of the past few years, are very much different than those held by Woodrow Wilson when he was attempting to "make the world safe for democracy"; and the theory of indispensability having gained such force in the minds of some, at least, is cause for the gravest concern over the present scheme to acquire further dictatorial powers and set up for all practical purposes a form of government that—not merely during the present emergency, but for years thereafter—might be maintained at the will of the Executive and who would have the power to renew and maintain emergencies.

I repeat, sirs, the reasons involved in this bill are matters for the gravest anxiety. They concern not only active involvement, should the Axis Powers finally find time or sufficient force to actively resent our acts of war authorized by this bill—which clothes the Chief Executive with authority and power to carry on an undeclared war—but also, in the fact that in an advertised effort to again "make the world safe for democracy" we have lost our own liberties and destroyed our own democracy.

I regret the spectacle of an independent, coordinate branch of the Government, charged with the high responsibilities and duties that are vested in this body, subordinating its own judgment and its own opinion to the opinion of the Executive. When this Government was founded our fathers who created it were speaking from the very shadows of the throne of despots. They had felt upon their backs the lash of autocratic power. They surveyed the then present history as well as the ancient history of the world, and they knew that power feeds upon power. They believed and knew that no mortal man ever born of woman was so good that he could be trusted with unlimited power. Prophetically almost, they understood that the Executive naturally draws to himself power, because, being a single individual, he acts with a certainty and with full knowledge of his own purposes and intents. Whereas, in a great legislative body, made up as it is of men from the various walks of life, there is a division of counsels and of opinions.

And so, they gave to the Executive exceedingly limited powers. They did not give him authority to originate a single act of legislation. They took away from him every kingly prerogative. They created a body of representatives, one branch of which must respond to the people every 2 years at a popular election. They gave to that body the sole power of originating legislation.

They gave the Executive only two powers with reference to legislation; one was the mere right to recommend, and the other was the right to veto; and they provided that the veto could be overruled by a two-thirds vote of the respective legislative bodies.

They gave him no power to issue decrees.

They did not give him the power to raise an army. Not a soldier can he

raise. That power is vested in the Congress.

They gave him no power to declare war. They vested that authority in the Congress. By so doing they took away from the Executive the chief authority and the chief power that kings had exercised—and that dictators today exercise—for the oppression of their people.

And yet, with all safeguards that they created, who is there within the sound of these walls today who in the past few years has not seen the constantly growing aggression of the Executive and the centralization of power in his hands?

I say to you, sirs, that if this country is to remain a republic, it will be safe only so long as the three coordinate branches function independently and within the limits of the Constitution of the United States. Whenever the legislative bodies of this country cease to function independently, exercising their own judgment unawed by authority and unseparated by patronage, the liberties of the people of the United States will be in peril—and in this respect the Congress is not blameless, because for many years it has been creating boards to be appointed by the President to function under rules prescribed by those boards, and those rules have been construed by the courts and sustained until they amount to almost a delegation of legislative authority.

As far as I am concerned, I shall not, while a Member of this body, encourage any further march in that direction. [Applause.]

Mr. FISH. Mr. Chairman, I yield now to the gentleman from Kansas [Mr. LAMBERTSON].

Mr. LAMBERTSON. Mr. Chairman, I expect to follow the example of the very able gentleman from Connecticut [Mr. SHANLEY], a member of the committee, who said this afternoon that he expected to vote against every amendment and then vote against the bill, because the bill's purposes are bad and we ought not to amend it at all. Those are my sentiments, and I do not even ask an extension of remarks in the RECORD. I think I have said enough. [Applause.]

Mr. LUTHER A. JOHNSON. Mr. Chairman, I yield now to the gentleman from New Hampshire [Mr. STEARNS], a member of the committee.

Mr. STEARNS of New Hampshire. Mr. Chairman, in the fall of 1939, at a special session of the Congress, this House voted to repeal the arms-embargo section of the Neutrality Act, thereby permitting the shipment of war supplies to belligerent nations, subject to such restrictions as were still imposed by other sections of the act, and other legislation.

This was accomplished only after a long and bitter struggle, which had begun at the regular session in the spring, before the actual outbreak of war. The opponents of repeal brought to bear every weapon in the arsenal of lobbying. Members were inundated with such a flood of letters and telegrams that it was reported that some had given up the attempt even to count them and had resorted to the use of scales to determine the weight of opinion. Those of us who favored repeal were accused of leading

the Nation down the road to war. The sound and fury were such as had not been witnessed for years.

With the passage of repeal it became at once apparent that the action was in accordance with the wishes of the great majority of our people. Since then a national election has been fought; and it is a conspicuous fact that no major party ventured to make a campaign issue of repeal. It is my considered judgment that repeal of the arms embargo acted as a safety valve, and that without it the pressure of popular opinion in favor of aid to Britain might have led us nearer to war than we are today.

As this new bill comes before us, its opponents, with a few extreme exceptions, start with the premise that they, too, are for aid to Great Britain. And yet they are substantially the same people who in 1939 were opposing the repeal of the arms embargo, without which it is doubtful if Britain would still be on her feet today. I submit that this gives them very little claim to be regarded as fair and impartial judges of what the people of this country are willing to do for England now.

As her vast expenditures have mounted, Great Britain has found herself nearing the end of those dollar resources which our Neutrality Act makes necessary for purchases in this country. Some new step became necessary if we were to carry on the accepted national policy of aid to Britain. The administration has decided that the present bill constitutes the best way out of the difficulty. I believe that the administration was right in seeking to help Great Britain with arms and munitions of war not merely out of sympathy for a people fighting against aggression but as a vital element in our own national defense. If the administration was right then, it is likely that it is right now. At times like these we must have national leadership. Granting that Congress has the right and the duty to scrutinize the legislation carefully in matters relating to foreign affairs, we shall be safest in following the guidance of the Executive of the day, whoever he may be. If the opponents of the bill had manifested last December the same interest in loans to Great Britain that they are professing today and had come forward with nonpartisan proposals to insure the continued supply to her of war materials, they might have had a real part in formulating the necessary legislation and in uniting the country behind it. By their policy of persistent and purely negative opposition they have made it imperative that the administration bring in its own bill, and they have contributed a major share to the confusion that exists in the minds of our people today.

I do not propose to discuss every aspect of the bill, but wish to address myself for a moment to the charge that it sets up a dictatorship. This is a striking example of the use of a word in the place of argument, and it is a word that has been employed on the floor of this House and in the public discussion by people who should have been above such a petty appeal to popular fear.

The Bill of Rights embodied in our Constitution gives the people of the



United States freedom of religion. The European dictators have suppressed such freedom wherever they saw fit. This bill does not affect it.

The Bill of Rights gives freedom of speech, and of the press; there is no such freedom under a dictatorship. This bill gives the President no power to suppress it.

The Bill of Rights protects the people against unreasonable searches and seizures; such searches and seizures are everyday affairs in Germany, Italy, and Japan. This bill does not authorize them.

The Bill of Rights gives the citizen rights before the courts, which are denied them in the dictator-ruled countries. This bill leaves those rights intact.

In addition, Hitler and Mussolini have made war on foreign countries by their own personal fiat. This bill reserves to Congress its constitutional power to declare war.

Such are the powers assumed by dictators. The powers granted to the President in this bill in no way touch the liberty of the individual. They do not increase the powers he already has to take action outside the United States which might lead to war. They include only powers to be exercised within the United States in the one field of regulating American production and distribution of war materials for our own forces, and for those of nations whose defense is deemed vital to our own defense. In view of these facts, the word "dictator" can be used by opponents of the bill only to stir up fear and suspicion in the public mind, and its employment goes beyond the bounds of legitimate debate.

In time of national emergency the Presidents of the United States have always exercised special powers, either directly granted by Congress, or assumed by them without such grant.

I have found in my mail a publication which inquires in glaring headlines: "What would Abe Lincoln say to H. R. 1776?" Well, the fact is that in a national emergency Abe Lincoln seized, without so much as asking Congress, very great emergency powers; and the northern Democrats were saying about Mr. Lincoln in 1864 very much the kind of thing that Mr. Roosevelt's opponents are saying about him today. And yet neither Mr. Lincoln, nor, later, Mr. Wilson, permanently deprived the people, or their Representatives in Congress, of any of their constitutional liberties. I do not believe that Mr. Roosevelt will do so any more than they did. I do not believe that this bill would make it any harder for the American people to resist any attempt on his part to do so.

The powers of the President in foreign affairs are greater than is realized by most people—even many Members of Congress. It has been held by the Supreme Court that all the powers of the British Crown are vested in the American Executive, except as the Constitution expressly delegates them to Congress; and this is above all true in matters that concern our relations with other governments.

When this war started it was suggested in Congress that the United States ought to occupy Greenland. The President

could do this tomorrow, without consulting Congress. The President already has the power to order our Navy to convoy merchant ships. This is a constitutional power, vested in him by reason of his authority as Commander in Chief. Congress did not give it to him, and Congress cannot take it away from him.

We have never had a President with a greater respect for the Constitution than Mr. Coolidge, or one with more native caution, and yet Mr. Coolidge landed marines in Nicaragua in 1926, without asking the advice or consent of Congress.

When previous grants of special powers to the President are referred to, the reply is made, "Ah, but that was when the country was at war!" We are not belligerents, it is true; but we are living in a world where everything is conditioned by the existence of the war in Europe. It is natural and inevitable under our Constitution for the President to receive emergency powers in time of war. So much seems to be granted. But we are making great efforts and undertaking vast expenditures to arm ourselves, in the hope that by arming now we may be able to escape involvement in war. Is it not equally foresighted to give the President emergency powers now, in order that he may use them to expedite our rearmament and so make surer our staying out of war?

As I said at the beginning, this bill has caused a great deal of popular emotion. Some of this is based on sincere misunderstanding of the bill—some of it has been deliberately organized and promoted.

But this legislation is needed to put the necessary speed and efficiency into the two related purposes of aiding Britain and thereby gaining time for the building up of our own national defense. And when it has been enacted into law, and the excitement has died down, the American people will find that their liberties are still intact, and they will be satisfied and relieved at the impetus that it will give to the great united national effort on which we are all embarked.

Mr. COSTELLO. Mr. Chairman, will the gentleman from New York kindly yield to me?

Mr. FISH. Certainly.

Mr. COSTELLO. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection? There was no objection.

Mr. FISH. Mr. Chairman, I yield 17 minutes to the gentleman from Washington [Mr. HILL], and in that connection I take occasion to say, although I do not belong to his party, that I know of no man who is trying harder to keep this country out of war. [Applause.]

Mr. HILL of Washington. Mr. Chairman, these are momentous days pregnant with foreboding, for good or for evil. What we say here during this debate is of little consequence. What we do here within the next 2 days will be of tremendous importance, and, in my humble judgment, decide the destiny of democracy not only for us in America but for the people of the whole world. This is no time for personalities nor petty partisan-

ship—it is rather a time for issues and fundamental principles. It is very unfortunate that both in the Congress and elsewhere the charges of pro-British and pro-German are being hurled. Let us be more tolerant and sincerely believe that we are all motivated by a patriotic zeal to defend democracy—to protect our common country and its cherished institutions that we love. That does not preclude our having honest convictions and frankly expressing them, even though such a course may and does disappoint some of our dearest friends and cause some of our colleagues to become apprehensive. In so vital a matter as that before us, I want to quote George Washington:

Do not suffer your good nature, when application is made, to say yes when you ought to say no—remember that it is a public and not a private cause that is to be injured or benefited by your choice.

So whatever I say or do regarding this bill must be considered in that light and as a matter of conviction.

During my four terms of service in this body I have been called a New Dealer and a supporter of the President. I have been proud and happy of this because I have sincerely believed in and heartily supported the President's policies of reform. But I never have been and never will be a rubber stamp for anyone, and will at all times reserve the right to express my opinions and vote my own convictions. [Applause.] The first important vote I cast in that historic 1933 session was against the President's Economy Act sponsored by the Liberty League. My vote on Friday will be against the President's lend-lease bill, sponsored by the war-minded Secretary of War and the Secretary of the Navy. If this be treason to the administration, make the most of it. [Applause.] Had these eminent, able, and patriotic gentlemen confined themselves to building up an adequate defense of the Western Hemisphere—every item of which I voted for—they would deserve the gratitude of the American people. But now we are confronted by a measure that has no historic precedent and which will inevitably plunge us into the European holocaust. I shall oppose this bill with all the efforts at my command. It is argued by some of its proponents that it does not give the President any additional powers. If it does not, then why any provision whatsoever? Frankly, I not only want to refuse to give any more power but want to recall some of the vast authority already granted. It is too much authority for any one man to exercise. [Applause.] It was stated on yesterday by the distinguished gentleman from New York [Mr. WADSWORTH] that similar power had been granted to Lincoln and McKinley and others. But, sir, that was only during wartime. Yes; it has been stated time and again on this floor that we are already in the war. If that were true, why bandy about the words "aid to England short of war"? If it is our war—and God forbid that it is!—then let us be frank enough to declare war, to give our boys, our boats, and our bonds to the limit. I maintain that



we are not at war. I maintain that we do not have to get into this war. I defy the newspapers, the magazines, the radio, and all the mediums of war propaganda that have been for months trying to create a war hysteria to prove that we have to enter this war unless we will to do so. Hitler, with all his power, cannot cross the 20-mile English Channel and penetrate England. How can he possibly cross the Atlantic and land troops in the Western Hemisphere? Even if he was foolhardy enough to try, what, with our stupendous defense program, would we be doing while he was making the attempt? And while his forces were absent from Europe, what would Norway and Holland and Finland and France be doing—that is, those millions there who still resent his dictatorship, his ideals, his ideas? I thank God I am no military or naval expert. I thank God that He has given me just the common sense to know that with our adequate defense program, neither Germany nor Japan, nor any group of nations, can invade the Western Hemisphere, and that the American people will not let our leaders invade either Europe or Asia on the false pretense that we are saving democracy. In this respect I am unorthodox enough to be with Colonel Lindbergh, President Hutchins, General Wood, Norman Thomas, and the eminent historian Charles Beard. What are the aims and purposes of the British Empire? What are the real purposes of the administration?

What irony in calling this bill H. R. 1776. Have the proponents of this bill forgotten whom we were fighting and why in the year 1776 A. D.? Have they forgotten who in 1812 burned the original Capitol in which we are now assembled? Have they forgotten who vainly tried in the sixties to promote a secession and division of the United States? Read Sandburg's Lincoln if you have. Have they forgotten how they forced the opium trade on China; how, for centuries, they have denied Irish freedom and how for decades they have oppressed helpless India. We hear much today about how Japan has mistreated the great Kagawa, but little is said about the mistreatment of Mahatma Gandhi by the British Empire because of his peaceable resistance to dictatorship.

Have they forgotten how the leaders of the British Empire pleaded on bended knees with us to come to their rescue in 1917 and how they repaid us by calling us "Shylock"? Listen to this from Churchill, the present Prime Minister, only 4 years ago and the comment by Columnist Flynn:

Of course this is what will happen again. Nothing could ever be more fantastic than a loan to Britain. Britain has never been able to pay the four billion due since the last war. She owes \$32,000,000,000 in debt, chiefly for the last war, and no one knows how many billions additional for this one.

When the war ends such a loan would be a perpetual irritant and England would do what she did before. It was about the debt contracted in the last war that Mr. Winston Churchill, England's Prime Minister, only 4 years ago, said, "Legally we owe the debt to the United States, but logically we don't, and this because America should have minded her

own business and stayed out of the World War. If she had done so, the Allies would have made peace with Germany in the spring of 1917, thus saving a million British, American, and French and other lives and preventing the subsequent rise of fascism and nazi-ism.

How does that sound to you who want to give aid to England "short of war"? An old German who had been "taken for a ride" by a loan shark made this observation when approached again: "If you fool me vunce, dot is your fault—shame on you; but if you fool me dvice, dot is my fault, damit!" I am not pro-Stalin nor pro-Fascist, nor pro-Hitler—neither am I pro-British. I am pro-American and, by the grace of God, I am going to vote as I speak here today. [Applause.]

Great Britain has over 4,000,000 square miles of territory in the Western Hemisphere to our 3,000,000. She has untold assets here. Let her pay for whatever supplies we give her. Her leading statesman has denounced us as a Shylock—in view of her failure to pay her World War debt let us "have the game as well as the name." She refuses to permit us to feed the hungry in Europe. It is loudly proclaimed that she is the last defense of democracy. I am here to tell you that had there been no Versailles Treaty—had there been no Lloyd George and Clemenceau to scuttle the Fourteen Points there could have been no Hitler. Where was she when the German democracy under von Hindenburg was struggling for existence? Where was she when Ethiopia was ravished, when Czechoslovakia and Austria were conquered, when Poland was pillaged, when Finland, Norway, and Holland were ravaged?

It may not be very popular with my colleagues here but this has been, is, and will be my stand; Millions, yet billions, for adequate defense of the Western Hemisphere, but not one cent for European or Asiatic aggression.

In the tenth chapter of Isaiah is described the fierce attack by the Assyrians on the people of Israel. The ancient prophet did not approve of the Assyrians but he frankly said that this scourge came upon the chosen people of God because of their sins and their worship of strange gods. Hitler is a modern scourge and menace and a threat to both Christianity and civilization. But who can say that the British Empire by its sins of both commission and omission is not visited by this scourge to bring it to real sanity, real service, real democracy? May I repeat an old axiom: "He who comes into court must come with clean hands." Rudyard Kipling in the Victorian Golden Jubilee wrote: "Lord God of Hosts be with us yet, Lest we forget, lest we forget!"

As for this country of ours, the best, the most democratic, the best place in all the world in which to live—do we, too, need to be drawn into this maelstrom and catastrophe? Have we erred so deeply as to make it necessary for us, too, to be chastised with whips of scorpions to teach us to make it impossible for men, women, and children to starve in the land of plenty, to make it impossible for willing men to seek in vain for work in the

land of opportunity, to make it impossible for injustice to prevail in a land founded and organized on the fundamental principles of democracy? If so, then pass this bill, another step in the downward path that leads to war and death and wreckage.

Woodrow Wilson, the great idealist, had a great vision and called it the New Freedom. When the World War came, he abandoned this vision for the slogan Make the World Safe for Democracy. How miserably he and we failed in this! We forgot Jefferson's sage injunction:

For us to attempt to reform all Europe and bring them back to principles of morality and a respect for the equal rights of nations would show us to be only maniacs of another character.

Franklin D. Roosevelt had a great dream—and I fondly hoped that he was a practical dreamer. His dream was the New Deal and by it he was to make real the splendid sentiment of his famous cousin, Theodore Roosevelt, who said:

This country in the long run will not be a good place for any one of us to live in unless and until it is a good place for all of us to live in.

He is now so far forgetting the New Deal as to urge the cutting to the bone of appropriations for the welfare of the one-third ill-housed, ill-clothed, and ill-fed. He has no time to see Members of the coordinate branch of this Government, the Congress, because forsooth he has to drive 50 miles in a storm to do the unprecedented in kingdoms as well as republics of personally escorting the aristocracy of the British Empire to its District of Columbia Embassy. He has forgotten that over 90 percent of the American people are opposed to going into this war.

Woodrow Wilson abandoned his new freedom and lost the prestige in American history that he might have attained. Franklin Roosevelt is abandoning his New Deal and will thereby lose that splendid place in history which his true friends hoped and prayed he might achieve.

Mark my words, if this bill passes—even though its proposed benefits will not accrue for almost a year—our soldiers and ships will be in the hell of a European war inside of 6 months. I for one refuse to be stamped into this march. With a few others I may go down to defeat but I will hold my head up, I will have a clear conscience, and with the approval, I fervently trust, of Almighty God.

In conclusion, may I say that I believe in America first, but in the spirit of this splendid sentiment by Bishop G. Ashton Oldham:

#### AMERICA FIRST

Not merely in matters material, but in things of the spirit.

Not merely in science, inventions, motors, and skyscrapers, but also in ideals, principles, character.

Not merely in the calm assertion of rights, but in the glad assumption of duties.

Not flaunting her strength as a giant, but bending in helpfulness over a sick and wounded world like a Good Samaritan.

Not in splendid isolation, but in courageous cooperation for world peace.



Not in pride, arrogance, and disdain of other races and peoples but in sympathy, love, and understanding.

Not in treading again the old, worn, bloody pathway, which ends inevitably in chaos and disaster, but in blazing a new trail, along which, please God, other nations will follow, into the new Jerusalem where wars shall be no more.

Some day some nation must take that path—unless we are to lapse once again into utter barbarism—and that honor I covet for my beloved America.

And so, in that spirit and with these hopes, I say with all my heart and soul, "America first."

[Applause.]

Mr. LUTHER A. JOHNSON. Mr. Chairman, I yield now to the gentleman from North Carolina [Mr. BURGIN], a member of the committee.

Mr. BURGIN. Mr. Chairman, my approach to the lease-lend bill is one of deep humility. I realize that its provisions are very far reaching, perhaps more so than any legislation which has been considered by the Congress in many years, except a declaration of war. I further realize there is not much contribution I can make, as I doubt very seriously that any speech made during the debate on the bill will seriously change the opinion already formed by the Members of this body. However, my own convictions will be strengthened by a public statement.

This measure has been referred to as a war bill, a dictator bill, a bankruptcy bill. If I thought for one moment that it was any of these three, I would not support it. I am supporting the bill because I believe it best for our own selfish interests, and I use the words "selfish interests" in the broadest terms. We were told in many quarters before the outbreak of war in Europe that there would be no war. We were also told, after hostilities began in Europe, that it was a phoney war. We all realize now the grave war situation and that it is not a phoney war. Further, we were told before the outbreak of the war by opponents of this measure that the President was a war-monger and was trying to implicate us in war because of his various messages advocating more adequate defense. Then, after facing the fact that there was a war, the President was severely criticized for not preparing more adequately for our national defense. It seems to me that he could not be guilty of both of these accusations.

We are now keenly aware of the fact that the aggressors, led by the notorious Hitler, have almost completely dominated most of the other parts of the world, and the only citadel in Europe not dominated is Great Britain, and I frankly say that I am terribly fearful of the outcome there. This bill, in my opinion, instead of being a war bill, is our greatest guaranty at this time against being involved in war. This is the opinion of the President of the United States, who is Commander in Chief of the Army and Navy, and who has intimate knowledge of the situation, and he believes that our chances of keeping war away from America would be greatly enhanced by the enactment of

this legislation. This is also the opinion of the Secretary of State, Mr. Hull, the Secretary of War, Mr. Stimson, the Secretary of the Navy, Mr. Knox, and other officials of our Government, all men of the highest integrity and patriotism.

Moreover, the matter of aid to Britain short of war was emphasized in the platforms of both major political parties, and the candidates for the Presidency of these parties openly and repeatedly advocated aid to Britain short of war, and I believe this policy had the popular approval of the great majority of voters who supported these candidates.

With very few exceptions, Members of this Congress, irrespective of party, have expressed themselves as willing to aid Britain, and I believe that they are sincere, patriotic men. There is, of course, some division as to just how they wish this to be done. Therefore, the question is whether or not this bill is the right method. Some advocate an outright gift of money, some advocate an exchange by Britain of her properties for munitions, and some, of course, no aid at all unless cash payments can be made by Britain. We are told by the Secretary of the Treasury that the dollar resources of Britain are exhausted and they cannot pay on the barrel head.

There is some objection to the extension of the grant of power to the President. I realize that this is an extra grant of power to the President in peacetime, but in view of the conditions of the world at large and the threat to our security, I am fully prepared to place this extra power in the President's hands, with the limitations that are in the bill. Any appropriations that will be asked for under the authorization of the bill will have to have congressional approval, and with these checks I believe that the Congress and the American people are safeguarded. The situation in the world is not a theory but a very alarming and tragic fact.

I think I sense some opposition to the measure in quarters that distrust the President. May I make this observation: If you are sincerely in favor of the principles of this measure, it will have to be carried out through the now duly constituted offices of the American Government. We have just had an election, and the President has been returned to office, and, whether you like him or not, I trust him explicitly, and he will be the Chief Executive for 4 years more. This is not a partisan measure, or should not be. It is being advocated by men prominent in the councils of both parties, one of its strongest advocates being Hon. Wendell Willkie, who was a candidate for the Presidency on the Republican ticket last election, and who, in my opinion, is rendering his country, by the courageous stand he is taking, a very fine, outstanding, patriotic service.

I therefore urge the speedy passage of the measure without any additional amendments except those submitted by the committee. I fear, as do many others, that it is already later than we think.

Mr. LUTHER A. JOHNSON. Mr. Chairman, I yield now to the gentleman from Wisconsin [Mr. WASIELEWSKI].

Mr. WASIELEWSKI. Mr. Chairman, this is my first opportunity to address this honorable body, and I feel particularly privileged to appear today in support of what bill 1776 proposes to do.

I was singularly honored to be selected to serve on the Foreign Affairs Committee, and I have listened with eagerness to proponents and opponents of this bill. On the one side I heard concrete suggestions for aiding a distressed people—on the other I heard vocal support of aid to Great Britain—and then a multitude of buts. Either we should help Great Britain or we should not. If we want to help her, let us get to work and stop speaking loudly with a soft stick.

Overseas an embattled people are withstanding a holocaust too terrible to imagine. Gallant free people are fighting for their very existence against ruthless aggressors that are attempting to create a world ruled by force. I favor every possible support to these people in the way of arms, armaments, and machinery of war.

I do not favor this support on the grounds that they are fighting our war, or that we must save the world for democracy, but rather because I believe it is to our best interests that these invaded people be victorious. I do not fear a successful invasion of this country, if we are adequately prepared, but even an attempted invasion of this country or any country of the Western Hemisphere will take its toll of property damage and human life.

At the very least, a victory for the totalitarian powers would throw us into competition with the slave labor of the conquered countries. It would thereby greatly reduce our standard of living and destroy our foreign trade. It would enter us into an armament race that would eventually leave us exhausted and bankrupt. A wave of Nazi propaganda would harass us and attempt to break down our morale and might eventually involve us in a war without any friends or allies. We do not fear Hitler, but we abhor war, for we know the tremendous sacrifices and sorrows a war entails. This war was started away from our shores and that is where we would like to see it finished.

There is no question that the people of this country favor aid to Britain. They favor it, I believe, for the same reason that I do. By aiding Britain, we in America may be able to stay out of Europe's infernal holocaust. With the almost unanimous belief in the principles of aid to Britain as an important phase of our national-defense program, it boils down to a simple question of method. The bill before the House is not a mere aid-to-Britain measure—it is not a step toward war—it is plainly a measure for our own national defense.

When a bill is considered by so vast a deliberative body as Congress, it is practically impossible that it should satisfy everybody. At most we shall emerge with a bill that will meet the views of the majority. Personally, there are some changes that I should like to see incorporated into this bill, but even if no changes are made in the bill, I will support it because I am, in common with most Americans, in favor of what this



bill proposes to do in the interest of national defense. To date no better method than that proposed by this bill has been brought forward; therefore, let us eliminate the major objections, if there be any.

Though I do not question his sincerity, nevertheless I was shocked to hear the testimony given by Colonel Lindbergh before the Foreign Affairs Committee recently when he stated that it made no difference to him which side won this war. This is not a question of neutrality in a war between England and Germany. This is a question of neutrality in a war between our Christian civilization and a now thoroughly debunked gangster type of "wave of the future." This is a struggle of democracy and freedom against tyranny and oppression.

In so grave and important a combat, can any man be indifferent to the outcome, particularly when its results will be so far reaching. No man can be indifferent to such an outcome, for, as the Scripture says, "He who is not with me is against me." It is surprising that Colonel Lindbergh cannot see this issue as it really is and not as he would like it to be.

Those professing impartiality tell us that Hitler has no designs on us; that he cannot attack us, anyway—that we can live side by side with him. I for one do not trust Hitler. The roll call of valiant nations who had negotiated treaties and had trusted Hitler is the death knell of all these hopes—Austria, Czechoslovakia, Poland, Norway, Denmark, Holland, Belgium, Luxemburg, France, and, yes, even England trusted him. Today look at them, all of them.

I read in the papers Monday evening that a former Governor of my State told the Senate Foreign Relations Committee that he opposed this bill. With his brilliant flair for the unusual, the learned gentleman recalled a private conference he had with Mr. Daladier in 1939. He states now, 2 years later, that Daladier informed him that France expected materials, money, and men. This is now February 1941. If he believed the conversation important, why have we not heard from him before? If he had such information, it was his duty to disclose it.

The issue before this House is not a partisan issue; it is an American issue, deserving the support or opposition of the Members of this body without regard to party lines. For that reason I am happy to see Members of the minority party fighting for this bill and, contrarily, Members of the majority party fighting against the bill. This alone should wipe out the charge of "dictator bill" which is flaunted so loosely throughout the country.

Yes; again we hear the cry of dictatorship used against this bill, the same cry that has been used against every other bill proposed by the administration in the past. Yet we are able to sit here and openly debate this and every other measure; we are able to worship openly as we see fit; we have the same free press we have always had. What freedom have we surrendered that our forefathers fought to obtain for us? Today the man who calls dictator is like the man who called wolf. The record has worn thin.

I stand squarely behind the principle of aid to the remaining democracies because it is to our interests to keep this infernal madness from America. We want no black-outs, no air raids, and no slave labor for America. We need time to build a strong national defense, a national defense so strong that no nation will dare even consider a military or economic invasion of this hemisphere. The invaded democracies can give us the time we need if we give them the arms and munitions they need. For weeks we have conducted public hearings and open debates on this bill. All those who have had an opinion to express have had the opportunity to do so. We have used valuable time to a good purpose, but we cannot abuse that discretion. We must act now, for even now is later than we think.

Mr. LUTHER A. JOHNSON. Mr. Chairman, the gentleman from Florida [Mr. SIKES], a member of the Foreign Affairs Committee, was here this afternoon expecting to make some remarks. He has been called to the hospital on account of serious illness in his family. I ask in his behalf unanimous consent that at this point he may be permitted to extend his remarks in the RECORD.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. SIKES. Mr. Chairman, it has been my privilege as a member of the Committee on Foreign Affairs to hear complete testimony and thorough discussion on the lease-lend bill. And as a new man in Congress I have listened with particular interest to the hearings on this important measure. I have carefully noted the evidence submitted in support of the bill. On the other side I have heard charges of dictatorship and threats of inevitable war. Through it all, I have been impressed alike with the sincerity of administration leaders and other advocates, and that of conscientious opponents of the measure.

But I have weighed the evidence for myself. And that is what you, as Americans and as Members of this great deliberative body, will do. I have weighed the evidence and I am for the lease-lend bill. All that I have heard and read about it has served to strengthen my convictions. Briefly, I will tell you why.

The hearings have shown conclusively that Britain is approaching the end of her rope financially. Remember, we have not given Britain anything. Britain has paid with hard cash for every article of defense secured in the United States. But the end is now in sight for Britain's cash purchases. Her dollar exchange is nearly gone. She is finding it increasingly difficult to convert her remaining resources into dollar exchange, and as that difficulty grows, it becomes harder and harder for her to pay cash for goods in the United States. Now, let us remember, too, that under our present laws, Britain can secure in the United States only such material as she buys for cash.

Obviously Britain must have supplies in great quantity to carry on her gallant fight. Obviously she cannot produce them in the amount she needs. And among the nations whose markets are

open to Britain, only this country—the United States—can produce supplies of war in sufficient quantity to be of material assistance. In final analysis, Britain's only chance to carry on her fight lies in obtaining supplies from the United States. Our people know this. Our Government knows it. And after very careful study, the lease-lend bill has been proposed as the most effective and economical way to get those supplies to Britain quickly. That is the principal issue involved.

Other questions have been raised. They are important ones. Many of my colleagues fear that the United States is in danger of early invasion. That view was held by some of the experts who testified before the Committee on Foreign Affairs. I do not share their apprehension. I think there is but small danger of actual invasion of the United States by armed forces. I believe that is one of the last things we have to fear, for I know the quality of this Nation and the fiber of its people.

Given a just cause and the strength of the thing we call Americanism, our people will rally to meet any threat of arms which may confront us. The patriotism of the American people has never failed to insure whatever sacrifice may have been required to carry on armed combat. And while I can conceive that huge odds may be thrown against us, I say that the American people can defend these United States, perhaps at fearful price, but safely, against attack. And I do not think all of our time will be spent in defense action.

Only in case of national bankruptcy and a disunited people is there danger from war. So I do not fear war now. We are united. We are strong. We are not bankrupt. But I do fear a new and sinister weapon more devastating in its effect on the morale of a people than war. I fear the thing we call totalitarian economy—trade war—economic unrest—weapons which strike silently and ruthlessly into the homes of a people and destroy courage and initiative and faith.

No; I do not fear Hitler's guns. The American people do not fear Hitler's guns. But totalitarian trade war can again bring depression crashing down around us. And depression now or in the future when we are weak financially from the cost of recovery and the cost of defense, can be worse than we have ever known. Totalitarian trade war can send men again to tramp the streets and the highways, seeking, begging work. Totalitarian trade war can pinch the stomachs of little children with cold and hunger. Totalitarian trade war can make men rise up in desperation against their own brothers. It provides fertile ground for the never-ceasing work of the "fifth columnist." It gives that sinister agent his opportunity to prey on the prejudices of a people; to stir them to hatred and rebellion.

Remember when you fight an economic war there are no bugles, no stirring martial music, no uniforms, and flags and parades to stir patriotism and incite people to sacrifice. But there is misery and misunderstanding and men grow poorer until they will stand no more. Then in desperation they turn to whatever offers



a promise for change and better. In Germany they called it nazi-ism.

I have painted a gloomy picture. But may I remind you that today Britain and Germany are locked in mortal combat, and that combat will determine whether Europe and Asia will follow a capitalistic economy—such as we have—or a totalitarian economy. If Germany conquers, we may expect Europe and Asia speedily to adopt Germany's totalitarian economy. We know what kind of economy that is. In many instances goods are produced by enforced labor—slave labor. In all instances there are long working hours, there is low pay, and there is modern, efficient machinery. Do not try to believe that Germans are not efficient and productive. That mistake has been made too often already. Americans have no monopoly on initiative.

In plain language, we will be trying to sell on a world market goods that we produce with \$40-a-week men working 7 hours a day. Those goods will compete with similar merchandise produced by \$10-a-week men of equal skill working 10 to 12 hours a day. Which goods can be produced more cheaply? Which can be sold more cheaply? Which will be sold on the world market? The farm picture will follow a closely related pattern. South America, whose economy is in no way geared to ours, can be driven away from us. We can, under such conditions, be left behind a Chinese wall of trade. It will not make a pleasant picture. But a totalitarian trade war can hardly develop unless Britain is defeated. That is a very good reason for aid to Britain.

There are other reasons—humane reasons—and it is for humane reasons that America really wants to help Britain. America has not given thought to trade wars. America is thinking of a way of life—a democratic way of life that it wants to help preserve—and I am proud to live in a nation that is not devoid of sentiment. The question of aid to Britain was settled months ago in the minds of the American people. We have determined that we will help Britain with all possible aid short of war, for we know that Britain fights to maintain a way of life which we want maintained. We know that Britain fights for the kind of freedom which made this great Nation possible; that victory for Britain is defeat for world-wide forces of darkness and oppression—forces which, if not checked, we inevitably will have to meet.

Charges of dictatorship have no place in the discussions of this measure. The accusation that he seeks to become a dictator has been hurled at Franklin Roosevelt in connection with every important measure voted by Congress since his first inauguration. The American people answered all such charges last November in the American way—with the votes of free men. We believed in Franklin Roosevelt then. We can and should and will believe in him now as he carefully steers the ship of state on its perilous course in this great world emergency.

To me that is the case for the lease-lend bill—a bill which we, as Americans, can safely and proudly support.

Mr. FISH. Mr. Chairman, I yield myself one-half minute.

Mr. Chairman, the House has just heard a very remarkable speech by the gentleman from Washington [Mr. HILL]. [Applause.] Mr. HILL, as every Member of the House knows, is one of the leading New Dealers in this body. The speech he delivered was one of the most logical and most convincing and the best that has been made in this debate, and I hope it will be read by Members on both sides of the aisle. [Applause.]

[Here the gavel fell.]

Mr. FISH. Mr. Chairman, I yield to the gentleman from Indiana [Mr. JOHNSON] such time as he may desire.

Mr. JOHNSON of Indiana. Mr. Chairman, the bill before us presents one of the most important issues that has ever been before Congress. This proposed legislation may affect the entire future course of our Government. Its importance transcends all partisan consideration. The issue raised seems to have divided the country in thought as much as any issue that was ever before the American people. I have had many letters, telegrams, and petitions from people in the district I have the honor to represent and the overwhelming majority of them are opposed to the passage of this bill.

The real issue in this legislation is hidden under talk about "aid to Britain," and the proponents have sought to make the public believe that H. R. 1776 must be passed in order to give aid to Britain. The fact is that this bill does not give aid to Britain or to any other country. It does not give anything to anyone except to the President of the United States. It gives to him more power than any other President ever asked for; to use the words of Secretary Hull, "more power than a good man would want and more than a bad man should have." Never before has the setting aside of our traditional constitutional form of government ever been proposed and the entire history of our country does not disclose that it was ever before proposed that in order to have national defense that we should substitute dictatorship or government by decree for representative democracy.

Under this bill the President could, without consulting Congress or anyone else, have United States arsenals, shipyards, and factories make any articles which the President decided were defense goods, and to sell, transfer, lend, lease, or otherwise dispose of—even give away—any such defense articles and to take payment or no payment as he should desire to do, for such goods, and to spend any amount of Government money for anything he sees fit, so long as he says it is for defense.

This bill also gives the President the power to do all the above "notwithstanding the provision of any other law." This provision gives the President the power to set aside the laws of the country. Under this bill the President could give away our entire Navy, all our planes, cannon, tanks, ammunition; in fact, he could give away every defense article we have, either on hand or "on order," including everything covered in current appropriations totaling the sum of twenty-seven and a

half billion dollars appropriated for 1940 and 1941.

This bill gives the President virtual power to take us into war on the side of any country or countries he thinks we should be allied with, and there are many people who firmly believe we will be in active participation very soon and apparently the administration is preparing for just that, as they have ordered 4,500,000 tags for identifying war dead and wounded. It gives him complete power to run our entire war effort without consulting Congress in any way and virtual power to control the war effort of any country he desires to control. And if these vast, unprecedented powers are given the President, who knows how he will use them? Who is able to answer whether they will be used wisely or not? The future can only determine. Again the question. Why give such vast powers to any man when they are not needed? Why take the chance of these powers being used unwisely or being used to put us into war?

The proponents of this bill argue that the bill is needed in order to get immediate aid to Britain, but they know that Britain is already getting, and for many months has been getting, all the aid from the United States that our industries have been able to produce. The way to help Britain is to produce more of the things Britain needs. The real need for haste in aid to Britain is not for haste in passing this bill, but is for haste in speeding up our industrial output. Everyone knows that the President has utterly failed to get maximum production; then why pass this bill and give him complete control? Would it not be better to take production out of his hands and place it in the control of people who are qualified and who can and will get immediate maximum production? Lord Halifax agrees with this view, as shown by his statement upon arriving here last Friday. He was asked what he considered the most urgent need, and his reply was, "Mobilization of your great industrial strength and translating that into action in supplying us with ships and supplies we need." A few days ago the House passed legislation providing for the construction of 200 cargo vessels. Congress can be depended upon to speedily pass all needed legislation. The only possible thing which might interfere with aid to Britain is the matter of payment, and if it is the desire of the United States Government to grant credit to Britain or to give defense articles to Britain, this can be done by a simple act of Congress and without establishing a dictatorship here.

If this bill becomes law, it might be a great handicap to Britain, as the President would then have the power to tell Britain what she should have, and there are many who believe that Britain knows best what she needs and that Britain should be permitted to secure the things she needs, and not let that be dependent upon the judgment of the President of the United States. Great Britain knows more about her needs than does the President of the United States, and she should be left free to secure the things she needs.



Under this bill the President asks for greater power than the British Parliament has given to the King of England or to Mr. Churchill. It seems very apparent that the President is using this situation as an excuse to gain dictatorial powers not only over the United States but over a vast part of the world.

There are many people who favor giving Britain every ounce of aid possible, but are not in favor of giving the President the vast powers he asks for. They realize that all possible aid can be given Britain without this bill being passed. The question has been repeatedly asked, "What aid can the United States give Britain under this bill that is not already being given Britain and which cannot be given without this bill?" This question has gone unanswered.

Surely it is not necessary to destroy democracy in the United States to save democracy any other place. Our challenge is to show that democracy is the best form of government for the people and that democracy can and will successfully meet all situations. How can the President consistently plead for the cause of democracy while at the same time he is asking the passage of a bill that would destroy this very democracy in the United States? It is safe to presume that if democracy is destroyed in the United States, through enactment of this bill, it cannot survive in any other part of the world.

The issue raised by this bill is not one of "aid to Britain," but rather the future form of government of the United States. If the administration actually wants to help Britain, why does it not put our production facilities to their maximum strength and permit Britain to obtain the things she needs without being dependent upon the judgment of the President as to what those needs are.

Every Member of Congress has given this bill his most careful and sincere consideration. It is my desire to represent and to be guided by the wishes of the people of the district which I have the honor to represent. They are vitally interested in this bill and I know they have not considered it from a partisan viewpoint, as many fine citizens of all political faiths have urged me to vote against the bill. They feel that this bill carries the power to destroy our representative form of government, the very Republic itself.

The responsibility resting upon the Members is very great and this legislation should be considered upon its merits, in a cool, calm, and deliberate manner and not upon emotionalism or hysteria. The calling of names and display of tempers does not add anything to the proper solution of the issues.

It has long been established that all the wisdom does not rest within any one man. Has our democracy become so weakened that we must abandon it and become a Nation governed by one man instead of by the people? [Applause.]

Mr. FISH. It is now my honor to introduce to the House that mighty Nimrod who will go to war at any time in defense of the Constitution of the United States, the gentleman from Massachusetts [Mr. TINKHAM]. [Applause.]

The CHAIRMAN. The Chair understood the very splendid introduction of

the gentleman, but did not understand how much time he was to be yielded.

Mr. FISH. I yield the gentleman 15 minutes. [Laughter and applause.]

Mr. TINKHAM. Mr. Chairman, the bill now under discussion, with its delegation of limitless powers to the President to intervene in war anywhere in the world with all of the resources of the United States, is a war bill of monstrous implications. The passage of this bill means the adoption by the United States of a policy of unrestrained, brutal, naked power politics for the domination of the world. This policy is imperialism gone mad.

This bill sets up a dictatorship in the presidency with the approval of the Congress. It sets aside constitutional provisions with regard to the declaration of war, the expenditure of public moneys, and the making of alliances; it threatens our Bill of Rights; and it violates fundamental principles of international law. It destroys our republican form of government and substitutes for it a totalitarian state.

The bill is just such a bill as Hitler and Mussolini forced through their parliamentary bodies at the beginning of their tyrannical regimes. The American people are opposed to the "nazification" or the "fascistification" of the United States, and they will not tolerate a Hitler or a Mussolini in Washington.

If the Congress approves this proposal, the Congress abdicates. It surrenders its rights and its responsibilities. It becomes another mere reichstag.

The politicians in Washington in their misleading and mendacious representations of policies and purposes are being as false to the American people as the French politicians recently were false to the French people. The consequences will be as disastrous.

It is patently disloyal to the American people to involve them in war against their will, and that is precisely what the enactment of the bill H. R. 1776 will do. The bill does not empower the President to declare war, but it does empower him to make war. In these days, war is seldom formally declared.

War means the setting up of a complete dictatorship here. It means the abolition of free economics, the imposition of censorship and espionage, in short, the establishment of a totalitarian government. The establishment of a totalitarian government here to fight totalitarian governments elsewhere would be the pinnacle of lunacy for the United States, a country which professes to believe in liberty and freedom, and which can maintain its neutrality and preserve its integrity.

Our duty is to maintain our Republic here. It is not our duty to endeavor with fire and sword to impose our form of government all over the world. We are responsible for the peace, prosperity, and order of the United States, not the peace, prosperity, and order of the world. To attempt to reform the whole world by force is to bring poverty, chaos, and revolution here. It is a maniacal undertaking utterly impossible of accomplishment.

The bill before us gives tangible expression to the purposes set forth in the address of the President to the Con-

gress four days before its introduction. The bill cannot be severed from that address. In that address the President stated that the United States was committed to "full support" of any country which resisted aggression, he alone to determine what was aggression, and he added that the United States would never "acquiesce in a peace dictated by aggressors and sponsored by appeasers."

The clear implications of these statements are (1) that the United States will enter into an alliance, offensive as well as defensive (in war, offense cannot be separated from defense), with any country resisting aggression, even communistic Russia; and (2) that the United States intends to participate in any proposed peace to carry out the assertions and the promises of the President.

Entering into alliances means active participation of our manpower in war if the present wars continue. In fact, it envisages our manpower in Europe, Asia, and Africa if England and China and Greece, and any other country that may become involved in defensive war, cannot win the wars in which they are engaged without the assistance of our manpower.

In his address to Congress the President also stated that he looked forward to "a world founded upon four essential human freedoms": (1) "Freedom of speech and expression—everywhere in the world"; (2) "freedom of every person to worship God in his own way—everywhere in the world"; (3) "freedom from want—which, translated into world terms, means economic understandings which will secure to every nation a healthy peacetime life for its inhabitants—everywhere in the world"; and (4) "freedom from fear—which, translated into world terms, means a world-wide reduction of armaments to such a point and in such a thorough fashion that no nation will be in a position to commit an act of physical aggression against any neighbor—anywhere in the world."

If this bill is enacted, a dictatorship and a totalitarian government will be set up in the United States.

With the establishment of a dictatorship and a totalitarian government, "freedom of speech and expression" will disappear from the United States.

With the establishment of a dictatorship and a totalitarian government our constitutional guaranty of "freedom of every person to worship God in his own way" will vanish.

"Freedom from want" will not be obtained by the waging of war and the subsidizing of world wars, which inevitably bring crushing debt and taxation, and by the regimentation or confiscation of industry. From all this comes poverty.

"Freedom from fear" in the United States will not be obtained by the destruction of our Constitution, the suspension of our Bill of Rights, and the plunging of the United States in war in Europe, Asia, and Africa; and it is fantastic to believe that the United States can disarm the world. Reality has been abandoned and all history repudiated for a disordered, fatal, and spectral delusion.

The President's address to Congress was a clear declaration that the United



States intends to impose upon the whole world, by force of arms if necessary, our principles and our beliefs. No ruler in all history, with the possible exception of Mohammed—not even Alexander, Caesar, or Napoleon—ever publicly declared such a bloody world mission.

The United States will unquestionably become actively engaged in war if this bill is enacted.

Secretary of War Stimson testified before the Committee on Foreign Affairs that this bill permits the President to transfer the United States Navy "on considerations that he thinks concern our defense." He added, "I can foresee conditions that might make it desirable that the Navy be transferred. A situation might arise where it would be to our advantage to do so."

The Secretary of War thinks that it might be desirable for the President to commit an act of war. The Congress is asked to pass a bill empowering him to do so.

Senator BARKLEY and Representative McCORMACK, who introduced this bill in the Senate and the House of Representatives, issued an explanatory statement concerning the bill in which there appeared the following:

The provision is broad enough to permit the use of any of our military, naval, or air bases to outfit and repair the weapons of countries whose defense is vital to the defense of the United States.

Such acts would be violations of a vital principle of international law of long standing. They would also violate written understandings recently made with the South American countries. Such acts would be acts of war and would unquestionably bring war to the American continent, because such military, naval, or air bases would be subject to bombardment by enemy belligerents.

There have been no warlike acts committed against us. If we make war upon a nation which has committed no overt act against us we become the aggressor.

The bill allows the President to buy arms and ammunition and other war supplies not only for the United States but also for foreign countries, and it gives him full power to dispose of the goods as he sees fit. He can turn them over to whatever country he chooses and on such terms as he chooses. Thus, the President is given power to direct the present wars. The United States becomes the economic general headquarters and the President of the United States becomes the international commander in chief. Strategy of war then rests with him.

The bill repeals the provisions of the present law prohibiting ships from entering the war zones. It authorizes the President to ship contraband material to belligerent countries in American ships. It makes possible the convoy of these ships by American naval vessels. One ship sunk, one naval vessel sunk, and the United States is at war.

This bill would abrogate the Declaration of Independence. The last paragraph of the Declaration of Independence states:

\* \* \* That these United Colonies are, and of right ought to be, free and independent

States; that they are absolved from all allegiance to the British Crown, and that all political connection between them and the State of Great Britain, is and ought to be totally dissolved.

The bill makes provision for an alliance with Great Britain. In fact, that is the essence of the bill. Such an alliance might well mean the end of the United States as an independent country. If the United States should remain an independent country, such an alliance would be tantamount to the guarantee by the United States of British political commitments all over the world. Great Britain is constantly at war on account of these political commitments. If the United States undertakes to guarantee these political commitments, she too will be constantly at war.

I reject with indignation the assertion that the United States has to hide behind the British Fleet. We can stand on our own feet with our own strength, as we always have. The danger to our Republic is not from destruction from without; it is from assassination from within.

The United States has been knowingly and designedly committed in advance to active participation in the present wars of Europe and Asia. As long ago as 1937 the President repudiated neutrality in his "quarantine speech" at Chicago. On March 7, 1938, Winston Churchill disclosed to Parliament that an agreement had been made for the "pooling" of the American and British Fleets in case of war in Europe. On April 6, 1939, it was announced that the United States and Great Britain had entered into a political alliance in the Pacific by assuming "joint control" over the strategically located Enderbury and Canton Islands. On July 26, 1939, the Secretary of State gave notice to Japan of the abrogation of our commercial treaty with Japan in preparation for cooperation with Great Britain for the protection of British interests in Asia. The most recent evidence of our commitment in advance to active participation in the present wars of Europe and Asia was the President's message to Congress followed four days later by the introduction of the bill now under discussion.

If the Congress enacts this bill, it puts its stamp of approval on this carefully planned involvement of the United States in war in Europe and Asia.

President Roosevelt and Secretary of State Hull prate continually about "principles of morality" and the "moral order." All the while they are at work on a propaganda of hate and fear to promote United States involvement in war.

Recently they removed the "moral embargo" on shipments from the United States of strategic war supplies to Soviet Russia in an attempt to appease that homicidal, communistic country. They took into their arms that most bloody aggressor. Now we have the public admission of Secretary of State Hull that the United States, although not attacked, has abandoned international law for the savage, barbarous purposes of force and power politics.

The United States has been set on the road to war bereft of character and moral standing. Once this bill is passed, the die is cast. The American people will

have no choice between peace and war. [Applause.]

Mr. MUNDT. Mr. Chairman, I yield such time as he may desire to the gentleman from Michigan [Mr. WOODRUFF].

Mr. WOODRUFF of Michigan. Mr. Chairman, the American people have been led by the administration to believe that the enormous sums of money which the President has asked for during the 8 years of his incumbency have provided us with an adequate national defense. Up to the time President Roosevelt asked Congress to adjourn and go home, because, as he said, there was nothing more for the Members to do but "make speeches," there had been none of the extra appropriations for additional billions for the national defense asked for by the President.

Hitler and the totalitarian menace have had their rise wholly during the Roosevelt administration. Whatever the present dangers which face this Nation from Europe or the Orient, they arose wholly within that period. President Roosevelt was the one man who had access to complete, world-wide information through the multifarious agencies of this Government, military and civil. He was the one man who knew, or who ought to have known, the dangers to this Nation that were arising. No one can by any specious argument whatever acquit Mr. Roosevelt of his responsibility in this regard. Congress has not refused to give him anything within reason he has asked, especially for the national defense, and it has given him much beyond reason in the 8 years of his Presidency.

The membership of this House will be intrigued by an examination of this table and can judge for itself whether this administration has lived up to its responsibility in providing for our national defense. This table is taken from the hearings on H. R. 9209, a bill making appropriations for the Military Establishment for the fiscal year ending June 30, 1941, before the subcommittee of the Committee on Appropriations for the Senate. This information was put into the record of the hearings on May 17, 1940, by Gen. George C. Marshall, Chief of Staff. I assume these hearings are available to those desiring them.

Item	On hand May 1, 1940	Will be on hand upon completion of program
<b>ANTI-AIRCRAFT</b>		
3-inch guns.....	448	500
90-mm. guns.....		317
Directors.....	168	274
Height finders.....	142	276
Sound locators.....	194	801
37-mm. guns, antiaircraft.....	15	1,423
.50-caliber machine guns.....	1,014	1,082
<b>SMALL ARMS</b>		
Semiautomatic rifles.....	38,000	240,550
37-mm. antitank guns.....	228	1,386
60-mm. mortars.....	3	3,758
81-mm. mortars.....	183	853
Machine gun, caliber .50 (pack).....	83	962
<b>FIELD ARTILLERY MATERIAL</b>		
75-mm. gun, modernized.....	141	1,432
75-mm. howitzer (field and pack).....	90	319
105-mm. howitzer.....		120
155-mm. gun, long range.....	4	96
8-inch howitzer.....		48



Item	On hand May 1, 1940	Will be on hand upon completion of program
<b>COMBAT VEHICLES</b>		
Scout cars.....	455	1,346
Combat cars.....	114	208
Tanks, light M2A4.....	10	734
Tanks, medium M2.....	18	194
<b>TRACTORS AND SPECIAL ORDNANCE VEHICLES</b>		
Tractors, light.....	93	120
Tractors, medium.....	261	550
Tractors, heavy.....	65	777
Trucks, small arms repair.....	79	145
Trucks, instrument repair.....		53
<b>RAILWAY ARTILLERY</b>		
8-inch railway gun and carriage.....		24
<b>AMMUNITION</b>		
Ammunition bomb, 500-pound.....	11,928	34,924
Ammunition bomb, 1,000-pound.....	4,336	14,511
Caliber, 30 A. P.....	17,268,000	73,920,000
Caliber, 30 ball.....	25,220,000	53,117,000
37-mm. tank and antitank.....	75,000	1,205,000
37-mm. antiaircraft gun.....	46,000	2,624,000
81-mm. mortar.....	43,000	373,000
75-mm. howitzer, H. E.....	142,000	382,500
155-mm. howitzer, H. E.....	925,000	1,131,000
8-inch howitzer, H. E.....		29,000
<b>ENGINEER CORPS</b>		
Ponton bridge, 10-ton.....	1	32
Ponton equipage, 23-ton.....	1	8
Water-purification unit.....	4	45
Searchlight, 60-inch mobile.....	285	1,028
<b>CHEMICAL WARFARE</b>		
Gas masks.....	407,696	1,207,000
<b>QUARTERMASTER CORPS</b>		
Cloth wool uniform, yards.....		5,500,000
Field ranges.....	607,000	5,000
Pack saddles, cargo.....	434	2,235
<b>SIGNAL CORPS</b>		
Radio set SCR 161.....	390	1,849
Radio set SCR 171.....	26	401
Radio set SCR 194.....	809	2,138
Wire (field wire) (miles).....	16,800	65,491
Field telephones (miles).....	15,800	47,602
Detector sets.....		182

Mr. Chairman, I desire to call attention to the fact that the figures in the right-hand column in the table above disclose the complete program as of May 1, 1940, of supplying modern equipment for our Army. It should not be forgotten that prior to this date Europe had been ablaze with war for months. Poland was invaded September 1, 1939. Two days later Great Britain declared war. Denmark, Norway, and Finland were invaded. The invasion of Holland and Belgium began May 10, 1940, followed by the invasion of France. All this took place before the President suggested that the Congress adjourn and go home, because there was nothing further for it to do.

Following that, when Congress refused to quit and go home, the President apparently suddenly discovered that a great emergency existed and that there was a dire need for a real national defense, and began asking for one appropriation after another, running into the billions. He is still asking. He then began to tell the country what a fine national defense we had "on hand or on order."

Therefore, in view of these circumstances, it was natural that the Congress and the country should be shocked by the revelation by Gen. Hugh S. Johnson that Gen. George Marshall, who supported the lease-lend bill—strangely in view of his own military convictions—was asked whether, with that authority, we could not transfer to Britain surplus stores of Army equipment, he said:

Stores? We have no stores. It will be a happy day when we can speak about stores of Army equipment \* \* \* we have a need for all the modern equipment delivered to us.

And he might well have added, "and much besides."

This is certainly a shocking admission on the part of the Army's Chief of Staff.

The table above reveals that we were woefully short of modern defense equipment. Not only woefully short, dangerously short. Critically short. It will be seen that the Army had on hand, on May 1, 1940, only 38,000 semiautomatic rifles, caliber .30. They had but 228 37 mm. antitank guns. They had only 3 60 mm. mortars. They had only 183 81 mm. mortars. They had only 319 .50 caliber machine guns. They had only 86 .30 caliber machine guns. On that date, according to the testimony in the hearings, there was not a single automatic rifle, caliber .30, in the Army.

Down through the entire list of ordnance, artillery, tanks, and other combat vehicles, antiaircraft equipment, the story was the same. The "on order" defense the President talked so convincingly about could not be completely delivered before late 1941 or the middle of 1942, and those dates have since had to be set forward, and nobody knows when our "on order" defense will ever be on hand.

While all this neglect and short-sightedness was taking place, we were, as is shown in the extracts below from the November 1940, Monthly Summary of the Department of Commerce, industriously shipping to other nations our iron and steel scrap by the millions of tons—and today we are short of this valuable and necessary product. We were shipping to other countries, including Japan and Russia, and the subjugated countries, ferrous alloys and nonferrous metals by the hundreds of millions of dollars' worth. We shipped nearly a billion pounds of copper abroad in the first 11 months of 1940, and have had to draw upon our reserves to replenish our necessary stock.

The extracts referred to are as follows:

*Exports of domestic merchandise, by articles*

Articles	November 1940		11 months ending November 1940	
	Quantity	Dollars	Quantity	Dollars
<b>GROUP 6</b>				
Iron ore.....	127,741	418,357	1,385,792	4,621,099
Iron and steel semimanufactures.....		30,419,820		340,731,154
Pig iron.....	27,838	746,986	484,615	11,237,746
Iron and steel scrap.....	73,809	1,272,398	2,725,583	45,915,218
Tin-plate scrap.....	25	475	2,866	55,453
Tin-plate circles, strips, cobbles, and scroll-shear butts.....	366	22,488	3,969	215,954
Waste-waste tin plate.....	97	7,088	5,588	399,575
Terneplate clippings and scrap.....	22	1,365	15,102	471,107
Steel ingots, blooms, billets, slabs, sheet bars, and tin-plate bars:				
Not containing alloy.....	226,437	9,269,079	2,024,969	76,288,223
Alloy steel, including stainless.....	58,404	2,757,079	236,982	10,932,443
Iron and steel bars and rods:				
Steel bars, cold finished.....	35,099,120	716,141	116,001,738	3,929,137
Iron bars.....	1,765,483	64,793	29,021,659	916,377
Concrete reinforcement bars.....	18,536,438	470,689	271,178,328	6,690,574
Other steel bars:				
Not containing alloy.....	85,008,390	2,252,151	991,743,414	25,398,929
Stainless steel.....	664,377	200,710	2,998,854	1,113,125
Alloy steel, other than stainless.....	4,617,978	588,577	84,738,986	7,551,198
Wire rods.....	49,659,257	1,034,007	607,602,057	13,279,997
Iron and steel plates, sheets, skelp, and strips: Boiler plate.....	2,201,441	57,472	23,013,235	741,347
Other plates, not fabricated:				
Not containing alloy.....	121,945,795	2,839,716	1,104,477,000	25,466,753
Stainless steel.....	100,675	35,302	1,012,304	347,185
Alloy steel, other than stainless.....	6,887,211	148,276	11,705,107	449,561
Skelp iron or steel.....	48,264,909	951,502	309,679,805	5,861,138
Iron sheets, galvanized.....	1,267,724	50,582	19,246,193	803,885
Steel sheets, galvanized.....	22,192,693	857,974	318,987,678	12,221,558
Steel sheets, black, ungalvanized:				
Not containing alloy.....	95,662,506	2,659,064	957,695,727	29,141,839
Stainless steel.....	331,792	116,691	3,602,089	1,446,306
Alloy steel, other than stainless.....	2,759,051	218,694	20,295,143	1,320,250
Iron sheets, black.....	2,630,870	98,894	55,102,962	2,118,756



## Exports of domestic merchandise, by articles—Continued

Articles	November 1940		11 months ending November 1940	
	Quantity	Dollars	Quantity	Dollars
Strip, hoop, band, and scroll iron or steel:				
Cold rolled:				
Not containing alloy.....do.....	22,553,705	755,170	127,641,730	5,328,586
Stainless steel.....do.....	59,126	19,298	1,415,358	404,471
Alloy steel, other than stainless.....do.....	52,877	16,967	1,067,187	193,020
Hot rolled:				
Not containing alloy.....do.....	19,684,788	559,194	277,128,122	7,704,742
Stainless steel.....do.....	50,540	10,709	460,121	96,346
Alloy steel, other than stainless.....do.....	277,051	45,023	2,350,092	192,717
Tin plate and taggers' tin.....do.....	30,931,078	1,546,047	810,710,108	41,976,041
Terneplate, including long ternes.....do.....	666,778	29,214	12,529,072	521,506
Nonferrous metals, except precious.....do.....		14,179,611		200,359,508
Aluminum.....do.....		920,049		23,333,767
Bauxite and other aluminum ores.....tons.....	7,489	92,023	67,048	849,666
Alumina.....do.....	1	425	18	4,407
Other bauxite concentrates.....do.....	2	108	8,684	707,268
Aluminum ingots and alloys.....pounds.....	223,529	51,131	24,408,641	5,343,410
Aluminum scrap.....do.....	24,542	2,841	1,910,070	331,449
Plates, sheets, bars, strips, and rods.....do.....	1,210,699	461,926	28,365,399	11,866,612
Aluminum foil.....do.....	190,972	79,040	2,572,529	1,120,390
Tubes, moldings, castings, and other shapes.....do.....	179,380	76,070	2,378,951	1,216,465
Table, kitchen, and hospital utensils.....pounds.....	77,728	51,700	737,489	430,309
Aluminum and aluminum-bronze powder.....do.....	59,472	29,498	826,665	347,909
Other aluminum manufactures.....do.....		75,287		1,115,742
Copper.....pounds.....	35,807,382	4,522,025	829,098,500	106,510,242
Ore, concentrates, matte, unrefined copper as blister, converter copper, or anodes (copper content).....do.....	2,263	206	588,546	79,623
Refined copper in cathodes, billets, ingots, bars, or other forms.....do.....	26,778,304	2,793,928	693,759,378	79,763,973
Old and scrap copper.....do.....	347,857	29,578	13,286,209	1,417,691
Pipes and tubes.....do.....	427,789	110,484	7,313,749	1,539,570
Plates and sheets.....do.....	755,791	144,233	6,698,484	1,270,011
Rods.....do.....	3,255,101	369,541	40,326,837	5,030,654
Wire (bare).....do.....	1,137,754	174,177	15,468,251	2,320,773
Insulated copper wire and cable:				
Rubber-covered wire.....do.....	693,451	175,568	32,143,833	8,913,562
Weatherproof wire.....do.....	187,785	31,039	1,488,276	281,446
Other insulated copper wire.....do.....	2,221,287	468,860	18,024,917	4,458,120
Other copper manufactures.....do.....		224,411		1,434,819
Power-driven metal-working machinery.....do.....		7,413,932		217,788,776
Engine lathes.....number.....	1,020	2,173,214	7,268	14,505,589
Turret lathes.....do.....	387	1,765,503	3,685	16,015,704
Other lathes.....do.....	615	1,952,385	6,927	12,255,436
Vertical boring mills and chucking machines.....do.....	126	1,050,307	1,119	8,988,255
Thread-cutting and automatic screw machines.....do.....	419	2,065,015	4,143	18,251,743
Knee and column type milling machines.....do.....	454	2,742,799	2,397	11,783,969
Other milling machines.....do.....	665	3,310,786	5,152	20,545,413
Gear-cutting machines.....do.....	109	466,281	1,429	7,001,078
Vertical drilling machines.....do.....	904	436,143	4,268	3,464,824
Radial drilling machines.....do.....	68	271,162	771	2,722,200
Other drilling machines.....do.....	733	949,514	4,847	5,380,189
Planers.....do.....	41	301,461	362	2,549,809
Shapers.....do.....	112	267,874	812	2,741,540
Surface grinding machines.....do.....	258	434,342	2,232	5,168,192
External cylindrical grinding machines.....do.....	84	579,676	985	6,058,852
Internal grinding machines.....do.....	60	354,789	1,177	7,253,718
Tool grinding, cutter grinding, and universal grinding machines.....do.....	363	1,197,733	3,322	6,896,050
Other metal-grinding machines and parts.....do.....		1,376,574		11,480,765
Sheet and plate metal-working machines and parts.....do.....		637,181		8,966,111
Forging machinery and parts.....do.....		757,854		7,738,818
Rolling-mill machinery and parts.....do.....		1,653,819		14,681,534
Molding machines.....number.....	11	15,114	218	350,180
Blast cleaning and tumbling machines.....do.....	5	8,054	140	121,558
Other foundry equipment and parts.....do.....		163,481		1,483,640
Other power-driven metal-working machinery and parts.....do.....		2,542,871		21,383,309
Other metal-working machinery.....do.....		911,038		8,334,249
Pneumatic portable tools.....number.....	1,223	93,175	26,526	2,050,285
Other portable and hand- or foot-operated metal-working machines and parts.....do.....		161,117		1,856,749
Chucks for machine tools.....number.....	9,029	50,649	109,358	537,355
Milling cutters, machine-operated threading dies and taps, and similar machine-operated metal cutting tools.....do.....	28,401	269,451	115,972	1,475,458
Other metal-working machine tools and parts.....do.....		345,646		2,414,411
Textile, sewing, and shoe machinery.....do.....		1,505,271		21,392,547
Aircraft, parts, and accessories.....do.....		26,737,709		279,646,097
Land planes (powered).....number.....	286	13,446,194	3,061	173,490,930
Seaplanes and amphibians.....do.....	1	11,235	24	1,387,679
Gliders and lighter-than-air craft.....do.....	4	1,700	7	3,090
Land planes minus engines.....do.....			71	3,385,404
Parts for aircraft (for assembly and replacement):				
Parachutes and parts.....do.....		64,387		986,601
Engines.....number.....	440	5,216,560	4,427	43,107,450
Aircraft engine parts and accessories.....do.....		2,747,548		17,126,416
Aircraft instruments and parts.....do.....		1,214,386		6,188,117
Propellers and parts of.....do.....		915,159		9,319,337
Aircraft parts and accessories, n. e. s.....do.....		3,120,540		24,651,043
Firearms, ammunition and fireworks.....do.....		5,456,733		56,834,445
Firearms and ordnance:				
Revolvers and pistols.....number.....	11,192	222,485	92,585	1,617,530
Rifles.....do.....	8,567	78,013	932,639	7,026,682
Shotguns.....do.....	1,643	19,198	29,546	280,407
Machine and heavy ordnance guns and carriages.....do.....	10,711	1,994,590	143,059	16,860,894
Ammunition:				
Shot shells.....M.....	936	22,384	12,751	292,321
Metallic cartridges.....M.....	50,941	1,505,123	484,278	12,194,338
Explosive shells and projectiles.....pounds.....	20,000	10,000	29,485,632	12,967,264
Other.....do.....		1,572,008		5,412,493
Fireworks.....do.....		32,932		182,516



Mr. Chairman, it will be seen that steam engines, locomotives, power machines of every character, machine tools, such as engine and turret lathes, milling machines—the very implements which are the bottlenecks delaying our own defense—in values of hundreds of millions of dollars, were going out in an enormous stream to the other countries, including Japan and Russia and the countries now subjugated by Hitler.

Some of those machine tools have just within the last few weeks gone to Russia, and the British are now complaining that the war materials we have sent to Russia are finding their way into Germany.

Everybody knows the story of how our airplanes have been sent over while we denuded ourselves of our own defense.

In the first 11 months of 1940 we shipped abroad more than 92,000 revolvers and pistols, nearly a million army rifles, 29,000 shotguns, more than 143,000 machine and heavy ordnance guns and carriages, nearly a million metallic cartridges, and 29,500,000 explosive shells and projectiles of the 1-pound size.

Little wonder indeed that General Marshall sadly says:

Stores? We have no stores. It will be a happy day when we can speak about stores of Army equipment. \* \* \* We have a need for all the modern equipment delivered to us.

No man in Congress or out, except Mr. Roosevelt and his confidants, knows the actual state of undefense of this Nation.

These are the shocking reasons why so many Members of the Congress are gravely debating today whether or not to pass the so-called lease-lend bill, which has been more aptly described as the "lose-lend" bill, which will authorize President Roosevelt to give away or sell to any country which he may choose such further part of our pitifully scant national defense as now exists or as can be delivered to us in the future.

The administration knew, of course, that this flood of munitions, matériel, and implements of war was flowing out to Japan and Russia and other countries. Nothing was done to stop it until very recently. Under the terms of the so-called lease-lend bill, Mr. Roosevelt could absolutely denude this Nation of its naval power, if he saw fit. The proponents of the bill contend he would not do these things. The transfer of 50 destroyers to the British without approval of Congress and the facts and the figures which have been given in the foregoing do not bear out this contention.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. WOODRUFF of Michigan. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD and to include therein a table from the Senate hearings, and also extracts from the Department of Commerce summary of exports for the month of November.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. BLOOM. Mr. Chairman, I yield such time as he may desire to the gentleman from Washington [Mr. SMITH].

Mr. SMITH of Washington. Mr. Chairman, I intend to vote for H. R. 1776, as amended, because I am convinced that it is a measure which is decidedly in the interests of our national defense.

Every poll of public opinion and the letters which I have received from my constituents indicate that the vast majority of the American people favor all aid to Great Britain short of war. They favor our sending planes, munitions, and implements of warfare to Great Britain as speedily as possible, which is what this legislation seeks to accomplish. We hereby seek to improve and strengthen our own defense by helping Great Britain to defeat the Axis dictatorships and thereby prevent their attacking and invading the Western Hemisphere and our own country. We provide the young men of Great Britain with the implements of warfare in order to obviate, if possible, the need and necessity of our own young men having to use similar weapons in the defense of our country. Is this a wise and prudent policy for us to follow? It seems to me that it is. In other words, we seek to keep war out of the United States and thereby keep the United States out of war.

We have succeeded in keeping out of the war to this date, and we are the only nation in the world which has not suffered loss of life or property. Under all the conditions and circumstances, this is a miraculous achievement and is the best evidence of the desire of President Roosevelt and Congress not to involve our country unless and until we are ourselves attacked. This has been and remains our principal objective.

The main purpose of H. R. 1776, as amended, is to enable the President to more effectively defend the United States by measures short of war, within the Constitution. As Commander in Chief of the Army and Navy, the President already possesses enormous constitutional powers. The President can sever diplomatic relations with foreign powers. The President can send the Army and Navy wherever he deems advisable. The fact that he has exercised none of these constitutional powers is positive proof of the fact that he has sought to avoid war, for he has refrained from exercising any of the constitutional powers which might and very likely would precipitate hostilities. H. R. 1776, as amended, will better enable the President to coordinate production and the allocation of armaments to satisfy British and American needs and in collaboration with the Army and Navy Departments render a maximum of aid to Great Britain and at the same time better build up our own national defense. Is not this a wise, prudent, and salutary policy to follow? It seems to me that it is, and there is not a single sound, valid objection which can be urged against it. [Applause.]

As indicative of public sentiment in the State of Washington, I append the resolution which has just been adopted by an overwhelming majority in both branches of the Washington State Legislature. Every member of the senate and house present from my Third Congressional District voted in favor of the adoption of the resolution. [Applause.]

The resolution reads as follows:

#### Senate Joint Resolution 1

Relating to the foreign policies of the United States

*Be it resolved by the Senate and House of Representatives of the State of Washington in legislative session assembled:*

Whereas the citizens of this Commonwealth have given overwhelming endorsement to the foreign policies of President Franklin D. Roosevelt; and

Whereas at the present moment the free peoples of the world are engaged in a life and death struggle with the totalitarian powers, who seek to crush those fundamental rights dear to all Americans, the right to life, liberty, and the pursuit of happiness; and

Whereas the Honorable Wendell L. Willkie, titular head of the Republican Party, has shown his high patriotism by endorsing the program of the President in this great world crisis: Now, therefore, be it

*Resolved*, That we commend the efforts of our President to give full aid to the valiant free peoples of the world in their battle to preserve the principles of democracy, and that we call upon our representatives in Congress to support him to the utmost in his magnificent fight to keep our country out of war while giving full aid to the democratic nations engaged in a valiant struggle against barbarian aggressors; and be it further

*Resolved*, That a copy of this resolution be immediately sent to the President, the Secretary of the Senate, and Clerk of the House of Representatives, and to each of our Representatives in Congress.

The roll call in the senate and house was as follows:

Senate: For, 40; against, 2; absent 2.

Against: Atkinson, Murfin.

For: Baldwin, Bargeen, Black, Copeland, Dawson, Drumheller, Duggan, Edwards, Egbert, Haddon, Huntley, Jackson, Keller, Lindsay, Lovejoy, Malstrom, Marsh, Maxwell, McDonald, McGavick, McMillan, McQuesten, Miller, Moe, Mohler, Morgan, Murphy, Neal, Orndorff, Percival, Ray, Roberts, Rosellini, Schroeder, Shorett, Stinson, Sullivan, Thomas, Voyce, Wall.

Absent: Balfour, Farquharson.

House: For, 79; against, 18; absent, 2.

Against: Bernethy, Custer, Dootson, Eaton, Eddy, Hurley, Lauman, Needham, O'Gorman, Pennock, Pettus, Shadbolt, Sisson, Vernon A. Smith, Taylor, Todd, Trombley, Woodall.

For: H. C. Armstrong, Ralph L. J. Armstrong, Backman, Beierlein, Bienz, Boede, Broome, Callow, Carty, Chervenka, Clark, Cowen, Devenish, Doherty, Dore, Erdahl, Robert M. Ford, Dr. U. S. Ford, Foster, French, Gallagher, Gates, Graham, Hall, Hanks, Julia Butler Hansen, Alfred J. Hanson, Henry, Harry F. Henson, Isenhardt, Walter A. Johnson, George H. Johnston, D. W. Jones, John R. Jones, Judd, Kehoe, George G. Kinnear, Leber, Lee, Lennart, Loney, Lyman, Martin, McCutcheon, McDonald, McPherson, Floyd C. Miller, Fred Miller, Montgomery, O'Brien, Pearsall, Phillips, Pitt, Reno, Edward F. Riley, Rosellini, Ruark, Ryan, Sandegren, Schumann, Sexton, Julie B. Smith, Sweeney, Taft, Thomas, Tisdale, Trunkley, Turner, Twidwell, Underwood, Van Buskirk, Vane, Warnica, Watkins, Wenberg, Wiggen, Zent, Mr. Speaker (Reilly).

Absent: Murphy, Savage.

Mr. BLOOM. Mr. Chairman, I yield 10 minutes to the gentleman from Missouri [Mr. CANNON].

Mr. CANNON of Missouri. Mr. Chairman, I hesitate to take the floor following the epoch-making speech of our leader, the gentleman from Massachusetts [Mr. McCORMACK]. The speech he delivered on the floor this afternoon will rank as one of the notable speeches in the history of the American Congress.



His clear and convincing exposition of the bill, the high plane upon which he pitched his argument and the eloquence with which he maintained it, leaves nothing to be added. Any further argument in behalf of the bill would be superfluous. I shall not discuss it further. I shall follow him implicitly in this supreme hour of his statesmanlike and effective leadership. But just a word on a phase of the question not yet touched upon in the course of the debate. It is a broad subject with far-reaching implications radiating in many directions, and there is always the possibility that in our deep interest in its primary objective in international relations we may overlook its inevitable reaction on our domestic economy.

The bill provides for the transportation of products, commodities, goods, wares, merchandise, and services in unprecedented quantities. To quote the language of the bill, it provides for the fabrication, processing, distribution, and disposition of any "defense article" which, of course, includes the products and joint products of both labor and industry. I am wondering if the provisions of the bill are to be interpreted as including also the products of agriculture as well as those of labor and industry. May I ask the distinguished chairman of the Committee on Foreign Affairs, in charge of this bill, who has handled it with such skill and success in both the committee and the House, if we are to understand that the provisions of the bill apply to farm products as well as to manufactured products?

Mr. BLOOM. The gentleman is correct in so understanding. It does so provide in the bill.

Mr. CANNON of Missouri. There has been some discussion as to whether farm products are included but this statement by the chairman of the committee which considered and reported the bill conclusively disposes of any doubts which may have arisen in that connection. It is certain then that the Government under this authorization will send abroad not only the products of our plants and factories but vast quantities of food, feed, and fiber grown on the American farms. Only one further fact remains to be determined. Will the farmer be as well paid for his labor and products thus contributed to the program as labor and industry are paid for those which they supply. The Government has already indicated its deep concern in seeing that both labor and industry are amply compensated for their services. All contracts awarded up to this time have contained cost-plus provisions or have been negotiated at figures which insured protection against loss and legitimate profits for all concerned. And where it has been necessary to further assure industry, the Government has provided facilities, built plants, supplied equipment, and made loans to be amortized out of the products produced under the contract.

Likewise labor has been protected and wage scales guaranteed by the clauses in every contract requiring meticulous observance of labor laws providing for minimum wages and maximum hours and otherwise insuring the payment of the highest wages under the most favorable

conditions ever enjoyed by labor in any land.

This is as it should be. And only one more step is needed. That is for the Government to give similar assurance to the farmer that when cotton, wheat, corn, pork, beef, rice, tobacco, and dairy products are shipped abroad with guns, planes, tanks, and munitions, the Government will pay him as fair a price for his toil and as fair a price for his products as it pays labor and industry.

Happily, there is no difficulty in determining what farm prices should be. While Congress was enacting laws specifying minimum wages for labor and maximum prices for industry, it also enacted laws promising the farmer minimum parity prices and providing formulas for determining parity prices. Here are the prices computed by the Department of Agriculture under those formulas:

#### Parity prices of farm products

<sup>1</sup>Estimates of average prices received by farmers at local farm markets based on reports to the Agricultural Marketing Service. Average of reports covering the United States weighted according to relative importance of district and States.

Product	5-year average, August 1909-July 1914	December 1940	Parity price, December 1940
Cotton, pound.....cents..	12.4	9.33	15.87
Corn, bushel.....do.....	64.2	54.5	82.2
Wheat, bushel.....do.....	88.4	71.5	113.2
Hay, ton.....dollars.....	11.87	7.53	15.19
Potatoes, bushel.....cents..	69.7	54.9	86.5
Oats, bushel.....do.....	39.9	32.3	51.1
Soybeans, bushel <sup>2</sup> .....dollars..	(3)	.81	1.73
Peanuts, pound.....cents..	4.8	3.22	6.1
Rice, bushel.....do.....	81.3	76.3	104.1
Tobacco:			
Flue-cured, types 11-14, pound.....cents..	22.9	12.1	22.4
Burley, type 31, pound.....cents..	22.2	17.3	21.8
Apples, bushel.....dollars..	.96	.86	1.23
Beef cattle, hundredweight.....dollars..	5.21	7.56	6.67
Hogs, hundredweight.....do.....	7.22	5.59	9.24
Chickens, pound.....cents..	11.4	13.0	14.6
Eggs, dozen.....do.....	21.5	26.8	37.0
Butterfat, pound.....do.....	26.3	34.8	36.8
Wool, pound.....do.....	18.3	31.2	23.4
Veal calves, hundredweight.....dollars..	6.75	9.01	8.64
Lamb, hundredweight.....do.....	5.87	7.88	7.51
Horses, each.....do.....	136.60	69.10	174.80

<sup>1</sup> Post-war base.

<sup>2</sup> Soybeans for seed.

<sup>3</sup> Prices not available.

<sup>4</sup> Adjusted for seasonality.

And here are computations of parity wages from data supplied by the Bureau of Labor Statistics:

#### Parity wages in building and construction, and of factory workers

Occupation	June 1, 1940	
	Earnings per week	Estimated parity earnings
	Dollars	Dollars
Plumbers.....	58.10	37.13
Electricians.....	58.04	33.42
Stonemasons.....	59.60	36.18
Steam fitters.....	59.91	35.24
Carpenters.....	55.15	32.78
Painters.....	50.32	31.56
Bricklayers.....	64.85	43.24
Factory workers.....	25.77	17.11

I do not happen to have with me a tabulation of parity prices for industrial

products but they are available. And a glance at the financial page of any newspaper will show conclusively that industrial prices are far above parity, some of them, as in the case of building materials, having increased as much as 50 percent in the last 90 days.

I think no one will deny, in the face of these official reports, that agriculture is entitled to receive a bare parity price, at least, for all farm products shipped to England under the provisions of this act, when the Government is so aggressively demanding minimum wage scales and maximum prices on all industrial products shipped to England under the provisions of the act.

In every past war agriculture has borne the brunt of the economic recoil which always attends and follows military campaigns, whether foreign or domestic. The American farmer has invariably been caught between the upper and lower millstones of uncontrolled inflation in the price of everything he bought and the imposition of arbitrary regulations freezing the price of everything he had to sell.

Legislation by Congress in recent years authorizing parity prices for farm products should prevent the recurrence of such conditions under the operation of this bill. And it is to be hoped that the Committee on Agriculture in furtherance of this established policy, will shortly report legislation implementing this authorization. In the enactment of such legislation, organized agriculture earnestly solicits the aid and counsel of all representatives of organized labor with whom the American farmer has always cooperated so wholeheartedly to secure legislation providing the highest possible standard of living for American labor.

Mr. BLOOM. Mr. Chairman, I yield 20 minutes to the gentleman from Michigan [Mr. DINGELL].

Mr. DINGELL. Mr. Chairman, there is no substantial number of American citizens who desire active participation in the bloody European carnage.

Our present national course and foreign policy will have no bearing or effect upon the probability of our becoming involved in the war. It all depends upon Hitler and his criminal allies, who will not hesitate to strike as foul a blow against the United States as was struck against Austria, Czechoslovakia, Poland, defenseless Denmark, and the other neutral and peace-loving neighbors of Germany—Luxemburg, Belgium, Holland, and Norway. No provocation was given there, none will be necessary here to strike down our country. Military expediency only and the ability to get away with arson, rape, and murder will be the deciding factors in any attempted fulfillment of the objectives of Mein Kampf. Germany never before needed an excuse to attack her neighbors; she needs one much less today. The historical record of her depredations always bad, became intensely worse during the period of 1864 to 1939. During these 75 years, without provocation she murderously struck down her neighbors five times. We as a sovereign people are safe from involvement by German attack as long as Britain and her fleet bars the way across the broad Atlantic highway; for concededly it is not



the water in the narrow moat known as the English Channel that thus far has kept the Germans out of England—it is the British fleet and nothing else.

There is no reason at this time why the United States should in reality or by any binding and formal alliance become a belligerent partner of England; but America, as the best possible means of self-defense, immediately should supply Great Britain with bombs, barbed wire, buckshot, and baled hell in unlimited quantities, for cash or as an outright gift. Our merchant ships should be used to shorten England's life line by carrying her supplies from distant parts of the world to Boston, Montreal, Halifax, and other New England, Nova Scotian, and Canadian ports for transshipment over the short trans-Atlantic route over which ships could be more easily and safely conveyed by the British to their own ports.

The number of Americans who oppose aid to Britain is about in balance with those who on the other hand demand our immediate and outright declaration of war and joining with England. The number constitutes but a small fraction of the population.

It is my studied and unswerving opinion that by concentrating our efforts upon maximum possible production of ships, planes, tanks, and munitions which should be supplied Britain to the greatest possible extent consistent with our own needs and safety, that we will best serve ourselves, and saving democracy we will restore the subjugated peoples of blood-drenched Europe. That is the only safe course and as I see it the only one which offers promise of noninvolvement.

This is no time for temporizing, speculating, or silly sentimentalism. We must face realities, we cannot dicker, bargain, or compromise with Germany. She is without honor—she has no word. We must observe the ever-increasing number of victims that have fallen beneath the crushing weight of her ruthlessness. We must remember, too, that in every instance trusting victims were attacked and their sovereignty destroyed after a solemn pledge had been voluntarily given by aggressor Germany.

We are unchallenged today and beyond the reach of the predators because of the limited aid thus far given to England. Our future will be made permanently secure by a British victory made possible by our continued material contributions.

Those who would attempt to prevent the flow of these essentials of war to the struggling democracies cannot hide their real purpose, the success at arms of Nazi Germany and her allies.

You Republicans misunderstand the philosophy, the temper of the American people. You insist upon being wrong on the question of sound foreign policy when you could so easily be right by following our patriotic and inspired President. Pay heed to the head of your party, to your chosen leader. Listen attentively to his advice bearing upon the pending question. Do not repeat the same mistake you made as you looked forward to the campaign of 1940. Forget politics. Let 1942 take care of itself or it will take care of you. False prophets such as the one who stood in this well

and predicted that the Republicans would gain 80 seats will lead you into the wilderness and political oblivion. Throw away your white cane and tin cup, open your political eyes, and quit this everlasting hopeless groping. Most of you are not so blind as to be unable to see the danger which threatens America, civilization, the world, all of us without regard to partisan affiliation. A certain amount of comedy is necessary even when public hearings are being conducted on serious questions. It was nevertheless pathetic to see the rehearsed burlesque which the people witnessed during the recent appearance of a barnstorming stunt flier who gave advice from the storehouse of his inexhaustible ignorance about America's foreign policy, about her invincibility and security. It was a show, the best show the public ever saw and the chorus rose and applauded. The sum total of Lindbergh's advice could be totaled at zero. If you do not get down to realities, you will lose the public confidence and your party hide. Why not invite "Wrong Way" Corrigan to testify? He performed a greater trick flight than did Lindbergh. Why not invite the expression of the eight or nine other trans-Atlantic fliers who crossed the ocean ahead of Lindbergh and Corrigan; they could give testimony just as valuable and authoritative as that of the Lone Eagle.

Judging the attitude of the minority by the conclusions contained in the report the inevitable and logical interpretation could only be that the testimony of the following list of credible and experienced witnesses were of no weight or import. Among these you will find men and women of the highest order, diplomats, labor leaders, statesmen, military and naval experts of the highest rank, industrialists, journalists, and, last but not least, the brilliant and experienced Cordell Hull, Secretary of State, his worthy cabinet associates, Henry Morgenthau, Secretary of the Treasury; and the Secretaries of War and of the Navy, Henry L. Stimson and Frank Knox.

A dictator bill the Republicans labeled H. R. 1776. It is an anti-Hitler bill, aimed to make America safe for us all. The combination of numerals designating the bill have a deep significance at this time. Patriots will rally to its support as did the patriots in that historic year of 1776, when our independence was declared, our Government born, and the rights of Americans everywhere permanently established. We shall carry on now to preserve our American way of life.

Precious time is being wasted in a useless and a protracted debate that has been transferred from the news pages to the floor of this House. It may be dangerous trifling with the security of our own Nation, upon which today the civilized world depends. The great majority of the Members will not be affected by the gas attack, the wind, and hot air, but will be influenced by the pressing need of the hour, guided by patriotism. In the House the bill will pass with reasonable promptness and carry by a substantial margin. Then it is destined to face a withering attack after leaving here. The purpose

being to delay action, in order to handicap the struggling democracies in favor of Germany, so she may retain her ill-gotten gains and continue the enslavement of millions of proud and civilized people.

The Chinook winds from the Northwest will blow like a fury, pseudo-isolationists will employ every trick phrase their genius is capable of inventing, and this they will level against the proponents of the bill. But the sanity, patriotism, and courage of the majority will withstand the onslaught, the bill will pass and become law, and civilization will be saved by America's magnanimous and fearless action.

I hope that when the bill is discussed in the Senate we may as a part of the debates find out the source of the malodorous eight-point proposal for a negotiated peace. I refer to the one which seeks to enslave permanently the people of Poland, Czechoslovakia, and the other countries, and attempts to let the criminal Nazis go stark free for their arch crime of all time. It is without a doubt Nazi-ist in origin. It could not be otherwise. It is cut exactly according to their own pattern, and, if I am wrong in my suspicions that a special courier or "fifth columnist" did not take advantage of the proponent, then I can only say that mental telepathy and kindred spirits work in a way that is strange and effective. The Lindbergh plan along this line, which aims at a stalemate or a combat draw, is inspired by the same philosophy, if not original with Goebbels and Hitler. Someone in the Senate might ask some pointed, embarrassing questions which might satisfy the craving for knowledge of the American people. I do hope so.

Every time the administration proposes a bill and it then becomes the responsibility of the majority to expedite its passage, the Republican minority yells "dictatorship," "bankruptcy," "abdication by Congress," "rubber stamps," "unconstitutional," and employs every other verbal and written bogey that can bring to bear against the measure. We heard it used against the National Industrial Recovery Act, the Gold Standard Act, and again when we debated the Agricultural Adjustment Act. Every time we considered a relief bill this Chamber resounded with high-pitched voices and the stereotyped phrases. Similarly, these same old charges were hurled at the majority as part of the reorganization debates, and again when the neutrality, embargo, and wages and hours bills were debated.

My friend the gentleman from New York [Mr. Fish], the spearhead of many spirited battles, among other ridiculous statements, on Monday, said:

Henceforth the Congress would be a mere rubber stamp to register the decrees and edicts of the President, if he condescends to ask for them.

It is startling news to me that we are only now to become rubber stamps.

I thought I heard Republicans shouting loud and long about our mental and physical resiliency or ductility so many times that we believed we were confirmed and vulcanized implements used to register the will of the President. That line of bunk is so old, outworn, and ineffective



that the people have at last learned that it is a fake and a foible. Democracy goes on safe in the hands of the Democrats, to the chagrin of a bewildered Republican minority.

Is it the Republican Party idea or that of the purblind variety within it to hamstring the Chief Executive during a time of continued emergency? Are we to quibble, argue, and debate in order to procrastinate, in order to encourage the dictators of Germany, Italy, and militaristic Japan? The red tape of insincerity and legislative privilege must be cut to the limit. This bill does not authorize or confer any dictatorial power upon the President; it does not eliminate or surrender congressional control; it is not unconstitutional. The bill aims to free the hand of the Executive, within proper bounds, to deal expeditiously with any emergency now existent or which may momentarily arise. The bill will permit counter moves to circumvent German and Japanese threats wherever they may appear to menace our American rights and interests, whether in China, in Europe, or in the Western Hemisphere. The bill will save the lives of American boys and girls.

The bill may bear directly upon prospective deals and may allow some horse trading. I am not going to handicap the Commander in Chief of my country so that he forfeits in trade a thoroughbred for a broomtailed pony.

The battleship *King George V*, which recently visited our shores when the new British Ambassador arrived, is to be traded for American destroyers, so it is rumored. The newspaper story written by Cliff Prevost, outstanding Capitol correspondent for the Detroit Free Press, was promptly denied. In view of what is happening in Indochina and the threats of the Japanese toward the Dutch East Indies, it might be most reasonable to assume that battlewagons of the greatest possible gun power for the United States are the need of the hour.

If we are to stand by our oft-repeated declarations of policy, if we are to defend the flag as long as it waves over the Philippines, if we are to protect our vital far eastern trade routes, our missions, and our rights, then we must be prepared for any eventuality. The yellow peril of the Pacific, stimulated by the poison of German cohesion and phobia, each day threatens America with ever-increasing boldness. The war lords of Japan are inching their way toward the acquisition of territories and bases which will strangle American trade in the Far East, pinch off essential raw materials, and destroy American industry with the aggregate result of reducing our living standard to an intolerable level. Japan will not fight the United States only because she cannot do so successfully at this time. She will attempt to gain every advantage she can, and we must act in concert with Great Britain and Holland to stop her in her tracks; there is no time to lose. Not a shot will be fired, not a single life will be lost if we act with determination and promptness, if with courage, we act now. All hell's afire, and broken loose, and here we are fiddling and fuddling about whether we ought to

fight it or learn to live with it. Some ponderous debate has been going on as to whether we should supply the English fireman with a squirt gun gratis or charge him for it.

I am in favor of all-out aid to England as long as they are willing to continue this heroic fight for Christianity, democracy, and for humanity. I only hope that if and when they get the Hun on the run that they will burn his tail feathers off so close they will reduce him to cracklins. Hitler and his supporters know that if England gets our continued increased material assistance that he may as well be in hell without a fan as to try to defeat the heroic Britons. So he tried to bulldoze the United States, but in this he failed. "We do not scare so easily," so said our great President. I confess, I will never be satisfied until Hitler's mangy, worthless hide is tanned and nailed to a barn door. To accomplish the destruction of Nazi-ism, I am willing to stand a tax increase of 100 percent to pay for all the buckshot and baled hell the British can deliver to the Nazis with my compliments.

Hitler's most recent declaration is the most brazen and contemptible lie beneath which we find the broken remains of the victims, Austria, Czechoslovakia, Poland, Holland, Belgium, Luxemburg, Norway, Denmark, and others soon to follow. Will Ireland be next? The scab paperhanger can be relied upon to do just the opposite of what he tells the world. In other words, if he disclaims any desire to attack the United States or to invade Ireland, the opposite is exactly what he will do, and if peaceful Ireland, trying so hard to maintain her difficult neutral position, is invaded by Germany, then I say to you that our Navy should meet them head-on and blow the pirates into eternity. With me that will be the last straw.

For the two reasons, first, because it will indicate clearly their westerly advance toward our American shores by extending the German battle line 800 to 900 miles from their westernmost boundary; and second, because Ireland must be spared the suffering and the mass murder which otherwise awaits her sons and daughters. I am voting for the bill. [Applause.]

Mr. MUNDT. Mr. Chairman, I yield such time as he may desire to the gentleman from Maine [Mr. OLIVER].

Mr. OLIVER. Mr. Chairman, I am utterly opposed to the pending resolution. I am opposed to it with or without amendments. I am opposed to its very essence and its very reason for being. I am opposed to the foreign policy which it symbolizes and is intended to implement. I am opposed to it because it means and spells war—war for America and American youth on foreign soil. I am opposed to it because it means and spells military dictatorship for all America here at home.

In this hour of tragedy all over the world, America stands at the crossroads. Down one course lies the destiny of our great Nation based on a policy of America for the Americans, while down the other lies our destiny based on a policy of internationalism. To those of us entrusted with the votes representing the

will of our people falls the vital responsibility of committing this country to either one of these two courses. There is no middle ground.

There can be no doubt that H. R. 1776—which numerical designation must be causing our patriots of Revolutionary fame to writhe restlessly in protest—commits us irrevocably and irretrievably to a course of internationalism and imperialism. We cannot follow the President's call to free the world from oppression, repression, and insecurity without at the same time committing ourselves to the far-reaching responsibilities and implications of such a crusade. The idea of wrestling with the unemployment and insecurity problems of the world finds me quite cold and unresponsive, particularly when I have daily reminders calling to my attention the many millions in the United States who even today, at this very hour, are hungry, cold, and clothed in rags. Recent statements of Bevin of Britain and his comrades indicate that they, too, are leaders in a similar crusade based on economic morality and equality for the whole world.

This must mean then that we are brothers in the flesh and the spirit of this grandiose international moral spasm but to attain this lofty ideal, our mutual objective, we must first engage in the great holocaust of war. Well, that is one effective way to reduce unemployment. At least H. R. 1776 will be the means to this partial satisfaction of our idealistic crusade against world unemployment and poverty. The title of this resolution should be amended to read:

A bill to liquidate the world unemployment through war and its mass employment of human cannon fodder.

What an indictment of our collective intelligence that we once again, after less than a quarter of a century, permit ourselves to be the willing victims of foreign war plans and war propaganda. But here we are at the cross roads regardless of the clearly marked signposts of the past 3 years, almost crowding in our eagerness to get down the road to war. And, once again, in the name of Christianity, morality, and humanity, ironically enough we orient ourselves down the road to hell itself.

And for what purpose is it proposed for America to make this horrible sacrifice? What is the purpose of this resolution?

We are told that it is to save democracy for the world. But we know that to be false, for we know that the only democracy remaining in all this world is here in the United States of America where this resolution cannot save but only can destroy it. We know this is not a resolution to save America, for, if it were, it would be a resolution to remedy the ills of an American people one-third of whom are ill-housed and ill-clothed and ill-fed.

We are told that it is to save the people of Great Britain whose financial resources are exhausted. But we know that also to be false, for we know that the financial resources of the British Empire are far from exhausted, that the existing wealth of that empire is enormous, that the possessions of the British Crown are of incalculable worth, and that the aggregate wealth of the subjects of the British



Empire—these subjects in whose name this falsehood is presented—is beyond that of any other nation upon the face of the earth.

We are told that the purpose of this bill is to save England by giving to it the ships and the defense weapons, the airplanes, and the guns of the American people. But we know that likewise to be false, for we know that today Great Britain possesses more merchant shipping than ever before in her history—so much that her ships are reported still to be carrying oil from Venezuela and copper from Chile, and the Lord only knows what other war supplies, to Spain for probable transshipment to Italy and to Germany to be used in the mass murder of Great Britain's own people; and her ships are busy making private profits in the Asiatic trade which that same Great Britain hesitates to entrust to American ships because Great Britain fears we will not return that trade after the war.

In the matter of increased supplies of airplanes, guns, and I O U's, authorized in this bill, we also know that this resolution will not help England to meet this impending so-called crisis, because we now are sending too her more than generous allotments of the materials of warfare which our productive capacity is currently turning out. The immediate crisis upon which the present need of this bill is being sold to the American public will not be affected one iota by the passage of this bill, unless we are to give away more of our existing naval and military strength. We are advised that this further stripping of our own meager defenses is not contemplated at the moment. Therefore it seems to me quite clear that any emergent urgency of this bill, insofar as immediate aid to England is concerned, is just so much window dressing to develop further the already distressing war psychosis of our people which is daily being fanned into a higher flame by militants, even of our clergy, who would have us commit murder in the name of Christianity and God.

But this resolution, Mr. Chairman, is flying false colors. It has no right to be called a resolution, for there is no resolution in it. This is a child of irresolution, of fear, and hysteria, and downright pusillanimity covering behind the pretext of aiding democracy while cravenly proposing to permit the poor, deluded common people, the sacrificed and misguided people of Britain, to defend us, as they have been deluded into defending their own money-grabbing, imperialistic aristocracy, while our own poor, misguided people suffer the consequences of our lack of courage and of our incompetence—yours and mine. We are afraid to face the truth. We are considering betraying America and all it stands for because we are afraid to face the truth. And this resolution is the written confession of it. This is what this misconceived resolution is, and every thinking man and woman knows it. It proposes the surrender of the last democracy upon earth into the hands not only of a military dictatorship but of the international brigands whose god is the calf of gold. On the basis of buying time at the ex-

pense of the blood of the poor people of England, what a crass and a sordid stand America takes as it enacts the principle and policy of this legislation.

Let us suppose that this horrible resolution is passed, then let us contemplate the inevitable result. Dictatorship at home and abroad while the war goes on. Dictation by foreigners if the end is defeat. And if the end is victory for Britain, and us, what then? Inescapable necessity for the establishing of American influence over and responsibility for the war-prostrated peoples of all the world, for the sponsoring by America of governments everywhere and the policing and feeding and financing of the entire world. That, Mr. Chairman, is the inevitable harvest of what is sought by the instigators of this monstrosity we have before us. That is the harvest they invite, wittingly or no. Is that what we want or what our people want?

Mr. Chairman, I say to you and to the Members of this House that, cry though my voice may in the wilderness, never shall I vote nor acquiesce in such craven abandonment of reason as this resolution offers, nor such hollow mockery of truth as that to which it pretends. This is not a resolution for the defense of America. It is a resolution for the defense of international financiers and aristocrats desiring to cling to their own ill-gotten wealth while their own poor people fight the war and America's poor people pay the bills.

This resolution is predicated on the proposition that this European and Asiatic threat to the British Empire is our war. It assumes that our defense and the security of the Western Hemisphere depend upon the defeat of the Axis Powers. I deny such an assumption and reject any such premise. Stripping the false face of obvious war propaganda from the contention of the arm-chair strategists that the Western Hemisphere faces a military invasion, it seems crystal clear to me that the worldly financial and trade interests of the United States and the British Empire then stand forth as the real reason for this interventionist foreign policy. If this is the case, and I believe that it is, then, the two to three billions of dollars' worth of normal and average export volume of the United States is not in my opinion worth the shedding of one drop of blood of a single American youth in war on foreign soil for the protection of the same. For me, then, there is only left the trade and financial interests of the British Empire as the reason for being of this bill which, God forbid, that America should be committed to foreign wars to preserve.

We are told that we cannot survive in a world where force runs rampant and dictatorial governments reign, and yet for the 150 years of our national being, during which period America has done pretty well for itself, there has been only one decade that has not had from one to eight armed conflicts and clashes of force between nations. During the same period dictators all over the world have come and gone. So now we are to change all this through the world-paternalistic and interventionist foreign policy of

Uncle Sam as outlined in this legislative monstrosity now pending. In other words, our Government plus Comrade Bevin, of England, are to create the world holding company for good will and security for all men; but, first, superlatively ironical as it is, we must go to war in the interests of this good will and security. When will the American people refuse to be lulled into a mental coma by such continuously recurring unmitigated eyewash? International good will will find its most fertile soil in the solution of economic maladjustments within nations which are nearly self-sufficient and then permitting any resultant surpluses to overflow to the less fortunate nations of the world; that is, when international financial interests permit such an ideal to be developed.

In conclusion let me state that my opposition to the policy of war, briefly summarized, is based on a two-fold viewpoint:

First, no individual or nation ever swaggered around looking for trouble without getting it and paying plenty and dearly for it, and that is the policy laid down in this bill for the United States to follow; and, second, the United States with the sole exception of the first World War and a few minor martial aberrations, has always done pretty well for itself by keeping its nose out of foreign entanglements, and we would do mighty well to follow that course now, but I fear that the national proboscis has already pushed out over 3,000 to 7,000 miles of water, asking for punishment which we will inevitably get, win, lose, or draw, as we may, in this war.

In brief, as to my position in connection with H. R. 1776 and the foreign policy, it symbolizes, I am constrained and honored to "string along" with that brave and courageous American, Lindbergh. [Applause.]

Mr. BLOOM. Mr. Chairman, I yield such time as he may desire to the gentleman from Arizona [Mr. MURDOCK].

Mr. MURDOCK. Mr. Chairman, for 3 long and hectic days we have listened to debate on this bill, with many instances of heat, passion, fiery denunciation together with more solemn warning than I have heard at any time during my 4 years in this body—and these last 4 years have been momentous. I truly believe that there is no exaggeration in the statements made by gentlemen on both sides of the aisle that this is a momentous bill, for I truly believe that this is the most critical time our country has faced in a generation, and accordingly, this bill may be of deepest significance. I had about made up my mind to listen only and say nothing this time excepting by my vote. However, I cannot let slip this last opportunity to indicate my feeling and attitude in such a crucial hour.

Let us look at facts and act accordingly. America has the blueprints of a two-ocean navy and it was good to have Chairman Vinson's statement that we have at this moment more than blueprints. However, practically our entire Navy is in the Pacific. There must be some very good reason why it is in the Pacific. I would like to see our present naval strength, which is today in the



Pacific, remain there. Now, we are told, that we cannot have a two-ocean navy before 1946. It is certainly to be hoped that we do not feel the need of a two-ocean navy prior to its completion.

As a member of this national policy determining branch of our Government I am, as is each one of you, interested in the total defense of our whole country. Yet, it is rather natural for me to be thinking of the far West and the sunset shores of America, which might be vulnerable, if for any reason our present Navy should be called from the Pacific to the Atlantic at any time prior to our having a two-ocean Navy. Of course, our Navy would certainly be brought from the Pacific to the Atlantic, if America were menaced from the east, even though we might also be menaced from the west at the same time, for the bulk of our population is in the eastern part of the country. A greater task of protection exists for the Navy over here because the bulk of our wealth and population is adjacent to the Atlantic Ocean. Certainly, it seems to me that it is a part of good judgment to assist any friendly navy controlling the Atlantic Ocean and not permit it to fall into unfriendly hands at any time—and certainly not prior to 1946. Now, regarding that friendly foreign navy—it does not make any difference whether I like the uniform, or the pronunciation by the men, or the flag of such a fleet, so long as it is friendly and effective.

There is a widespread, and I believe well-grounded, fear in this country that America is in danger. High officials of the Government have said so publicly, and many of my constituents, whom I represent, have said so to me privately and in correspondence. This Nation is in danger because of the ill-will, the contemptuous spirit, and hostile attitude of powerful outlaw leaders of outlaw governments. How long has that ill-will and contempt and hostile attitude toward us existed? It has existed much longer than the past 8 years. It has not been engendered by the sharp words of President Franklin D. Roosevelt.

It existed long before this Roosevelt became President. One of the foremost of these international outlaws is Hitler and he leads a nation, many of whom have been imbued with a feeling of superiority. However, that feeling has not just lately sprung up in central Europe among the storm-troopers who carry the swastika. A generation before found their fathers speaking of "kultur", which they thought was the product of the race of supermen. We have had trouble with the Government and leaders of that people, several times in American history. For proof, ask Woodrow Wilson; ask Theodore Roosevelt; ask Admiral Dewey; ask Grover Cleveland; or ask any one of the millions of German immigrants who fled from the fatherland and came to this country to escape its oppressions.

Some say that our President has been too sharp in his characterization of these aggressors and that he should have been more diplomatic. I can scarcely see how he could have gained any less of the contempt of Hitler, or of Mussolini, if our President had exhibited lamb-like meekness in his speaking of them or

agreeing with them. I do not believe that if America must finally have hostilities with Hitler, that it will be due to anything that has happened in the past few years that would not also have happened due to our clashes and hatreds by German leaders through former years. If there is anyone who supposes that Hitler may declare war on us—or more likely still make war on us without a declaration—because of anything that the Congress or President has done during the past 8 years, such a person is ignorant of a lot of history that transpired prior to 1933.

During this debate we have heard much said about the British Empire, with an effort to make it appear that the supporters of this bill want solely or chiefly to uphold the British Empire. It has even been said that there is mighty little to choose between British imperialism and Nazi imperialism, entirely un mindful of the fact that the British Empire is not what it used to be. Well, I can see a lot of difference, if that were the real choice; but that is not the choice.

At this moment civilization is at the crossroads. Certainly, Christian civilization is at a greater hazard today than it was when Charles Martel shattered the forces of the soldiers of the Crescent on the fields of Tours. The fate of the Christian world at that time hung in the balance, and western civilization was menaced by warlike frenzied fanaticism of those who had a superiority complex. They thought they were the possessors and the propagators of the only true religious faith. Today Christianity and western civilization is likewise menaced, and at a greater hazard from a more numerous, a more warlike people—the fanatical supporters of the swastika who are imbued with a different kind of superiority complex such as that of race and culture, as well as of religion. This time on the fields of Tours the horsemen of the fanatics were not conquered, but their tanks and the torch blowers overcame the defenders.

I am no Anglophile, but I do have a great admiration for my cultural heritage, and I have respect for the mother country which was the origin of so much of that cultural heritage. It is true that those same Britons conquered my ancestors, but I bear them no resentment any more than I do my grandmother for the spanking she gave me when I was 2 years old. I do not recognize any language, literature, or culture, any law, government or social system as superior to that which has been evolved in western Europe and on historic islands off the west coast of Europe in which my ancestors and yours had a part. That is not to say that I am condoning all that may have happened in British history. I recognize faults as well as virtues.

Apparently, we are fairly well agreed that we ought to give aid to Britain, but many of the opponents of this measure object to the bill because of the power which they say it gives to the President. Yesterday, the gentleman from New York [Mr. WADSWORTH] quite properly pointed out that under our constitutional government, the President has power to involve us in war. That distinguished

Republican said as earnestly as I can say it that he did not believe that President Roosevelt wanted to involve us in this war. Truly, I believe that the President is doing everything possible to keep us from being involved with manpower and in actual fighting now, or for our grandchildren to be involved because of this war.

Yes, most of us feel that we must give aid to Britain, but how far shall we go? I am not willing that we shall declare war or actually send our soldiers to engage in this war with or without a declaration of war. I firmly believe that if the Axis Powers win this war, that we are going to have to fight them desperately later and that we will have to make vastly more preparation and arm vastly more men at that later date than we would have to do today if we should enter the war now. Even so, I would not send men today. I believe we can bring our economic powers to bear with immediate and sufficient aid to Britain so that the madmen of Europe will be stopped in their tracks, and it will not be necessary for us to send a soldier across the seas.

I firmly believe that if the Axis Powers should win a victory in Europe, Asia, and Africa, that this country of ours must outdo Sparta of old in military organization and equipment through unborn generations to come. This would impose such a crushing burden of taxation, such an abrogation of the Bill of Rights, such a doing away with our personal liberties, and such a change in our American way of life, that its burdens would be next to slavery under the Nazi regime. Therefore, whatever wealth we contribute now to avert an Axis victory abroad will be but a drop in the bucket to what, in case of failure now, we shall have to contribute later to prevent an Axis victory throughout the world in the years to come.

In all of my thinking in regard to this matter, I am holding America first, and the preservation of American ideals and way of life as the chief consideration. I may be willing to support certain amendments, certainly the committee amendments to this bill and possibly some others, but I do feel that the bill as probably amended ought to pass, empowering the President to render such aid as will make a victory of the aggressors and a domination of the world by them impossible.

Mr. BLOOM. Mr. Chairman, will the Chair advise me how the time stands?

The CHAIRMAN. The gentleman from New York [Mr. BLOOM] has consumed 8 hours and 23 minutes. The gentleman from New York [Mr. FISH] has consumed 8 hours and 12 minutes.

Mr. BLOOM. Mr. Chairman, I yield such time as he may desire to the gentleman from Alabama [Mr. JARMAN], a member of the committee.

Mr. JARMAN. Mr. Chairman, the minority says that there have been two reasons given for new legislation: (1) Britain is running short of dollar exchange, and (2) we need to coordinate British procurement with our own efforts; and that this bill does not provide dollar exchange for Britain and is not needed



to procure coordination of our defense efforts.

The minority's argument fails to recognize the realities of the situation. It is true the bill does not provide dollar exchange for Britain, but let us inquire further. What is dollar exchange, and what is its importance in the present picture? Obviously, the only purpose dollar exchange serves from the present British standpoint is that it is a means of securing much-needed military supplies and equipment from this country. Dollar exchange is not an objective in itself—it is simply a medium through which the true objective can be obtained. The present bill, however, goes to the root of the problem by providing for the immediate manufacture and procurement of defense articles and for their transfer to Britain and other democracies on the best terms that this Government can get. To talk about dollar exchange at this point is as if a man whose neighbor's house was on fire should undertake, when the neighbor came calling for help, to lend him money, instead of a hose, so that the neighbor could purchase the help.

Our neighbor's house is on fire and there is grave danger that the fire may spread to our own home if the conflagration is not checked. In selfish self-interest, therefore, if for no other reason, let us supply all the help we can in the form of equipment as quickly as possible. Let us do it, to be sure, on the best possible terms we can get, but let us always remember that the primary goal from the standpoint of our own interest is the quickness and effectiveness of the help and not the amount of return we shall get for it. If Britain wins with our help, we shall be saved enormous defense expenditures in the future. Even if the worst happens and Britain loses, our help to them will at least have delayed their defeat and gained us valuable time to arm against world aggressors.

Contrary to the views of the minority, the lease-lend bill is definitely needed to procure coordination of our defense efforts. Under the bill this Government will have charge of the entire production and procurement program, both for our own needs and those of Britain and the other democracies. The advantage of this from our standpoint is tremendous. It will greatly facilitate the standardization of defense supplies which is so indispensable to rapid mass production. The problem after all is essentially how to best use and best allocate between Britain and ourselves the production facilities of this country which are still wholly inadequate for the defense needs of our two great nations. As a practical example, let us assume that after the enactment of this bill we should order 10,000 planes with the intention of transferring them to Britain. Since this Government would be in charge of production and procurement of these planes, we could make sure that they were of a type best suited to our own military needs so that in the event Britain should fall, we could take the planes over as they come off the assembly line and quickly integrate them with our own Military Establishment. While the existing procedures already make possible the coordination of British

procurement with our own, let us remember that no degree of coordination can make two or more separate procurement programs as effective as a single integrated procurement program. This will be possible under the lease-lend bill.

The minority attacks the committee amendments with the statement that they—

do not prohibit our conveying merchantmen; do not require our Army or Navy officers to determine our own defense needs; do not place a constitutional 2-year limitation on the life of the bill.

First. One of the amendments recommended by the Foreign Affairs Committee provides that nothing in the bill "should be construed to authorize or permit the authorization of conveying vessels by naval vessels of the United States." The language could hardly be plainer. Even prior to the amendment there was nothing in the bill which in any way touched the power of the Navy to convoy vessels, and to make assurance doubly sure the committee decided on the amendment quoted. The minority is, therefore, apparently resorting to red-herring tactics.

Second. The Constitution makes the President Commander in Chief of the Army and Commander in Chief of the Navy. No President would act in any important defense matter connected with the Army or the Navy without consulting responsible officers of the Army or the Navy. Nevertheless, again to make assurance doubly sure, the committee has recommended an amendment to the bill that military or naval equipment not manufactured or procured pursuant to paragraph 1 of section 3 (a) of the bill, shall not be disposed of except after consultation with the Chief of Staff of the Army or the Chief of Naval Operations of the Navy, or both. The minority, however, would require certificates by "our highest Army and Navy officers" as a prerequisite to the sale of arms to Britain by this Government. This perfectly exemplifies their willingness to violate the spirit and perhaps the letter of the Constitution of the United States if that is necessary to an attack on the present incumbent of the office of President of the United States. As the Attorney General of the United States has said:

To prohibit action by the constitutionally created Commander in Chief except upon authorization of a statutory officer subordinate in rank is of questionable constitutionality.

Third. By their statement that the amendments do not place "a constitutional 2-year limitation on the life of the bill," the minority craftily seeks to create the impression that such a limitation is a constitutional requirement. This is, of course, a flat falsehood.

The only limitation of this sort is a provision in the Constitution that appropriations to raise and support armies shall not be made for a longer term than 2 years. This limitation applies only to appropriation acts. As every signer of the minority report and, indeed, every Member of Congress knows, the present bill is not an appropriation act. Not one

nickel can be withdrawn from the Treasury of the United States after this bill is enacted. The bill is by its terms merely an authorization for an appropriation, and appropriation acts to carry it into effect will be necessary before any money will be available for the purposes of the bill. These appropriation acts will be the customary 1- or, in some instances, 2-year statutes which comply in every respect with the letter and spirit of the constitutional limitation on Army appropriations. Entirely aside from the foregoing, your committee has recommended an amendment limiting the life of the present bill until June 30, 1943, only 2 years and a few months from today.

The minority gives as one of their reasons for opposing the bill that it would give "the President absolute power over every concern in this country manufacturing war materials." This is another example of the distortions and inaccuracies with which the report is replete. The fact of the matter is that the President was given power to take over and operate any plant in the country for defense procurement purposes by section 9 of the Selective Service Act, which became law on September 16, 1940. Similar power of a somewhat lesser scope had previously been granted by section 8 (b) of an act of June 28, 1940. Since the granting of that power to the President was one of the much-discussed issues in the last election campaign, I am amazed to find that the minority now has the temerity to attempt to deceive the American people by telling them that the lease-lend bill would grant this power to the President for the first time, or that anything in H. R. 1776 grants any such power.

The minority in its report proposed seven specific amendments to the present bill:

1. A \$2,000,000,000 credit to Britain, to be used in this country for purchasing arms when her dollar balance for this purpose is exhausted, requiring reasonable collateral security if available.

The lack of realism of this proposal has already been discussed. It merely introduces an extra and unnecessary step into a situation in which there is little enough time for any steps. The bill in its present form goes straight to the heart of the problem.

2. Permit the sale by our Government of arms to Britain only when our highest Army and Navy officers certify in writing such arms are not necessary for our national defense.

The lease-lend bill authorizes the President to dispose of arms to Britain only when he finds that it is in the interest of our own national defense. The Constitution specifically makes the President the Commander in Chief of the Army and Navy. He is, therefore, the highest officer of the Army as well as the highest officer of the Navy. For Congress to attempt to require him to act only on the written certification of one of his subordinates would certainly violate the spirit of the Constitution and probably its letter.

3. A 1-year time limit on all extraordinary powers. Congress meets again next year and can easily extend the time limit if our interests require it.



An amendment recommended by a majority of the committee limits the life of the bill to June 30, 1943, slightly over 2 years away. This is in harmony with the time limitations which Congress has placed on other extraordinary emergency powers given to the President in the past 8 years, for instance, in the case of the stabilization and monetary powers and the reorganization powers.

4. Provide that no vessels of the United States Navy shall be disposed of without the consent of Congress.

The Secretary of the Navy assured the committee that there was no present intention to dispose of any vessels of the United States Navy under the bill, nevertheless a situation might arise in which a few of our vessels might mean the difference between victory or defeat for the British. A situation of this character could develop very quickly. Congress could not possibly act quickly enough to fill the needs of such a situation. The power to act quickly and decisively must be vested somewhere, and the head of the executive branch of the Government and the Commander in Chief of the Army and Navy is the logical recipient for it.

5. Prohibit the use of our ports for repair bases for belligerent ships. We must not bring the war to American ports.

This is another example of the minority's willingness to talk of their desire to aid Britain and their unwillingness to reduce their aid to terms of practical realities. Let us suppose, for example, that the great British battleship *George V* had been torpedoed off our coast during the recent trip on which it brought the new British Ambassador, Lord Halifax, to the United States. The minority says it desires to aid England, but it apparently prefers that if that battleship should succeed in limping into one of our ports, it should not be repaired and returned to active service but would have to remain there crippled for the rest of the war, though the loss of such a great man-of-war would mean a serious impairment of Britain's naval striking force.

6. Prohibit the use of American vessels to transfer exports to belligerents.

This amendment would be entirely superfluous since section 2 (a) of the Neutrality Act of 1939 prohibits the use of American vessels for the purpose of carrying passengers or cargo to belligerents.

7. Prohibit the conveying of merchantmen by our Navy. One sunken ship might plunge us into war.

I have already discussed this matter. In the first place, there is nothing in the bill that in any way affects or endangers any existing powers to use our Navy for conveying merchantmen. Secondly, a majority of the committee has recommended an amendment which specifically states that nothing in the bill shall be construed to authorize such convoy work. The powers of the President to order the Navy anywhere on the high seas do not stem from Congress but from the Constitution.

The minority also states that Congress should specify the nations to receive aid.

To leave it wide open would mean the President could, now that we have lifted the moral embargo, give aid to Russia, by sending planes and war materials. Congress is to be in session for some months. It can extend aid to other countries if it is necessary.

As a practical example of the logic of this reasoning, let us assume a surprise attack on Brazil from African bases. Every American would insist that the United States Government rush all aid to Brazil immediately, but if the minority had its way, nothing effective could be done until Congress had met and amended existing legislation to specifically designate Brazil as a possible recipient of American aid.

The two things that stand out most after studying the minority report are: First, that the minority stubbornly refuses to recognize the verdict of the American people last November, that Franklin Delano Roosevelt is the President of the United States; and second, that the minority is attempting to confuse the American people into the belief that this bill is an attempt on the part of the President to make himself a dictator and to lead the country into war.

It would be amusing, if it were not tragic, to recall that the very same people who are now trotting out the old clichés about dictatorship and concentration of power are the same ones who a few weeks ago were bitterly criticizing the President for not delegating to a single man all of the President's powers and responsibilities for supervising and directing the national-defense program. The fact of the matter is that many of the powers which the lease-lend bill would give to the President, in many respects, merely make it easier for him to do what he already can do and has done by more involved methods. As to the argument that the President seeks to lead us into war, and that this bill will give him the power to do so, no one with any true understanding of the constitutional background of the powers of the Presidency of the United States and the historic precedents in connection with the exercise of those powers could make such a statement in real sincerity. Under the powers granted directly to the President by the Constitution—not merely to this President but to every President—he is not only the Chief Executive, not only the Commander in Chief of the Army and Navy, but also the sole organ of the Government in all foreign relations.

Jefferson did not seek the authority of Congress when he dispatched the Navy against the Tripolitan Pirates in 1801. Pierce did not ask the consent of Congress before he ordered a naval vessel to bombard the town of Greytown, Nicaragua, in 1854. Lincoln did not ask for the approval of Congress when he proclaimed a blockade of the Confederate States in 1861. McKinley did not first ask for statutory sanction before he sent naval vessels and troops to China during the Boxer Rebellion in 1900. Nor did Wilson when he sent ships and troops to Vera Cruz in 1914, or ordered the Pershing punitive expedition into Mexico in 1916. Coolidge did not find congressional authority necessary to wage what

has been termed his own private war in Nicaragua in the middle twenties. These are only a few examples of the many that could be cited.

To say, therefore, that the lease-lend bill will give the President power which he does not now possess to take the country into war is deliberately to disregard the constitutional powers of the Presidency and the interpretation which past Presidents have placed upon them. It is useless to deny that a wicked or irresponsible President could unaided and without the bill in question put the country into an actual state of war for any reason or for no reason within a matter of days. In these matters, therefore, the Nation must depend, as it has always depended, upon the conscience, the integrity, the responsibility, and the good judgment of the man whom the majority of the American people have chosen as their President in a free election. That trust I have—though the minority apparently does not. It is not invidious to suggest that that is perhaps why they are the minority. I appeal to them now to cast aside their partisanship and join with us in the struggle to save democracy and civilization in America. The lease-lend bill is an instrument which will place in the hands of our Government the means of carrying on this struggle effectively. The minority will have a heavy burden on their conscience if through their efforts this bill should be defeated or crippled into uselessness. [Applause.]

Mr. MUNDT. Mr. Chairman, I yield such time as he may desire to the gentleman from Minnesota [Mr. H. CARL ANDERSEN.]

Mr. H. CARL ANDERSEN. Mr. Chairman, after listening patiently and intently to the testimony given before the Foreign Affairs Committee and for the past 3 days to the splendid men and women who have spoken either for or against H. R. 1776, my personal reactions have crystallized into a few questions. Answers to these have not as yet been given in a form satisfactory to myself, nor do I believe, satisfactory to many of you.

Question No. 1: I believe, as a foundation to this query, that 90 percent of the people of the United States view with abhorrence the actions of Hitler, Mussolini, and Stalin. I believe, also, that 99 percent of the Members of this House are in full agreement that the defenses around the Western Hemisphere should be made impregnable against all possible attack and that our Nation's greatest job right now is to attain that degree of defense, regardless of cost.

Furthermore, it is my firm belief that the great majority of our people want all possible aid given to the courageous British, Greek, and Chinese people in their death struggle against the new so-called benevolent order of totalitarian despots; provided, however, that that aid does not bring a recurrence of 1917 and start again a steady stream of our best young men into the trenches and many of them into their graves.

Moreover, I discard as unworthy our discussion in this body the premise that



Britain and the British Navy is our first line of defense. If that is the case, God help America. Rather do I subscribe to the Monroe Doctrine as reaffirmed by Congress last year. I absolutely refuse to concede that the destiny of our great Nation is indissolubly linked with that of Europe, Asia, and Africa, where the slogan, "Might makes right," has for all history prevailed.

With this statement as a foundation, I would like to have the answer to this question, namely, "Why is it necessary, in order to help Britain with material aid that she needs and that most of us here want to give her, provided her own resources are exhausted, that we as a Congress must abdicate our powers to the President? Must we become a body servile to one man, who already has more power than any other President ever had except in wartime? As has been so aptly stated on this floor before, must we surrender our democracy in order to help other democracies retain theirs?"

Question 2. Why should we not be honest with ourselves and the people we represent and change the title of H. R. 1776 from "An act to promote the defense of the United States" to its actual title; "An act to aid democracies fighting for their lives against totalitarian nations by giving to those democracies untold billions of our war material, to be taken from the stock acquired by our ten billion national defense fund of last year and the proposed seventeen billions in funds asked for in the name of national defense this year." Let us further amend the title to read, "To be given outright to such nations, without expecting repayment and said billions to be given at the discretion of one man."

Third. Why can we not give, by special act of Congress, without red tape and without becoming another Reichstag, \$2,000,000,000 of war material as an outright gift from one democracy to another? Yes, I would vote today for such an outright gift provided I would not have to surrender to our President my prerogatives as a Congressman elected to represent here over 300,000 people.

Fourth. Why must we incur almost absolute certainty of involvement in this war by not definitely prohibiting the conveying of this material into the war zone? One of our warships sunk will mean eventually our entrance into this second World War. Just the other day we heard rumors of over 4,000,000 identification tags ordered for the Army. When I think of these tags, I also think of a dear brother of mine, just a number in a veterans' hospital; just one of several hundred thousand boys who in 1917 marched through streets behind brass bands over to trenches in France and for many of them oblivion. Our job as Congressmen is to prevent a recurrence of our troops again being used abroad. Yes; we will always protect our own, but I cannot but feel that H. R. 1776, backed up by the glaring headlines of the warminded eastern press and the propaganda ground out in the movies, owned in large part by the same group who dominate this press; I cannot but feel that all of this, together with the wrapping of our flag about this so-called

lend-lease bill, is but a prelude once more to brass bands again accompanying our brothers and perhaps our sons on a march to a war of destruction in a foreign country, a war which we had no part in starting. No; neither were we consulted with by Britain at Versailles nor at Munich. I sympathize with the poor people in Europe today, with my own relatives in one of the Scandinavian countries now under the heel of the oppressor, but the clammy, cold hand of death accompanies the conveying by our warships of supplies going to their aid.

Fifth. Have we not the right to ask of Britain, in return for even two billions of our property, once an enormous sum of money, that she sign over to us as collateral most of her possessions in the Western Hemisphere, with the exception of the Dominion of Canada? Is it too much to request of her the bases vital to our own defense, not for 99 years but for eternity?

Oh, yes; I have heard the statement made that we must not attach the sordid dollar sign to our aid bill designed to help sister democracies.

Does not our Nation demand even interest on that same "dollar sign" in all of its dealings with our own farmers and home owners? Our Government requires every farmer and home owner to pay interest and principle when due on the loans which adversity has forced on these same people. If delinquent, these farmers, my neighbor and yours; these home owners, your friends and mine, are either hounded by collectors or turned out to exist as best they can.

Oh, yes, I have heard this "sordid dollar sign" statement, but I see it each day in the steady flow across my desk of beseeching and pitiful letters from old people of my district who tell me that they cannot live on \$19 or \$20 a month. I see it throughout the Middle West, where only those farm buildings owned by insurance companies are painted. I can see these same farmers trying to meet increased costs and taxes and at the same time try to farm not on parity but on three-fourths of parity with industry and unionized labor.

Oh, yes, my colleagues, the sordid dollar sign does exist. When I glance at this scrap of paper, this bill H. R. 1776, carrying within its covers no one knows how many billions in gifts to a sister democracy, but at least as much, in my honest opinion, as is the total farm mortgage indebtedness of nearly 40,000,000 farm people in America; yes, when I study this bill, I begin to wonder, do we not perhaps forget too much our own people and should we not perhaps just request a little collateral, sordid word though it may be, in return for untold thousands of millions in outright gifts to other nations?

In conclusion, I want to help Britain. I want to see Hitler and his ilk defeated, but also cold realism tells me, as my conscience often does, that this so-called lend-lease bill places far too much power in the hands of one man. It makes Congress a puppet body, and places no limitation whatsoever upon the billions of our taxpayers' dollars to be poured out in lend-lease material; ships, guns,

food, which you and I know deep down within us, can never, and will never be repaid.

Yes, Mr. Chairman, cold realism also calls to my mind the danger of this bill involving us in war, just a few months after both major political parties pledged that never would a single one of our boys be again sent to foreign wars. I for my part can hear that inward voice, whatever it may be and wherever it may come from, whispering, "Our beloved Nation is at a crossroads of destiny. Let us stop, look, and listen." [Applause.]

Mr. MUNDT. Mr. Chairman, I yield such time as he may desire to the gentleman from New York [Mr. LEONARD W. HALL].

Mr. LEONARD W. HALL. Mr. Chairman, after reading the minutes of the hearings before the Foreign Affairs Committee, and now, after listening to 3 days of debate on H. R. 1776, one significant fact stands out, the preponderant sentiment of the Members of the House is to give aid, as quickly and effectively as possible, to Great Britain and the democracies.

With this general accord as to what all of us desire to bring about, it does seem to me to be a pity that we have not thus far, even in a small way, redressed or conciliated the conflicts aroused by this bill. And we are already in the third and final day of general debate.

I think we are aware, poignantly so, that the disharmony and discord here is having a tragic effect on our country. Instead of passions being allayed, they are becoming more furious—a lamentable fact and a matter of great concern to all of us, I am sure.

Before we can expect the people of our land to present a common front in the emergency that faces us in this war-torn world, we must calm the discord right here. It is here that we must provide the basis for national concord.

It is not too late to bring about concord on the objectives we all have in mind. We can do it and we must do it, if the people are to be united—not divided—and we must reach a decision to which they will give their spontaneous, common, loyal acceptance and support.

If we do not reach this objective we shall have failed.

Let us understand the fundamental difficulty, the root of our discord. And, understanding it, perhaps we can eliminate it.

In my view the reason lies in the fact that this bill, by its terms—Not the announced statement of its operations by the administration—but the bill by its own terms, goes far beyond the natural, the positive wishes, purposes, and resolutions of the overwhelming majority of our people.

This bill sets up the President as a virtual director of the war. The lives and liberties of our 130,000,000 people will be gravely affected by the powers we are asked to grant him. The constitutional power of Congress to declare war may become an empty thing. Power to dispose of sums of money, estimated at astronomical figures, without appropriation or control by Congress, is given.



This bill would short circuit the rights of the people. Their forum, the Congress, would be gone.

They could petition, but without redress. For under this bill if the stated powers are given away to the Executive, the Congress would be powerless.

The Congress would be placed in a strait jacket of its own making. It would surrender the rights of the people; and this while we are still at peace. And this with the knowledge that England, while at war, still finds its Parliament supreme.

The argument has been made that so long as Congress retains the actual appropriating power, that its authority remains. But in the declaration of authorization of appropriations in this bill, the Congress pledges, as policy, that the appropriations will follow without time limit. We shall have been pledged, committed, and, in turn, on that pledge and commitment to appropriate. The President, in turn, has blanket power to commit this country to any expenditure within the boundless authority given him.

How can it be argued persuasively, therefore, that the power of the purse is still in the hands of Congress under this bill? For Congress to try to recapture it under the blanket authorization given would mean the repudiation of its own pledge to provide all funds the President makes commitments for, and the repudiation, also, of the commitments, pledged commitments, of the Chief Executive himself. The Congress would therefore, in the effort to recapture the purse strings, have to dishonor its own authorization and the commitments of the Chief Executive of our country as well.

Mr. Chairman, I do not believe that we must grant these tremendous powers in order to give the aid that we all desire.

I think I should point this out also. From the tremendous number of letters I am receiving in relation to this measure, people generally understand that immediate material aid—more than they have been receiving—will become available to the democracies. After listening to Mr. Knudsen's testimony, it seems clear that there will be no great increase in our material aid, even if this bill is adopted, until the latter part of this year or the first part of next year.

There are many who believe that this bill cannot be amended properly and that a new bill should be introduced. I am not one of those. I sincerely believe that proper limitations, so far as time is concerned, a ceiling on the amount of money to be granted, and other limitations can be made by amendment to this bill. Mr. Chairman, your party is in control of this House. This bill was prepared without consultation with any minority Member although the President, on many occasions, has spoken of the necessity of working as a team during this crisis. Your party can pass this bill in its original form, but, like my good friend the gentleman from New York [Mr. WADSWORTH], I sincerely believe that the unity of the country will best be served if proper amendments, limiting the power of the President and keeping intact the appropriating power of the Congress, are accepted by the majority party.

Mr. MUNDT. Mr. Chairman, I yield to that Lincoln-esque statesman from the South, the gentleman from Kentucky [Mr. ROBSION], 10 minutes.

Mr. ROBSION of Kentucky. Mr. Chairman, ladies and gentlemen, I am very glad to have an opportunity to express my views on this important bill. This is a fateful time in the history of this Nation. Perhaps this is the most important bill that has come before any American Congress in the 152 years of its history.

This question transcends all partisanship. I wish to commend the large number of Democrat Members of the House who have stood on this floor during the 3 days of this general debate and courageously expressed strong opposition to this bill. It required real courage to oppose this measure so strongly urged by their Democrat President.

I do not represent a district of pacifists or appeasers. In fact, the people of my constituency do not faint when they smell gunpowder or when they see blood. Ninety-nine percent of my constituency as well as myself are made up of English and Scotch parentage in Virginia, North Carolina, and Kentucky before the Revolution. I doubt if I have as many as half a dozen Germans in my congressional district and not many more Italians.

I have always admired Great Britain and her able statesmen. She has had through the centuries very able and loyal leadership. From a few small islands they have helped their country to acquire at least one-fourth of the earth's surface and 500,000,000 of the 2,000,000,000 population of the entire world. They possess more square miles in North America than the United States. Their statesmen have never given up an inch of ground once taken possession of by the British Empire and they have never bankrupted themselves for any other country. They look after the interests of Great Britain, and they are doing that now. Every ship and every plane, almost, that comes to our shores from Europe brings some duke, prince, lord, or baronet spreading propaganda, urging us to pledge our Navy, Army, air force, and our resources to bail out again the British Empire. The King and Queen also came.

For the first time in the history of this country the President of the United States made a trip on a cold, drizzly night to Annapolis to welcome the Ambassador of a foreign nation. It was Lord Halifax. In the next day or two that British Ambassador visits certain leaders in the House and Senate, inquiring about H. R. 1776, the bill before us. I wish all those who enjoy the benefits of our great country would manifest the same zeal and devotion to our country as British statesmen show to the British Empire.

With the background of the ancestry of myself and my constituency, I naturally sympathize with the British Isles, and I think this is the feeling of most of my constituents. My constituents and their ancestors have always had a passionate love for the United States and an unswerving devotion to our flag. They know but one flag, the Stars and Stripes, and one country—the United States of America. They have always hated op-

pressors wherever they might be in the world. I share their feeling. I shall strive, however, not to permit my partiality for Great Britain or my dislike for Hitler, Mussolini, and their ilk to warp my judgment in doing the very best thing possible to protect and preserve the best interests of the people of the United States. [Applause.]

I was elected and took the oath to uphold our Constitution and to serve our country and not some other country. [Applause.]

All we desire down in my district is to be known as good, liberty-loving, loyal Americans, loving but one flag—the Stars and Stripes; owing allegiance and devotion to but one country and its ideals—the United States of America. [Applause.]

I do not share the fears expressed by some of the proponents of this bill or subscribe to the thesis that Great Britain and her Navy are our first line of defense and that she has saved and protected us through all the years. The ancestors of some of my constituents served with the naval heroes—Paul Jones in the Revolution, Oliver Perry in the War of 1812, Admiral Farragut and Admiral Porter in the War between the States, and many other great naval heroes. They were never defeated. I wonder if they might not turn over in their graves when we are now told that we cannot survive without the protection of the British Navy, although it is now admitted that we have the finest and most powerful Navy of any country on the earth and we are adding to it hundreds of fighting craft from battleships to submarines. [Applause.] Under this bill, however, the President can cripple that Navy.

The war in Europe is not our war. We were not consulted; but, on the contrary, our Ambassadors, Mr. Bullitt and Mr. Kennedy, testified a few days ago that they warned France and England that they could not expect the United States to aid them in another world war if one was started. Yet, with that warning, and the various acts of Congress, and the American press, and the speeches of our public men and women, and the resolutions of hundreds of organizations warning against war, England and France told Poland to hold on to Danzig, a German city; and just as soon as Germany attacked Poland, England and France declared war on Germany.

I do not for a moment condone or approve of the action of Hitler and Mussolini, or any other war lord, but it cannot be said this is our war. Ambassador Bullitt, testifying for this bill, admitted that the Versailles Treaty in the last World War and Danzig brought on this war. He pointed out that President Wilson tried to restrain the greed and selfishness of the Allies—Britain, France, and others—and pointed out to them that that treaty would cause another war. Our United States Senate refused to ratify that treaty.

We made unusual sacrifices in blood and treasure to help England and France disarm Germany and the other Central Powers. We cannot be blamed for Britain and France permitting Germany to become strong and powerful again.



Must we sacrifice millions of our young men and untold billions of treasure every 20 or 25 years and go to Europe to help Great Britain disarm her enemies?

It is not our war, and Great Britain is not fighting our war, and neither is she or her fleet our first line of defense. She is fighting her own war. If it is our war, let us meet it honestly, openly, and squarely. Let the administration bring in a resolution to declare war and let Congress under its constitutional powers and as representatives of the American people vote direct as to whether or not we shall go into that war. I am frank to say that I would not vote to go into that war.

The national conventions of both parties in 1940 pledged the American people that they would not take this country into any foreign war unless we were attacked. President Roosevelt and Mr. Willkie and every Member of the House and Senate made like pledges to the American people. I made speeches, sent letters and copies of speeches to tens of thousands of voters in my district, in which I solemnly pledged them I would not vote to put this country into another European-Asiatic-African war unless we were attacked, and I propose to keep my pledge, and I think Mr. Roosevelt and Mr. Willkie should do likewise.

Mr. Willkie charged Mr. Roosevelt with grabbing dictatorial powers from a subservient Congress and that if Mr. Roosevelt was elected he would lead this country down the road to war. Mr. Roosevelt bitterly denied these charges time and again and made a great plea for peace over the radio on the night before the election. We did not hear from Mr. Willkie until this bill came up, and his first utterance was not to keep us out of war but urging the American people to swallow this bill giving to the President more power than any President has ever been given and insist on all-out aid to Britain. His first speech was for Great Britain, and not for the people of the United States.

If the Republican convention had known of his attitude, he would not have been nominated, and if the American people had known that President Roosevelt would back a bill like the one now before us, he never would have been elected. It is hard to say now which one is exerting the greatest effort to get us in the war, Mr. Willkie or President Roosevelt.

If the administration feels that Great Britain should have some credits, why did not they bring in a bill specifying the character and the amount of credit we would extend to Great Britain? I understand a substitute bill will be offered, cutting out these unlimited powers of the President, protecting and preserving the constitutional powers of Congress to declare war, raise and support armies, and provide and maintain a navy, retaining in the Congress the power over the sword and the purse, and the bill will extend credit to Britain for at least \$2,000,000,000 and make it available at once to the British Government so that she could buy anything in this country that she might believe would be helpful in her defense. But mark my words, the administration will fight extending any credit to Great Britain unless there is

attached to it these dangerous limitless war powers to the President provided in H. R. 1776, and unless these unlimited powers are stricken from the bill I shall vote against it.

The President did not want Congress to stay in session last year. Veterans' organizations and others and citizens in great numbers urged that Congress remain in session to keep the President from involving us in the European-Asiatic-African war. We remained in session for 366 days. Now some of the Members of this House propose to give to the President power to carry on wars for and against any nation or nations in the world. It does not seem consistent to me. I wanted to keep him and this country out of war all last year, and I am still determined to do what I can to keep our President and our Nation out of the European-Asiatic-African war.

#### UNLIMITED AND DANGEROUS POWER

I have been reading and studying H. R. 1776 from the time it was introduced. The oftener I read it and the more I study it, the more alarmed I become.

We have been informed that Mr. Morgenthau, Secretary of the Treasury, prepared this bill. It was not written by any Member or any committee of the House or Senate. No one man could have prepared this bill. Those who prepared it evidently had in mind two purposes: One. To grant to the President more power than has ever been sought by any American President, or granted to him by any American Congress; two, and there was an overpowering desire to aid a group of nations engaged in the European-Asiatic-African War.

In my opinion, the real purpose behind this bill is not to secure dollar credits or authority to manufacture guns, boats, planes, or munitions. The real purpose is to grant authority to dispose of defense articles already manufactured or which are in the process of being manufactured. This bill is supposed to be predicated on the idea that it is going to grant immediate aid to Britain and other countries we desire to help. Secretary Hull, Secretary Stimson, and Secretary Knox testified that Britain is facing a great crisis and that she must have immediate help. They say this crisis is likely to come within 60 to 90 days. Now it has been admitted by many of the proponents of this bill on the floor of the House during this debate and by our colleague the able and distinguished former Senator WADSWORTH from New York that none of the defense articles which are to be manufactured and covered in this bill could be produced in less than 8 to 12 months.

Soon after the bill was introduced, Senator BARKLEY expressed the belief that this bill would go through by the 1st of March. The crisis, as described by the proponents of this legislation, will have come and gone before a single gun, ship, boat, or plane, can be produced under this bill.

Britain, while she is short of dollar credit, is not short of liquid or liquidable assets. A few days ago the Federal Reserve Board in one of its bulletins showed that Britain had in this country more than \$8,000,000,000 in cash

and liquidable assets in the way of high-class stocks, bonds, and other securities that she could sell and secure the money. How much has she in other countries?

I invite your attention to some of the sentences and phrases that have not been emphasized in this debate. This bill constantly refers to defense articles. The bill defines defense articles. What are defense articles under this bill?

First. Any weapon, munition, aircraft, vessel, or boat;

Second. Any machinery, facility, tool, material, or supply necessary for the manufacture, production, processing, repair, servicing, or operation of any article described in this subsection;

Third. Any component material or part of or equipment for any article described in this subsection;

Fourth. Any other commodity or article for defense.

From that definition, it means that the President can take hold of any weapon or defense article now belonging to the United States or any foreign government, or to which we may hereafter acquire title, possession, or control. Yes; he can go out and take anything that belongs to the United States or belongs to any of its citizens; or ships, boats, tanks, planes, or guns, of other countries. You can see at once the purpose of this bill is to give the President absolute control of all the defense articles belonging to this Government or to any private citizen, or belonging to other governments, to use and dispose of them now.

That is the big idea in this bill, according to my views. And I wish to call your attention further to some words in section 3 that have an important meaning. This section is the very heart of the bill, with the definition of "defense article" applied. It says—

SEC. 3. (a) Notwithstanding the provisions of any other law—

This at once repeals the law prohibiting the President or any other officer from disposing of any part of our Navy or the equipment, guns, tanks, planes, and other equipment of our Army and air forces until and unless the heads of the Army or Navy, as the case may be, certify that such ship, gun, plane, or other defense article is surplus and is not necessary for the defense of this country. Those few words repeal that law, and they repeal the neutrality law that Congress was urged to pass to keep this country out of war. Those words also repeal the Johnson Act, that protects the United States Treasury from future raids by defaulting nations. Those words, in effect, take away the constitutional powers of Congress to declare war, to raise and support armies, and to create and maintain a navy, and turn the powers over to the President.

Now, after those laws are repealed and Congress has abdicated its powers and turned them over to the President, what can the President do? He can order his Secretary of War, Secretary of the Navy, or any other head of any department or agency of the Government to—

(1) Manufacture in arsenals, factories, and shipyards under their jurisdiction, or otherwise procure, any defense article—



The words "otherwise procure" makes the sky the limit.

For whom are we to manufacture and procure defense articles? The bill says "for the government of any country whose defense the President deems vital to the defense of the United States."

You can see at once all this power to manufacture, or procure is not to manufacture or procure any ship, gun, tank, plane, or other munition for the United States. It does not propose to add one ship, gun, plane, tank, or other defense article to the Navy, Army, or air forces of our own country. It all is for some other governments. The bill says "any country"—it takes away any discretionary power of Congress to say what country or countries we are to help—and places it solely in the hands and control of the President to help any country, anywhere, anytime, with any of our defense articles.

After we have accumulated ships, guns, planes, tanks, shells and other munitions, what disposition is to be made of them? The President, by himself or through any person or agency selected by him, can do what? "Sell, transfer, exchange, lease, lend, or otherwise dispose of." I am calling your attention to those brief words "or otherwise dispose of." Does anyone believe the President is going to sell any of this defense material and get money on securities for them? How can we, when he has said, "We must remove the silly dollar mark from our plans to help these other countries"? The words "otherwise dispose of" could mean any one of a dozen things he could do. He could have our soldiers, sailors, and flyers use them for Britain or other countries. He could put British sailors or British officers in charge of them. He could convoy British merchant ships or American merchant ships, and take our Navy right into a war zone, in direct conflict and violation of our neutrality law, except this same section of the bill provides he can do these things "notwithstanding the provisions of any other law."

Now, to whom can he sell, lend, lease, or otherwise dispose of these defense articles? To any such government as he might think would help the defense of the United States. And what articles could he dispose of? The bill says "any defense article." Every ship, boat, plane, tank, gun, or other weapon, and all munitions of our Navy, Army, and air forces that are now a part of our Navy, Army, and air forces or that we may manufacture or otherwise acquire are articles of defense and come within the provisions of this bill and could be disposed of by the President at any time to any nation anywhere on the face of the globe.

The President and his advisers know that our shipyards, plane, tank, and munition factories are full up with priority orders, and orders placed for the manufacture of any defense articles under this bill could not be reached in less than 8 months. This bill is being pushed through to enable the President to meet this so-called crisis in Great Britain and to enable him to sell, lease, lend, or dispose of in any other way he might desire any of our ships, boats, tanks, planes, and

munitions of our Navy, Army, and air forces. He wants the power to use the defense materials of our Army, Navy, and air forces in that fight that they say will likely come in 60 or 90 days.

Of course, that means he will put us directly in that long, bloody, costly war.

If we propose to go to war, let us not carry on an undeclared war. Let the war resolution come up squarely before Congress and the American people, and let us say whether or not we desire to get into that war.

No American President was ever given such limitless powers, even when we were in a life-and-death struggle for the preservation of the Nation in the Civil War or in the World War.

This bill also provides that we can repair, outfit, recondition, or place in good working order any defense article, not for the United States, but for any other government on the face of the earth. We can permit foreign warships and other vessels to occupy our shipyards, our ports and docks, in violation of recognized international law and in violation of our neutrality act, and this will bring the war right to our shores. This bill starts section 3 by saying that the President can do these things "notwithstanding the provisions of any other law."

This is not all. The President has a right to communicate and turn over to not merely Great Britain but to any government or its representatives any or all of our most vital and valuable military and naval secrets. We have many great secrets that have always been jealously guarded. The President can turn over these secrets so that they may become common knowledge to any government or governments on the face of the earth if, according to his mind, it is to the best interests of this country.

It was admitted by Secretary Knox of the Navy that the President could give away any or all of the United States Navy, any gun or plane, or other defense equipment or article. The President says, of course, he is not going to give away the Navy, but the Congress and the Nation already know that he did, in violation of a positive law passed by Congress, dispose of 50 improved destroyers on the active list of our Navy, secretly to Great Britain. It was an accomplished fact before the slightest intimation was given to Congress or the American people. He did attempt to contract and dispose of 20 of our latest and most up-to-date submarines that were almost completed. We had but a handful of submarines. We needed these submarines very much for our own Navy and the defense of our own country, but the President was willing to let England have them without consulting Congress. Senator WALSH, chairman of the Naval Affairs Committee of the Senate, and the American people generally denounced this as a violation of law, and the President was forced to back up. The President claims, and so does the Secretary of the Navy and others, that he has the power to convoy navy and merchant ships and go right into the war zones in Europe. The President says he has no thought of giving away our Navy or using it as a convoy. Secretary Knox admits the use of our Navy for

convoying ships would clearly be an act of war. The President says he is not going to use this power—well, why should he be given this power?

This bill, as introduced by the administration, boiled down, means that the President is given unlimited power for an unlimited period of time, backed by the unlimited resources of this country with a blank check for God knows how many billions, and our Navy, Army and air forces with their equipment, in his hands to go out and carry on undeclared wars for or against any nation or nations on the face of the earth. Such powers and the exercise thereof are bound to plunge us into the longest, costliest, and bloodiest war in which this Nation has ever taken part.

This bill is to implement, in my opinion, the purpose of this administration when the crisis comes to use every defense article of this country now held by it or which it may acquire to get into that war in Europe when this so-called crisis comes, under the theory, they claim, that Great Britain and the British Navy is our first line of defense.

I do not agree with the proposition that Great Britain or the British Navy is our first line of defense. When was it that Great Britain or her Navy defended this country or upheld the rights of American citizens? Was it during the Revolutionary War when we had to go out and fight her on land and sea, and gain our independence? Was it in the War of 1812 when we again had to fight her on land and sea to preserve our independence and gain for ourselves the right to sail the seven seas of the world? Was it during the dark hours of 1861-65 when the life of this Nation hung in the balance and England had come to the conclusion that this country was growing too big and wanted to divide us and she took sides with those who were trying to destroy the Union and preserve African slavery in this country? She was against the United States in the Revolution, in the War of 1812, and in the Civil War. She threw her army and navy and her possessions here on the Western Hemisphere against this country. Our Navy and our country were England's first line of defense when our Navy, our manpower, and our resources went to her rescue in 1917-18. A million American soldiers and sailors through wounds and disease gave their lives, our hospitals are filled with blind, crippled, and disabled, we have a million widows and orphans of those who served in that war. We still have a great national debt hanging on our shoulders as a result of that war, and before we are through paying compensations, pensions, and hospitalization, that war will have cost us a hundred billion dollars. We helped to disarm the Germans and other enemies of Great Britain.

Who encouraged Hitler to overthrow the democracy of Germany and to build up power in Germany? Who encouraged Hitler to rearm and obtain stronger powers? Who appeased Hitler through the years? Great Britain; and now Congress is called upon to surrender its constitutional powers, the American people are called upon again to furnish



the blood and tears and to bankrupt themselves and surrender their liberties to save the far-flung British Empire. And yet, we are told we must save her because she and her Navy are our first line of defense. It is time America and Americans devoted a little time to saving themselves. Let us develop our own national defense on land, sea, and in the air, and make ourselves strong within by building up our economic life, and clearing out enemy aliens so that we can protect ourselves against any and all who may assail us, preserve the liberties of the people of the United States. [Applause.]

Dictators have marched, have come and gone in Europe, Asia, and Africa for centuries, fighting, as they are now, for territory, lands, trade routes, commerce, markets, and political power; and they will continue until the angel Gabriel places one foot on the land and one foot on the sea and proclaims to the world "Time is no more." Europe, Asia, and Africa have always handled their dictators—they will do it this time. Hitler and Mussolini are not going to take Great Britain and the British Empire and their Navy, and it is my honest opinion, unless there is a break-down in Germany, that the United States and England combined, even though we bankrupt our country and furnish millions of soldiers, cannot march into the middle of Europe and win a total victory there under present conditions.

Russia, to whom the administration recently gave a certificate of good moral character although she is gorged with the loot and spoils of this war and her hands are covered with the blood of millions of innocent men, women, and children, and she has taken the lands and destroyed the liberties of other millions, is sitting back waiting and waiting until noncommunist nations, including our own, have exhausted and destroyed themselves to erect upon the ruins a God-hating, liberty-hating, communistic government of the world.

I am unwilling for our Nation to dissipate our weapons of defense, exhaust our credits and resources, give up our liberties, and to bankrupt our people unless we have first been attacked. Let us make ourselves strong enough to meet successfully assaults from any and every source in the world.

#### H. R. 1776 IS A WAR BILL

This bill should be styled "A bill to promote war, unlimited power of the President, and final bankruptcy in the United States." This bill clearly gives the President the power to dispose of any part or all of our Navy, any or all of our airplanes, any or all of the guns or equipment for our Army, together with any or all of our naval and military secrets. He could transfer all of these materials and secrets on such terms as he may think best for this country and give them to any country or countries on the face of the earth that in his opinion would help the defenses of the United States. The sky is the limit on the amount of the appropriations and authorizations in this bill. Some contend he could spend at least \$40,000,000,000 and could make contracts for any period of time in the future. The sky is the

limit in the amount he can spend or contract for and he can operate throughout the world. He will at once become the W. P. A. Santa Claus for the world. Harry Hopkins is now in Europe. He is no doubt working out plans by which this Nation proposes to aid countries in Europe, Asia, and Africa. The President is not limited except by the boundaries of the great, wide world.

The Ways and Means Committee has agreed to report a bill increasing the debt limit of this country to \$65,000,000,000. It will not be long until our debt limit will reach that sum. What we are about to do authorizes the spending of money which, in my opinion, will be only the first installment. Other billions will be required from our people and taxpayers. The national debt will jump by leaps and bounds.

They will finally call for our ships and our boys. If this measure is passed and we become involved in Europe, Asia, and Africa, I can see nothing before us except actual or undeclared wars, complete bankruptcy, the lowering of our standard of living, the loss of the lives of many of our fine young men, a great increase in the great army of widows and orphan children made by the last World War, our old hospitals and new hospitals filled with the lame, the halt, and the blind, a complete upset of our social, economic, and political life, and, worst of all, a loss of our own liberties. Our people already have been called on to do more than the powerful, rich, and big dominions of the British Empire. Canada has not passed any draft act, forcing her young men into a foreign war. Great Britain is paying the people of her dominions for what defense articles and material she buys from them. Some of our citizens are insisting that we again make donations of billions of dollars and supplies to the British Empire. Let us not overlook the fact that we must borrow this year at least \$10,000,000,000 to carry on our own defense program and we shall continue as we have for the last 10 years or more to spend more than we are taking in. While Great Britain may not have cash dollars enough in this country to meet its purchases, she does have liquid assets and she does have these islands in the Western Hemisphere that would be helpful to our defense for which our country would pay her billions of dollars. Is it right to bankrupt our citizens and our country to carry on a war to help Great Britain carry on her war when she has billions of dollars of assets available? Yet I am willing to lend to her a reasonable sum on a reasonable basis but I want to know what we are giving and the terms thereof and not give to the President a blank check to dispose of billions and at the same time put into the war any part or all of our Navy, Army, or air-force equipment.

My first concern is to see this country thoroughly equipped to defend itself. No one now claims that Hitler and Mussolini can cross 3,000 miles of the Atlantic and attack this country or the Western Hemisphere. The President greatly frightened the American people with that sort of a claim last summer, but in his recent annual message to Congress he

stated that no one believed Germany and Italy could invade the United States or the Western Hemisphere until and unless they acquired naval and air bases here on the Western Hemisphere. With our most powerful Navy in the world and with proper build-up of our air forces, there can be no such danger. I might say that it is generally known that we are turning over to Great Britain 75 percent of our production of airplanes, and so forth, while the American people believe we are only turning over 50 percent and keeping 50 percent for ourselves. This country must not be stripped of its defenses for any other country, and that is one of the strong reasons for my opposition to this bill; it makes it possible to do that very thing.

The President appears to be so strongly in favor of taking care of Great Britain I am afraid he will neglect and impair our own defenses. I do not propose to give him the power to do so. When we were called on last year and recently to vote billions and billions of dollars we were told that these huge sums were for the purpose of building up our own Navy, Army, and air force. There was no hint that a bill like the one before us would be brought in to enable the President to use these billions or the equipment that has been manufactured or will be manufactured to aid any country in the world according to his opinion and judgment.

#### AMENDMENTS WILL NOT PROTECT US

The administration was forced to agree to the acceptance of four amendments.

First. The President can spend and make contracts and incur obligations under this bill to June 30, 1943. It developed the other day that some of the departments made contracts for perhaps \$10,000,000,000 in a few days. Billions and billions could be spent and contracts and obligations made before June 30, 1943. During the last 8 years the President under the pressure of some 40 or more emergencies has secured from a subservient Congress many extraordinary powers. Limitations were put in those bills for a year or 2 years; but he still has the powers. He is able to have these powers extended from time to time, and more than likely we will be so much involved before June 30, 1943, that we will be unable to extricate ourselves and conditions will develop that he will be demanding more and more powers.

Second. Another amendment requires the President to consult with the Chief of Staff of the Army or the Chief of Naval Operations, or both, before he turns over any of our defense materials to other nations. That amendment means nothing. The President appoints the Chief of Staff of the Army and the Chief of Naval Operations. He is their commanding officer. He can discharge them at any time and appoint new chiefs. They agree with him or else. There is nothing in the bill that requires him to accept their suggestions or advice. Judging from Mr. Roosevelt's past record, when he gets a man in who does not carry out his wishes, he gets the man out of office. Secretary of the Navy Knox admitted that personally he would not approve of turning over the Navy or any material part of it to any other na-



tion, and he did not think it would be wise to convoy merchant vessels to the war zone, yet he admitted that if his Commander in Chief, Mr. Roosevelt, ordered him to do so he would follow his superior officer's orders.

Third. An amendment was written which provides that the President shall report at least every 90 days what he has done under this bill to Congress, unless in his opinion to make such a report would be incompatible with the public interest. That simply means that he would not have to report at all. He would merely have to say that he was not reporting about certain acts because it would be incompatible with the public interest.

Fourth. It is urged that the fourth amendment would help the bill. This amendment provides that nothing in this act shall be construed to authorize or permit the conveying of merchant vessels by our Navy into the war zone in violation of the present neutrality act. Secretary Knox and others admitted that the President already has such power if he desired to exercise it and it would not be necessary to grant him any such power in this bill. Therefore this amendment is less than an idle gesture. This conveying of merchant vessels into the war zone is very important, because if any of our naval vessels or merchant vessels should be blown up while in the war zone it very likely would mean war. In fact, it is an act of war, as admitted by Secretary Knox, for a naval vessel to convoy a merchant vessel in a war zone, but he said if his Commander in Chief ordered him to use the Navy to convoy these merchant vessels he would do so.

Mr. MUNDT. Mr. Chairman, I yield such time as he may desire to the gentleman from Illinois [Mr. REED].

Mr. REED of Illinois. Mr. Chairman, I have listened for 3 days to the arguments on the floor of this House both for and against this proposed legislation. In law one who institutes a suit is required to prove the justice of his contention by a greater weight of the evidence. It seems to me that the same rule is or should be applicable to those who propose the enactment of laws before a lawmaking body. They should prove to the satisfaction of the majority of their colleagues that the legislation, if enacted, will be of general benefit to the people of the nation or state, as the case may be.

The people of the United States in their Constitution granted serious and far-reaching power to Congress. They have a right to expect that that power will be exercised judiciously and soundly. It ought not be disregarded or delegated to others. Congress has no right to evade responsibility. It has no right to shirk its constitutional prerogatives. With the session just beginning, there is no need of shifting to the executive authority which, if reasonable and necessary, he could get for the asking.

This bill is fraught with danger to the very existence of our form of government. Its proponents, in the 3 days of this debate, have not to my satisfaction explained the necessity of the enormous grant of power which it gives to the

President. The title of the bill is, "To promote the defense of the United States, and for other purposes." They have not explained except in a vague manner how it will promote our national defense and have not given us a true picture of the other purposes. They contend that its passage will aid England, but they give no logical reason why we in America should set up a dictatorship of our own in order to do so.

They say its passage is necessary to defeat Hitlerism. Yet if enacted our Nation will have taken a lengthy stride toward adopting the very form of government that Hitler has created and which we condemn in no uncertain terms. Most certainly we shall have lost our struggle against Hitlerism if we yield to the philosophy of totalitarianism. Can we, as true Americans, down Hitlerism by aping it? Can we defend ourselves against it by adopting its principles and methods? Hitlerism is dictatorship. This bill should rightfully have been termed "a bill for the destruction of the American Republic." It seeks to place in the Chief Executive an unlimited dictatorship with power over the lives and property of the American people and power to make alliances with foreign powers as suits his fancy. It actually gives the President the same right to declare war as is, under the Constitution, vested solely in the Congress. Do you remember, Mr. Chairman, the German Reichstag and the Italian Chamber of Deputies? It has been a long time since we have heard of any activities of those supposedly legislative assemblies. Why? They consented to their own destruction. Are we going to do likewise? If we do, we are preparing the cradle from which an American dictator will rise and control the destiny of 130,000,000 people.

Mr. Chairman, we are told that this is a bill which will aid England and that by its passage we will be aiding her in her battle against totalitarianism, but, Mr. Chairman, is it necessary for us to create totalitarianism here in America in order to aid England? I think not.

In their testimony before Congressional committees, members of the President's Cabinet, apparently basing their opinions on information which they have received from abroad, stated that they expected the crisis in England within the next 90 days. How then is this bill to help England? Without the enactment of legislation such as this, we have been extending aid to her practically without limit. We have turned over certain of our warships. We have allowed her to take priority to hundreds of airplanes, tanks, cannons, machine guns, rifles which she is receiving from us, and she has been given priority to the allocation of the products of our munition industries. This bill is not required to convert America into an arsenal for Britain. We are that already. If British funds are believed to be inadequate, why does not the administration, instead of asking for powers over the lives and destiny of the American people and the abdication of the American Congress, ask the legislative branch of our Government to lend or give to Great Britain whatever sums are necessary for her to "carry on"?

I have not heard it explained by any of the proponents of this legislation how, with the crisis 3 months away, the passage of this bill will save England or assist in saving democracy.

Let us as Members of Congress of the United States avoid the fate of Hitler's Reichstag. Let us preserve democracy by retaining it here in America. This totalitarian bill should be defeated. We, my fellow colleagues, are the chosen representatives of the people. Ninety percent of them are opposed to our Nation getting into this war. The passage of this legislation will draw us closer to it. They abhor totalitarianism and dictatorship. This bill gives it to them. They don't want an American Reichstag. They want a free and unhampered Congress. They do not want a dictator. They do not want war.

Mr. BLOOM. Mr. Chairman, I yield 10 minutes to the gentleman from Illinois [Mr. ARNOLD].

Mr. ARNOLD. Mr. Chairman, permit me to say at the outset that I have no far-reaching love for Great Britain. My entire concern is for the future welfare of this Nation. My earnest desire is that our boys be kept out of war. It was in that spirit that I, as a member of the Foreign Affairs Committee of the House, entered into the extensive hearings on H. R. 1776.

We, as Members of Congress, have a sacred duty to perform. On our decisions may rest the future of this Republic. We have seen the officials of European nations lulled into a false sense of security, and even propagandized against the continued existence of their own governments.

In April of 1939 I was invited to listen, in the studios of WRC, in Washington, to the speech of Chancellor Hitler, and afterward to comment on the speech over the same N. B. C. network. I said, in part, as follows:

Chancellor Hitler definitely declines the conference table. We, as a Nation, should dedicate ourselves anew to the task of adequately and efficiently preparing ourselves for the defense of this great new Nation that we all love so well. \* \* \* I think there can be no doubt about his intention to continue until he achieves his aims. That is where we come in—we don't know how far his ambitions and his ego would lead him.

It has been the desire of the membership of this House to remain neutral with respect to the warring nations of the world, but in view of what has happened in Europe, and the aggression and butchery performed by Japan with respect to China, and by Mussolini in Ethiopia, Albania, and Greece, is it any wonder that today practically everyone in both bodies of Congress agrees that our future welfare as an independent Nation depends upon the defeat of those bound together by the tri-partite agreement? The dictators now in control of those governments have openly bragged that they have pooled their strength for the purpose of establishing in the world, "a new order." It just happens that in that "new order" a democracy, such as ours, has no place assigned to it.



With all my thoughts concentrated solely on the future welfare of this Nation, I was anxious, in the hearings just concluded, to ascertain the opinion of not only those in positions of great responsibility within our Government, but of others who appeared, as to whether if Great Britain should fall, we would eventually have to fight the aggressor nations not only with all the materials we are able to assemble, but with our manpower. I arrived at the decision that such would undoubtedly be the case. The history of conquerors is that they do not stop until they are "stopped." Every witness summoned by the majority and minority side, except one, Colonel Lindbergh, was of the opinion that our future welfare was tied up with a victorious Britain. They, of course, differed as to the policy this Government should pursue.

I must admit that I do not concede defeat for this Nation in the event of an Axis victory, but our future would not be alluring, nor pleasant to contemplate. The products of South American countries would be needed by the victors, and the manufactured articles, much required by our neighbors to the south, would be produced by enforced cheap labor under Hitler, Mussolini, and the rulers of Japan. The goods of our manufacturers would disappear from the continent of South America. Their military machines would follow their commercial travelers. Oh, yes; the victors would require some of our products, but on their own terms of barter and trade. To show how that works, about a year ago I was talking with an official of one of the agricultural Balkan states near Czechoslovakia—a manufacturing nation. When the Czechs had an independent existence her manufactured articles moved to this agricultural nation, and, in turn, her agricultural products were sold to Czechoslovakia, each on a cash basis. But, when Hitler took over this latter country, the trading was entirely different; and the prosperity of this agricultural nation "flew out the window." She needed to sell her agricultural surplus and Czechoslovakia was her logical and only market, but to do so she had to enter into a barter and exchange arrangement with Herr Hitler as to what her products were worth, in terms of cheap and unsuited manufactured articles that Hitler was willing to send her. Life became intolerable. In fact, today, she is under German domination.

Accustomed as we are in the United States to a high standard of living on our farms and in our industries, I can foresee poverty and internal strife that will render this Nation a very fit subject for "an inside job." God forbid that such an end should ever be ours.

It is not my purpose to go into the mechanics of this bill. Others have done so. Large powers are necessarily placed in the hands of the President, in whom they rightfully belong. When we, as a Nation, were sick in 1933, the Congress did not hesitate, almost unanimously I believe, to lodge much more far-reaching powers in his hands. He acquitted himself with credit, and the reconstruction job was far on the way, when war

clouds of gigantic proportions appeared on the horizon. The citizenry of this Nation were satisfied with the resurrection of our internal economy, and affirmed their confidence in him, in an election just passed, to guide us through the troubled waters that surround us. Therefore, as a Representative of the people, as well as of my own volition, I am thoroughly willing to place in his hands, temporarily, the large powers necessarily granted in this bill, introduced for the purpose of further promoting the defense of the United States.

Much has been said of the cost of defense and national preparedness. Something should be said of the cost of failing to defend and the cost of failing to organize national preparedness. On this latter subject, current circumstances necessitate the reference to the experience of others who failed to prepare and, accordingly, failed to defend. Now, here is some of the information which I have dug out from magazines, newspapers, and other publications.

The rapid military conquest of Poland, the Low Countries, Norway, and France is a manifestation of the superb planning and organization on the part of the Germans, and throughout this speech by Germans I mean Nazis, and in referring to Germany I mean Hitlerized Germany. This same planning and organization has now been transferred to the systematic economic and financial exploitation of the conquered countries. For such countries a formal cessation of armed hostilities only marked the beginning of a newer form of hostility which, from a long-range point of view, will have more profound consequences to the social and economic life of the conquered countries than complete military defeat in the traditional sense. The Germans are now well advanced in the conquered countries on a program of economic and financial subjugation and enslavement on totalitarian lines, in the interests solely of Germany. The Germans in numerous ways, some patently illegal, others, having exactly the same consequences, but dressed in a cloak of legality, have operated in so complete and devastating a manner that regardless of what the ultimate outcome of the present war may be, the whole life of the invaded areas, and particularly the economic and financial structure thereof, will forever bear the mark of German aggression and totalitarianism.

The economic exploitation of other countries by Germany began long before the outbreak of the present conflict, when Germany took advantage of her military and economic dominance over the countries of Central and Southeastern Europe and, to a lesser extent, even of nations as far away as South America. Yet, even though those countries were exploited by a great variety of cunning devices, they were comparatively fortunate, for they did receive something from Germany in return for their goods and services, even if it was only mouth organs and aspirin. Today the conquered areas receive nothing, unless they receive what Germany considers to be absolutely essential to keep them alive for further exploitation.

Germany has followed traditional methods of conquest in conscripting labor, confiscating property, and sacking the public treasury. These crude methods of looting and pillaging have been supplemented everywhere, and particularly in western Europe, by the more sophisticated "buying up" of the resources and the manpower of the conquered areas through newly created German money, called reichskreditkassenscheine, which are valueless outside of the conquered area; through staggering indemnities exceeding by many times any costs of an occupying army; through direct extension of credit to German interests by the banking systems of the occupied countries which have been placed under German control; through the forced accumulation of blocked marks by conquered countries in connection with clearing agreements; and, through the use of forced labor of both civilians and prisoners of war coming from the conquered countries to work in German industries and mines and on German farms. Through all these methods Germany is as literally and completely stripping the occupied countries of their resources as does a plague of locusts in a field of grain. The economic resources thus looted by the Germans have enormously increased her potential for achieving her next military objectives. We may be sure that if Germany succeeds in defeating Britain, Britain's world-wide economic resources in turn will be exploited by Germany to enable it to carry its final assault on this country.

In Poland, the total value of property confiscated outright by Germany, without even a suggestion of compensation to the former owners, has been estimated at between \$2,000,000,000 and \$2,500,000,000. In the areas next to the former German frontier, all Polish-owned land and industrial enterprises were confiscated outright; the Germans did not even go through the form of making out a valuation for this property before taking it over. German behavior in Poland is completely consistent with the policy outlined by their Minister of Agriculture Darre in a speech which he is reported to have delivered to an inner circle of Nazi party officials in May of 1940, in which he said:

All soil and industrial property of inhabitants of non-German origin will be confiscated without exception, and will be distributed primarily among worthy members of the party and soldiers accorded honors for bravery in the war. Thus a new aristocracy of German masters will be created.

The occupation of Czechoslovakia was accompanied by the "visiting" of numerous concerns in Prague by representatives of German firms. Such German representatives were, of course, in the company of Gestapo agents. The directors of the Czech firms were simply thrown out or arrested and their offices taken over by German representatives. This was the fate of the great Vitkovice Iron Works. Needless to say, the great German banks, particularly the Dresdner Bank and the Deutsche Bank, shared prominently in the spoils. In other instances, the same end was attained through the formalities of a reorganization in which a large block



of the new shares in the corporation was issued to German owners for a nominal contribution to the real assets. All these firms, and the materials that these firms produce, were placed at the disposal of the German Army. Hitler, in his speech of November 9, 1940, announced that the Schneider-Creusot Steel Works of France, the Fokker Aircraft factories in the Netherlands, the Belgian and French heavy industries, the Danish and Norwegian shipbuilding yards will be utilized to capacity to produce for the German Army in its preparation for the Battle of Britain.

Wherever the Germans went they requisitioned existing food and petroleum stocks, irrespective of the minimum needs of the local population. At least 1,500,000 tons of petroleum stocks were seized in France and perhaps a half million tons in other western European countries. This 2,000,000 tons is, roughly, equal to one-fifth of Germany's needs for a year of active warfare. Over 2,000,000 tons of wheat reserves were nominally purchased in the occupied countries, excluding an unknown and perhaps considerably larger amount taken from occupied France. The Danes were forced to reduce the number of pigs from 2,900,000 to 1,400,000. In Holland 23,000,000 out of the former stock of 29,000,000 poultry were killed. In Norway one-fourth of the cattle were slaughtered and the meat shipped to Germany. Norway was further required to furnish Germany with 200 tons of fish per day in spite of a domestic shortage of all kinds of foods. Had the 1940 crop and part of the stocks on hand in continental Europe been equitably distributed, there would be little abnormal shortage of food any place in Europe today and certainly no widespread starvation. Current bare subsistence rations, or less, are the direct results of deliberate German policy.

Outright confiscation sometimes assumes the cloak of collective fines on whole cities or communities. For instance, in Bordeaux during the past week a collective fine of 2,000,000 francs was imposed on the municipality because a group of French citizens "molested" a single German soldier.

Even the symbols of taxation are prostituted to accomplish outright confiscation. Thus, on August 8, 1940, the German individual income tax was modified to provide for an additional levy of 15 percent of the total income of all Poles in the German Reich and the annexed Polish territories. This is called a social equalization tax, and the idea behind it, as expressed by the highest German officials, is that it equalizes the circumstances of Poles and Germans because Poles, being members of an inferior race, need less food, less clothing, and less of all other cultural goods. When this tax was adopted the proper German ministries were given further discretionary authority to extend it to all other nationalities under the Reich's control. It has already been extended to the Jewish population in all areas occupied by Germany.

In all the invaded territories the conquered country is required to pay in cash the full cost of the army of occupation,

as estimated, of course, by the German authorities. This may explain the fact that the common German soldier in occupied Holland is today receiving 8 marks per day salary, or the equivalent of \$3.20 per day. In France, occupation expenses have been set at 400,000,000 francs a day, which means 146,000,000 francs a year. This amount is, roughly, equivalent to one-half the total national income of France for the year 1938. This figure, obviously, does not represent the total annual contribution which France is today compelled to make in support of Germany's war expenses, but merely that portion represented by occupation costs. The Norwegian occupation bill represents the equivalent of 40 percent of the national income of Norway under normal conditions. The occupation costs for Belgium will amount to a sum in excess of the average of the whole pre-war budget for Belgium.

The funds necessary to meet these costs are provided by the simple device of the central bank of issue in each invaded country creating new money and turning it over to the Germans. Under the circumstances of widespread scarcity produced by war conditions, the large-scale financing of additional purchases with new money creation would, normally, have resulted in a very considerable inflation. This, however, would have defeated the ends of the Germans in levying a fixed monetary tribute on the occupied countries. Therefore, the Germans took steps to preserve the value of the monetary tribute which they levied, by imposing rigid price and wage controls. The cost of goods which the Germans wanted was, in this way, held relatively stable. The effect of this whole process was to drain the occupied countries of goods, and leave them stuffed with new money with which they could, under present conditions, buy nothing.

Actually the so-called occupation costs far exceed current operating expenses of the Germans in the conquered countries. The differential is being used to penetrate by purchase the industries, banks, and security holdings of the conquered countries and their nationals. In France the Germans have recently purchased the controlling interest in the largest copper mines in Europe, the Mines de Bor in Yugoslavia. The backbone of French industry, namely her coal and steel resources, is being brought under German control both through purchase and through the imposition of an international cartel which will allocate to the French plants such production as is in conformity with German needs and plans.

In addition to the occupation costs, in each of the conquered countries the Germans have established control over the banking system so that they could extend to themselves banking credits with which to buy up both current industrial output and the capital assets of existing firms. The skill with which the Germans have operated in bleeding the conquered countries is evidenced by their preference for using the ordinary domestic money and credit facilities of each occupied country rather than creating a new and strange medium of ex-

change. Thus, when the Frenchman sells his heritage, he obtains in return, not German marks, but rather French francs; certainly nothing could on the surface appear to be more legal to the individual Frenchman. In some instances the credit facilities of an occupied area have been marshalled by the creation of a new central bank of issue controlled by the Germans. In other instances, the more subtle device of simply stationing a commissar at the head of each of the important banking institutions has been used.

Wherever the Germans have gained control they have established a further procedure for milking the occupied country by integrating the local exchange controls with that of the Reich. This results in compelling each of the occupied countries to extend clearing credits to Germany to finance exports to Germany. On the surface, this appears to be merely a multilateral clearing agreement. Actually, the end product is that each of the clearing partners is made to extend forced long-term loans to Germany. Thus, in Denmark immediately after occupying the country, the Germans transformed a small clearing credit into an enormous clearing debt. By the end of 1940 the Germans had accumulated a clearing debt to Denmark of about 1,500,000,000 crowns—roughly \$300,000,000—an enormous amount for a country of less than 4,000,000 people.

The amount which Germany thus extracted in clearing loans from Denmark in 8 months of occupation is, roughly, equivalent to the total value of all Danish exports during 1938. Naturally, these extraordinary exports have resulted in draining Denmark of a large part of her capital. Of course, Denmark got paper credit in exchange which hypothetically entitles her, assuming she can obtain priorities, to German goods at some future date. And it must be emphasized that Denmark occupies a preferred position in the Germany economy due to her accepting Germany's protective custody without armed resistance.

Germany confiscated all of the gold and foreign currencies found in Holland, Belgium, and France. Germany sealed all of the safe deposit boxes in the conquered areas preventing the owners from withdrawing their property. Germany has either seized the contents of such safe deposit boxes or set the stage for such seizure as German needs may require. These are the countries who deliberated and hesitated to use their foreign gold and foreign exchange assets and other resources to build up the defense of their own independence and who are now being compelled to turn over all of these assets to their conqueror to enable Germany to continue on its course of worldwide depredations. All of these countries are now paying annually as tribute to Germany far more than they have ever spent in the defense of their own independence. If it were not for the fact that this country took immediate action to protect the \$4,000,000,000 worth of assets in this country belonging to the conquered countries and their nationals these huge sums



would also have been turned over to the Germans to finance their wars.

Finally, Germany has been able to build up her war potential by depriving the occupied countries of their manpower. Reliable reports are to the effect that the total civilian workers transferred from the conquered countries to Germany number between 1,200,000 and 1,500,000. To this enormous total must further be added an uncertain number—anything up to 1,000,000—of prisoners of war who are working in German industries, mines, and on German farms. The total of the newly acquired labor force in Germany—including both civilians and prisoners of war—approximates 2,500,000. This new labor force constitutes perhaps 10 percent of the total workers employed in Germany, excluding the armed forces. The prisoners of war have, of course, no choice about working to build up the German war machine. The civilian laborers, who have been brought in from the occupied countries, have, in actuality, very little more choice than do the war prisoners. The invasion of the conquered countries produced untold disruption which, in turn, precipitated an unemployment problem of unparalleled magnitude. This unemployed manpower was given the alternative of employment in Germany or a denial of unemployment compensation benefits in its own country. As a consequence, there was a draft of human power throughout the occupied territories for the direct contribution for the war effort of the German Empire.

This is the history of democracies who failed to realize the need for cooperative action in marshaling and using their economic resources to create an adequate defense against totalitarian terror and aggression. Having failed to make sensible use of their resources to protect their own independence they are now compelled to divert those resources to further their own subjugation and to advance the world-wide imperial aims of Germany. Shall we repeat the mistakes of western Europe or shall we use our economic strength in the most effective manner to defeat this menace to our institutions and civilization? [Applause.]

Mr. BLOOM. Mr. Chairman, I yield 15 minutes to the gentleman from Texas [Mr. POAGE].

Mr. POAGE. Mr. Chairman, I am oppressed with a feeling almost akin to despair as I observe the repetition of arguments by Members, which seems to me to so nearly approach pure partisanship on an issue which should be far above party lines. I should despair entirely were it not for the fact that I accept and applaud the statement of my distinguished and able friend the gentleman from New Jersey [Mr. EATON], who on Monday said that insofar as the consideration of this bill is concerned that he was not an isolationist or an interventionist, not a Republican nor a Democrat, but an American. This is indeed the attitude in which every Member of this House should approach this subject, and I am sure that it is the true attitude of the Members of the minority who have by strange coincidence been almost alone as they followed each other into the well of this

House to proclaim their belief that America should build up her own defense and aid Great Britain, but who have with three or four outstanding exceptions protested that we should follow some other method of extending aid.

I know, and the Members of this House know, that this apparent partisanship has been but a coincidence, because we know the high character of the men and women who have repeated this time-killing doctrine that is received in Berlin, Rome, and Tokyo with so much gratification. We know that these spokesmen for delay have not consciously planned to encourage the Axis dictators even though their attitude does much to wipe away the chagrin of the African defeats suffered by the junior member of the Axis. We know that this attitude does not reflect the will and the determination of the American people. We know that America recognizes not only the need for defense—we also know that the American people realize the need for prompt action and the necessity in time of danger of using the tools that are available.

The danger in this respect is not that the American people will be diverted from the main issue—the protection of America, the danger lies in the possibility that the dictators may be misled into believing that there exists a serious breach in American solidarity, and that so believing they will decide that it is safe for them to apply the now famous "squeeze play" to America. That in event of an apparent refusal of America to extend prompt aid to Britain, that Japan will assume the role heretofore played by Italy, of entering the war in the hope of sharing the spoils.

On the home front, however, there is a very real danger—a danger that the people will not understand that honest men and women can sincerely urge in one breath national defense and in the next protest against taking what seems to most of us to be the obvious steps to assure our own defense by stopping the danger before it reaches us.

Nor can I understand this attitude, Mr. Chairman, although I repeat that I do not question the sincerity and patriotic intentions of those who urge such a contradictory course. It seems to me that there are, however, two or three vital matters on which we are all agreed. Surely every man and woman in this body will agree that the United States of America wants peace. Surely we will all agree that this Government owes a sacred duty to our people to do everything within its power to maintain an honorable peace. We are not obligated to defend Great Britain or any other nation, except as such defense adds to the security of America. We can also agree with at least 99-percent unanimity that the United States should prepare to defend itself—at least our votes so indicate. We have, with only one exception, I believe, joined to support the greatest national-defense program ever undertaken by any nation.

Certainly such a program—such staggering expenditures, such disruption of the lives of our people, and particularly our young men—can be justified only on the ground that we believe that America

stands in danger and very real danger of attack. Surely you did not vote to burden your people for generations to come simply because of vague rumors which you now term "fantastic dreams" or "British propaganda." Surely, when you voted these billions of dollars representing the accumulated toil of millions of Americans throughout years to come, and when you voted to take your neighbor's boy out of his job and send him to a training camp, you had in mind some definite and concrete threat to the safety of America. Surely you did not fear an invasion by Ecuador, nor were you preparing to resist the menace of the Republic of Finland, which so frightened the utterly helpless Soviet Union with its 150,000,000 people. Nor were you fearful that stricken Holland or Czechoslovakia would send an expeditionary force against our shores. No, we had a definite threat in mind—at least I did—but the threat we feared and still fear was not the threat of the democracies. I know that there are those who for some inexplainable reason seem reluctant to name the threat they feared. I shall not try to put words into my colleagues' mouths, but as for myself, I feared and I still fear an attack from the dictators, who control and direct the "new order of violence" in the Old World. I fear no one of them, but I do fear the pack.

I fear this trio of international bandits because I have observed their actions and I know that they will take anything they want and have the power to take without any scruples as to the rights of other people. I have seen Japan grab a piece of China each time an opportunity presented itself. I have watched her move on to Siam and to French Indochina just as soon as these regions seemed to be more helpless than China. I have listened to the words of Adolf Hitler after stripping Czechoslovakia of her great defenses proclaim, "I have no further territorial ambitions in Europe." I recall his assurance that he would never violate the neutrality of Holland or Belgium, and I have, within the last week, heard him make the same statements relative to his territorial ambitions in the Western Hemisphere, and his relations with the United States. I do not think it is safe to trust the existence of my people to the word of a man who has demonstrated that he recognizes no obligation to make his actions conform with that word. I have also watched the spurious Fascist model of the Roman Empire sit by until it thought that the democracies were defeated and then rush in for what it believed to be the kill. Such a record—such indisputable evidence of bad faith—and willingness to lead their own people to war simply to take the property of their neighbors, convinces me that our only safety from the same kind of treatment lies in our ability to resist the combined forces of these exemplars of violence.

We can resist any one of them. We can rely on our ability to utterly defeat Japan, for instance, if we were called upon to deal only with Japan. So long as Great Britain stands and the British Fleet controls the Atlantic it is safe for the United States to keep our great Navy



on the Pacific, and there is no danger of a Japanese attack. But, with the British Fleet destroyed, or, worse, yet, in Axis hands, could we dare leave the American Fleet in the Pacific? If we did not, what would stand in the way of a Japanese attack on Puget Sound and the Golden Gate? Yet, if we did leave our fleet in its present location, what would protect the great industrial areas of the North Atlantic seaboard, or this Capitol itself? With no fleet to offer opposition, the Atlantic, rather than constituting a barrier, would become a highway for an Axis invasion. Or would those who say there is no danger have us divide the fleet and court utter destruction on each ocean? Does not the utter impossibility of protecting the coasts of two continents with one fleet appall you? Of course, you voted to build a two-ocean navy just as I did. Why? You knew that it could not be in existence for 4 or 5 years. You knew that the fate of Europe and the British Navy would be determined long before our new fleet was ready for action. You said by your vote that you felt there was real danger on both sides. What do you propose to do to provide for the defense of your country while the new fleet is building? I shall not undertake to answer for others, but as for me, I shall extend every aid possible to the forces that stand between my home and danger.

It is with me a pure matter of self-interest. I might have a neighbor whom I heartily disliked, but if I was downstream from him and if I saw his levee about to break I would do my best to help him fix it, or if a fire was sweeping in my direction but was presently threatening only his house, which stood between my home and the fire, I would not hesitate to help him save his house, and in so doing I could not be justly charged with approval of his practice of whipping his wife or beating his debts.

So today the stream of conquest is breaking on the chalk hills of England. If those hills stand as they have for a thousand years as a bulwark of democracy, America is safe. I am, therefore, going to do all I can to protect them because I love the chalk hills and black valleys of central Texas, and the men and women who make their homes among them, and I want to see those men and women spared the horrors that have been suffered by other men and women in Belgium, in China, or in Ethiopia.

The United States is not going to go to war at any time because we want to. If we go to war it will be solely because the European dictators decide that they want us to be at war. Of course, they will not force us into war until such time as they feel that they have a reasonable opportunity to destroy us. They have little opportunity to destroy the United States, Great Britain, China, and Greece all at the same time. They are not, therefore, at all likely to force the United States into war so long as Great Britain and China continue to put up the magnificent fight that they are now doing. These democracies can continue to do this so long as we give them every possible material aid. It is, therefore, as I see it, to the selfish advantage of the United States to give all possible aid to Great

Britain, China, and Greece right now without delay, without limitation, and without counting the cost. It is to our advantage to do so because it protects the United States from attack. I am, therefore, for a British victory. I am in favor of giving Great Britain all possible material aid now, as the best method of protecting the United States further down the line. It is true that our aid may be both too little and too late, but it is a chance we must take. Our failure to aid Britain would surely lessen our chances of avoiding war. A British victory will mean we will escape the horrors of war. A British defeat is, as I see it, absolutely certain to lead us into war—into a war that we will have to fight alone and unaided. I cannot sit idly by and see my country drift into such an unhappy situation.

But many of the speakers have said in effect, "I agree with you in the desirability of aiding the democracies, but I don't want to do it this way." Of course, Mr. Chairman, I would not say it, but there are people in this country who will say that certain Members of this House would never be satisfied with any method of giving this aid so long as the plan had the support of the President of the United States. Now, I would be willing to accept almost any method that looked as if it would help now, but I know, and so does every Member of this House, that under our form of government any kind of procedure that we can pass must have the approval of the President to make it immediately effective, and therefore, as practical men and women, we can prove the sincerity of our desire to aid those who are now protecting us by supporting the measure that can pass rather than by urging further delay—more hearings, new plans, and always still further delay.

I am for this bill because it is practicable. It can and will pass. It provides a workable method of administration. It is in keeping with the American form of government. It creates no dictatorship as has so unfairly been charged. It takes from Congress no power. It but expresses the legislative will that the President exercise the powers already conferred upon him by the Constitution as Chief Executive and as Commander in Chief of the Army and Navy. By the terms of this bill, Congress, the legislative branch of government, determines the policy of the United States—determines this policy to be one of self-protection through aid to the democracies. This determination of policy is a legislative function, and it is not delegated to anyone. But someone must carry on or administer the provisions of the bill. A hundred and fifty years ago we discovered that Congress could not act as an administrative body, and for that reason we abandoned the old Continental Congress of the Confederation and established a new government of three coordinate branches under the Constitution. Under the Constitution the administrative or executive power was taken from Congress and placed in the hands of the President. This bill carries out the plan of the Constitution and places responsibility for the administration of the bill in the hands of the President—the Chief Executive. The

power conferred upon him is not legislative but executive in nature. The legislative powers, such as the making of appropriations to carry out the objectives of the bill, are very definitely retained by the Congress as they should be. But for the existence of specific prior acts of Congress the President would have every power conferred under this bill—and his power comes not from an act of Congress but from the Constitution itself. This bill, in the final analysis, does not confer any power on the President—it simply removes whatever barriers the Congress itself may have in the past erected, which at this time might stand in the President's way as he attempts to carry out the legislative will of Congress that we give prompt and effective aid to those who are fighting our battles.

Nor can I overlook the cruel and unfair charge that the President and the Congress deliberately seek by this bill to lead the country into war. A more unworthy statement was never circulated through the Nation. I know that it has been repeated by thousands of honest, but unthinking people, but it is so clearly false that it could have originated directly with Dr. Goebbels himself. The bill in nowise changes the power of Congress to declare war. That power and responsibility is fixed by the Constitution, yet not one single Member of either House has ever suggested war, nor has a single resolution calling for war been introduced in either House. If the Congress wanted war it could have it—this bill adds nothing to our power in that respect. Of course, every honest and intelligent person knows that the Congress does not want war. But they say the bill will enable the President to lead the country to a point where war will be inevitable. The President needs no new legislation to confer such power. He already has that power under the Constitution, which vests in his hands the control of our foreign affairs. There has not been a day since President Roosevelt has been in the White House that he could not have created a condition that would have inevitably brought about war had he been the monster that some would like to picture him, and certainly had he been more attached to his personal political welfare than to the welfare of the great Nation which he serves so faithfully, he would have led us down the bloody path last fall when he had a personal interest rather than now when he is safely re-elected. No, Mr. Chairman, even the blind can see the cruel falsity of this horrible charge—but there are none so those who will not see.

Let it not be said of us that we would not see. Let it not be said of us that we refused to take prompt and effective action to help our neighbor stay the flood that if not stopped now will so surely engulf us. Let it not be said that we were unwilling to use American money and American munitions now as a means of saving American lives later on. Let us pass H. R. 1776 as the only effective method of protecting the liberty we gained in the year 1776, and of preserving the peace that we enjoy in 1941. [Applause.]



Mr. MUNDT. Mr. Chairman, I yield 10 minutes to the gentleman from Minnesota [Mr. YOUNGDAHL].

Mr. YOUNGDAHL. Mr. Chairman, Members of Congress, as well as the entire Nation, realize the tremendous importance of the present issue before us. The problems confronting us are so involved and varied, and so numerous and often so complicated, that to me, it seems advisable, at times, to strip all of these many problems and propositions down to their essentials, and ask ourselves, just what is our goal and for what purpose are we striving.

Surely we are not concerned with that phase of the European war which has to do with desires for more land and colonies. That is a factor in the war, but it does not primarily concern us. We are not directly interested in that phase of the struggle which will determine who will dominate Europe. That is a big factor in this war but that alone will not threaten to involve us.

It seems to me we have appropriated billions of dollars for defense; changed all our traditions by adopting peacetime conscription; produced all Army and Navy equipment on wartime bases; for just one fundamental reason and that is adequate protection for our way of life; for the right to govern ourselves. There can be no other motive in my mind.

It is true, we must honestly face the problem of greater aid to other nations; the problem of granting further powers to the President; the spending of more billions and the raising of taxes to finance those expenditures. Yes; even the problem of whether or not we shall go to war with that fundamental principle in mind.

If we are to fight for our democracy against a totalitarianism of Europe by creating a dictator here at home, it seems to me our program is wrong. A dictator is a dictator. An American brand of dictation is preferable to a European brand, but it is still dictatorship.

If we go to war in an effort to save the liberties and rights of Europe, and by so doing we lose our freedom here at home, we have accomplished little.

Based upon the above thoughts, I have tried fearlessly and courageously to analyze the bill now before us, H. R. 1776, as reported by the Foreign Affairs Committee, and have come to the conclusion that I cannot support this measure.

First, let me say that I am deeply resentful at the attempts to smear the character and motives of those who have disagreed. Colonel Lindbergh is a fine American. He volunteered information along aviation lines on which he was qualified to speak as an expert. Attempts were made to trap him into expressing personal views, and he has been branded as a "fifth columnist" and pro-Nazi by many of those who disagree with him. I have at times disagreed with Senator WHEELER's political positions, but I do believe that Senator WHEELER is a true American. I resent the efforts to smear his reputation that have been made against him because of his opposition to this bill.

We are all Americans. We are all entitled to our opinions and the right to express them. I may be as wrong as anyone else but my stand is based on an honest conviction of what is best for this Nation. Those who disagree with that stand may have just as high motives and I have nothing but respect for their viewpoints.

I am going to vote against this measure, first, because I am opposed to America entering this war. In my opinion this is not a lease-lend bill, it is not a bill to provide all-out aid to Britain, or even a bill to defend democracy. It is primarily a war measure.

Much as I hate to believe it, I am convinced that this bill is destined to put America into a war to which I believe we have been drifting for many months. I do not believe that it is to the best interests of this Nation, nor to the cause of democracy, that we enter this war. I believe America's first duty is the preservation of democracy and Christian ideals here in America. By such action, I am convinced we can best serve not only ourselves but the spirit of liberty and freedom everywhere.

Second, I am absolutely opposed to granting to any one man the unlimited power over our destinies and our children's futures that this bill grants to the Chief Executive. I would not grant unlimited power to any man, regardless of political party. Our Constitution grants certain specific rights to government, dividing them between the executive, the legislative, and the judicial branches. All other rights are retained by the people. I have unlimited faith in the American people. I cannot pin all my faith on any one man.

Under the provisions of this bill the President could, entirely on his own initiative and without the consent of Congress, give every ship in our Navy, every cannon in our Coast Guard, every airplane we possess, every rifle, every mess kit, and every piece of military equipment we own or can manufacture, not only to Britain, but to Greece, China, or to any other nation which he desired to help. The amendment providing that 90 days later he must tell Congress about it, I think is meaningless. That amendment would only make locking of the barn door after the horse is stolen, an official act.

Under this bill the President has the full power to put this country into the war on the side of anyone he desires without asking or receiving the advice or consent of anyone. Certainly he could put this Nation into the war on the side of Great Britain. However, he could also put us on the side of Russia, the greatest totalitarian dictatorship on the face of the earth and the one nation which has done more than any other to undermine our democracy. The administration has already lifted the moral embargo against Russia, thus allying ourselves to some extent at least with one totalitarian despot while hurling invectives at the others.

The administration accepts a limitation of 2 years on these powers and feels it has made great concessions to self-government. The powers of dictatorship granted to Hitler were limited to 4 years. The German people did not

get them back at the expiration of that time. The President's right to devalue the dollar was limited to 2 years. Congress did not get that power back at the end of that time. It does not have it yet. Under that power the present administration has not only financed this war carried on by the military dictators of Japan in China but has built up Japan's military and naval forces to the point where they are now a menace to us.

I am going to vote against this bill because I believe America must have a national defense strong enough to withstand any power or combination of powers in the world. That is America's safeguard. I am convinced that the American people are willing and ready to make any sacrifice necessary to attain that security. I do not believe that we are willing to make those sacrifices and then give to one man the power to strip those defenses of everything we have provided and give them to some friend across the seas. Even though we admire and respect that friend, I think America's defenses come first. There is an element of selfishness in that, I admit. Where America is concerned, I admit I am selfish. I admire Great Britain and I glory in the fight she is making for her existence. I loathe totalitarianism and all that it stands for. But first I love America and her way of life, her ideals, and her safety.

The President has said he has no intention of ordering our warships to convoy munition ships, but administration leaders refused to accept any amendments actually prohibiting him from ordering such convoys. Opening our harbors to warships for repairs opens our ports to saboteurs and danger. Convoys mean we will be attacked and at war.

In my opinion, this bill is entirely unnecessary. Congress is as much concerned with our safety as the President. I am sure that Congress can be kept in continuous session, ready at any time to carry out any emergency move necessary. It can and will do so quickly. The \$4,600,000,000 authorization for a two-ocean Navy was passed in 2 hours, without a roll call. There is no need for Congress to abdicate. The best way to fight totalitarianism is with a successful continuation of democracy and democratic functions.

I am not opposed to all possible legal aid to Britain. I think we should sell to Britain everything we do not need for our own defenses. I do not believe passage of this bill will make possible a single airplane, ship, or arms that is not possible for her to get now, except we go to war and give her everything.

Instead of abandoning our democratic functions, instead of voting all-out powers to any one man, let us give Great Britain all the legal aid we can, but let us do it in a democratic way with normal functioning of our democratic government. Then, and then only, can America stay out of war. [Applause.]

[Here the gavel fell.]

Mr. BLOOM. Mr. Chairman, I yield 1 minute to the gentleman to ask him a question.

Mr. YOUNGDAHL. I yield to the gentleman.



Mr. BLOOM. Just for the Record, did I understand the gentleman to say that he was opposed in some way to this bill because of the discourteous treatment that Mr. Lindbergh received at the hands of the committee?

Mr. YOUNGDAHL. I did not mention the committee, Mr. Chairman.

Mr. BLOOM. In his examination before the committee?

Mr. YOUNGDAHL. I did not say that.

Mr. BLOOM. Did not the gentleman say something about personal questions being asked Mr. Lindbergh and that he objected to that?

Mr. YOUNGDAHL. I said that because of his position there were those who criticized him and condemned him, but I did not mention any member.

Mr. BLOOM. I may say to the gentleman that I personally received a letter from Colonel Lindbergh stating that in all his experience he had never been received or treated with more courtesy than he was treated at the hearings when he appeared before our committee, and I wanted to be sure about that because the committee has been praised by the press and everyone else about the way the hearings were conducted, and I would not want the impression to go out to the country by reason of the gentleman's speech that any person appearing before the committee, either for one side or the other, was treated discourteously.

Mr. YOUNGDAHL. I may say to the distinguished gentleman from New York that I heard his very nice compliment paid to Colonel Lindbergh and I thought it was very fine sportsmanship.

Mr. BLOOM. I thank the gentleman very much.

[Here the gavel fell.]

Mr. MUNDT. Mr. Chairman, I yield such time as the gentleman may desire to my colleague the gentleman from South Dakota [Mr. CASE].

#### A TRADE OF CREDITS FOR BASES WILL AID BOTH BRITAIN AND THE UNITED STATES

Mr. CASE of South Dakota. Mr. Chairman, on the opening day of this session, the distinguished Speaker of the House brought cheers from every Member when he said:

It will be my unswerving aim to preserve, protect, and defend the rights, prerogatives, and power of the House of Representatives.

Under the Constitution, one of the responsibilities of the Congress is to pass on the issue of war or peace, the power to declare war. The bill, H. R. 1776, proposes that Congress shall abandon this responsibility and empower the President to take part in any war in any part of the world with everything except men.

That is more power, Mr. Speaker, than one man should have in a republic; it is more responsibility than the Congress should abandon.

I have not overstated the situation. Nothing can exceed the plain language of the bill. It provides that the President may transfer to any nation any defense article on any terms he deems satisfactory.

Defense articles are defined not merely to include any weapon, aircraft, or vessel but any tool, any article or commodity for defense, food, clothing or materials,

raw or manufactured, any plans or information—in short, anything of value to a nation at war.

The President may manufacture or procure, but need not even procure; he may transfer what we already have. That will require no appropriations whatever.

#### LITTLE CONTROL THROUGH APPROPRIATIONS

Although many have claimed Congress would retain control over the situation by control over appropriations, you will recall the answer of the majority leader to my question on that point this afternoon. Upon questioning, he did agree that the bill granted the power for immediate transfer of equipment on hand or on order.

He expressed the opinion, however, that at least 95 percent of the aid to be given would come from future appropriations. If that be true, what becomes of the argument that England needs help now? How much can be appropriated for, bought, produced, and delivered in 60 days or 90 days?

Personally I think that if England needs aid she will need it this spring. And if she needs credits, she needs them in time to buy equipment on hand or in process that can be delivered this spring.

This bill is one way to make it possible for England to get that aid; it is not the only way. But it makes aid possible because it does grant immediate power to transfer without any appropriation whatsoever. And it authorizes the President to procure and manufacture, and, of course, Congress will later pay the bill, as the gentleman from New York [Mr. Fish] pointed out.

So, under H. R. 1776, Congress will control neither the purse nor the sword.

#### STILL PRESIDENT OF OUR COUNTRY

Now, I do not believe that this President or any President is going to give away our Navy or any other thing he thinks we need, but his judgment or the judgment of any one man on when and where we should engage in war with everything except men is not infallible and delegation of such power is not compatible with our responsibility to the people of the Republic. Certainly not, unless we are at war.

If we were to accept the claim that this Nation is already at war, more could be said for this bill. Under the power and the responsibility of the President as Commander in Chief of the Army and Navy, I agree that he can place and direct our armed forces. That is true in peace; it is certainly true in war.

So I do not argue too much on this point of power. I do not think it is wise; I do not think it is fair to the President to increase his responsibility and I do not think it is fair to the people for Congress to delegate it. To me, however, there is a far more practical question involved. That is the security of the United States.

#### ARE WE ENDANGERING OUR DEFENSES?

What concerns me, fellow Members, is that the passage of this bill in its present form will mean taking the last step short of sending men. What then concerns me is that we may be endangering our own defense. If that is not so, why wipe out the requirements of existing law that the Chiefs of the Army and Navy, re-

spectively, must certify in writing that the equipment can be spared before it is transferred?

Those are the practical questions before us.

Aid to Britain approved by the recent election? Aid to Britain approved by various polls? A mandate given? If so, remember that it was a mandate to give aid short of war.

Search every speech made by the candidates for the Presidency. Read every platform utterance. You will find not one phrase that proposed waging war with everything except men in any quarter of the globe.

Every commitment was against involvement in foreign wars. Every commitment was for aid short of war. This bill proposes to wage war with every weapon, every tool, every commodity, every dollar that the President deems desirable. It is not aid short of war. It is all-out aid short only of men—at this time.

I am not objecting to aid for Britain. I am not pleading for neutrality. I am not pleading for international law. The time has passed for those things.

#### NEUTRALITY ABANDONED LONG AGO

We abandoned neutrality when we repealed the Neutrality Act. I opposed that repeal because, as I said at the time, our decision then would chart our course. It has. That was a step short of war but nevertheless an irrevocable step in that direction.

And steps short of war have brought us where we are—one step from war.

So, then, when that first step was taken, immediately I resolved to work aggressively for measures which I conscientiously thought would add to the true strength and security of the United States. In my work on the appropriations subcommittee for the War Department, I have endeavored to make the United States so strong that no nation would even want to attack us much less try.

I did draw attention to the Espionage Act of 1917 which stopped the transfer of the mosquito fleet but I did it without bitterness and I did it for two good reasons: One that such a transfer was a plain violation of the criminal code of the United States, and the Judge Advocate of the Navy and the Attorney General upheld that position; the other reason was that, in the words of the Senate Committee on Naval Affairs, the transfer would weaken our defenses as these were the only motor torpedo boats that we had.

Not one word of bitterness or partisanship was spoken by me in the affair. Members on both sides of the House approved the citation of the law, and one of the leading majority members came to me and thanked me for saving the administration from a terrible mess with officials in violation of a major criminal statute.

#### WE CAN ACT IN SELF-DEFENSE

And I did not oppose the transfer of the over-age destroyers for bases, because, setting aside the thin logic by which the Attorney General drew a distinction between the old destroyers and the new mosquito boats, the deal obtained for the United States some off-coast bases



which I had long believed essential to the defense of the United States.

I subscribe to the idea that the United States can act in its own defense.

Indeed, immediately after the vote by which we abandoned neutrality, I assembled material for a resolution on the acquisition of off-shore bases.

During our hearings on the Panama Canal bill, I developed testimony on the need for these bases when General Strong was before us. He was then chief of the war plans division. When we reported the bill in February 1940, months before the destroyer deal, I introduced a special resolution, H. Con. Res. 49 of the Seventy-sixth Congress, on the subject.

My bill did not merely provide that credit be given defaulting nations on old war debts; it specifically proposed that gold in the \$2,000,000,000 stabilization fund be used to pay in part for the island or land bases to be acquired.

In my remarks at the time, I pointed out that this plan would not only give us bases that we needed, but that it would help to reestablish gold in international exchange, and, equally important, that it would establish credits for the nations who would need them in the days ahead.

That day is here. England tells us that she has scraped the bottom of the barrel. If she has not reached that point actually, it probably will be agreed that she is approaching that point. So today we face the question of aid that was inevitable when we abandoned neutrality and encouraged the nations of Europe to continue their war.

When we made purchase of arms and airplanes legal we committed ourselves as a nation morally to making it possible for England and her allies to acquire supplies within the limits of cash and carry. That ended our moral concern for international law and our practical concern for the conduct of any offended nation. We took the gamble.

#### PROBLEM IS UNITED STATES SECURITY

The only practical problems before us now, then, are those which deal with the actual security of the United States. And the fair question is, Which method among those proposed will add most to and detract least from the strength and security of the United States?

In my judgment, we can answer that question in a way that will contribute doubly to the strength and security of the United States while affording fullest possible aid to England short of sending men.

That answer is to adopt the substitute measure proposed yesterday by my colleague the gentleman from Minnesota, the Honorable MELVIN J. MAAS, ranking minority member on Naval Affairs, and regarded, I believe, by Members on both sides of the aisle, as one of the best posted, most courageous, most ardently patriotic men in the House.

The Maas proposal is that we offer Britain enough for her island possessions in this hemisphere to retire the old war debt and to establish a \$10,000,000,000 credit, good for whatever she wants to buy.

This will buy time for us, Mr. Chairman, if that is what is wanted, although those who use that argument would be in better position if they would devote their

eloquence and energy to getting time and production today from those who are losing it in strikes and lock-outs on the domestic front.

#### MAAS PROPOSAL ANSWERS THE QUESTION

This proposal of the gentleman from Minnesota [Mr. MAAS] provides England with what she needs; it provides us with what we need properly to organize our defenses in a world changed by fast boats and faster flying machines. If we found it desirable to acquire the Virgin Islands in the World War, even more compelling are the reasons for acquiring these other islands at this time.

As the gentleman from Minnesota has pointed out, these islands are too far from European nations to have a defense value for them; they are valuable to them only as an offensive outpost against us. They are too close to our shores to have an offensive value against European powers if ever we were foolish enough to want to invade Europe; but they are altogether essential in any sound defense plan for this hemisphere.

When the time comes, then, I hope you will support the Maas substitute plan. It meets every avowed purpose of the bill, adds to our strength and security, and it is a step away from war instead of that last step toward it.

#### THEY LOOK TO US

In closing these remarks, Mr. Chairman, may I use the words spoken a few days ago by the distinguished Member from Ohio [Mrs. BOLTON]. She said, "Nothing matters but America."

Nothing does matter but America. Not our sympathies. Not our personal affairs. Not our political lives. But America does matter.

The other day I received a post card from a correspondent who has written me many helpful letters. It said, "We sit with helpless hands and look to you."

They do look to us, my colleagues, those folks at home. They look to us to preserve and to strengthen America. They look to us to vote and to act in such a way that this Nation, under God, may preserve for the world the idea of individual freedom. We cannot do that if we weaken our defenses. We cannot do that if we again hurl our civilization into the maelstrom of European wars.

I do not think England is going down. She has chosen to fight and she will carry on and win the last battle. I do not expect capture of the British Isles, but even that would not end the Empire that is Canada and Australia and India and South Africa. Will the British Navy abandon Canada or Australia or the other dominions that have sent their men to fight for Mother England? I do not believe it.

And Hitler is not coming to this hemisphere with his armies. He knows too well the power of mechanized forces strafing troops far from their base of supplies. He has invited the British to tell him where they want to invade the Continent so that he can evacuate the spot and let them land and then repeat the horrors of Dunkirk. No; Hitler is not leaving Europe behind him with its millions of downtrodden people; not with the Russian Bear at his rear waiting to move farther into Europe, and certainly not

with the Army and the Navy and the air force of the United States properly based on our natural outposts, ready to meet him.

America is not going down. We will get through what we start. I plead with you, however, that we remember those who sit with helpless hands and look to us to preserve America as a land where men and women and boys and girls can plan their lives without being condemned before they are born to the round of wars which has marked the history of the Old World. [Applause.]

Mr. MUNDT. Mr. Chairman, I yield 20 minutes to the gentleman from New York [Mr. REED].

Mr. REED of New York. Mr. Chairman, the Congress is asked by the terms of the bill, H. R. 1776, now before us, to surrender to the President two traditional and fundamental powers vested in and heretofore exclusively exercised by the legislative branch of our National Government. What are these powers? They are to make war and to control the purse strings of the Nation. They are among the delegated and limited powers entrusted exclusively to the Congress by the supreme will of a free and sovereign people.

To retain these powers in the legislative branch, where the Federal Constitution has placed them, is vital to the preservation of representative government. It is the sworn duty of every Member of this House to preserve and protect these basic principles of free government. Wrench these supporting principles from the foundation of the Republic and the whole structure must ultimately fall.

Throughout history, designing rulers have resorted to all the arts of intrigue to gain control of this war-making power and the control of the purse strings. For centuries bitter and bloody battles have been waged to wrest these two fundamental and vital attributes of liberty from the greedy and grasping hand of tyranny. A thousand years is but a grain of sand upon the shore of time, and every century furnishes innumerable illustrations of the lust for individual power. Let me single out one from the many instances where power has been demanded in the name of liberty and the commonweal. I have chosen an incident that occurred at a time when men were fleeing from Europe to this continent to escape the tyranny of arbitrary power:

On May 22, in 1685, King James II of England summoned the Commons to the Bar of the Lords. Seated on his throne, the King addressed both Houses. He declared himself resolved to maintain the established Government in church and state. But then His Majesty directed this most extraordinary admonition to the Commons: He was "apprehensive," he said, "that they might be inclined to dole out money" to him from time to time in the hope that they should thus force him to call them frequently together. But he must warn them that he was not to be so dealt with, and that if they wished to meet him often, they must "use him well." What was the implication of this admonition? It was that if the Commons did not give him as much



money as he demanded, he would take it. The debate in the Commons that followed is not without interest and not unworthy of reflection. A member rose to inform his colleagues that it was not his wish that the Parliament should withhold from the Crown the means of carrying on the government, but to inquire, Was there indeed a Parliament? He reminded his colleagues that great dangers impended over the civil constitution of the realm; that the Habeas Corpus Act, the rampart of liberty, was marked for destruction; that never was there a time when it more concerned the public weal that the character of Parliament should stand high. The Commons went into committee and promptly voted to the King, for life, the whole revenue enjoyed by his brother.

It may be proper to inquire, Is this to be a House of Representatives, or is it in this crucial hour to abdicate and to thus relinquish its control of the sword and the purse?

It was not alone the sword and the purse that some rulers sought to control, but other departments of government essential to the preservation of individual liberty. An independent judiciary has always been anathema to arbitrary rulers. King James II called before him the chief justice of the court of common pleas and told the justice that he must either give up his opinion in a pending case or forfeit his place. The chief justice replied:

For my place I care little. I am old and worn out in the service of the Crown; but I am mortified to find that Your Majesty thinks me capable of giving a judgment which none but an ignorant or a dishonest man could give.

To this rebuke the King answered:

I am determined to have 12 judges who will be all of my mind as to this matter.

Your Majesty—

Replied the chief justice—

may find 12 judges of your mind, but hardly 12 lawyers.

The King promptly dismissed the justice from the bench and forthwith packed the court.

It was this background of tyranny, many times multiplied, that caused the framers of our Constitution to be alert, vigilant, and realistic in the distribution of governmental powers.

What did George Washington have in mind when he admonished his countrymen—

It is important, likewise, that the habits of thinking in a free country should inspire caution in those entrusted with its administration to confine themselves within their respective constitutional spheres; avoiding in the exercise of the powers of one department to encroach upon another. The spirit of encroachment tends to consolidate the powers of all the departments in one, and thus to create, whatever the form of government, a real despotism. A just estimate of that love of power, and proneness to abuse it, which predominates in the human heart, is sufficient to satisfy us of the truth of this position.

On the part of those who advocate that Congress shall surrender the power to make war and the control of the purse

to the Executive it is urged that he will not abuse the powers so granted, and that he will use them prudently and effectively during the period for which they are given. Could any answer to such sophistry be made with greater force and clarity than the reply made by Thomas Jefferson, when confidence was said to outweigh principle:

It would be a dangerous delusion—

Said Mr. Jefferson—

if our confidence in the men of our choice should silence our fears for the safety of our rights. Confidence is everywhere the parent of despotism. Free government is founded on jealousy and not in confidence. It is jealousy and not confidence which prescribes a limited Constitution to bind down those whom we are obliged to trust with power. Our Constitution has accordingly fixed the limits to which, and no further, our confidence will go. In questions of power, then, let no more be heard of confidence in man, but bind him down from mischief by the chains of the Constitution.

This injunction, this warning, is directed to every official, high and low, in the Federal Government to whom the powers of the people are entrusted under the safeguards of constitutional definitions and limitations and a solemn oath of office.

I maintain that all aid to Great Britain, short of neglecting to immediately build up an impregnable defense of our own, can be achieved without the powers asked for in the lend-lease bill. I am opposed to sending our Navy, our air force, or our Army to Europe. England desires the products of our industries, and these she is getting as rapidly as they are produced. England, so far as I can ascertain, now enjoys a priority on essential war materials that is stripping the United States of the very implements necessary for our own defense. It is an undisputed fact that for several years our country has also been sending war materials in large quantities to the aggressor nations—the very nations that now comprise the Axis Powers. The belated but partial embargoes placed on these shipments might well have silenced the cry of our high officials that the Axis Powers must be stopped to give the United States time to prepare.

The Executive powers demanded in the lend-lease bill as an aid to Britain are, when analyzed, the most colossal bid for one-man power over the destinies of this and other nations to be found in history. If these powers are granted to President Roosevelt, he can dictate the whole military policy of Great Britain. He will become the knight errant of the world. He will be clothed with arbitrary power to act as purchasing agent for Great Britain for essential war materials, fighting implements of every kind and character, and he may, if he so desires, require as a condition precedent to their present or future delivery, that he be consulted as to how, when, and where they shall be used. The more Great Britain becomes dependent upon the United States for supplies the more she will, of necessity, be forced to accept the views and dictates of the one man who controls the output and the allocation of the products of the American arsenals, assuming that the

Congress passes this lend-lease bill in its present form.

When I speak about entrusting these powers to one man I would call attention to the recent repeal of the moral embargo on the shipment of war materials to Russia. Great Britain feels that this is inimical to her best interests at this time, yet we are asked to grant greater and more far-reaching powers to the President on the theory that he will use them wisely in aid of Great Britain. We can give the aid Great Britain needs without giving such powers to the President.

The lend-lease bill as now written is not merely a step but a long stride toward our participation in the European war. Whatever one may think about our future involvement, the English point of view on this subject appears in the November 16, 1940, issue of *The Economist*, a publication that usually presents with accuracy and clarity the opinion of the ruling classes of Great Britain. I quote:

What, then, should we in England hope for—a larger and earlier slice of a small cake or a smaller slice of a much larger cake? If the answer is to be given from the somewhat narrow viewpoint of our own material needs, it must be that we should prefer America to be nonbelligerent in 1941, belligerent in 1942. We must hope for her eventual participation in the struggle with all the strength of an armed continent.

I do not see how England can draw any other conclusion from the steps already taken by the United States, especially in view of the present provisions of this bill.

The first great task that confronts Great Britain, I assume, is to stop Hitler, to prevent him from crossing the channel and invading England. This is an achievement we all hope will be accomplished by Great Britain. This in and of itself may be sufficient to lead to a peace parley, but I doubt it, unless utter exhaustion of the belligerents impels this course of action. Even so, the menace of Hitler still remains unless hunger, pestilence, and internal revolution remove him from his position of military prestige and power. There can be no security for England until Hitlerism is crushed. What world power can accomplish this unless the United States is called upon to finish the job? How far do the American people wish to assume responsibility for furnishing the millions of men and billions of dollars to crush the Hitler war machine, reduce it to such impotence that it will be, in truth and in fact, a war that will end wars?

This line of approach takes us into the field of speculation that requires the answer to many questions: How many transports, how many soldiers, how many planes would it require to enable our military forces to obtain a fighting foothold on the Continent of Europe? How many tons of food and guns and tanks and munitions would it be necessary to send over to enable our Army to strike the initial blow and then follow through? How long would it take to produce all these essential materials and implements of war to enter upon such an enterprise? Has any military expert estimated within billions of dollars the probable cost of such a venture?



I do not know how many men Germany mobilized for her battle with France, but those who are advocating the adoption of this war measure in its present form may know. It seems to be the opinion of our General Staff that Germany mobilized six or seven million men for the drive against France. Could the United States conduct a successful invasion of the Continent of Europe with fewer men? Would it be possible to land an army and fight on to an all-conclusive victory with an army of less than 10,000,000 men? I do not know the answer and neither do our military experts. The last invasion of Europe by our Army "to end wars" and "make the world safe for democracy" raises a subject which has received scant consideration during this debate. But we do know and our records show some of the results of our previous attempt to settle affairs in Europe. The last annual report of the Administrator of Veterans' Affairs presents these ghastly facts relating to the tragic consequences of war. He reports that on June 30, 1940, compensation was being paid to 348,164 veterans suffering from disabilities connected with service during the World War.

The Administrator reports that an analysis of the major disabilities, for which this compensation is being paid, discloses that neuropsychiatric diseases are the disabling cause in 19.74 percent of the awards, tuberculosis in 15.76 percent, and general medical and surgical conditions in 64.50 percent; that 166,000 men were wounded in action. Compensation was being paid to the widows and children and dependent parents of 99,479 veterans of the World War who died in service as a result of diseases or injuries incurred in service during the war. Death claims have been paid to date to the widows and dependents of 158,597 deceased World War veterans.

This war business is not a matter of flag waving and bands playing—not for our dead, disabled, and blind; not for the insane who have gone through the hell of a living death these past 23 years.

I firmly believe that President Roosevelt now has sufficient power to furnish all aid to England, short of war, without the extraordinary powers he demands under the terms of the lend-lease bill. If, however, certain specific objectives are to be attained, then I believe it would hasten all necessary aid, short of war, to Britain, not covered by the present power possessed by the President, if he were to state his specific objectives and request specific powers.

The Congress has been in continuous session ever since this war emergency arose and, in strict compliance with the demand of the public, has remained here, ready to take action when any emergency might arise. The Congress will continue to remain in session at all times, ready to act promptly on any specific request to accomplish any specific objective that may be in the interest of national defense, aid to Britain, or any other extraordinary emergency. The people then can feel the same sense of security that they evidenced when the Congress declined to adjourn last June. They cannot feel secure when their protection rests with the wisdom of one fallible man.

Mr. MUNDT. Mr. Chairman, I yield 10 minutes to the gentleman from Oregon [Mr. MOTT].

Mr. MOTT. Mr. Chairman, this debate is drawing to a close and the time is becoming very short. All of us obviously will not have an opportunity to state our full views upon this most important bill. For fear I may not have that opportunity I desire to make at least one complete statement at the outset. I make it as briefly, as plainly, and as emphatically as I can. It is this: I am for total national defense; for a military, naval, and air establishment so huge, so complete, and so perfect that no nation or combination of nations will ever risk the consequences of attacking us. Furthermore, and because I believe that aid to Britain, at this particular time, will implant and strengthen our own national defense, I am in favor of extending to Britain, immediately, all of the material aid that we can extend without actually becoming engaged in the war ourselves and without actually weakening our own national-defense requirements.

I am in favor of extending this aid to Britain by a simple, straightforward, honest, mandatory law of the Congress. That is the only constitutional way, and the only effective way, to do it. It can be done in that way, and it should be done in that way. There are several bills now pending in Congress which propose to do exactly that. Two of them I hold in my hand. One is H. R. 2612; another is H. R. 2805; another is H. R. 2790. Still another method is that proposed by the recommendations of the minority members of the Foreign Affairs Committee in the report upon this bill. This direct, effective, mandatory aid to Britain can be immediately accomplished by enactment of any one of these individual bills, or by substituting any one of them by way of amendment to the bill before us—H. R. 1776. It can also be accomplished by way of the motion to recommit, which will be offered by the minority side at the conclusion of this debate. This legislation, mark you, Mr. Chairman, does not consist of mere suggestions. It is in the shape of bills actually here before us—bills whose provisions will be incorporated in the motion to recommit, and upon which a direct vote will be taken at the close of the debate; and by this legislation we propose to give to Britain aid 10 times more valuable and effective and a thousand times less dangerous to the security of the United States than that proposed in the pending bill, H. R. 1776. Our proposal, in brief, Mr. Chairman, is to make available to Britain and her Allies the entire productive capacity of the United States in planes, tanks, guns, and all other war equipment, under such safeguards as will properly protect our own defense requirements, and to make it immediately possible for Britain to procure this equipment by making her an outright gift, through a direct appropriation of the funds with which to procure it. That, Mr. Chairman, is the most valuable aid we can give to Britain, and, furthermore, it is the only kind of aid which Britain has ever said she wanted or needed.

I am opposed to the bill, H. R. 1776, which we now have under consideration

I am opposed to it because I am convinced that it is a complete and all-inclusive delegation of the entire legislative authority and responsibility in this field to the President—an authority and responsibility which the Constitution reposes exclusively in the Congress—a delegation of legislative power so far reaching that it will be dangerous, if not disastrous, to our very system of representative government. I am further opposed to this particular bill because I honestly and conscientiously believe, after the most thorough study I can give it, that if it passes it will not promote but, on the contrary, it may destroy the defense of the United States, and that, moreover, it will not give Britain the kind of aid she needs. Therefore, I am opposed to it, and unless it should be amended in such a way as to remove these fundamental objections I shall vote against it.

I wish now in the short time allotted to me in this debate to discuss briefly what I conceive to be the issue, and the only real issue, involved in the consideration of the bill H. R. 1776. But, first, I am going to make an observation which, perhaps, I should not make. For the most part, the debate on this question has been proper, decorous, and devoid of partisan and hysterical statements and insinuations. I have sat in my place today, however, and listened to some irresponsible, demagogic statements by politically minded partisan proponents of this bill, in which the patriotism and Americanism of those who oppose it was challenged. Personally, I resented that. The impudent insinuation was made that the opponents of this bill were anti-British, that their opposition was in line with Nazi propaganda, and that they had no feeling for the gallant Britons who today are fighting with their backs against the wall for the preservation of their homes and of the democratic way of life. I find it hard to overlook that kind of insult, and I merely want to say to those gentlemen who had no better taste than to indulge in remarks of that kind that my own ancestors happened to be British. They came to this country from England more than 300 years ago—more than 140 years before our American Revolution. Their direct descendants were American soldiers in the American Revolutionary War. They have taken part in every war in which this country has been engaged from the Revolution down to the World War, in which, incidentally, in a humble way I was privileged to have a humble part as an enlisted man in the United States Navy. That is all I desire to say; but I hope to hear no more of that kind of criticism or insinuation from the other side of the House during the remainder of this debate. [Applause.]

Mr. Chairman, what is the issue involved in this bill? In my opinion, the issue arises out of two or three rather simple questions. The first is, What does the administration claim for this bill in the way of aid to Britain? What do they claim it will do; and just what kind of aid do they propose to give to Britain under this bill? The second question is whether the kind of aid they propose is necessary or desirable from the viewpoint



of national defense of the United States. The third question is this: Why is it necessary, in order to give this aid to Britain, to resort to a bill of this character, under which we certainly provide no mandatory aid of any kind, but under which, instead, we merely transfer from the Congress to the President the entire jurisdiction upon this subject which is now vested in the Congress by the Constitution? If we want to aid Britain, why must we surrender our legislative power to do so by passing this bill, which merely gives to the President unlimited discretion to do as he pleases in this regard?

That is the issue, and the whole issue, involved in consideration of this bill, and those are the questions out of which that issue arises.

Most of the arguments that have been advanced here, it seems to me, are entirely beside the point. There is certainly no controversy over the question of total national defense, because, as every gentleman knows, the Congress of the United States by mandatory law has already provided for the total defense of the United States. The Congress has done this of its own volition, upon its own initiative, and wholly upon its own responsibility as the lawmaking body of the Nation. It has fully authorized the defense establishment, which, when completed, will be the largest and most powerful on earth; and it has provided the money with which to do it. The administration and execution of this mandatory law of Congress is vested in the President, who, under the Constitution, is charged with the sole duty and responsibility of carrying it out.

Let me take time to call attention briefly to the several phases of the defense program. I want to do this because it has been charged that the Congress is slow, that it has not taken the proper initiative, and that therefore supreme power should be vested in the President, as provided in H. R. 1776. The first and probably the most important phase of the defense program is the two-ocean navy and the expansion of our shore facilities. If any member of the Naval Affairs Committee is present, he will certainly concur in my statement that that proposal did not come from the President; that both the affirmative action and the direct proposal came from the Committee on Naval Affairs; and that it came long before the President ever accepted it as a part of his policy.

That was the case also with another very necessary part of naval defense, the naval air station establishments. I think in the debate on a naval bill the other day I reminded you of the fact that it took us 5 years to establish the first naval air station in our present expansion program before we could get the consent of the President to let that proposal go through. I am not criticizing the President, and I want that plainly understood. I desire to give the President full credit for all he has done, and he has done a great deal; but I also want to give the Congress full credit for those things it has done. I want to remind you that in times of emergency like this the Congress always acts. It usually acts before the

Executive is ready to accept its proposals. It acts with wisdom based on the long and expert experience of its committees. It has proved itself always to be far-sighted. It has invariably chosen the right time to act, and when the time came it has acted, as a general rule, with even greater speed than the Executive could act.

The next thing the Congress did in our program of total national defense was to pass the conscription bill, under which we are now raising and implementing the most powerful, the most modern military establishment in the world. And that bill, Mr. Chairman, did not come from the President. It was introduced in this body by the distinguished gentleman from New York [Mr. WADSWORTH] without any initial approval or even cooperation of the President and without consulting the President. It was introduced in the Senate by an opponent of the President and, in fact, by one of the principal purges of the President, the Senator from Nebraska [Mr. BURKE]. [Here the gavel fell.]

Mr. MUNDT. Mr. Chairman, the gentleman is making a very informative speech. I yield him 5 additional minutes.

Mr. MOTT. That bill, the conscription bill, was passed, and is a part of national-defense program. We are also now on our way to establishing the greatest air force in the world, all for the purpose of getting this country prepared to defend itself when that time comes. And I hope you gentlemen will remember, when they have the propaganda that Congress must now surrender its power to the President, because only the President can act in an emergency, that it was the Congress and not the President which did these things I have referred to.

I have never been one to say that there was no danger to this country from the aggressor nations. On the contrary, for years both in committee and on this floor I have tried to point out the very decided probability of a war, not only with one of these dictator nations, but with a combination of all of the dictator nations. That is why I wanted a two-ocean Navy, and why I advocated it as early as 1938, and that is why I have wanted all of the other things that make up our national-defense establishment.

Very well; we passed those laws; and where do they stand now in regard to our present efforts to aid Britain? As a part of those and other laws we have given the President complete authority over priorities in the manufacture and delivery of war equipment to Britain. Britain at this time has several billions of dollars of orders for planes and other war material in this country. The President under existing law is authorized to determine how much of the whole production in America shall go to Britain and how much shall go to our own Army and Navy. During the past year the testimony before the Naval Affairs Committee shows, so far as naval planes and equipment are concerned, something more than 75 percent has gone to Britain. In Army planes and Army material it is even higher than that, and the President has full authority under existing law to order the delivery of 100 percent

of the entire American war production to England if he wants to. So I say that his power in that regard is complete; that he is fully exercising that power and has been doing so ever since these laws were passed; and that deliveries of war material to Britain at the present time are limited solely by our capacity to produce.

Now, what does Britain need? What kind of aid should we give her? Let me say in the first place that Britain herself ought to know what kind of aid she needs, and I call your attention to the fact that British authorities have repeatedly said that what they want is planes, and tanks, and munitions, and more planes, and tanks, and munitions. Delivery of this war equipment, as I have said, is limited only by our own capacity to produce, and that capacity is increasing rapidly every hour.

Now, lately Britain has said that after the present orders are filled she will not have enough cash to pay for any further orders. I say if that is the case—and I am willing to take Britain's and the administration's word for it—then the aid which I propose, and which the minority has here proposed and will propose again upon its motion to recommit, is the proper and the most valuable kind of aid—namely, an appropriation of as much money as Britain needs to continue to purchase this war equipment. I say that that, together with the war equipment which the President is already giving Britain from our Government-owned naval and military supplies, is complete aid to Britain; it is the most real and effective kind of aid; and we can give that aid without surrendering any of our own legislative jurisdiction and without passing a bill that will drastically alter our representative system of government.

The provisions of this bill, H. R. 1776, have been so thoroughly discussed that I cannot add much to the discussion; but I simply want to say this: There is nothing to be gained by any Member's trying to deceive himself as to the scope of this bill, because no intelligent man can possibly deceive himself. This bill is absolutely unlimited in scope—as unlimited as legislative language can make it. It transfers the whole legislative jurisdiction in this field to the President, and it simply gives him discretionary authority to aid Britain in any way he pleases, upon any terms he pleases, and under any conditions he pleases; he is the sole judge of what aid, if any, shall be given and of the terms and conditions upon which it shall be given. It gives the President the power to make treaties, alliances, commitments, and binding agreements with any nation on earth without ratification by the Senate and without the consent or approval of the Congress, and without even the knowledge of the Congress. It allows him to make any kind of trade he pleases with any belligerent power he pleases. It allows him to sell, trade, lend, or give away the whole or any part of the United States Navy; to purchase American merchant ships and send them into the war zones; to convoy them by naval vessels; to repair and outfit battleships of foreign belligerent nations in



American harbors; to purchase foreign warships; and to do anything and everything he may choose to do in regard to anything defined in the bill as a "defense article," which includes everything from bread to machine guns. It allows him to have an important part in the conduct of this present foreign war; and that, I think, is probably the most important as well as the most dangerous thing in the whole bill.

I have never been one of those who say that the President wants to get this country into war. I do not believe he does. I do not believe the President has ever wanted to get this country into war; but I do say it is my sincere conviction—and I base that upon the very terms of the bill and upon what we all know to be the real foreign policy of the President. That policy was announced by the President in his Chicago speech in 1937, and he has never changed his position on it. The policy announced then was that the United States should help to police the world and that it should take parallel action with the other democracies to put down the dictators in all parts of the world. That was, as you recall, his famous "quarantine" speech.

[Here the gavel fell.]

Mr. BLOOM. Mr. Chairman, I yield 2 additional minutes to the gentleman from Oregon.

Mr. MOTT. I thank the distinguished chairman of the Foreign Affairs Committee the gentleman from New York [Mr. Bloom] for his courtesy. I say that policy was announced by the President long before this emergency ever began, and that he has never changed it. His present proposal to make the United States the arsenal for democracies is merely another name for it. Whether his policy is right or wrong, under the unlimited authority given him by this bill he will now have the power and the opportunity to put it into full effect. If those powers are put into effect the inevitable result must be to lead this country into war, even though the President does not desire it, because it is impossible to exercise those powers and still keep the United States at peace. There are provisions in this bill which, if exercised, would bring about situations the natural and inevitable consequence of which would be war. I think no one doubts that. In fact, it has been freely admitted here in this debate by some of the most able and conscientious advocates of the bill.

For this reason it is clear to one that the bill permits the President to do acts which will result in war, thereby putting the country into war without the constitutional requirement of a declaration by Congress. One of those acts would be the reconditioning and overhauling British battleships in New York Harbor. I am familiar with those facilities in New York Harbor. I voted in committee for the bill which authorized the building of them, but I never expected to see a bill which would permit the President to use them for repair of battleships of a nation with which we were not actually in war as an ally. In our war plans, as you know, we must consider all kinds of probable war situations—wars in which Eng-

land, or any other nation, may be our ally, and in which England or any other nation may be our enemy. It is right and necessary to make those plans and to prepare the facilities for any probable contingency. The time may come when it might well be to the advantage of the United States in her own defense to repair British battleships in our docks in New York Harbor, and if we do we must expect retaliation to follow as a matter of course. That would be the risk we would have to take in those circumstances. Such retaliation, by the way, now is possible, because we have Navy bombers which have a radius of 7,000 miles and are able to carry a full load of bombs for that distance. So if and when we do repair British battleships in New York Harbor, we are, of course, in war.

Now, I have said that sometime it may be to our advantage to go to war by that route; but when that time comes, as a Member of the Congress of the United States, which is charged by the Constitution with the sole responsibility of exercising the war-making power, I insist that I myself retain the right to vote whether we do that thing or not. I am not willing in advance to leave it in the discretion of the President by voting now for this bill, which will transfer the war-making power to the President, and to leave the people whom I have sworn to represent without any voice and without a remedy.

The CHAIRMAN. The time of the gentleman from Oregon has again expired.

Mrs. ROGERS of Massachusetts. If the gentleman will yield to me, I will give him 2 minutes of my time.

Mr. MOTT. I yield gladly to the gentleman from Massachusetts, a distinguished member of the committee.

Mrs. ROGERS of Massachusetts. Does not the gentleman feel that England would much rather have a specific, liberal sum of money with which to purchase things in our country so that she could get those things promptly? The gentleman wants to give aid to Great Britain just as I do, and to give it now.

Mr. MOTT. I am thoroughly convinced of that. I am convinced of it by the statements of witnesses before the Naval Affairs Committee, including the testimony of plane manufacturers. That is the principal thing the British want. They want delivery of planes. They want delivery of tanks. They want delivery of artillery and of munitions and of all the things they need. They are willing to pay for it if they can, and up to now they have paid for it, but their willingness to pay does not speed up production, and certainly nothing in this bill H. R. 1776 will or can speed up production. That is now flatly admitted by the sponsors of this bill.

Mrs. ROGERS of Massachusetts. In other words, they want first things first.

Mr. MOTT. They want first things first and they are willing to pay for it as long as they can. I am willing, and I know that the overwhelming majority in Congress is willing right now, to appropriate enough money so that they can pay for whatever they need when their credit is exhausted, and let me say that

H. R. 1776 does not provide for any such direct and necessary aid to Britain as that.

Mrs. ROGERS of Massachusetts. If this bill should pass in its present form, is it not true that the President would virtually be controlling the strategy of the European and Asiatic wars?

Mr. MOTT. There is no doubt about that; and that, as I have said, is the most dangerous part of the bill. He would have a very important part in the conduct of a foreign war; and when the Commander in Chief of the Army and Navy of the United States has a vital or controlling part in the conduct of a foreign war, then I do not see how it would be possible for us to keep out.

Mr. BLOOM. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. BLOOM. I would like to know who has charge of the time?

Mrs. ROGERS of Massachusetts. I am willing that the gentleman have 2 minutes of my time.

Mr. BLOOM. I did not know the lady had control of the time on the minority side.

Mr. MOTT. Does the distinguished chairman of the Foreign Affairs Committee desire to yield me some additional time?

Mr. BLOOM. I would like to know who has charge of the time on that side?

Mr. MUNDT. I yield the gentleman from Oregon 2 minutes from the time assigned to the gentlewoman from Massachusetts.

Mrs. ROGERS of Massachusetts. Will the gentleman yield?

Mr. MOTT. I yield.

Mrs. ROGERS of Massachusetts. Does not this bill also, if passed in its present form, give the President authority to take over all agricultural products in the country? Cotton, for instance, is a war commodity.

Mr. MOTT. It does, most certainly; because they are listed as "defense articles," and as "defense articles" the President may do anything he pleases with them. [Applause.]

[Here the gavel fell.]

Mr. MUNDT. Mr. Chairman, I yield to the gentleman from Indiana [Mr. Wilson] such time as he desires.

Mr. WILSON. Mr. Chairman, we usually credit man with being the most intelligent animal on earth. He can easily master animals many times larger than himself. This power we attribute to his superior mental ability. He is supposed to learn faster, retain his knowledge longer, and at all times profit by his mistakes.

I well remember dad's mule once came near a sinkhole and the ground caved in with him. Twenty-five years later he had become an old mule, but he still would not go near that sinkhole. But remember that he, being a mule, had only half horse sense. Yet experience meant a lot to that old mule. Perhaps profiting by experience made him an old mule.

Less than 25 years ago we stubbed our toe when we set out to make the world safe for democracy. The man who has half horse sense should be able to recall



that World War No. 1 cost us the lives of 122,160 men, 52,779 of whom were killed on the battlefields and now lie under European dirt. It cost us up to 1938 approximately \$48,000,000,000, or about \$400 per man, woman, and child. To a family of 10 the cost was \$4,000 just in money, to say nothing of other costs.

Now, some say that the purpose of this bill is to stall off Hitler that we may have time to arm. This is a poor argument when we consider that Hitler has been arming for 7 years and has not yet invaded England across 20 miles of water, and that we have been sending away practically all of our new defense equipment as fast as we have been able to produce it.

I have listened rather patiently for several days to the hearings and to the debate on the lend-lease bill. I also have followed closely the workings of the New Deal throughout its existence. I firmly believe that this bill has as its hidden purpose direct involvement of the United States in a foreign war.

This bill before us in Congress today involves far more than aid to Britain; war in support of British policy in Europe or around the world, or the complete abrogation of congressional powers. The fundamental domestic issue raised is a question of whether we American representatives are to award dictatorial powers of policing the world to the President.

There is no doubt in my mind that our brief war-prosperity boom will bust into a depression that will make the 1930's seem like boom days. Then we will find ourselves and generations to come in a condition of poverty and bankruptcy unknown to any people of this great country of ours.

Must we now take this drastic step of underwriting a British victory, a step after which there is no alternative, but perhaps to eventually place millions of our best men up for cannon fodder, after which again we will have not thousands but millions of widows, orphans, and disabled veterans.

Our cherished American institutions and traditions may experience the revolutionary changes which the ardent New Deal left-wingers have reconciled themselves to since the President entered the White House. Make no mistake about it, if we vote to pass this dictatorship bill, we Representatives vote ourselves into the powerless status of an electoral college or the present German Reichstag.

As Thomas Jefferson once said:

For us to attempt to reform all Europe and bring them back to principles of morality, and a respect for the equal rights of nations, would show us to be only maniacs of another character.

Europe's fighting never ceases. Their quarrels are never settled, and for us to become entangled on one side, to pay their bills and fight their battles, means disaster.

In this fight against aggressors let us not ourselves become aggressors. And in our aim to save democracy let us not, in the course of battle, destroy the very thing we are fighting to preserve.

If you like this prospect, go ahead. I do not like it and, therefore, to save America—to say nothing of the world—I

will struggle to the end to keep this country out of war.

As Thomas Jefferson has said:

I am not for linking ourselves by new treaties with the quarrels of Europe; entering that field of slaughter to preserve their balance \* \* \*. The first object of my heart is my own country.

An American boy, on American soil, under any and all conditions, is better than an American boy under European dirt. [Applause.]

Mr. MUNDT. Mr. Chairman, I yield such time as he may desire to the gentleman from Indiana [Mr. GILLIE].

Mr. GILLIE. Mr. Chairman, I rise to register my protest, and the protests of large numbers of my constituents, against the passage of H. R. 1776, a bill which has been labeled "An act to promote the defense of the United States, and for other purposes."

My able colleague the gentlewoman from Ohio [Mrs. BOLTON], in her inspiring speech of last Monday, commented at some length on the hidden meaning of the routine phrase, "for other purposes." She pointed out, and rightly, that the danger in this bill lies in its unwarranted delegation of vast war-making powers to an Executive who has clearly demonstrated, by his past actions, that he will not hesitate to use them.

Let us now, before proceeding to a vote, investigate a little further into the "other purposes" of this bill. And after determining their exact nature, let us examine the methods by which it is proposed that we accomplish these purposes.

The proponents of this bill state that its principal purpose is to provide aid to Great Britain in her life-and-death struggle with the totalitarian powers. They assert that we must pass this bill now, without further amendment, in order that we may immediately throw our great productive capacity behind the British Empire.

My sympathies naturally lie with Great Britain, for I am a native of the British Isles and even now bombs may be blasting away my ancestral home. If I felt that this bill actually would bring immediate aid to Britain, without weakening our own inadequate defenses or robbing Congress of its constitutional powers, I would be the first to vote for it. In fact the bill would command almost universal support.

But will it do this? The answer, according to military experts, is in the negative. Only yesterday the able minority leader of the Naval Affairs Committee pointed out that this bill will not get a single extra airplane to England. It will not make available a single tank, a single gun, a single ship—unless we strip our own defenses to provide them.

What, then, is the purpose of this bill? If it is simply to provide financial aid to Britain, why is it necessary to grant these dictatorial powers to the President? Why cannot Congress, retaining control of the purse and the sword, appropriate a fixed sum to be spent in the financing of British purchases in this country? Would this not be the constitutional, sensible way to proceed? Would this not be the American way?

I have followed the hearings and the debate on this measure very closely and I have yet to hear a single, convincing answer to the question of why it is necessary for Congress to abdicate in order to provide aid to Great Britain.

Supporters of the bill argue that the emergency demands it. But is there not always an emergency? Hardly a week has gone by during the past 8 years that the President has not demanded additional powers in the name of one emergency or another.

I contend that there is no emergency here that Congress cannot properly deal with in its own way. There is nothing that the President can do to aid Britain, within the limits of the Constitution and without weakening American defenses, that Congress cannot also do. The President is using aid to Britain as a smoke screen behind which he hopes to wrest from Congress complete blank-check control over the destinies of a great people.

It is not my intention to enter into an extended discussion of H. R. 1776 and its many dangerous implications. There are other speakers who no doubt will do so. Before concluding, however, I do intend to voice my conviction—and the apparent conviction of a majority of my constituents—that passage of this bill would be another step in our steady progress toward active participation in this war.

It should not be necessary to remind Members of this body that they were elected only 3 short months ago on pledges to keep America out of foreign wars. These pledges were made in the platforms of both political parties and were repeatedly enunciated in the campaign speeches of the Presidential candidates. They should constitute a solemn covenant between the people and their elected representatives.

As for me, I made that pledge to the citizens of the Fourth Indiana District in 1938 and 1940. I renew it now in this Chamber, which houses the greatest law-making body in the world. I intend to keep it. I shall vote against H. R. 1776 because serious study of its provisions has convinced me beyond question that its passage would lead to one-man Government and war.

If we are to preserve democracy at home and prevent American participation in a disastrous war abroad, we must do it now by defeating this dangerous, un-American proposal. If we fail in this solemn hour, "tomorrow may be forever too late." [Applause.]

Mr. MUNDT. Mr. Chairman, I yield such time as he may desire to the gentleman from Iowa [Mr. MARTIN].

Mr. MARTIN of Iowa. Mr. Chairman, all during the hearings in the House and Senate committees I have wanted to hear the whole evidence available on the bill H. R. 1776, whether in accord with my own views or not.

I recall a statement in the press about 5 weeks ago, I believe by Senator WHEELER, that William R. Davis would appear before some committee and testify regarding the peace proposal he is reported to have brought back from Berlin and to have submitted to the State Department in October 1939.



Why has William R. Davis not yet appeared as a witness in any hearing on this matter? I do not have any purpose in asking this question except to advocate the presentation of all known evidence possible on so important a measure as this.

Mr. BLOOM. Mr. Chairman, I yield 20 minutes to the gentleman from New York [Mr. MARCANTONIO], who will be the last speaker on this side.

Mr. MARCANTONIO. Mr. Chairman, it is most unfortunate that the most important question that has confronted the people of the United States since the declaration of war in 1917 is being kept from the American people by a maze of confusion, probably not purposely done by some people but certainly this confusion results from a conspiracy to becloud the real issues involved in the proposed legislation and the real implications involved throughout the promulgation of the present prowar policy which we have been pursuing since May 16, 1940, when the President launched the present blitzkrieg against the peace and freedom of the American people from the rostrum of this chamber. If the American people were made to realize by a clear presentation of the facts on the part of the press and on the part of the radio that the policy of armaments as an arsenal for one side of the belligerents as against the other side necessarily and inexorably leads to participation by actual conflict, and if the American people were made to realize the war implications involved in the policy of aid to Britain by means of converting the United States into an arsenal for so-called democracy, I am certain that these selfsame American people who are definitely opposed to war would likewise be opposed to this policy of aid to Britain and its corollary policy of making the United States an arsenal for alleged democracy.

Mr. Chairman, everything has been done since the President addressed the Congress of the United States on the 16th day of May to keep from the masses of America the course involved in this policy, to wit, the inexorable course toward war which this policy sets forth. We first sold this war program to the American people in the month of May 1940 by calling it national defense. We were told that the country was in imminent danger of invasion and that it was necessary to pursue an armament program. Subsequently we were told that since we had the armament we must provide the men. So we adopted a policy of militarizing the American youth by conscription. Then slowly we began to drop the national-defense angle a little bit and we permitted to creep out in public something which was a little more bold.

This was the program of aid to Britain short of war. Of course all of the papers, all of the radios, and all of the instrumentalities of propaganda in this country, which incidentally are controlled by monopoly capital, the same forces that were responsible for the last European war and the same forces that are responsible for this war, naturally

did not bring out to the American people the implications that were involved in aid short of war; namely, that aid short of war simply shortened the distance between peace and war for the people of the United States.

So they sold that idea and they sold it very cleverly by means of bringing about a sort of political false national unity in the last campaign, and I refer to the strangest political campaign that we have ever seen, the Presidential election of 1940, where both candidates had no difference whatsoever on this question of aid to Britain short of war. In fact, they both agreed on a program of armaments, conscription, and war, not for democracy but for imperialism. However, they did not let the people know their real intentions. They used weasel words of keeping America out of foreign wars; but were actually agreed on an imperialist war program. This incidentally has been borne out by the conduct of the defeated candidate for President of the United States during the last 3 weeks.

This utility barefoot boy went over to England and strolled along the streets of London in Horatio Alger's hero style. You know, the man who came up the hard way, with his locks over his forehead and his tie askew. The husky-voiced crusader for the commonwealth people of America came upon the debris and the wreckage caused by the Nazi bombs and when he looked upon this wreckage he made a great contribution to world literature. He said, "Gee, it's awful." That contribution is going to go down in the history of world literature alongside the Sermon on the Mount and the Gettysburg Address. [Laughter.]

His conduct there and his attitude on this bill are an effort to carry out the purposes of that queer campaign—namely, to take over the 22,000,000 who voted against his opponent to the side of the President's war policy. This conduct proves what I charged during the political campaign—that there was no difference between these two candidates. Essentially they were both pro-war candidates, and Mr. Willkie, in particular, reminded me of a prize fighter who had been sent into the ring under agreement to take a dive. His attitude proves conclusively that he carried a towel in his trunks, and I am sorry for his managers, because they must have had an awful job keeping him from throwing in that towel in the first round. [Applause.]

So we find the tired, husky-voiced crusader of the common "wealth" [laughter] people now confusing the 22,000,000 people who voted for him and who supported him because they did not want war. We also find an awful lot of confusion created by some of the opposition to this bill, because I maintain that in all honesty anybody who advocates aid to England, who believes in all-out aid to England, cannot very well criticize the basic features of this bill.

Mr. Chairman, I am opposed to this bill because I am opposed to converting this country into an arsenal, not an arsenal for democracy, if you please, but an arsenal in pursuance of a policy which

would catapult the American people into a war which is not a war for democracy but a war for the maintenance of the present British imperialist interests, a war between two gangs of imperialistic bandits, one gang who stole yesterday and one gang who is trying to steal today. This war, which we are told is a war for democracy in order to force us into it, should be analyzed from every aspect. Of course, it is now also being sold to the American people as a war for Christianity, as Lord Halifax said in a radio speech some time ago.

Miss SUMNER of Illinois. Mr. Chairman, will the gentleman yield?

Mr. MARCANTONIO. I yield to the gentlewoman from Illinois.

Miss SUMNER of Illinois. Does the gentleman know of any war that has ever succeeded in increasing Christianity?

Mr. MARCANTONIO. I have never known of any imperialistic war that has ever succeeded in increasing Christianity or democracy. One thing I also know is that this war is just as imperialistic in character as the last war, and I shall develop that point as I go along in my speech. They are trying to sell this as a war for Christianity, as a war for democracy. I think the best evidence of the character of this war is the representative that this so-called democracy has sent here.

Lord Halifax, or, as the British workers who are now living in the subways of London while his friends live in exclusive underground hotels call him "Lord Holy Fox" [laughter], despite his cadaverous appearance of an unwrapped Egyptian mummy, he is the one who is sent here to tell us that he and his fellow rulers of Britain and the British Empire are the champions of democracy, that they are fighting this war for democracy. It is the same Lord Halifax who has betrayed democracy on every occasion he has had contact with it; the same Halifax who betrayed the people of Spain when they were fighting for their democracy; the same Halifax who betrayed democracy at Munich and sold it down the river and made a deal with Hitler; the same Halifax who is part of that Cliveden group in England that gave money to Hitler, that built up this frankenstein in the hope that Hitler would march eastward toward Russia; the same Lord Halifax who as Viceroy of India sent 47,000 Indians to jail because they asked for the independence and freedom of their country. This same Lord Halifax, who has been the spokesman for the appeasement faction in England for many, many years, was unfortunately greeted right up here by the President of the United States. I cannot help but remember my history, that the last time a British battleship came this near to Washington was when the British redcoats burned the White House and the Capitol of the United States.

He is supposed to be a spokesman of democracy. Is not the very presence of this man as a representative of the British interests indicative of the character of the war that is being waged today, not for democracy but for the preservation of empire?



If that does not convince you, let me point out something else as to the character of the war that is now being waged. This will come as a surprise to many of my colleagues, and I now present unquestionable and irrefutable evidence that today British financiers and German financiers, the representatives of Adolf Hitler, are still doing business. They are still conducting business for profit among themselves, yet we are told that they are fighting to destroy Hitlerism. Let us see whether they are fighting Hitlerism or are seeking to protect their financial and other imperialist interests.

I refer to the report of the Bank for International Settlements which was issued on May 27, 1940. On the list of the board of this bank you will find the names of the following gentlemen: Montagu Norman, Governor of the Bank of England, and Dr. Funk, director of Hitler's economic policy, as joint directors; Van Zeeland, as manager of the bank; with two other German bankers, three Frenchmen, two Italians, a Dutchman, a Swiss, and a Swede as the other directors.

The bank makes the interesting commentary: it "undertakes only such operations as are irreproachable from the point of view of both the belligerent and other countries. In December 1939 certain rules of conduct which the bank had as a matter of fact observed since the month of September were codified and brought to the knowledge of its clients."

You who are asking us to follow a policy which will inevitably plunge us into actual conflict, not plunge us in war, because we are in that war from the standpoint of armaments—from the standpoint of having put our country on a war-economy basis we are actually in war—you are asking us to go further into that war, and inevitably, for now that you have become this arsenal and this military reservoir, you are bound to engage in actual conflict. You are asking us to do that for what? For democracy? Are you convinced in your hearts that this clash between Great Britain and Hitler is a clash for the preservation of our way of life, that it is a clash for idealism, that it is a clash for democracy and the maintenance of democratic principles throughout the world? Can you be convinced of that in the face of the fact that you have here as Ambassador one of the chief appeasers of Hitlerism, and that you have here concrete proof that the monopoly capitalists of England are still doing business with the monopoly capitalists of Nazi Germany?

Let me also call your attention to something else about this British democracy for which we are asked to fight.

Mr. CREAL. Mr. Chairman, will the gentleman yield?

Mr. MARCANTONIO. I yield to the gentleman from Kentucky.

Mr. CREAL. According to the kind of government they have, if there is no difference, if the gentleman shifted his citizenship tomorrow for life, where would he prefer to live, in Germany or in England, with their known customs, laws, and permits?

Mr. MARCANTONIO. That is not a fair question, for the simple reason that

I prefer to live in my own country, the United States. The question is so hypothetical that you cannot expect anyone to give a concrete answer. My point, however, is that, while there may be a difference between the ruthless course of British imperialism and that of Nazi Germany, the difference is one of degree, and that degree is so small that it does not warrant us in pursuing an arsenal policy such as this bill provides, which will push us further into war and force us to shed the blood of our youth and spend billions of our dollars.

Mr. CREAL. Will the gentleman yield for one other question, please?

Mr. MARCANTONIO. Certainly.

Mr. CREAL. Does the gentleman call it a small matter when one country preserves the 12-man jury system, freedom of the press, and freedom of religion, which one country has and one does not? Does the gentleman call those things small differences?

Mr. MARCANTONIO. Oh, but your premise is wrong. Where is this freedom in Britain, which censors and suppresses the antiwar press and conscripts labor; in the Britain which is ruled by Tories who were elected 5 years ago and act toward the people as though they were ruling five centuries ago? I ask you, what freedom of the press, and what freedom is there for 300,000,000 people in India? What freedom does England give to the Indian people? I ask you, what freedom is there that Britain gives to the exploited natives of South Africa; to the Boers down in South Africa? I ask you, what freedom is it that Great Britain gives which is any different from the freedom that the Nazis give Norway; in the exploitation of millions of people in the British West Indies?

Ah, when we talk about freedom, let us not just point to the lack of freedom in Nazi Germany. Let us also realize the lack of freedom that exists in one-fifth of the world that is under the British Empire, and you cannot get away from that.

Let me give you an example of what is going on in India today. We are going to send bombers to the British Government. Today bombers are being employed in dropping bombs on natives in the hills of northern India. Sure, those facts do not come out. You do not think for a minute that the British censors are going to let that out, but Indians are in this country who have recently arrived here, and they have told me personally that Indian people in the northern hills of India are being bombed by British bombers because those people are seeking freedom from the exploitation and enslavement of British imperialism.

Certainly, I say I do not want to see a Hitler victory, but I am likewise opposed to a victory of British imperialism, or, for that matter, even Wall Street imperialism. All imperialism means enslavement of the working class throughout the world, and particularly enslavement of the people in our own country, if we pursue an imperialistic war course.

[Here the gavel fell.]

Mr. JARMAN. Mr. Chairman, I yield the gentleman from New York 5 more minutes.

Mr. CREAL. When the gentleman is speaking of that method of suppression, does he know in all history where any government, when people inside of its sovereign domain rebelled against the government, did not use the necessary force for suppression, even in America at the time of the secession of the Southern States?

Mr. MARCANTONIO. So therefore the gentleman wants us to embark on a policy which will aid those forces that are suppressing people who are rebelling, in order to attain that democracy which you say we are going to fight for by the enactment of this bill.

Mr. WHITE. Mr. Chairman, will the gentleman yield?

Mr. MARCANTONIO. I yield.

Mr. WHITE. I would like to ask the gentleman if he knows what the British Navy was doing just 100 years ago.

Mr. MARCANTONIO. That is history.

Mr. WHITE. Smashing the ports of China to force opium down the throats of the Chinese.

Mr. MARCANTONIO. I am glad the gentleman mentioned opium. Look at the League of Nations' report on this great democracy, this great champion of civilization and Christianity which did nothing less than employ the use of opium in order to demoralize the natives of China so that they could not resist British imperialism in China.

Mr. GORE. Mr. Chairman, will the gentleman yield?

Mr. MARCANTONIO. I yield.

Mr. GORE. The gentleman in declining to state in which country he would prefer to live, but rather preferred to live in America, and in his characterization of this war as imperialism versus imperialism, raised a question in my mind as to what he thought would constitute the greatest threat to America, which he has said he loves, and I sincerely believe he does—

Mr. MARCANTONIO. The greatest threat to America—

Mr. GORE. The greatest threat to America, the overwhelming defeat of Great Britain by the German forces or the defeat of Germany by the British forces?

Mr. MARCANTONIO. I say that America's greatest threat lies in three forces: One from Hitlerism, a Hitler victory; two, from a British imperialist victory; and, three, the most imminent danger to the welfare of the American people is by plunging the United States of America into this imperialist war [applause], because we are not going into a war at the termination of which there will be established democracy and justice throughout Europe; but, on the contrary, we are going into a war in pursuance of the imperialist policies not only of Great Britain but of the United States Wall Street imperialist interests as well. I intend to develop the thought that what we are about to accomplish just now, and what we have really accomplished, is the formation of a new axis. In this imperialist world crisis as opposed to the Rome-Tokyo-Berlin Axis, we have formed the Wall Street-Downing Street axis, and the worst thing for America is a triumph of either one of those two axes.



The best thing for the American people is to bring about the defeat of both of these axes, and the most important thing that the American people can do to bring about the defeat of the Wall Street-Downing Street axis, as well as of the Rome-Tokyo-Berlin Axis, is to remain at peace, to build up our democracy, to give work to the unemployed of America, and to preserve civil and constitutional liberties in the greatest democracy in the world. [Applause.]

Now, what kind of government does England have today? Ambassador Kennedy testified, and he said as follows, on page 237 of the hearings:

But, nevertheless, I said very definitely in a speech I made for President Roosevelt, that when the war came on on the 6th day of May last year the British passed a bill in 2 hours debate, and democracy went out of the window.

Of course, you are going to say that this is just temporary, despite the fact that China and Spain were able to continue a war without destroying their own democracy.

Mr. CREAL. Mr. Chairman, will the gentleman yield?

Mr. MARCANTONIO. Let me complete this thought first. I think what the country ought to have is Ambassador Kennedy's confidential report.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. JARMAN. Mr. Chairman, I yield 5 minutes more to the gentleman from New York.

Mr. MARCANTONIO. He filed a confidential report with the State Department and the State Department suppressed it and will not release it. Apologists for the State Department say that these documents are not released until 17 years afterward, but that was not the case when Ambassador Bullitt went on the air and slandered the workers of France, falsely charging them with causing the defeat of France. When Colonel Donovan came back with a report and tried to blame France's collapse on labor legislation, not only was he permitted to release his report, but further than that, Colonel Knox wrote a preface for that report which was published in the press. I have before me a small newspaper entitled "In Fact," gotten out by a gentleman whom I personally know, George Seldes, in whom I have utmost confidence. On January 13, 1941, he printed excerpts from that report. To this day the authenticity of the publication of this report has not been challenged, and I challenge the State Department to refute the authenticity of this report. This report, as we say in my district, is "the McCoy," it is the real goods.

Here are the conclusions that Mr. Seldes derives from that report, which I repeat is reprinted in his paper *In Fact*, dated January 13, 1941. He says that this report was filed by Mr. Johnson, counselor of the Embassy, for the Ambassador, dated London, October 10, 1940. Here are the conclusions derived from that report:

First. That England is proceeding rapidly toward fascism on the Nazi model.

Second. That fascism cannot be sold to the British people without the enthusiastic cooperation of the Minister of Labor, Ernest Bevin.

Third. That the people of England—the working people—are paying for the war, while the Government makes great concessions to the industrialists, munitions makers, and big business.

Fourth. That the Government is not able to protect its people against air raids.

I had hoped that the State Department might meet the challenge issued by this publication. If we are going to defend England as a democracy, if England is our first line of defense, and our Ambassador files a report to the effect that England is no longer a democracy, why does not the State Department—the administration—release that information to the American people, so that we can debate this question with our eyes open?

Mr. CREAL. Mr. Chairman, will the gentleman yield?

Mr. MARCANTONIO. Yes.

Mr. CREAL. In speaking of that very informal and undemocratic method of the British Parliament in passing a bill within an hour without debate, had the same question been up in Germany, I presume the bill would first have been referred to a house committee, and after the house committee reported it would have then gone to the rules committee, with ample debate and full discussion before being agreed to by the Reichstag?

Mr. MARCANTONIO. Perhaps they might have taken a half hour less in Germany to pass the bill instead of 2 hours. Is that a reason why we should pursue a policy to get us into war, to defend the government that destroys democracy in 2 hours' time against the government that destroyed its democracy in 1½ hours' time? If the gentleman wants that distinction to justify our going into the war, he is welcome to it.

Mrs. ROGERS of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. MARCANTONIO. Yes.

Mrs. ROGERS of Massachusetts. I agree with the gentleman that the Department of State should give the Congress, particularly the Committee on Foreign Affairs of the House and the Committee on Foreign Relations of the Senate, the most complete information as to what its representatives find is going on in European and Asiatic countries. We are expected to legislate practically in the dark and I am glad the gentleman has brought that matter to the attention of the House.

Mr. MARCANTONIO. Since the gentleman has discussed Asiatic countries, bringing in China at this point is very important. China is fighting for her life, putting up a genuine fight for democracy, but what is our policy toward China?

The CHAIRMAN. The time of the gentleman from New York has again expired.

Mr. MUNDT. Mr. Chairman, if the gentleman has used all of the time on the Democratic time, I am glad to yield the gentleman 10 minutes from our side.

Mr. MARCANTONIO. The American Labor Party is doing pretty well. [Laughter and applause.] I want to

thank the gentlemen of both parties for the time.

China! What is our policy toward democratic China, which is being used as a bait to get people to support this kind of legislation? We loaned China \$100,000,000. Ask the Chinese representative what they have been able to buy here. They have been unable to buy a single war article of any consequence by which they could prosecute the war of defense against Japanese aggression. This may astound you, but check up this statement at the State Department and you will find it is true. For the past 6 months, instead of our exports to Japan declining, our exports to Japan during the last 6 months have been larger than at any other time during the period commencing with the invasion of China by Japan. We are increasing our exports to Japan. What is our game over there? It is very obvious. We give China just a little bit to keep Japan busy, but never will we give China sufficient to make China win, so as to establish a democratic China, because a genuinely democratic China will be antagonistic to the imperialist interests not only of Japan but of Downing Street or Wall Street as well, and will never permit the exploitation which we, in conjunction with Japan and Downing Street, are conducting in China.

Mr. GORE. Mr. Chairman, will the gentleman yield?

Mr. MARCANTONIO. I yield.

Mr. GORE. The gentleman stated a few moments ago that No. 1 danger was of a Hitler victory. No. 2, I believe, was a British victory.

Mr. MARCANTONIO. I did not mean anything by 1, 2, and 3. I say that the three of them are equally dangerous, but the most immediate danger is that of going into this war, thereby destroying our peace and our freedom.

Mr. GORE. The gentleman says that victory by either one constitutes a threat.

Mr. MARCANTONIO. Right.

Mr. GORE. Then how does the gentleman justify, since they are now combating each other in a fight to the finish, how does the gentleman justify his vote against all national-defense measures?

Mr. MARCANTONIO. The gentleman was here when I discussed that the other day.

Mr. GORE. I would like to have the gentleman discuss it now in the light of what he has just said.

Mr. MARCANTONIO. I will be glad to do so. When I voted against these allegedly national-defense bills I said they were constituting this country into a military reservoir for one side as against the other; that they were not being used strictly for national defense. I said that in June. The press and others called me names in the months following June 1940, but the President came here in January 1941 and said that we had to become an arsenal, and he said an arsenal for democracy. That is where I disagree with him.

We are an arsenal, but not an arsenal for democracy. Therefore I will vote hundreds of millions of dollars for the strict defense of my country, but I will not vote for these appropriations since time and events have demonstrated con-



clusively that we have not been appropriating for the defense of our Nation, but rather we have appropriated in preparation to catapulting this country into an imperialist war, and being opposed to that imperialist war, I refuse to appropriate for anything that catapults us into that war.

Mrs. ROGERS of Massachusetts. Will the gentleman yield?

Mr. MARCANTONIO. I yield.

Mrs. ROGERS of Massachusetts. Is it not true that all the time there was considerable expression of sympathy for the democracy of China?

Mr. MARCANTONIO. Certainly.

Mrs. ROGERS of Massachusetts. And yet we were sending scrap iron and arms to Japan with which to destroy that so-called democracy?

Mr. MARCANTONIO. Yes, and we are exporting more to Japan now than we ever exported before.

Now, I would like to tell you what the representatives of monopoly capital say. This is right straight from Wall Street. The National Industrial Conference Board, 247 Park Avenue, New York City, is one of the important research bureaus for the monopoly finance and monopoly business. Mr. Virgil Jordan, its president, made a speech before the Investment Bankers Association at Hollywood, Fla., on December 10th last year.

Mr. GORE. Will the gentleman yield?

Mr. MARCANTONIO. Now let me give the gentleman this speech.

Mr. GORE. I want to get the gentleman off of that straw man.

Mr. MARCANTONIO. He is not a straw man. Mr. Virgil Jordan happens to be one of the spokesmen for the big men who are making many legislators straw men. Now I yield. [Laughter.]

Mr. GORE. I am still quite interested, since the gentleman has made such great protestations of his love for America and Americanism, and we all attribute the gentleman with sincerity in that, just how he can speak now and name two definite threats to America and American liberty, and yet because he sees some little something or imagines he sees something in the defense program that he does not like, he is unwilling to vote for one dollar to save us and protect us from that threat?

Mr. MARCANTONIO. The gentleman is distorting the position as I have explained it.

Mr. GORE. I beg the gentleman's pardon. That is the position the gentleman took.

Mr. MARCANTONIO. Just a moment. I have the floor. Let me answer the question. I said our most immediate danger is our participating in this imperialistic war; that our appropriations have not been for the defense of our country, its shores, and its people.

All these appropriations allegedly for defense are not in pursuance of a peace policy but rather a policy which will mean our participation in this war, and for that reason I have opposed and will continue to oppose appropriations for armaments which are intended for the prosecution of an imperialistic war and not for defense. Now I want to get back to my subject.

Mr. FISH. Mr. Chairman, will the gentleman yield? I will yield him another minute.

Mr. MARCANTONIO. I do not want to bargain about it, but I shall need it. I yield.

Mr. FISH. Does the gentleman know out of these hundreds of millions of dollars we have appropriated how many modern airplanes we have in the War Department today?

Mr. MARCANTONIO. I am afraid to answer that question because at a press conference at the other end of Pennsylvania Avenue I may be accused of wanting to give information to Germany. [Applause and laughter.]

Mr. FISH. I will answer it for the gentleman, because I am in bad with the President anyhow. I will say to the gentleman that although we have spent hundreds of millions of dollars for airplanes we have not got one single modern airplane with self-sealing tanks, with the proper armament, or with the proper number of guns, not one. They have all been given away. That carries out what the gentleman was talking about.

Mr. MILLS of Louisiana. Mr. Chairman, will the gentleman yield that I may ask the gentleman from New York [Mr. Fish] a question?

Mr. MARCANTONIO. I yield, but I do hope these gentlemen will let me proceed a little myself.

Mr. MILLS of Louisiana. The gentleman from New York [Mr. Fish] is a member of the Committee on Foreign Affairs. Does the gentleman not figure the statement he has just made places the United States in bad grace with the republics of South America?

Mr. FISH. I want to tell the gentleman what has happened to this country. Notwithstanding the fact the Congress has appropriated these hundreds of millions of dollars we have not got one modern airplane with self-sealing tanks, with armament, and the number of machine guns required in a modern airplane; and that comes as near being treason to the United States as anything I know. [Applause.]

Mr. MARCANTONIO. Just a few words as to South America and then I want to get back to Virgil Jordan. We are not fooling the people of South America. We may hear grandiose speeches from certain South American dictators talking about the kind of protection we are giving them. The people of Latin America know that the kind of protection we are giving them is the kind of protection Al Capone gave the Chicago businessmen. [Laughter.] We are exploiting South America, we are following the course of empire with regard to South America, economic and commercial exploitation is our order of the day in South America. And these dictators down in South America, who put them there? Who was responsible for these dictators? Who established the dictators in South America? We may as well answer those questions for the American people because the people of Latin America know the answer.

Our State Department knows the role we have played in the establishment of dictatorships in Latin America. The only

time we shall have real Pan Americanism, the only time the Latin American people will believe our good faith in the good-neighbor policy, will be when we show to the people of South America that not only are we in favor of keeping Hitler out of South America but that we are likewise opposed to keeping all kinds of exploitation and imperialism out of South America, including the Wall Street brand.

Mr. GORE. Mr. Chairman, now will the gentleman yield?

Mr. MARCANTONIO. Not now; I want to get back to Mr. Jordan. This is important. Maybe the gentleman knows about this speech and does not want me to read it.

[Here the gavel fell.]

Mr. FISH. Mr. Chairman, I yield to the gentleman 5 additional minutes.

Mr. MARCANTONIO. Mr. Virgil Jordan said:

Whatever the outcome of the war, America has embarked upon a career of imperialism, both in world affairs and in every other aspect of life, with all the opportunities, responsibilities, and perils which that implies. This war inevitably involves a vast revolution in the balance of political and economic power, not only internationally but internally. Even though, by our aid, England should emerge from this struggle without defeat, she will be so impoverished economically and crippled in prestige that it is improbable she will be able to resume or maintain the dominant position in world affairs which she has occupied so long.

At best, England will become a junior partner in a new Anglo-Saxon imperialism, in which the economic resources and the military and naval strength of the United States will be the center of gravity. Southward in our hemisphere and westward in the Pacific the path of empire takes its way, and in modern terms of economic power as well as political prestige, the scepter passes to the United States.

Whatever the facts about this war may have been or are now, it must be unmistakably clear to any intelligent person that we are engaged in it. Our Government has committed the American community to participation in this war as the economic ally of England, and as her spiritual, if not her political, partner in her struggle with the enemies of the British Empire everywhere in the world, to help prevent, if possible, their destruction of the Empire, and if this should not be possible, to take her place as the heir and residuary legatee or receiver for whatever economic and political assets of the Empire may survive her defeat.

Whereas we are following the course of empire here, my colleagues, we have formed the Wall Street-Downing Street axis, with Great Britain gradually taking the role of junior partner in that axis. I refuse to follow an empire course which will inevitably lead to the shedding of the blood of American people and which will mean the spending of the dollars of American taxpayers. Empire for America means death for American liberty. Let us follow this a little further—and I refer this argument to my colleagues, particularly my New Deal friends who were opposed to the economic royalists, who were opposed to the 60 families, the exploiters of America—and yet we are told that we are fighting this battle for the defense of democracy. But when I look around and see the people who are espousing this cause of defense for this democracy, whom do I find? John Pierpont



Morgan, Thomas W. Lamont, the Chase National Bank, the Du Ponts.

I thought they were the economic royalists. I thought they were the enemies of the people. I believed it then, I believe it now. The difference between the New Dealers and me today is that they believed it then but they deny it now, that these people were, have been, and always will be the enemies of the working people of America, of the common people of America, and of America's democracy. They are the forces alined on the side of war, on the side of this legislation which makes war inevitable, on the side of imperialism. They are now on your side. I am still against them. We find that these forces have always opposed labor legislation, we find that these forces have always opposed the extension of democracy to the farms, to the cities, to the mines, to the mills, and to the factories of this country. You tell me this is a fight for democracy and I yet find them espousing this aid-to-Britain cause, this arsenal policy and this legislation. Would they support all this if this program were really for democracy? These enemies of democracy support this program because they know it to be an imperialist war program, more profits for them and the end of the freedom of the American people. It is historically tragic that they have taken you into their camp.

Remember, Lord Halifax, John Pierpont Morgan, the Chase National Bank, the du Ponts, the utility companies—every bit of monopoly capital and its representatives—are behind this legislation. They, I repeat, are enemies of democracy. Do you still believe this policy one for democracy?

This legislation means the death of peace in America. We will go to war, not for democracy, we will go to war for imperialism; we will go to war for the Wall Street-Downing Street axis—a new axis contending for world control and world empire. I do not want my Nation to be an empire. I want my Nation to remain a free nation, not an empire—a country of a free people breathing the free air of a free nation, collaborating with the democratic people throughout the world for world democracy. By building up our democracy and collaborating with democratic people in the world we will guarantee the end of Hitlerism throughout the world.

Mr. GORE. Will the gentleman yield?

Mr. MARCANTONIO. I yield to the gentleman from Tennessee.

Mr. GORE. The gentleman took off from Wall Street, he sailed through Great Britain, Europe, and touched India—

Mr. MARCANTONIO. Now, you are expecting me to jump on Tennessee? [Laughter and applause.]

Mr. GORE. The gentleman lighted in India, China, the East Indies, Africa, South America, and then back to Wall Street. He has had a brilliant succession of knock-outs against the strawmen and he has ended with a peroration about freedom here in America, this freedom which we all love; yet in the face of the threats which he has admitted here tonight stare us in the face, the gentleman has not told us anything he has done to

assist in the defense of our liberties. Why?

Mr. MARCANTONIO. Mr. Chairman, I fought for the unemployed, for the farmers, and for labor. I voted for every bill that was essentially and strictly a national-defense bill on the floor of this House. I fought for constitutional and civil rights in this House and throughout the country. May I say to the gentleman that if we follow the course advocated by him, which will inevitably plunge us into this imperialistic war, you, not I, will help destroy the freedom that we all love. [Applause.]

In conclusion this lend-lease bill lends America's youth to war and leases America's institutions to the Wall Street-Downing Street imperialist axis. [Applause.]

[Here the gavel fell.]

Mr. MUNDT. Mr. Chairman, I yield 20 minutes to an outstanding Democrat, the gentleman from the State of Idaho [Mr. WHITE].

Mr. WHITE. Mr. Chairman, we are here considering plans to help England win the war. In the first place, it must be apparent to the most ardent interventionist that this country is doing everything it can consistent with any reasonable defense policy to furnish food and munitions to the British Empire short of paying for them with Government money. Without going into statistical details, everyone familiar with current events knows of the airplanes, destroyers, tanks, artillery, rifles, and the release of our secret invention turned over to the English in the present conflict. This bill being considered here—H. R. 1776—purporting to be "An act to promote the defense of the United States," is in reality a financing program by which it is proposed that the American people, already staggering under a national debt of \$50,000,000,000, will attempt to finance the war being waged by the British Empire—an empire rich in all the world's resources and so vast that England boasts that the sun never sets on its possessions—possessions that include the Dominion of Canada, Australia, Egypt, the Union of South Africa, the Malay States, and India, with teeming hordes of some 320,000,000 people.

When we consider the extent of the British Empire and its vast resources it is difficult to believe that the Congress of the United States would seriously consider the undertaking proposed in the bill in our present financial situation nor even if our country was free of debt, as it was in Andrew Jackson's time.

Anyone understanding what has been done, or is being done now, in supplying England with food and war munitions must realize that there is no need for this legislation unless we are to gratuitously shoulder the load of financing the present war being waged by the British Empire, with almost a certainty that the youth of this country, composing our military organizations, will be forced into the conflict to bear the burden of the war, to destroy the German Army, wrest the countries of Europe from their control; yea, invade Germany and dismember the German Nation. The American people have no intention of making this sacri-

fice; and if they understand the military and financial resources under English control, they will not undertake this exhausting financial program.

I may explain that the report of the Federal Reserve shows most of the English business to be confined to the purchase of war materials.

Let me present for your consideration a few facts concerning the financial resources of the British Empire. In the January Federal Reserve Bulletin we find this statement:

\* \* \* The Board's estimates of foreign gold and dollar resources at the beginning of the war would be altered as shown in the table on the following page.

The table indicates that gold and dollar resources of every sort held by the British Empire amounted to over \$7,000,000,000 at the outbreak of the war. In the intervening period the Empire has produced \$1,100,000,000 of gold and sold \$1,400,000,000 of goods to the United States. Drafts upon the aggregate of these gold and dollar resources have been made to pay for \$2,600,000,000 of goods already delivered by the United States and to cover substantial withdrawals of capital from England as well as for other purposes.

So we find that, according to the Federal Reserve Board, the British Empire has approximately \$5,500,000,000 remaining available for defense expenditures. It is interesting to note that the statement of the Secretary of the Treasury as to the amount of England's financial resources was limited to the United Kingdom, a small part of the British Empire.

Mr. Herbert Bratter's illuminating article in the January 27 issue of *Baron's Weekly* gives more light on the British financial status, from which I quote:

The President's proposal to take over British orders here to the initial extent of \$3,000,000,000 seems to accept the statement that the bottom of Britain's financial barrel is in sight; and the press, in commenting on the subject, generally seems to adopt this view without question.

The evident fact is that Britain's potential resources here are much more extensive than is commonly supposed, and their full utilization in the war effort is not a matter which we, as potential financiers of the democracies, should overlook.

Means of British payment are already here and have been for years. They are more than ample to cover the \$3,000,000,000 plan of the President.

Britain's dollar resources are not limited to cash in banks here. They are not limited to British holdings of stocks and bonds which can be sold here. They are not limited to British-owned real estate, factories, and similar direct business investments here. Nor are they limited to all these together, plus all the gold and silver held or produced by the British, for which metals we maintain an unlimited market at fixed prices.

When the war began, the British held foreign investments in bank accounts, securities, and businesses everywhere abroad totaling an estimated \$14,750,000,000. Of this, \$11,618,000,000 was located in the New World, as follows:

Empire holdings in the United States.....	\$4,433,000,000
United Kingdom holdings in Canada and Newfoundland, 1937 .....	2,685,000,000
Empire holdings in Latin America.....	4,500,000,000
Total .....	11,618,000,000



Add to this:

British Empire gold holdings, Aug. 31, 1939-----	2,407,000,000
British Empire gold production, Sept. 1, 1939, through Dec. 31, 1940 (estimated)---	1,116,000,000
Canadian silver production during the same period----	11,000,000

Total British Empire resources in the New World during war's first year-----	15,152,000,000
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There appears to remain in British hands at the end of 1940 about \$5,282,000,000 worth, which is being replenished by Empire new mine production. From this should be deducted the amount of net decline in British Empire short-term balances here since the start of the war, perhaps \$150,000 of gold at the estimated rate of \$850,000,000 per year.

I wish you would take note of the fact that the English Empire produces 70 percent of the world's gold and is producing gold at the rate of \$850,000,000 a year, \$15,000,000 short of a billion dollars a year.

I wish you would also note the close accord between the statement of the Federal Reserve Board and the article from which I just quoted.

Further quoting:

The \$5,282,000,000 is already here. It doesn't have to be moved here. In short, Britain is not yet broke.

But most important of all in considering Britain's ability to pay is the gold resources of the Empire, the source of which 70 percent of the world's gold supply we have greatly increased in value by raising and fixing the price of gold by law.

Statistical records disclose that Great Britain produced \$850,000,000 in gold last year (1940), an increase of 16 percent in South Africa and 14 percent in Canada. There is no accurate way of measuring and determining the vast gold resources still remaining in the British mines. Back in 1935 John J. Croston, a mining expert, undertook to estimate the world's unmined gold resources and prepared a table from such figures as were obtainable, from which I have taken the schedule of the British resources inserted here:

*Estimated unmined gold reserves, British Empire (Croston table) 1936*

	Ounces
Rand (Transvaal)-----	50,214,067
Rhodesian-----	1,217,558
Australian-----	5,815,452
Canada-----	13,823,030
	71,070,107

Later, in using his table as a result of vast new gold discoveries, the Bureau of Mines has this to say:

Mr. Croston points out that ore estimates are generally based upon company reports that show only reserves blocked out for a 1- to 4-year period ahead. It can well be understood that these figures represent minimum reserves, as they do not include probable reserves and undeveloped areas, which, if included, would increase the total many times. As an example, reported reserves for the Rand in South Africa in 1934-35 were 50,214,000 fine ounces. Yet, as stated by Croston, "from present operations and developments now in progress (1936), it would appear that the Rand can be counted on to produce over 200,000,000 ounces of gold in

the future without including much of the potentially productive but totally undeveloped areas." He further states, "if, however, the extreme easterly and westerly sections of the Witwatersrand prove up to recent borehole expectations, this district will appear assured of a productive life beyond the present century, and its relative importance in the scale of unmined reserves would be vastly greater than the table would indicate."

I want you to note that from recent investigations the tests in South Africa it has been shown that the reserves of South Africa have been increasing, and anyone who thinks that Britain is broke or unable to pay for its war munitions is laboring under a false impression.

Mr. Chairman, we must not, we cannot permit ourselves to be manipulated into this European war. Every public statement made by our statesmen, the great leaders of the past, caution us against the consequence of following the course proposed in this bill. Wise in his experience of dealing with foreign nations and in creating and establishing this matchless government, George Washington in his Farewell Address tells us:

Against the insidious wiles of foreign influence, I conjure you to believe me, fellow citizens, the jealousy of a free people ought to be constantly awake; since history and experience prove that foreign influence is one of the most baneful foes of republican government. But that jealousy, to be useful, must be impartial; else it becomes the instrument of the very influence to be avoided, instead of a defense against it. Excessive partiality for one foreign nation, and excessive dislike of another, cause those whom they actuate to see danger only on one side, and serve to veil and even second the arts of influence on the other. Real patriots, who may resist the intrigues of the favorite, are liable to become suspected and odious; while its tools and dupes usurp the applause and confidence of the people, to surrender their interest.

Why forego the advantages of so peculiar a situation? Why quit our own to stand upon foreign ground? Why, by interweaving our destiny with that of any part of Europe, entangle our peace and prosperity in the toils of European ambition, rivalry, interest, humor, or caprice?

Thomas Jefferson understood the danger of our Nation becoming involved in European disputes. His good advice to President Monroe should guide us in this critical hour. President Jefferson said:

Their (Europe's) mutual jealousies, their balance of power, their complicated alliances, their forms and principles of government, are all foreign to us. They are nations of eternal war. All their energies are expended in the destruction of the labor, property, and lives of their people. On our part never had a people so favorable a chance of trying the opposite system, of peace and fraternity with mankind, and the direction of all our means and faculties to the purposes of improvement instead of destruction. \* \* \*

And the system of government which shall keep us afloat amidst the wreck of the world will be immortalized in history.

I am so far from believing that our reputation will be tarnished by our not having mixed in the made contests of the rest of the world that, setting aside the ravings of pepper-pot politicians, of whom there are enough in every age and country, I believe it will place us high in the scale of wisdom to have preserved our country tranquil and prosperous during a contest which prostrated

the honor, power, independence, laws, and property of every country on the other side of the Atlantic.

THOMAS JEFFERSON.

Mr. Chairman, I have taken seriously the pledge of the Democratic Party to the American people made in our platform adopted by the national convention at Chicago on which the voters of this country have placed their reliance in entrusting our party with administration of our Government when we solemnly declared:

The American people are determined that war, raging in Europe, Asia, and Africa, shall not come to America. We shall not participate in foreign wars, and we will not send our Army, naval or air forces to fight in foreign lands outside of the Americas, except in case of attack. We favor and shall rigorously enforce and defend the Monroe Doctrine. The direction and aim of our foreign policy has been and will continue to be the security and defense of our own land and the maintenance of its peace. To make America strong, and to keep America free, every American must give his talents and treasure in accordance with his ability and his country's needs. We must have democracy of sacrifice as well as democracy of opportunity. To insure that our armaments shall be implements of peace rather than war, we shall continue our traditional policies of the good neighbor; observe and advocate international respect for the rights of others, and for treaty obligations; cultivate foreign trade through desirable trade agreements; and foster economic collaboration with the republics of the Western Hemisphere.

Mr. Chairman, I have taken to heart the advice of our first President and propose to follow the admonition of the great Jefferson which I am sure was in the minds of the members of the Democratic National Convention Resolutions Committee in drafting our national platform on which I stand unalterably and unequivocally. [Applause.]

[Here the gavel fell.]

Mr. MUNDT. Mr. Chairman, I yield 10 minutes to the gentleman from New Hampshire [Mr. JENKS].

Mr. JENKS of New Hampshire. Mr. Chairman, I know it is late, I know the Members are very tired, but I think you realize as I do that the result of the legislation we are considering now may shape the destiny of the world for the next several centuries; so I think we can afford to get tired over the bill now before us.

Mr. Chairman, I rise to make a plea to the membership of this House to seriously and calmly consider, without taint of partisanship or prejudice, and adopt each and every amendment designed to reserve to the people of the United States their constitutional rights and privileges, under any and all circumstances, which will be offered during the course of the next few days to this so-called lend-lease bill.

The people of the United States are united on the proposition of adequate and proper national defenses for the protection of this country of ours as well as for this entire hemisphere, but they are deeply and rightfully concerned over the prospect of the active participation of this country in another foreign war, and the closer we, the Representatives of the people, permit this country to be brought to the brink of actual warfare



on foreign soil the greater will grow the rift and division among our people.

And so it has occurred to me that if through the adoption of clarifying amendments and safeguards we of this deliberative body could more closely approach harmony and unanimity of opinion and action on this proposed legislation, it would be not only a contribution toward better understanding and clearer thinking among ourselves, but it would serve to eliminate much confusion of thought among the people we represent and solidify their confidence in the Congress of the United States.

Why the confusion?

Mr. Chairman, on October 22, 1940, the President of the United States solemnly made to the American people the following statement:

To every man, woman, and child in the Nation, I say this: Your President and your Secretary of State are following the road to peace. We are arming ourselves not for any foreign war. We are arming ourselves not for any purpose of conquest or intervention in foreign disputes.

That assurance was given 12 days before the national elections.

Approximately 8 weeks after the election, on January 6, 1941, the President in his message to the Congress said:

We are committed to the proposition that principles of morality and our own security will never permit us to acquiesce in a peace dictated by aggressors and sponsored by appeasers.

This despite the fact that the United States had no voice in the making of the present European conflict, has no voice in its conduct, and certainly has no premise on which to build a belief that this country will have any voice in the terms of settlement when military hostilities are brought to a close.

Ten days later, on January 16, 1941, the Secretary of War, Mr. Stimson, stated before the House Foreign Affairs Committee:

I can well conceive that a portion of the Navy might be transferred (to Great Britain) on conditions very advantageous to us.

The following day, January 17, 1941, Mr. Winston Churchill stated:

We don't require in 1941 large armies from overseas.

That remark raised in the minds of many of our people, as well as editorially in a percentage of the press of this country, the question, When? In 1942?

In the face of such conflicting statements, need we ask why there is confusion of thought, troubled doubts, and widespread alarm among our people? Under such circumstances, certainly now, if ever, the duty devolves on us, the direct representatives of the people, to clear the atmosphere through a concrete demonstration that we know what we are doing and in exactly what direction we are headed.

Considering the rapid drift of this country of ours toward active participation in another foreign war, the confusion, hysteria, and fear with which many of our people are beset and which is reflected so clearly here in our midst, the most that those of us who are still willing to continue the increasingly uphill strug-

gle to keep this Nation from active participation in foreign wars can hope to accomplish now is something approaching adequate restraints and safeguards in this lend-lease bill that will enable the representatives of the people to continue to have a voice in the grim decision as to whether or not the blood of American boys again will be shed on foreign soil in another effort to "save democracy to the world"; and, in addition, this time, if you please, bring to the entire globe "freedom of expression, freedom of worship, freedom from want, and freedom from fear." Mr. Chairman, all of us will agree that this is a lofty goal, a flight to soaring heights of idealism; but in the cold light of fact and harsh reality, most of us are well aware that progress in human affairs is an evolutionary process, which slowly, and even painfully at times, plods along its oftentimes devious and mysterious course.

Mr. Chairman, I am not among those who believe that Britain is fighting our war; if I believed that, I would be apologetic for the lack of a declaration of war months ago and for our not having entered the conflict at the outbreak of hostilities in support of Britain with our entire resources, including manpower. While I, with every right-thinking American, detest and loathe totalitarianism in any of its wretched forms—be it Nazi, Communist, or Fascist—and, with the vast majority of our people, fervently hope for a British victory, I am first and more profoundly interested in the preservation of American ideals and the continuance of our democratic way of life right here in the United States. No so-called isolationist or so-called interventionist am I—I am just a plain American, interested first, last, and all the time in the welfare of my own country, over and above everything and anything else.

Mr. Chairman, the minority report which accompanied this so-called lend-lease bill to the House sets forth the following:

#### WHAT THIS BILL DOES NOT DO

This bill does not provide dollar exchange for Britain, and is not needed to procure coordination of our defense efforts.

This bill will not provide any additional war supplies for aid to Britain within the 60 or 90 days of her alleged crisis, unless the President uses the power provided to dispose of part of our arms or our Navy, which he and his Cabinet officers have specifically denied they could spare.

There has been much talk of "restrictive" committee amendments. The amendments adopted do not prohibit our conveying merchantmen; do not require our Army or Navy officers to determine our own defense needs; do not place a constitutional 2-year limitation on the life of the bill.

#### WHAT THIS BILL DOES

Using the slogan of "Aid to Britain," and under the title of "Promoting Defense," this bill gives the President unlimited, unprecedented, and unpredictable powers—literally to seize anything in this country and to give it to any other country, without limit in law. He may sell or give away our Navy, our planes, our arms, our secrets, and use any proceeds from such sales for similar purposes; he need come to Congress only for appropriations to restore our Navy, our planes, our arms.

John Bassett Moore, world-famous authority on international and constitutional law, says:

"The pending bill assumes to transfer the war-making power from the Congress, where the Constitution lodges it, to the Executive. \* \* \* The tide of totalitarianism in government \* \* \* has not only reached our shores, but has gone far to destroy constitutional barriers, which, once broken down, are not likely to be restored.

Remember, we cannot repeal war; we cannot repeal bankruptcy; and we cannot repeal dictatorship. Under this bill we surrender our democratic way of life now, for fear of a future threat to our democratic way of life. The oldest and last constitutional democracy surrenders its freedom under the pretext of avoiding war, with the probable result that the newest dictatorship will soon go to war.

This same minority report quotes the Secretary of State, Hon. Cordell Hull, as once having said:

This is too much power for a bad man to have or for a good man to want.

I am in agreement with that statement as applied to this so-called lend-lease bill in its present form.

And so I urge the adoption of the necessary amendments and safeguards to this lend-lease bill so as to retain in the Congress its constitutional powers, obligations, and responsibilities, and to preserve for the American people their constitutional rights and privileges.

Let not this Congress abdicate the rights and prerogatives it holds in sacred trust for the people. [Applause.]

Mr. MUNDT. Mr. Chairman, I yield 10 minutes to the gentleman from Tennessee [Mr. JENNINGS].

Mr. JENNINGS. Mr. Chairman, I ask unanimous consent to revise and extend my remarks and include therein certain excerpts from the platforms of the Republican and Democratic Parties in the campaign of 1940, certain statements of the two candidates in conformity with those two platforms, and certain brief statements of the William Allen White Committee to Keep America Out of War, as well as the statement of one other person.

The CHAIRMAN. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. JENNINGS. Mr. Chairman, H. R. 1776 is entitled "A bill further to promote the defense of the United States, and for other purposes."

The great majority of the people have not read this bill. They do not know and realize the unlimited power conferred by it upon the President. They have been led to look upon it as a measure to extend immediate aid to Great Britain in the way of war supplies.

The overwhelming majority of the American people and the overwhelming majority of the Congress favor the fullest measure of aid to the embattled people of Great Britain, to the heroic Greeks, and to the Chinese, consistent with the safety of this nation.

There is a difference of opinion about the form in which this aid may be given. All are agreed that this aid should be expedited by every reasonable, possible means.

The passage of this bill will not expedite the manufacture and delivery of a single ship, tank, airplane, gun, or shell



to Great Britain, Greece, or China. The increase in war supplies to these nations can result only from the speeding up of the output of our war industries. The industries of this country are now loaded down with orders for war supplies. Great Britain is already getting the greater part of the war materials now being produced in this country. For the past eighteen months she has been given preference by this Nation. We have furnished her cannon, rifles, ammunition, airplanes, and fifty destroyers.

The clothing of the President with absolute power over every industry in the land producing munitions of war will work no magic. Such power will not place in his hands an Aladdin's lamp, the rubbing of which will create over night the instrumentalities of war. Rather may such power defeat its ends.

The recent repeated threats to take over the Ford plants are ominous and a warning of what may be expected when once the barriers of the Constitution have been broken down. Sweep away the shield of the fifth amendment—"No person shall be deprived of life, liberty, or property, without due process of law," and the beginning of the end of our liberties and free institutions is at hand.

The great majority of the American people are beginning to awake to the fact that this so-called proposal to aid Britain should not be made an excuse for the abandonment of our free system of representative government. They feel that to fight dictatorships abroad it is not necessary to set up one here at home.

For the first time in the history of our country a well-organized and heavily financed propaganda has been loosed upon the American people to convince them that their safety and national existence is dependent upon the victory of some foreign power. The geographic position of this country is such, her resources in materials and men and in spirit are so great, that with the Navy we now possess, and are building, and with the proper arming and training of our manpower, no nation, or combination of nations, can invade and conquer us. This country will never be invaded by a foreign foe unless two things first occur: First, the breakdown of the morale of our own people through loss of liberty at the hands of our own rulers; second, the dissipation and destruction of our material resources and manpower by repeated participation in other people's wars.

And when I say this, I do not mean that we are not concerned in the survival of the British Empire and in the defeat of Hitler. If epithet, denunciation, a barrage of hard words, would damn him to the deepest hell, I would readily join in the well-nigh universal chorus by which he is consigned to perdition.

All my sympathies are with Great Britain in this war because of the ties of blood, speech, literature, the common law, and the principles of human freedom embodied in the Bill of Rights, to enjoy which we fought and won the Revolution.

Let us now examine the so-called lease-lend bill, this aid to Britain bill, and look inside of the wrapper and be-

yond the caption to its actual provisions.

Section 3 of the so-called lease-lend bill, in effect, repeals and wipes out all provisions of any law now upon the statute books that might be held to interfere with the exercise of the powers granted to the President under the lease-lend bill. Under the terms of this bill the President is given power, first, to manufacture—

any defense article for the government of any country whose defense the President deems vital to the defense of the United States.

#### Second—

To sell, transfer, exchange, lease, lend, or otherwise dispose of, to any such government, any defense article.

Under this provision of the bill the President is authorized to give to any country in the world a part or all of our naval vessels, a part or all of our military equipment, consisting of cannon, machine guns, tanks, armored cars, rifles, ammunition, and part of or all of the entire fighting planes of the Army and Navy.

By section 9 of the bill the President is given the authority to

promulgate such rules and regulations as may be necessary and proper to carry out any of the provisions of this act; and he may exercise any power or authority conferred on him by this act through such department, agency, or officer as he shall direct.

The effect of this provision of the act is to clothe the President with power to legislate and to promulgate rules and regulations having the force and effect of law.

Under section 3 he is authorized to turn over to any government in the world any defense article owned by this Government, and any of the military or naval secrets of this Government.

It is insisted by the supporters of this bill that it will keep this country out of war. In fact and in law it clothes the President with power to put the country into war. Under its terms the President is authorized to seize alien ships in the harbors of this country and to give or turn them over to any other country of his choice. This would be an act of war.

It has been insisted by supporters of the bill in this debate that the President has the authority under existing law to direct the Navy to convoy our own ships to belligerent ports, and, if he should see fit, to order our Navy to convoy the ships of nations now at war.

Under the terms of the bill he is authorized to repair and equip with munitions of war the naval vessels of belligerent nations. If this were done, a warship of a belligerent nation might be followed into one of our harbors by a submarine of an enemy nation. This, of course, would, in all probability, lead to war.

It has been argued upon the floor of this House by supporters of the bill that it is the duty of Congress "to summon the resources of the land, the power of the Nation, for its defense; to summon the manpower, if necessary; to build up our sea power; to mobilize materials; to mobilize strength." And then it is in-

sisted that when Congress has thus "summoned the resources and the powers there is but one officer of the Government under the Constitution of the United States who may employ these resources and exercise these powers—the President; none other."

This argument goes too far. The effect of this argument is that when Congress has made the necessary appropriations for a Navy, for an air force, for an Army, the Chief Executive, if he sees fit, may give them to any nation in the world, and the Chief Executive, if he sees fit, as the Commander in Chief of the Army and Navy, may take such steps as will inevitably, and beyond recall, involve this country in an undeclared war. It also gives the President the power to sell, lease, lend, or give away, not only our naval vessels, our guns, ammunition, and airplanes, but also, in effect, gives him the power to appropriate, on behalf of any foreign nation he desires to aid, not less than \$40,000,000,000 of the money of the American people, which is now under his control by laws now on the statute books and by virtue of the terms of this act.

Under the Constitution the President is vested with power to enter into treaties with foreign countries, by and with the consent of the Senate. Under this bill he is given the power to enter into treaties of alliance, offensive and defensive, with foreign nations, without the consent of the Senate. Under this bill the President can make war on any nation in the world.

But it is said that this is a day of undeclared wars, and that, therefore, the President of the United States should be put on an equal footing with the warring dictators abroad.

The provision that—

Neither the President nor the head of any department or agency shall, after June 30, 1943, exercise any of the powers conferred by or pursuant to subsection (a), except to carry out a contract or agreement with such a government made before July 1, 1943—

not only does not protect the people against the dangers of the act; it fails to limit what may be done under the act to any period of time. Under the powers conferred by the act, the country may be put in war in 30, 60, or 90 days, as is forcefully stated in the minority report:

We cannot repeal war; we cannot repeal bankruptcy; and we cannot repeal dictatorship.

As the Representative of the Second District of Tennessee, and as a Member of this Congress, I am in favor of total preparedness on the part of this Nation. I am in favor of continuing aid to Great Britain and to Greece, and, above all things, I am in favor of keeping this country out of the present war. Our involvement in it will, in my opinion, cost the lives of hundreds of thousands, if not millions, of our boys, necessitate the expenditure of virtually all the wealth of this Nation, and result in a dictatorship.

I shall support the amendments sponsored by the minority of the Foreign Affairs Committee, which, in my opinion, is a lawful and democratic program to aid Britain and to keep us out of war:

1. A \$2,000,000,000 credit to Britain, to be used in this country for purchasing arms



when her dollar balance for this purpose is exhausted, requiring reasonable collateral security if available.

2. Permit the sale by our Government of arms to Britain only when our highest Army and Navy officers certify in writing such arms are not necessary for our national defense.

3. A 1-year time limit on all extraordinary powers. Congress meets again next year and can easily extend the time limit if our interests require it.

4. Provide that no vessels of the United States Navy shall be disposed of without the consent of Congress.

5. Prohibit the use of our ports for repair bases for belligerent ships. We must not bring the war to American ports.

6. Prohibit the use of American vessels to transfer exports to belligerents.

7. Prohibit the conveying of merchantmen by our Navy. One sunken ship might plunge us into war.

In the face of the fact that the Secretary of the Treasury and the leaders of this administration in Congress are now asking that the debt limit of this country be raised to the staggering sum of \$65,000,000,000, the above proposals for the aid of Great Britain are generous in the extreme.

The people of this country demanded that Congress remain in session during the entire year of 1940, in order that it might function as a Congress in the event of any crisis, foreign or domestic. The so-called lease-lend bill proposes, by its terms, that Congress, upon the threshold of this new term, surrender its powers to the Chief Executive with respect to entering war, making treaties, the appropriation and expenditure of moneys. I do not believe that you would wish Congress to cease to function and surrender all of its powers in the above particulars. I do not believe a member of either party in Congress, in view of the platform declarations of the two parties, and in view of the repeated promises to American people by President Roosevelt and by Mr. Willkie that they would keep this country out of the present war, would be justified in such a surrender, and I am thoroughly convinced that a Member of Congress, under his oath of office, could not justify himself in surrendering his sworn duty under the Constitution which all of us have sworn to uphold, protect, and defend.

Our first duty is to our own country. All we do must be measured by the one standard: What is best for the United States of America? Self-defense is the first law of nature. And it is true today, as it was of old, that "he who provideth not for his own household hath denied the faith, and is worse than an infidel."

Let us now examine this bill and measure it by the standards and provisions of the Constitution.

By section 8, of article I, of the Constitution, it is provided:

The Congress shall have power \* \* \* to declare war; to raise and support armies; but no appropriation of money to that use shall be for a longer term than 2 years; to provide and maintain a navy; to make rules for the government and regulation of the land and naval forces; to make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the Government of the United States, or in any department or office hereof.

By section 2, of article II, it is provided:

The President shall be Commander in Chief of the Army and Navy of the United States and of the militia of the several States, when called into the actual service of the United States. \* \* \*

He shall have power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur.

By section 3 of article IV it is provided:

The Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States.

By article VI it is provided:

This Constitution, and the laws of the United States which shall be made in pursuance thereof, and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land; and the judges in every State shall be bound thereby.

By section 1 of article II it is provided that—

Before he (the President) enter on the execution of his office, he shall take the following oath or affirmation: "I do solemnly swear that I will faithfully execute the office of President of the United States, and will to the best of my ability preserve, protect, and defend the Constitution of the United States."

And by article VI it is provided that the Senators and Representatives "shall be bound by oath or affirmation to support this Constitution."

Ours is a government of enumerated, delegated, and limited powers. These powers are enumerated, defined, delegated, and limited by the terms of the Constitution. By it three separate, distinct departments of government are set up. Each is supreme in its respective sphere. Ours is, therefore, a government of checks and balances. It can only continue as such if each branch of the Government continues to function as such. Congress cannot arrogate to itself, it cannot seize and execute the powers vested in the Chief Executive. By the same token, and measured by the same standard of duty on its part, it cannot, without stultifying itself, surrender to the Chief Executive its legislative power. The people, through the Constitution, delegated to the Congress the power to declare war, to raise and support armies, but limited any appropriation made by it for that purpose to a period not longer than 2 years. Through this medium of their will the people delegated to the Congress the right and duty to make all laws necessary and proper for carrying into execution the powers vested in it as the Nation's supreme legislative counsel, and vested in it the power to enact laws, to carry into execution all other powers vested by the Constitution in the Government of this Nation. The President, by the supreme law of the land, is given the power, "by and with the consent of the Senate, to make treaties, provided two-thirds of the Senators present concur." The Congress, and not the President, is given power to dispose of and make all needful rules and regulations

respecting property belonging to the United States.

This bill, 1776, is unprecedented. Nothing like it has ever before been proposed in this country, either in peace or war. Its title, "1776," is a pertinent reminder that on July 4, 1776, the Thirteen Original Colonies, by the Declaration of Independence, "assumed that free and independent state among the nations of the earth to which the laws of nature and nature's God entitled them."

By this bill the Congress surrenders its discretionary war-making powers and gives them to the President. It, in effect, gives to the President the power to enter into treaties of alliance, offensive and defensive, with any nation on earth. It strips Congress of its right to dispose of the property of the United States. It surrenders the control of Congress over the purse strings of the Nation. It is an abdication, a surrender on the part of Congress. It places in the hands of the Chief Executive complete control over the sword and the purse. At one fell swoop, in one abject surrender, it gives to the Chief Executive the power to sell, lease, lend, or give away the Army's guns, ammunition, tanks, and airplanes—the Navy's ships, guns, submarines, destroyers, mosquito fleet, and airplanes—our total military equipment. It gives to the President a blank check, payable in the sweat and the wealth of our people and in the blood of our boys. It is portentous, forbidding, challenging, frightful, and stupefying in its possible and probable effect on the future of this Nation.

In the interpretation and construction that may properly be placed upon this proposed statute, it is our duty and we have the right to look at it in the light of history. Let us examine this challenge to the integrity of our institutions, this threat to the liberties and lives of our people, in the light of the past. Let us measure it by the standards of our constitutional provisions, by the traditions of this House. Let us look at it in the flickering light of the platforms of the Republican and Democratic Parties. Let us scrutinize it in the declarations of the two major candidates for the Presidency, and in the cold facts of the present situation, and, if you please, in the light of the present world trend toward totalitarian power—power in the hands of one man.

#### NOT OUR WAR

This is not our war. This Nation was not consulted before it was declared. It was declared by England and France. The declaration was ostensibly to save Poland. Both England and France knew they could not save Poland. They began it at a time when neither was prepared. It is a repetition of the endless conflicts of the Old World; the age-old conflict between European powers for territory, trade, colonies, and world dominion.

#### THE STORY OF THE BRITISH EMPIRE

The story of the British Empire—its rise, its far-flung dominions, colonies, dependencies, its conquered lands, and subject races, surpasses in glamour, in magnitude and power, the rise of any other empire the world has ever known. In



the wake of the Union Jack, along the routes of conquest and trade traversed by it, to the lands dominated and controlled by the British in Asia, Africa, Europe, the Americas, and in the seven seas, there followed upon the heels of conquest and exploitation, if not democracy as we know it, order and a better way of life. These adventures of the world's greatest empire builders have caused the wealth of this far-flung empire to flow in an unending stream into the coffers of the British Isles. The world dominion of this empire is one of the miracles of history. Successful in most of her ventures, she suffered reverses in some. By the mistakes recorded in the Declaration of Independence, she lost the 13 original colonies, the nucleus that grew into the United States of America. By blunders, age-old in their stupidity and brutality, she alienated and lost Ireland.

The spectacular, the beneficent, rule of Britain's world power, for more than 100 years, has been maintained by a diplomacy and intrigue and a statesmanship of surpassing resourcefulness and brilliancy. This capacity for government, for more than a hundred years, has enabled 40,000,000 people, sitting on the doorstep of Europe, to hold their place in the sun. How have 40,000,000 people girdled the earth with their colonies and controlled the sea lanes with their warships, while their merchantmen filled the harbors of the world and brought back its riches to the mother nation? For years they maintained, for want of a better name, the so-called balance of power. Great Britain, by her control of the seas, her vast wealth, her possession of Gibraltar and the Suez Canal, has played one group of European nations off against another. In 1914, and during the World War, she had on her side Belgium, France, Russia, the Balkans—with the exception of Bulgaria—Japan, and Italy. Ranged against her were Germany, Austria-Hungary, and Turkey. And finally, "to end all wars" and "to make the world safe for democracy," the United States of America went in on April 17, 1917.

The futility of that war, its bitter disillusionment to our people and to the world, is about to be forgotten, and today there is another war, world-wide in its scope, and the American people are again confronted, overwhelmed by, and saturated with the best organized and best financed propaganda that has ever plagued, frightened, and bedeviled our long-suffering people. The air, the press, the rostrum, the mails, the movies, the billboards, both by day and by night, are filled with it. These propagandists and their unending output proclaim themselves "the cloud by day" and "the pillar of fire by night," that must be followed by the American people unless they are to be invaded, conquered, and enslaved by Germany, Japan, or Italy. And as a result of the hysteria whipped up by our "war jitterbugs," Americans are ready to take one another by the throat, impugn one another's motives and patriotism, all because, forsooth, Europe is at war again.

Our motives are altogether altruistic. We seek no colonies, we seek no blood-

stained profits to be derived from conquest. We are called upon to forget the historic and traditional way of life and pathway which have led us to the position of the world's richest, strongest, freest, and happiest people. And it is now proposed that this Nation become the world's greatest Santa Claus; that we go out, not for conquest, not in our own necessary self-defense, but to establish freedom of speech everywhere in the world, freedom of worship everywhere in the world, freedom from want and the abolition of poverty everywhere in the world, freedom from fear and the abolition of war everywhere in the world. These are our aims.

The prizes for which the European nations are at war are great—colonies, world trade, world dominion, are in the balance.

We have the greatest industrial system and the greatest natural resources of any people in the world, and we have the greatest reservoir of the finest manpower—cannon fodder—in the world. The balance of power heretofore existing upon the European continent is no longer in existence. I cannot but admire and recognize to the fullest extent the shrewdness, the wisdom and the patriotism of the British statesmen who seek to enlist this Nation on the side of Great Britain in the present World War. We are the only nation left in the world strong enough and rich enough to underwrite British aims in the present war and to finance and fight this war.

"A burnt child dreads the fire," but human memory is short. The voices of those who died in our other venture, and who sleep the long sleep, are forever hushed; the billions we spent, and for which we were repaid by hard looks, and harder words—"Uncle Shylock" and "slackers"—have vanished into the limbo of things forgotten and gone.

This is a new day. There are new British spokesmen, a new audience. Charity, with us, no longer begins at home. We forget our disabled soldiers, their widows, their children. We ignore our old people in dire need of old-age pensions. We are about to raise our debt limit to \$65,000,000,000. The voice of our propagandists, male and female, joins with that of European spokesmen and cries aloud for entry of American soldiers into this war, and for the shedding of American blood that will get us in.

We are the world's greatest democracy, but, strange to say, we have always had a weakness akin to that of the moth "for the fierce white light that beats upon a throne," and for the glamor of the prince and the princess.

And when I read in the daily press that Prince and Princess So-and-So, on a safe vacation from their native lands, have supped with the mighty here in the Nation's Capital, and have crossed the threshold of those in high places, we are led to wonder if there are those among us who are playing an international poker game, in which the wealth, the liberties, and the lives of our people are the pawns. Be not deceived; the stakes are large; the players are shrewd, experienced, and worldly wise. Thrones are in the balance. The kingdoms, the principalities, of

princes, kings, and queens are said to be in our keeping. The crack diplomats of the Old World, in spectacular arrival on mighty battleships, add to the spectacle. And it all boils down to and adds up to this: Give us your money, your planes, your ships, your guns, and in 1942 your boys.

Let us be realistic. The British Empire is yearly producing \$500,000,000 in gold. It is not broke. It is fighting for its life. It has possessions in the Western Hemisphere that are not necessary to its national existence or national defense. They are necessary to the national existence and to the national defense of this Nation. Now that the house of its existence is on fire and that it is asking us not only to lend it a fire hose, but to enter its burning house and to have our boys fight and die alongside of its soldiers, why not let it transfer to this Nation its West Indian possessions, and other military and naval bases in the Western Hemisphere, in fee simple, that is, give us an absolute title to these properties in exchange for the billions it owes us and for the billions we are asked to give it?

In view of the fabulous wealth of the British Empire—its crown jewels, the enormous salaries, perquisites and subsidies it yearly turns over to the members of the royal family—the American mothers whose boys will be called upon to fight and die as a result of our proposed entry into this war well might say: "These are my jewels, they are more precious to me than your gold, your jewels, and your colonies are to you."

Do you know the war aims of Britain? Mr. Churchill has said that she will stop nothing short of an invasion of Europe and a complete victory over Germany. Does anybody believe that she can succeed in this ambitious program without an American expeditionary force, and in a force vastly superior in numbers and armament to that which we sent to France in 1917 and 1918? But it is no longer possible for us to land an expeditionary force in England or in France. What then is to be the theater where our forces are to fight? There is but one possible answer to this—and that is in Africa and thence through the Balkans into Europe.

This bill does not provide for the production of ships, guns, airplanes, shells, and other implements of warfare. The machinery for their production is already set up, and in full blast of operation under the supervision and leadership of some of the ablest industrialists in this Nation. Why then this fevered haste for the concentration of power in the hands of one man? But it is said the President will not use these powers. He himself has said that any intimation that he will use the powers conferred by this bill is in a category with the feat of the cow when she jumped over the moon, and that while the bill does not forbid his use of ships to convoy the ships of belligerents in hostile waters, and while it does not forbid him to give away the Navy, that neither does it forbid him to "stand on his head."

Now, even though the cow jumped over the moon and even if somebody stands on his head, neither performance is any excuse for the granting of the tremendous



powers conferred by this bill. It is said the President will not give away the Navy, that he will not strip our armed forces of the necessary implements of warfare. Then why give him the power? Why give any man the power to do anything we would not do ourselves? What good is a time limit? Why lock the door after the horse is gone? Once we are in the war we are in all over for years to come.

It is my settled opinion that, within the limits of our own safety and self-interest, we can give all aid to Great Britain it is safe for us to extend, and yet escape the war. In the first place, Germany cannot at this time make effective war on us. In the second place, for her to attempt to do so would have a bad effect on the morale of her own people. In the third place, it would adversely affect her in the eyes of the nonbelligerent nations of Europe. In the fourth place, a declaration of war by her on us would mean that the sky would be the limit once the shooting started. It would be an "all out" war on our part.

And this brings us to a consideration of the platforms of the Republican and Democratic Parties in the last Presidential campaign, and to a consideration of the repeated statements of President Roosevelt and Mr. Willkie as to their position on our entrance into the World War. Platforms of a political party are not just to get in on. They are more than that. They constitute a solemn compact, a sacred contract, between the candidate and the people. All of us ran on a platform. Most, if not all, of us made commitments on the question of whether we were for entry into or staying out of this world conflict. I am old fashioned enough to consider mine binding. I stated to my people: "I will never vote to make a European policeman out of Uncle Sam or to send our boys to fight and die in the endless brawls of Europe or Asia." That pledge to them I propose to keep.

Upon this subject the national Democratic platform of 1940 pledged the people as follows:

The American people are determined that war, raging in Europe, Asia, and Africa, shall not come to America.

We will not participate in foreign wars, and we will not send our Army, naval, or air forces to fight in foreign lands outside of the Americas, except in case of attack. We favor and shall rigorously enforce and defend the Monroe Doctrine.

The direction and aim of our foreign policy has been, and will continue to be, the security and defense of our own land and the maintenance of its peace.

In self-defense and in good conscience, the world's greatest democracy cannot afford heartlessly or in a spirit of appeasement to ignore the peace-loving and liberty-loving peoples wantonly attacked by ruthless aggressors. We pledge to extend to these peoples all the material aid at our command, consistent with law and not inconsistent with the interests of our own national self-defense—all to the end that peace and international good faith may yet emerge triumphant.

In conformity with this platform pledge, President Roosevelt made the following statements to the American people

on the question of keeping them out of war. We quote:

Our acts must be guided by one single hard-headed thought—keeping America out of this war.—President Roosevelt to Congress, September 21, 1939.

The time is long past when any political party or any particular group can curry and capture public favor by labeling itself the peace party or the peace bloc. That label belongs to the whole United States and to every right-thinking man, woman, and child within it.—President Roosevelt to Congress, January 3, 1940.

We are keeping out of the wars that are going on in Europe and in Asia.—President Roosevelt to the Young Democratic Clubs of America, April 23, 1940.

We will not send our men to take part in European wars.—President Roosevelt to Congress, July 10, 1940.

We will not participate in foreign wars, and we will not send our Army, naval, or air forces to fight in foreign lands outside the Americas, except in case of attack.—President Roosevelt to the Teamsters, September 11, 1940.

To every man, woman, and child in the Nation I say this—your President and your Secretary of State are following the road to peace. We are arming ourselves not for any foreign war. We are arming ourselves not for any purpose of conquest or intervention in foreign disputes. I repeat again that I stand on the platform of our party: "We will not participate in foreign wars and will not send our Army, naval, or air forces to fight in foreign lands outside of the Americas, except in case of attack."—President Roosevelt at Philadelphia, October 23, 1940.

I give to you and to the people of this country this most solemn assurance: There is no secret treaty, no secret obligations, no secret commitment, no secret understanding in any shape or form, direct or indirect, with any other government, or any other nation in any part of the world, to involve—no such secrecy that might or could, in any shape, involve—this nation in any war or for any other purpose. Is that clear?—President Roosevelt at Philadelphia, October 23, 1940.

I am fighting to keep our people out of foreign wars. President Roosevelt at Brooklyn Academy, November 1, 1940.

The first purpose of our foreign policy is to keep our country out of war.—President Roosevelt at Cleveland, November 2, 1940.

In the platform adopted at Philadelphia in June 1940 the Republicans pledged the people, as follows:

The Republican Party is firmly opposed to involving this Nation in foreign war.

We are still suffering from the ill effects of the last World War—a war which cost us a \$24,000,000,000 increase in our national debt, billions of uncollectible foreign debts, and the complete upset of our economic system, in addition to the loss of human life and irreparable damage to the health of thousands of our boys.

Our sympathies have been profoundly stirred by invasion of unoffending countries and by disaster to nations whose ideals most closely resemble our own. We favor the extension to all peoples fighting for liberty, or whose liberty is threatened, of such aid as shall not be in violation of international law or inconsistent with the requirements of our own national defense.

Wendell L. Willkie, the nominee of the Republican Party in 1940, in his campaign for the Presidency, stood squarely on that platform and its promises with respect to our keeping out of the World War, and repeatedly stated to the people:

I will not lead the American people down the path to war; I will never send their boys

to the shambles and butchery of European trenches.

And in that election on November 5 of last year the American people had their only opportunity to express a choice as to whether they wanted to get into this war or not. They had the right to treat the platforms of the Democratic and Republican Parties as a solemn contract between each of said parties and the people of this country that they would not be led down the road to war. They had the solemn and repeated promise of both candidates for the Presidency that they would fight to keep our people out of foreign wars.

But times have changed. William Allen White's Committee to Defend America by Aiding the Allies, in its effort to aid the Allies by getting the United States into war, became so hot that honest Mr. White remembered that he was getting old and had some books to write and some chores to do out in Kansas, and quit. Since then Dr. Henry Noble McCracken, President of Vassar College, and who is one of those friends to England, withdrew his support from the committee on the ground that it was undertaking to lead this Nation into war. The other day, at a dinner in Brooklyn, Dr. McCracken said:

The battle for American entrance into the war has begun and is in full activity. The outline of strategy is fairly clear. The slogans have been devised, the publicity offices are working night and day. The psychologists have selected the emotions. The speakers have their themes selected.

There are those who say "We are in the war already. It is too late." I deny it. Our great electorate of citizens has never authorized this word. We are still outside the battle. We have never agreed that Britain is fighting our war.

And in keeping with the common sense of these two great Americans, Robert M. Hutchins, president of the University of Chicago, on the night of January 23, declared:

I speak tonight because I believe that the American people are about to commit suicide. We are not planning to. We are drifting into suicide. Deafened by martial music, fine language, and large appropriations, we are drifting into war.

And thus it is. The shouting of the captains grows apace. The war drums daily throb louder. They say the President is being pushed by the people along the path to war.

We are told that Britain will quit fighting if we do not pass this bill, and that if she goes down the British Navy will be added to that of Germany, Italy, and Japan, thus greatly outnumbering ours. Well, France went down, but France did not turn over her Navy to Hitler. Just what kind of a poker game is this anyhow? Does anybody expect us to believe that England will quit defending herself if this Congress retains its constitutional functions? Will she surrender if this country requires of Great Britain her colonies and Holland, that they pay to the extent of their ability to pay?

The British Empire and its constituent parts have billions of dollars worth of assets that can be used, or pledged, or transferred to pay for, or secure the price of the armament now on order and to be



ordered and made for Britain in this country. The Dutch Empire is one of the richest countries in the world. It has billions of dollars of assets in this country. It owns the Dutch East Indies, rich in tin, in rubber, and in oil.

The British Empire covers about one-fourth—13,539,113 square miles—of the world's habitable land surface. Its population in the aggregate, according to the latest census and official estimates, is some fifteen millions more than one-fourth of the inhabitants of the world—a total of 504,218,209. According to Moody's Governments and Municipals, 1940, the national wealth and resources of the United Kingdom, as estimated by Sir Josiah Stamp for the year 1930, were as follows: \$72,811,575,000. And this great Empire is so rich that it annually pays to its King and the members of the royal family \$2,376,615 per year.

Have we no obligations pressing and imperative? What of the cost of our armament? What about our millions of unemployed? What about the aged and the needy who are clamoring for old-age pensions? What of our veterans, their widows and orphans?

Shall we pour out the wealth of this Nation like sand and the blood of our boys like water to protect Dutch colonial possessions rich in oil, in tin, and other critical war materials, when the Dutch, though able to do so, do not raise a finger or offer to pledge a dime for the restoration of their country and the throne of its exiled rulers?

This is a time for sanity. Help Britain? Yes. Get in this war. No. Be not deceived. The passage of this measure will be the last fatal step that lands or will shortly land us in this war.

On January 3 of this year our distinguished Speaker, the gentleman from Texas, the Honorable SAM RAYBURN, on assuming the duties of his great office, said:

The House of Representatives has been my life and my love for this more than a quarter of a century. I love its traditions; I love its precedents; I love its dignity; I glory in the power of the House of Representatives. As your Speaker and presiding officer, it shall be my highest hope and my unswerving aim to preserve, protect, and defend the rights, prerogatives, and the power of the House of Representatives.

He was applauded when he thus spoke, and I again applaud him.

By the plain terms of this bill, if we pass it by our votes, we shall have surrendered the rights, prerogatives, and the power of the House of Representatives. We shall have surrendered our constitutional power over the sword and the purse, the two mightiest instrumentalities of governmental authority; we shall have stripped ourselves of our right and duty as the Representatives of the people to say whether this Nation shall or shall not be plunged into the present European war. The passage of this bill, in my opinion, will sound the death knell of constitutional government in this land. It will lead inevitably to our participation in this war and to an expeditionary force of millions on the soil of Africa and Europe, and such a course on the part of those responsible for it will be a crime

against the American people and a still greater blunder. [Applause.]

Mr. MUNDT. Mr. Chairman, I yield 15 minutes to the gentlewoman from Illinois [Miss SUMNER].

Miss SUMNER of Illinois. Mr. Chairman, today we are illustrating the difference between representative government and one-man government by the President. At the White House there is no person elected by the minority who can debate with the President the policies meaning life and death to the American people. Here and there today you see vacant seats and some empty heads but the people have ears in the press gallery and they have access to the CONGRESSIONAL RECORD. Reason has some opportunity to guide the destiny of the American people.

For many years preceding the American Revolution England had been fighting an internal revolution for increased democracy. They have never, that I recall, retreated in that revolution.

Whenever the people wanted more rights they had gone on a tax strike just as the American colonists did when they revolted. By using the tax power as a weapon the British Parliament had, at the time of the American revolt, wrested many powers from the king.

The Constitution apportioned some of the newly acquired sovereign power to the Congress, the rest to the President. But they left the tax weapon for wresting power from the President with the Congress so it is surprising to find opinions of the United States Supreme Court telling the people that while the Congress can grant additional power to the President the Congress cannot take power from the President for instance in foreign policy.

Leading professors of constitutional law in Great Britain regard that view of the American Constitution as ultraconservative and erroneous. I doubt if it was the view of Thomas Jefferson, who was an advocate of the right of the people to grow up through increased responsibility.

After the American Revolution the evolution of increased democracy in England continued until the Parliament had wrested from the King every important right he had.

In America, on the other hand, democracy has in this respect not developed since the writing of the Constitution. Since 1932 the Supreme Court has become virtually royalist, steadily encouraging the President to obtain more power until, when this bill is enacted, it would be difficult to say what policy the President might wish to adopt that he would not have the power to carry through and still be within the law and Constitution.

Yesterday a most distinguished Member, arguing that the bill should be enacted, enumerated various occasions upon which American Presidents have usurped powers hitherto enjoyed by the Congress. He pointed out that in each case the usurpation was deemed necessary to the defense of the country.

His speech reminded me how much like the forming of the character of a person is the forming of the character of

a nation. The steps he mentioned were taken by great men.

Certainly we would forgive such men as Jefferson and Lincoln, the steps they took which beat a primrose path leading to the decline of representative government.

The strength of the British democracy today is that such is their respect for law and tradition that no emergency ever seems to justify a surrender of parliamentary power. They have stuck with stubborn bulldog tenacity to the principles to which they owe all that they are and all that they hope to become.

Who can deny that with the passage of this bill we slip further back down the uncertain path of one-man government. I shall not be surprised if Hitler hails this as another remarkable victory for his ideology. Over and over again in Mein Kampf he has stated, "Democracy is not good enough. The destiny of a nation, especially in time of peril, should be given into the hands of one man."

Can not you just see him mounting his rostrum, pointing to this American retreat from democracy, saying "Ich habe dich gesagt—I told you so."

I hope that history will excuse this unheroic vote on the grounds of duress. I do not believe that even the administration officials really believe that Hitler intends to invade this country, risking what he has won in Europe, stirring up the hornets' nest in America.

Maybe if I were afraid, if bombs were flying over the Capital, I should be the first one to run weeping to the White House and fling my responsibility to the future generations of America upon the lap of the President.

Maybe I would and maybe I would not. It would not be the first time I have been in a tight place. Facing death makes you feel alive, especially if you risk it in a good cause. Every American mother has faced death gladly—knowing she was contributing to the world of tomorrow. And you and I have taken on a responsibility not only to the people who elected us but to the many, many more people who shall live after them.

I know that your generous-hearted constituents are imploring you to do anything and everything that might result in aid to Britain. But have they, have you, stopped to consider how you are binding and gagging those of us who are young enough that we shall still be having to labor for peace and democracy long after Roosevelt has become a doddering old man?

How can we convince the Germans, for instance, that you and the President really believe that they ought to have a democracy, that it will be safer for them to have a democracy, if by this vote you have already proved to them that the more danger there is the less democracy a country ought to have?

The President is being given more power to play with dynamite. If and when it explodes and we shall be in war, have you thought what kind of speeches you can make, after passing this bill, which will inspire American youths to become physically disabled for the representative kind of government in which you believe but for which you do not vote?



I am trying now to think what I shall say 40 years from now, when I am a nice old lady still trying to keep burning the belief in the blessings of representative government, like an ancient vestal virgin. Perhaps I shall have to do my lecturing to young citizens in some secret catacomb.

Shall I tell those youngsters that the citizens of 1941 were prodigal sons of prodigal sons? That they had inherited a democratic tradition which they had not earned and did not thoroughly understand?

That under Washington and his contemporaries the Government was run so well that it enabled the people to thrive and prosper? So they did not perceive the necessity of cleaning out the increasing incompetence and corruption in government? Their Republic brought so much prosperity that they acquired the habit of voting for anybody who sounded like more prosperity without scrutinizing the methods used by those they elected to make sure the methods being used might not prevent future prosperity. So in 1929 they suffered the first consequences of civic laziness.

They were frightened. It was not wholly the fault of the man who became President in 1932 that they gave him so many powers and duties that soon minor clerks in Government offices were making decisions on policies which until then had been the prerogative of the Congress. Not wholly his fault that so much money was granted him to be spent at his discretion that he could not possibly supervise it properly and the elections became filled with fraud and misrepresentation so that it was only luck that the Congress was not filled with political mountebanks performing only political wheelhorse services, mouthing opinions predigested for them at the White House.

Will anybody ever be able to explain the American retreat from democracy which began before the rise of Hitler, except by saying that it is human nature; the more dependent a people or the people that represent them become, the weaker they grow and the more subject to fear, until at length they become such slaves to fear that the only power of choice they have is to decide which is their master's voice, Roosevelt or Hitler, or somebody else.

We have gradually approached the point where the people of America shall have nothing left to fortify them against the tyranny, which history proves, is the inevitable result of one-man government and which is likely to come in America after the death of Roosevelt, if not before. In their fear, Americans have tossed away all the traditions of good government, which enables governments to endure during times when their chief leaders are not up to the usual standard.

To me this bill is a step backward in human progress. I regret that I cannot emphasize the depth of that conviction with martyrdom. [Applause.]

Mr. ARNOLD. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. DICKSTEIN].

Mr. DICKSTEIN. Mr. Chairman, a few more minutes and I would have become as sentimental as the gentlewoman from Illinois [Miss SUMNER] in the very

able speech made by her and the manner in which she presented her case.

I wonder what Thomas Jefferson and Abraham Lincoln and all of our great forefathers would do if they were here in the conditions of today. What would these great leaders do if they were confronted with the situation which our beloved country is confronted with today? Unfortunately, the gentlewoman was not here in the Seventy-fourth and Seventy-fifth Congresses. I am sure that if she were a Member of the House at that time, she would be in a better position to analyze and appraise the situation confronting us today. At that time I called the attention of this Congress to Hitler's activities throughout the world, and particularly called attention to the fact that Hitler is not only seeking to destroy the people of Europe but is undermining our form of government by propaganda.

No, I may say to the gentlewoman, who says that Hitler is not going to invade America, that Hitler already has invaded America and has done it for almost 7 years by undermining our people and creating hate and intolerance among those of us who love the flag. Hitler has spent millions of dollars seeking to destroy our people by arraying class against class and race against race.

No; Hitler does not invade countries by an army. He first undermines the government of the country he seeks to destroy, and when he finds that the people are so weak that they would offer no resistance, he comes along with other new-fashioned ideas to destroy the world—and one country after another.

I do not have to recite what he has done in the last year, and I do not have to tell you that every day by the orders of Hitler thousands of people are being slaughtered like cattle in slaughterhouses. Only 3 days ago by order of the Fuehrer and the Nazi government a couple of wagons went along the streets of Bucharest, Rumania, and they picked up Christians and Jews and took them to the slaughterhouse, and actually slaughtered human beings. Then they threw kerosene on them and made a splendid fire of human beings. Talk about Hitler invading—no; he does not invade that way.

After reading and listening to all the fine speeches that have been made by my colleagues, I do not know where I am. The people in my district are not objecting to helping England. The only people who are objecting are members of the Communist Party or Fascist sympathizers.

Mr. MARCANTONIO. Mr. Chairman, will the gentleman yield on that point?

Mr. DICKSTEIN. Not just now.

Mr. MARCANTONIO. May I say that many other people are objecting to it.

Mr. DICKSTEIN. That is true; I think you are right, but the only protest I got was from the Communists in my section.

I have read carefully the report and I have read the evidence. The whole thing simmers down to one question. You want to help Great Britain; you are all crying for Great Britain; you would give her \$2,000,000,000, \$3,000,000,000, or

\$5,000,000,000, but you do not want to vest the power in the President of the United States. That is practically the whole argument of the last few days.

Who gives the President that power? The Congress. Why cannot Congress take it away if it finds he is abusing that power? To whom else can you give that power? Is there any man or woman in this room who can point out to me to whom they would give the power to administer this program? Who knows better than the President, who receives information from proper sources? Whom else can we under the Constitution designate to carry out the intent and purposes of this act, if and when passed? After all it does not really require an act of Congress to give the President the power to administer the act. You all know very well that the Constitution of the United States has made the President Commander in Chief of the Army and Navy, and that therefore under the Constitution, it is the President who has the power to direct our Army and Navy and our air force any place, anywhere.

Power must be granted to a particular agency, and it cannot be left in the hands of any committees or groups since unity of command is essential, and the only unity which can be found for such purpose is the power of the President of the United States.

Can you give these broad powers to some department? Would you create a new commission? What would you do? Is there anybody here who can tell me just what he would do? Would you just give Great Britain \$2,000,000,000 to do what it liked to do with it? Do you not think we are interested enough to want to know what they are going to do with it? Do you not think we are entitled to know what is happening throughout the world, and do you not think, as a great democracy, we have some interest in this world and have some interest in humanity and have some interest in the preservation of rights of human beings of this great world? Under present world conditions, does it appear that we ought to just mind our own business and build a fence around this entire country and forget about everything else? I will support any proposition that will keep us out of war. I do not want any war. I had my taste of it in the last war when some of my blood fell on the battlefields of France. No; I do not want any more of it; Roosevelt does not want any more of it; and you do not want any more of it. None of us wants war. It was just hysterical propaganda that has been built up by certain sinister influences in this country that would try to cast aspersions upon the President that he is going to be a dictator and that he is going to drag us into war. My friends, he would be the last man on this earth that would drag us into war, and his pledge is far greater and worth more than all the arguments I have heard on this bill by some of the great statesmen on both sides of this aisle.

So what is all this discussion about? If we eliminate giving the President the power under this bill, you are ready to vote for this bill tomorrow without any further trouble or without any further



amendments. Is there anybody here who can contradict that argument?

So the only thing involved is the question of giving someone some power, and as your friend, the gentleman from New York [Mr. WADSWORTH], well said to you yesterday, under all the precedents, the President is the only person who can dispose of this matter.

Now, what are we going to do? I say that all should be heard. I do not care what the party is, whether it is Democratic or Republican or Communist, every one has his own views, but it seems to me that it is our greatest concern to know whether we are going to have a free government and whether democracy is going to live, and we are entitled to know these things, and I do not see any reason why, in helping England with ships and planes, someone should not be given the power to administer the matter.

[Here the gavel fell.]

Mr. JARMAN. Mr. Chairman, I yield the gentleman from New York 2 additional minutes.

Mr. DICKSTEIN. I do not think it has been touched upon during this debate, but do you know that the Axis Powers are receiving more help from Russia, from Japan, and from other lands because the so-called neutral countries are helping the Axis? No one is complaining about that, and why should they complain about what we are doing under this bill? We are simply helping a nation as a first line of defense to protect us from an invasion by a crazy man who has been crazy now for 7 or 8 years. He has not only destroyed Europe, but he has destroyed faith in God. He has not only destroyed faith in God, but he has destroyed women and children and innocent people, not because they have done something wrong, but because they believe there is a God, and, my dear friends, can we sit here and say that we are not going to help them?

There is an old axiom "that eternal vigilance is the price of liberty." In the many years that it was my privilege to fight for the eradication of subversive activities in our midst, I called attention to the fact that liberty is not self-preserving, but that it is necessary at all times to remind the people that if they wish to keep their liberties, they must be prepared to fight for them. Just as human beings are obliged to fight for the maintenance of their individual liberties, so nations must be prepared to defend their liberties lest an unscrupulous tyrant will make an assault upon them and promptly put them into a scrap heap. Nations do not respect other nations unless they know that the nation involved is prepared to fight. It required the destruction of the liberties of Czechoslovakia, Norway, Finland, Estonia, Latvia, Lithuania, Poland, Belgium, Holland, Luxemburg, Denmark, and France to have the world see what a stranglehold Hitler has upon the entire civilized community, when by the march of his army he can obliterate all states and all nations.

There is only one nation in Europe which has valiantly resisted aggression which may yet preserve the liberties of Europe—and I do not believe there is

one man or woman on this floor or in the gallery who will not do everything in his or her power to help stanch Britain to defend its liberties and the nations of the world.

So that the entire argument before this House resolves itself into this—we are agreed to help Britain, we are agreed upon giving Britain all the aid and assistance it needs in its struggle, but we are apprehensive in granting power to the President. I am prepared to vote for any intelligent amendment which will preserve the power of Congress in this emergency, but I do not want to feel for a moment that we are wasting precious time and losing the battle, simply because someone is afraid of placing the trust in our President which should be given to him.

I warn you, my friends, that unless you act and act promptly it may be too late to help, and then all those who foolishly insisted upon restraining the powers of the President and thereby defeated the bill, will rue the day in which their voices or vote contributed to this ignominious result. [Applause.]

[Here the gavel fell.]

Mrs. ROGERS of Massachusetts. Mr. Chairman, I yield 20 minutes to the gentleman from Ohio [Mr. SMITH].

Mr. SMITH of Ohio. Mr. Chairman, the highest office in the Federal Government, next to that of President, is, in my opinion, that of Secretary of the Treasury. The Secretary of the Treasury is the fiscal officer of the Treasury of the United States. His is a great responsibility. It is his high duty to jealously guard the credit of our Federal Government and the solvency of our Treasury.

It is my opinion that the nature of the office of Secretary of the Treasury is such as to require the undivided attention of the person occupying it. How is it, then, that the Secretary of our Treasury is concerning himself so much with the treasury of another country?

He appears to be deeply interested in that treasury. He finds it in bad condition, so much so that he testifies it is broke and empty. Before the House Foreign Affairs Committee he engaged strenuously in proving this. The burden of his contention was that somehow the empty treasury of this other country portends immediate and grave military danger to our national security. To meet this threat, he avowed, we must immediately open up our national larder and Treasury to that country. Our Treasury he says is healthy and strong, full up to the brim.

In view of the facts, this to me is a remarkable situation. I do not pretend to know much about the condition of the British Treasury. But I believe it can be proven to any unbiased mind that the condition of our own Federal finances and Treasury are in anything but a healthy state.

Mr. Morgenthau has agreed that our Treasury is our first line of defense. That being so, whether the question be that of providing for our own military defenses, or that of aid to Britain, there is another question which underlies these and is paramount to them: What is the

condition of our first line of defense, the Treasury; just how healthy, how strong, and how full is it?

Upon the answer to this all-embracing question will depend, in the long run, the real and sustaining effectiveness of either our own defenses or of aid to Britain.

Not votes, wishful thinking, or sentiment will be the controlling factor in deciding the fate of our desires and hopes to achieve these objects, but only hard reality.

No nation has ever yet been able to outwit its own treasury, and every one that ever tried it brought ruin and disaster upon itself.

It is true today as ever, if not more so, that, in the long run, wars are won or lost mostly by finance ministers.

Let us inspect our first line of defense. First, let us look at our finances as they are reflected in the banking situation. I might state here that you will find in the last few pages of the hearings on the lend-lease bill a concise statement, accompanied by two charts, which graphically show some of the more important conditions of our Federal finances and Treasury.

As of June 30, 1940, the total amount of deposits in the commercial banks was roundly \$51,000,000,000.

Of this amount only about \$25,000,000,000, or less than 50 percent represents what can generally be considered as noninflation deposits; that is, deposits representing savings and secured by real assets.

The remainder of the deposits, \$26,000,000,000, or more than 50 percent of the total deposits, represent not savings and real assets but what may properly be considered as inflationary deposits.

Thirteen billion dollars, or a little more than 25 percent, represents bond inflation deposits; that is, credit created by the deposit by the Treasury of direct Government obligations in the commercial banking system, checking against those deposits to pay Government operating costs, and then the checks finding their way back into the banking system where they remain as permanent deposits.

This scheme of inflationary financing was first begun during the World War to cover a part of the heavy war deficits. At the end of the war bond inflation deposits in the commercial banks amounted to approximately \$5,000,000,000.

This practice of bond inflationary financing has been resorted to on an increasing scale to meet the heavy deficits since the beginning of the depression. By 1934 the commercial banks were holding about \$10,000,000,000 of this sort of deposits; and by 1940, as stated, they were holding about \$13,000,000,000 of the same.

Another category of inflationary deposits in our banking system is that which is created through the gold-purchase program. It is of the utmost importance to a proper understanding of the true condition of our banking system that we know the real nature of these deposits.

They are created in this way: For every dollar's worth of gold that is imported and taken over by the Treasury a



dollar of credit is set up in the banking system.

The dollar's worth of gold is sent to some Treasury vault. The Treasury prints on a piece of paper a statement which in substance says nothing more than that a certain amount of gold is in storage somewhere in the United States. This little slip of paper is called a gold certificate, which is given to the Federal Reserve bank. Then the Federal Reserve bank enters upon its books a credit of \$1 in favor of the bank with which the foreigner who shipped the dollar's worth of gold into this country does business.

It is supposed these so-called gold certificates are security for the credits set up in the banking system. But these little bits of paper called gold certificates represent nothing. They cannot be converted into gold by the Federal Reserve banks unless the gold is for export. The law is specific on this point. Nor can these bits of paper be converted into anything else, except, perhaps, other bits of paper like themselves.

Therefore the deposit of \$1 in the banking system every time the Treasury accumulates a dollar's worth of gold represents nothing whatever but the arbitrary creation of that much inflation of bank deposits, or fiat check currency.

At bottom, the process of creating these gold credit deposits is merely a matter of diluting the deposits already in the banking system.

By the amount of these deposits the remainder of bank deposits are reduced in value. The \$13,000,000,000 of these gold inflation deposits now in the banks have depreciated the value of the other deposits by about 25 percent.

Is that not a most serious matter?

We have here revealed also the important fact that the bank depositors carry the full cost of all the gold purchased under the gold-purchase program. It is these people who are paying for all this gold at the high price of \$35 per ounce.

Why are bank depositors of the United States being compelled to pay foreigners for billions and billions of dollars' worth of gold at this greatly inflated price?

Why are they compelled to pay for any gold at all? Surely it will not be claimed there is any law compelling them to do this.

Does not the statute in the clearest terms say this gold is to be paid for by the Treasury, and is it not reasonable to assume, therefore, that the cost should be charged to all the people of the United States?

Here is the way the law reads:

#### GOLD RESERVE ACT OF 1934

SEC. 3700. With the approval of the President, the Secretary of the Treasury may purchase gold in any amounts, at home or abroad, with any direct Government obligations, coin, or currency of the United States authorized by law, or with any funds in the Treasury not otherwise appropriated, at such rates and upon such terms and conditions as he may deem most advantageous to the public interest. \* \* \* All gold so purchased shall be included as an asset of the general fund of the Treasury.

Where is there anything in this section that even remotely suggests that the bank depositors of the United States be

compelled to pay for the gold which the Treasury alone is authorized to purchase, especially since this gold cannot be claimed by them after they have paid for it?

Either the Treasury pays for the gold or the bank depositors pay for it. There is no other alternative. If the Treasury is paying for the gold, what is it using for money, gold certificates? And how does it get gold certificates? It gets them by just printing them. Are these so-called gold certificates therefore anything but fiat currency?

Where is there anything in the law that gives the Secretary of the Treasury authority to buy gold with fiat currency? There is no such provision.

Of course, it is the bank depositors who are paying for the gold. Every person who has really followed through all the entries of this gold purchasing transaction and seen under the magic veil, with which our public officials are shrouding it, knows this is the truth.

Since it is hardly likely anyone will contend that the bank depositors should bear the cost of the gold purchased by the Treasury, we must of necessity charge this cost to the United States Government; at least until such time as the gold is actually given into the possession of the banks and used by them as real assets. Hence, for the present, the cost of the gold which has been purchased must be included in the Federal debt. Likewise, the Federal Reserve notes in circulation, being in the final analysis a direct liability of the Treasury, must also be added to the Federal debt.

The so-called gold certificates held by the Federal Reserve banks approximately equal the gold purchased plus the Federal Reserve notes in circulation.

Therefore adding the gold-certificate liabilities to the officially stated direct Federal, State, and local debts, we find the total public debt has taken the following course: This debt stood at \$7,000,000,000 in 1916; it rose sharply to \$32,000,000,000 in the World War period. From thence it climbed slowly to \$34,000,000,000 in 1930, then began its rapid ascent as the result of the heavy deficit financing, reaching \$51,000,000,000 in 1934. From this point it continued to climb still more rapidly because of the Treasury's gold-purchase policy. It reached \$73,500,000,000 by the end of the fiscal year 1939; \$80,500,000,000 by the end of the fiscal year 1940; and stands at, roundly, \$85,000,000,000 at the present time. With appropriations and authorizations already made by the Congress, and assuming that the regular operating costs of the Government will be about what they have been in the last year or two, I believe it is safe to predict that the total public debt of the United States will reach \$100,000,000,000 by the end of the fiscal year 1942.

Leaving out State and local debts, we find the Federal public debt took a somewhat different course. Starting with \$1,200,000,000 in 1916, it rose to \$25,000,000,000 during the war period, from whence it dropped to \$16,000,000,000 in 1930. From this point it began to climb rapidly to reach the figure of \$32,000,-

000,000 in 1934, \$54,000,000,000 in 1939, \$61,000,000,000 in 1940, and stands at present at about \$65,000,000,000, and will probably reach \$80,000,000,000 by 1942.

But some people will say the Treasury, after all, has the gold as an asset to offset the gold-certificate liabilities, that consequently the officially stated Federal debt is not altered by the fact that the gold certificates are a liability of the Government. So long as the banks and the people of the United States are denied the use of the gold, it is impossible to know its value. Only when we are finally allowed to exchange gold for real values can its worth be determined. Until that time this abnormally large amount of gold, held by our Government, together with the anomalous monetary policies pursued by our public officials, may well prove to be a menace to our economy instead of an asset.

It is interesting to contrast the course of our Federal debt with that of the United Kingdom. From the post World War figure of about £8,000,000,000, the United Kingdom debt dropped somewhat until 1930. In the next 9 years it rose a little more than 9 percent.

During this same 9-year period our Federal debt rose 237 percent. Even leaving out gold-certificate liabilities, our Federal debt rose in that 9-year period by 150 percent.

The British Government up until the beginning of the present war maintained a splendidly balanced budget in comparison with our own.

It is not necessarily the size of the debt which determines the degree of danger. The purposes for which a debt is created and the character of financing of necessity play a large part in determining this.

It is a serious question whether the United States Treasury may not at this moment be in a more distressed condition than that of the United Kingdom.

However that may be, can there be any doubt of the gravity of the disorders in our own banking system and of the weakened condition of our own Treasury, which this study reveals? Here is the foundation of our economy, our way of life, and our very first line of defense crumbling before we have even started to build our military defenses. Is it really thought we can ignore this situation and not ultimately pay a heavy penalty for so doing?

It was a similar financial disorder that caused Russia's break-down in the war in 1917. The same disorder undermined the Austro-Hungarian Empire during the World War so completely as to virtually destroy her fighting ability.

I feel certain when the real story of France's recent military collapse is fully told, it will be shown that the principal cause was a disordered state of her finances and treasury, not unlike that from which our own Nation is now suffering.

No doubt the officials of the Treasury and Federal Reserve System are aware, in some measure at least, of the seriousness of our present financial plight. Statements coming recently from some of those officials to the effect that the Government should make an effort to



sell more of its securities to investors to be paid for out of their savings points in that direction.

But where are there any savings in the United States with which to buy Government securities? In the years 1930 through 1938 business disbursements exceeded receipts by a total of more than \$41,000,000,000. (P. 308, *Economic Almanac*, 1940.)

During practically this same period, net capital of all enterprises in specified manufacturing industries—total assets less investments—declined roundly \$14,000,000,000. (P. 230, *Economic Almanac*, 1940.)

The average annual amount of new corporate security flotations from 1932 to 1939, inclusive, was only about 15 percent of that in the years of 1919 to 1931, inclusive. (P. 144, *Economic Almanac*, 1940.)

Under these circumstances there cannot possibly be any great amount of savings either available or forthcoming that can be used to purchase Government securities. What likely then will be the next move to raise the huge amount of funds necessary to meet the heavy deficits?

Will the administration seek legislation for more effectively controlling bank reserves to prevent run-away inflation and attempt to continue for awhile longer to raise funds under its present policy of creating fiat check money by the deposit of Government bonds in the banks?

#### WILL IT RESORT TO THE PRINTING PRESS?

Or shall we acknowledge with Mr. Bernard M. Baruch, one of Washington's guiding spirits, the complete breakdown of all our time-honored and traditional principles of Treasury financing? Shall we accept his advice to abandon all hope of maintaining those well-tried and heretofore never-failing principles and submit ourselves to the totalitarian scheme of financing of Mussolini, Stalin, and Hitler?

#### INDUSTRIAL MOBILIZATION

It must be remembered that industrial mobilization is only a part of total defense and is for the purpose, first, of getting what the Army and the Navy need when and as they need it with the least dislocation of the civilian life, which must be freed from profiteering or exploitation. To do this, one must mobilize men, money, materials, maintenance (food).

#### MOBILIZATION OF CAPITAL

Capital, under the Secretary of the Treasury, will be mobilized like anything else. It will be told for what purpose it can be used and for what purpose it cannot be used, and the rates which it can charge.

In war a man should no more be permitted to use his money as he wishes than he should be permitted to use the production of his mine, mill, or factory, except through a general supervising agency as it should be set up in the general plan. This was being done toward the end of the World War.

What is the use of vain talk of drafting dollars when dollars can be made to serve every purpose of government by the regulation of their use? (Statement by Bernard M. Baruch before the Conference Board's Consulting Committee on Industrial Mobilization Problems, December 19, 1940. Source: Conference Board Reports, January 16, 1941.)

In considering Mr. Baruch's recommendation let us not overlook the cardinal fact that up to now there is no evi-

dence that totalitarian Treasury financing has in the long run shown itself to be superior to democratic financing. Indeed, the evidence at hand is all to the contrary. And if totalitarian Treasury financing, would that not inevitably involve our Nation in a complete dictatorship, with absolute regimentation of all labor, agriculture, and industry?

The retort will come that it is to be only for the duration of what is continually being euphemistically referred to as an emergency, that when this passes we will return to the democratic way.

But it is only with a solvent Treasury that there is any hope of ever returning to the democratic way.

The passage of the lend-lease bill will hasten the Nation into bankruptcy and thus assure the permanency of military dictatorship. [Applause.]

Mrs. ROGERS of Massachusetts. Mr. Chairman, I yield 10 minutes to the gentleman from Indiana [Mr. SPRINGER].

Mr. SPRINGER. Mr. Chairman, as we deal with the momentous questions involved in H. R. 1776, I doubt seriously if we will be confronted with any other legislation of its equal in importance at this or any future session of the Congress. I am convinced that the people of our country do not want H. R. 1776 passed in its present form. There has been much confusion in the minds of the people respecting aid to England, and the better policy for our country to pursue in order to keep out of this foreign war, and this confusion still exists. The press of our country has been filled with articles which were calculated to create a war hysteria in the minds of the people, and these have created an unrest throughout our Nation. The people do not want our country to become involved in this war. They want to extend aid to England as we are able to do so—short of actual participation in the war—and so as to not deplete our own national-defense materials and supplies. We are united that we must develop our own national defense. The people vividly recall our very rich experience in a foreign war in 1917-18, and they recall the successive steps which led us into that war. As the people realize that the charted course today is leading us into this foreign war, not of their choosing, they are greatly alarmed; they do not want us to take any step which will lead us into this war. They well remember the very great sacrifices made during the last World War, and they remember, as I remember, the broken bodies and the distorted minds of brave men, all the result of that war. The people want no more of it.

Mr. Chairman, what are some of the implications if this bill is passed as written? The provisions of this proposed law would make an arsenal of the United States of America for all belligerents engaged in hostilities against the Axis Powers. This bill also embraces the plan of giving, leasing, or lending anything we have by way of war munitions and supplies, or anything we may produce, to England, Greece, China, or any other power which may become engaged in this conflict against the Nazis or their allies. Under the provisions of this bill, this legislation extends to the

plan of financing those powers with war materials and supplies, ships, arms, military secrets, tanks, and airplanes. Who can tell how far reaching this plan may extend beyond this scope? It might be construed to extend to the rehabilitation of France, Holland, Norway, Belgium, and Poland. This would be a serious commitment on the part of our country. Does anyone know what this plan will cost our Government? No one has ventured a guess on the cost on the side of the proponents of this bill. Recently I read the guess of one newspaper on the cost to provide England alone with war materials and supplies, and that estimate was from three to ten billions of dollars for the first year. How long will this war last? And, can anyone give me an estimate of the cost to our country if the extension of this plan is made to other countries and allies of England? The people would like to know this answer.

Mr. Chairman, if we had a well-filled Treasury—which is one of the essential factors in every war, and in the defense of a nation—we would be in a far more favorable position respecting this proposed legislation. If we occupied a position which is strong and sound financially, then we could abandon the fear of national bankruptcy and extend great aid to the nations who are fighting the Axis Powers. Unfortunately we do not have a well-filled Treasury; our Treasury is empty, we face a huge debt which is a claim to be asserted throughout the coming years.

This proposed legislation gives the President the unlimited and discretionary power to fix the terms and conditions upon which any foreign power may receive aid from our Government; the language of the bill is as follows:

The terms and conditions shall be those which the President deems satisfactory, and the benefit to the United States may be payment or repayment in kind or property, or any other direct or indirect benefit which the President deems satisfactory.

We must remember, too, this bill, if passed, repeals the Johnson Act and the neutrality law.

This provision vests an unlimited and unrestrained power in the President.

If this bill should pass, with the provision above referred to contained therein, the Congress would have abdicated its power and function in that regard to the President of the United States.

Let us follow just a little further this plan of possible payment, or repayment, to our country. Of course, no settlement of any kind would be made until this war is over—if, in fact, any payment or repayment, is made in the future. We have not forgotten that England has never paid us the debt she owes us from the last World War. However, let us assume that England, China, and Greece, or any other nation in that same class, would, after the war is over, elect to repay us in kind, and for that purpose they would start their factories and mills to producing guns, tanks, ships, and airplanes for us; then, after the production, they would start to make deliveries to us. Our own plants would be



largely idle, following the termination of production of war materials and supplies, and during the period of rehabilitation, and they would generally remain idle; our workmen would be generally idle, and they would stand by and watch the foreign countries dump manufactured war materials and supplies upon our docks and piers.

What would we do with these war materials and supplies after the war is over? They become obsolete in a very short space of time. We have not forgotten the guns, tanks, trucks, and other war supplies from the last World War—all of which were stored in large warehouses, and all of which were rendered wholly unfit for use in a very short space of time after the war was over. We wonder why we would want war materials and supplies, guns, tanks, and airplanes after the war is over. Yet that is one of the plans embraced in this bill, with the discretion vesting in the President, and that very plan would operate to close our industries and keep them closed; it would aid in producing unemployment, and it would keep our workers unemployed. That plan would give us some very undesirable war equipment when we have no use for it. My better judgment is that England would neither pay nor repay us, just as she did following the last World War. She owes us that debt today.

These are some of the implications arising out of our great generosity under the provisions of this bill if it should pass as presented.

Mr. Chairman, there are many other serious involvements in this proposed legislation. This bill seeks to extend greater power to the President than has been granted to any man in this Nation heretofore. It grants unlimited power to the President respecting this war and over our Army, Navy, our war supplies, and national-defense materials. This is greater power than any one man should desire, and it is far greater power than any one man should have. By this legislation the voice of the National Defense Commission is forever stilled; the wish and will of the people of this Nation will be nullified, and the voice of the Representatives of the people will be without force or effect; the War Department and the Navy Department will be relegated to a secondary position; and the ships, the destroyers, and the submarines will be subject to the order of the President.

We wonder who would know best as to what ships, or how many, we could spare to some foreign country—the President, or the Navy Department? The question comes to us as to whether the President, or the War Department, would be better qualified to determine what guns, tanks, trucks, and other war supplies could be spared, and at the same time maintain our own defense of our country in case of attack? This bill is a "cover-all," with its grant of unlimited power to the President respecting the question of this war, our national defense and the extension of credit in war materials and supplies to other nations. This legislation is a "blank check" to the President—the man who has rushed us into our present depleted financial state—giving him the

unheard of and unlimited power to go onward and forward, without limitation, to further involve the generations now, and those to come.

Mr. Chairman, because of these very serious involvements I cannot lend my voice or my vote in favor of this proposed legislation. This is highly dangerous legislation for our country at this moment. My fear is that very grave consequences will follow, if this measure is passed. This plan and this policy is not consonant with American principles, because it portrays the passion of the dictator. This unwholesome plan, if carried out in its fullness and if war materials and supplies are sent to England, and other countries, in our ships, and conveyed by our vessels, through the war zones, those overt acts will certainly cause our involvement in this war. Such a highly dangerous policy must not be pursued. We must keep out of active participation in this war.

This war is in a sense a very peculiar one. In my service during the last World War, and since that time, I have learned that in order to conquer an enemy it is first necessary to invade and occupy the enemy's territory, and then to organize and hold that occupied territory. This can only be accomplished with infantry, properly supported. Germany has tried to invade England, but she has been unable to accomplish that objective. Recently I learned that England has approximately 1,500,000 men under arms, while Germany has some 6,000,000 men who are equipped and armed. With those respective forces may I ask if your judgment decrees that England can easily invade and occupy Germany, and the territory which she now holds, and if she could so invade and occupy that vast territory would she be able to organize and hold it?

By every rule of the game of war, England would have to increase her manpower. Then let us think just a few steps further, and if we supply guns, planes, tanks, and ships, and all kinds of war munitions, and give aid to England as we now contemplate, what will be our position when England calls for manpower? Will we then decline to go further, or will we submit and send the flower of our American manhood across the ocean, again, to help fight that war? By the passage of this bill I fear we will be rushed into this war. Our people do not want our Nation to become involved in this war; they want to keep out of it.

I apprehend, Mr. Chairman, that former Ambassador Kennedy has a superior knowledge respecting the matters involved in this bill. He has been in England, and he knows and understands their situation perfectly. He is entirely familiar with all conditions in our country. He is well qualified to speak upon this highly important subject. What does Mr. Kennedy say? He stated that he was convinced that the great power sought to be conferred upon the President of the United States as provided in this bill is entirely unnecessary. In other words, we have been able to extend all of the aid to England, and her allies, which we have been able to give, which is short of active participation in this

war, without the extension of the unlimited power to the President which is provided in this measure. If there is any other aid which we could extend to England, and her allies, which is short of war, which we are not now extending, I would like for some proponent of this bill to stand in his place and state to the Members what that additional aid would be?

Mr. Chairman, there is a very serious question respecting the constitutionality of this proposed legislation. Section 8, article I, of our Constitution provides:

The Congress shall have the power to declare war; to raise and support armies, but no appropriation of money to that use shall be for a longer term than 2 years; to provide and maintain a navy.

This power is vested exclusively in the Congress.

The question now presents itself: Can that power be delegated by the Congress to any other person?

The tenth amendment to our Constitution makes the further provision, which reads:

The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

The case of *Schechter Bros. v. United States* (295 U. S. 495) and *Carter Co. v. Coal Commission* (293 U. S. 238) are directly in point on the question of the unconstitutional delegation of authority. The very power which is sought to be delegated by the Congress to the President in H. R. 1776 is that power which was granted to the Congress by the people. The Congress cannot delegate that power to any other.

Justice Frankfurter, while a private citizen, once stated respecting a similar plan that it was "the delegation of power running riot."

Mr. Chairman, the Members of the House have serious duties to perform; we represent the people. I will not vote to abdicate that duty which rests upon me; I will not delegate that power and that duty to any other man; I will not delegate that power to any President.

These are serious days. We must think of the United States of America first; we must develop our own national defense; we must remain firm and sane; and we should not permit our very great generosity to impoverish our own Nation in our preparation for our own defense. Under the guise of the "emergency," or our national defense, however important, we must not permit the loss of our form of government. Liberty and freedom, gained throughout the years at a tragic cost, is too sacred to be frittered away even under the threat of war. The representatives of the people must stand steadfast for the United States of America. [Applause.]

Mrs. ROGERS of Massachusetts. Mr. Chairman, I yield 13 minutes to the gentleman from Wisconsin, [Mr. JOHNS].

Mr. JOHNS. Mr. Chairman, we have listened to the debate on this bill, and I, for one, have profited from getting the views of the different Members of the House on it. I have read the propaganda in the newspapers and listened to it over the radio. As I now look back in retro-



spect, I shudder at the similarity of the debates now and those back in 1916 and 1917 before we entered into the first World War to save the democracies of the world. How many of us at that time ever thought that in less than 25 years we would again be called upon to save the democracies of the world? Let us assume, for the sake of argument, that we again saved them. Just how long would it be until we would be called upon again to save them?

In speaking today, I do so with a heavy heart. Every drop of blood in the veins of my body comes from Welsh, English, Irish, and French ancestry. The only child I possess in the world telephoned me last week that he had enlisted in the Royal Air Force and would go into training very soon. So today, I have reached the crossroads of my life. I sympathize with England and her Allies. I abhor the things that Hitler and the other totalitarian rulers stand for. But America was not responsible for creating any of them, unless it was our participation in the first World War.

Today, in my opinion, 95 percent of the people would favor aiding England. The only question is in what degree and in what way. The same percentage of the people want Congress to say in what degree and how much. They do not want it left to any one man to decide. That statement is made without any reservations and without any reflections on the President of the United States. He is no superman; he is human, and has made many mistakes during his administration. He is not to be criticized for that. Perhaps someone else would have made the same mistakes, but the fact remains that he made them. Our economic and social problems still remain unsolved in this country after 8 years. The question remains to be answered: If he cannot solve our own problems, no matter how honest and sincere he may be, can he solve the problems of the rest of the world?

If we were permitted under this bill to say whether we would give aid to England and her allies, and if so, how much, and upon what security, if any, and these things were left to the Congress to decide, the American people would be satisfied. But when aid to England and her allies is tied up with a proposition to let one man say what, when, and how much shall be loaned, leased, or given away, and upon what security, if any, then the people rebel against such a procedure, and rightly so. If this bill is passed in its present form, Congress may just as well vote funds to run the Government, adjourn and go home, await the amount of the war bill to be created, and then return and vote the amount in order to save the honor of the Nation.

To ask the people of the United States to finance this war and to assist in policing the world is the height of folly. Even though we should not get into this war any further and peace should come tomorrow, the standard of living will be lowered in this country for years. We have never fully recovered from our participation in the last World War. In 1916, just before we entered the first World War, the appropriation to run our Government was \$1,114,490,704.09. The

interest on our obligations for the present fiscal year will be more than it took to run our Government in 1916. Our public debt in 1916, just before we entered the last World War, was \$1,225,145,568. The interest item in the budget for the fiscal year ending in 1942 is \$1,225,000,000, within \$145,000 of the amount of our public debt in 1916. Our public debt at the close of business on January 28 was over \$45,000,000,000. To this, add the guaranteed obligations of the Government. We must raise our debt limit now in peacetime. What will it be when we start fighting? We are already in the war. We have become the munitions arsenal for the world.

With a picture of this kind staring us in the face, it does not seem to me that we are in a position to give much aid to anyone except ourselves. We must remember that with a debt 45 times larger than it was before the last World War, and the tremendous burden to carry it, it will not be as easy to get money from the people for loans as it was then. Many of them will recall that they were promised that loans made to the Allies at that time would be paid back. They have not forgotten that they were not, and that their tax burden has constantly increased since that time. They are also familiar with the amount we are now borrowing from the American people for every dollar we have been paying out. The limit of their patience may be reached much sooner than we anticipate.

This bill gives the President extraordinary powers. It is said, however, that we will limit these powers to 2 years. If it is safe to give him that power for 2 years, it would be just as safe for 4. Moreover, I do not believe there is any present Member of Congress who has served here during the past session of Congress who can remember of the President asking to be relieved of any of the great powers given him during the past 8 years. Whenever one of these bills comes up for consideration there is always an emergency existing requiring the extension of the power given under some heretofore enacted law. The safest way is not to grant such power to any one individual. Aid to England and her allies? Yes; but with a limitation as to the amount and with proper security. The British Empire boasts that the sun never sets on its possessions. That statement is literally true. If we were to ask England or any other country for a loan, I am sure that country would want security, and that would be especially true if we were in default to it on obligations heretofore incurred.

Section 3 (b) of this bill gives the President power to enter into such agreements for the giving away of the taxpayers' money as he sees fit. He can sell, lease, or give it away if he sees fit. Any consideration is sufficient. That is what the bill provides, and the American people should know it; and the people should not be led to believe that we are going to sell or lease something to someone.

Under this bill, the President, if he felt like doing so, could give away the entire Navy and also our airplanes in both the Army and the Navy. Not that the Presi-

dent would use this power, but he could if he wanted to do so. If he does not intend to use the power, then why give it to him?

There is nothing in the bill that would require the President to give to the public, or even to Congress, a report of what he is doing unless he so desires, the countries with whom he is dealing, or the terms of such agreements as he enters into. The public, and especially Congress, ought to know about these things.

This bill carries no appropriations so the only thing the President has to deal with at the present time is the material we have for our own national defense. Just how much of it will he give, lease, or lend to other nations and just what defense will they give us should we need it? If we are in the grave danger from invasion that some people say we are, then this becomes very important.

There is plenty to give, lease, or lend from money already appropriated. Congress, in 1940, appropriated \$8,625,000,000 for national defense and authorized an additional \$3,800,000,000 in contract authorizations. Congress is asked to appropriate about \$10,800,000,000 at this session for national defense. All of this, under this bill, could be given, loaned, or leased away, if the President saw fit. In other words, the President will have the handling of a fund of about twenty-eight and one-half billion dollars.

The people of the United States, without question, are for representative government, which means their duly-elected Congressmen must make decisions, and not any one man. In view of the uncertainty of life and the changes of time, to repose all this power in one man leaves the question open as to who that official may be in the future; how he may be influenced; and again, it is too much responsibility for any human being who has been or may be created, irrespective of in how much esteem he may be held.

It might be well to reflect on just how many men, dollars, and years it may be necessary to appropriate to accomplish the purpose of again making the world safe for democracy, and should we accomplish our objective, whether it would be worth the cost.

In its long history as a republic, the United States has been engaged in several wars. It has never lost one. War-time has too often brought curbs on the civil liberties of our people and our institutions and restricted their freedom of speech and action. In times of peace we have had time to look back on these restrictions and always with regret that they should have been invoked at all and frequently with shame at their excessive severity. But with all their restrictions they were not comparable to the proposal in this bill to do away with constitutional guaranties.

Heretofore, when we have waged war, it has been only after full debate of the Congress, who are the people's representatives. Heretofore we have maintained, through all the stresses and strains of a war period, our constitutional form of government. The conclusion of peace has found the authority of Congress intact and the American people free to govern themselves through



our American institutions. But now, in peacetime, we are asked to give up all of this.

Twenty-four years ago we went into the first World War to save democracy for the world, but especially for Europe, as we had it here. Here are some of the results: A treaty which insured another war; we succeeded in the destruction of constitutional or democratic government on the continent of Europe; established communism in Russia, nazi-ism in Germany, and fascism in Italy; we helped to make possible the spread of atheism and communism throughout the world; casualties of some 500,000 American soldiers, the loss of more than \$30,000,000,000 to our own country and the resulting war debts, depression, financial, and economic disaster, suffering, and misery to the American people, from which we have not as yet recovered. Can we expect to accomplish in a second World War what we failed to accomplish in the first?

Thomas Jefferson once said:

For us to attempt to reform all Europe and bring them back to principles of morality and a respect for the equal rights of nations would show us to be only maniacs of another character.

History shows that European fighting has never ceased. Their quarrels have never been settled and never will be, and for us to become entangled on one side and pay their bills and fight their battles seems to be most absurd.

To my mind, there has never been a just war nor an honorable one. To me, this rule has never changed.

I have watched with interest the development of the present war hysteria. It will gradually grow until objectors to our entrance into the war will cease. Soon the whole Nation, pulpit and all, will take up the war cry, and then it will be too late.

If this bill is passed by the Congress, or any similar amended bill, our Constitution will become one more scrap of paper. We will soon be fighting on the side of the Allies. Civilization may survive, but in an entirely new form.

To offset this, we must depend upon a public who are tolerant and serene in their judgments, who have sympathies which are generous and broad, and who are willing that their representatives in Congress shall exercise the powers of sovereignty for ends loftier than the achievement of temporary advantage.

I am for anything that will eventually bring about peace. Above all, I am for America—first, last, and all the time. I am for preparing our own national defense before building one for someone else. I am for aid to England or her Allies with proper security to protect our own people from the sad experiences they suffered from the last World War.

I agree with what the present occupant of the White House said in his address at Chautauqua, N. Y., on August 14, 1936, when he stated:

We can keep out of war if those who watch and decide have a sufficiently detailed understanding of international affairs to make certain that the small decisions of each day do not lead toward war, and if, at the same

time, they possess the courage to say "No" to those who selfishly or unwisely would let us go to war.

This bill should be overwhelmingly defeated, and I again use as the best argument for its defeat the words of the President himself, in the same address heretofore referred to, when he said:

But all the wisdom of America is not to be found in the White House or in the Department of State; we need the meditation, the prayers, and the positive support of the people of America who go along with us in seeking peace.

Let us defeat this bill on that statement alone and continue constitutional government, and let Congress function as the Constitution intended it should and as the people expect that it will. [Applause.]

Mr. MUNDT. Mr. Chairman, I yield to the gentleman from New York [Mr. CROWTHER] 7 minutes.

Mr. CROWTHER. Mr. Chairman, the limited time allotted for debate renders it impossible for each individual Member of the House to present his views on this important piece of legislation. Fortunately, the members of the great committee that have reported this bill to the House have given us the benefit of their analysis and conclusions after careful consideration and study of the measure.

I have heard scarcely a word during the discussion regarding our presumed neutrality. We still have a Neutrality Act on the statute books. Of course, it was materially emasculated by the passage of the act which repealed the embargo on arms. Crippled as it is, it is still the law. In my humble opinion, the adoption of the so-called lease-lend bill renders our claim of neutrality null and void.

#### WHAT ABOUT NEUTRAL PORTS?

Why is so little being said about that provision in the lend-lease bill which would permit belligerent vessels to be outfitted, repaired, or reconditioned in our own bases? That is the provision, remarks the World-Telegram, which Alf. M. Landon said might result in importing war to our shores.

If units of the British Fleet—or of the fleet of any other nation the President decides to favor—are permitted to put in at the navy yards of Brooklyn, Norfolk, or Charleston, or at our Guantanamo base in Cuba, how long will it be before they are doing their fighting from our yards and bases? And how short of war would we be if some German raider followed a British vessel into an American base and fired upon both the British ship and the base?

And how can we square that provision with the solemn declaration of the Panama Conference? You remember that convention of foreign ministers of American republics in the fall of 1939, called at the suggestion of our Government, that that Convention wherein the American republics solemnly proclaimed the existence of a security zone around the American Continents, extending in some places as far as 500 miles out to sea, and notified the belligerents not to carry on hostilities within that zone.

To enforce the Western Hemisphere neutrality, the American republics agreed to take such action as would be necessary, specifically stipulating that they—

Shall prevent their respective terrestrial, maritime, and aerial territories from being utilized as bases of belligerent operations.

The proponents of this bill charge that the opposition is endeavoring to spread the gospel of fear as to the dire results of giving the President the unusual powers so clearly indicated by the language of the bill. After bitterly assailing those who stress the danger of granting such powers, they then attempt to do a little frightening themselves by picturing the horrors of an invasion by the Nazis and the complete obliteration of the last great democracy, the United States. Such a presentation is, as it is intended to be, rather dramatic but not particularly convincing. I am not disturbed as to an immediate invasion by the Axis forces. Such a development is a possibility but not a probability. Of greater concern to me is the economic invasion that will follow the ending of the war regardless of who wins. We shall be faced with and come immediately in competition with a new type of economy, a totalitarian economy resulting from the necessity of millions of workers producing commodities not for wages but for a food card that will barely provide for subsistence. In face of such competition what is going to become of our boasted standard of living, our short workweek, and high wages?

It is high time that some post-war planning was being formulated in order that we may face such a situation with some degree of preparation.

Much has been said relating to the tremendous powers that are given the President in this proposed legislation. It may be well for us to remember that in speaking of other powers granted him that he warned us that "these powers might be dangerous in lesser hands." A long train of unfulfilled promises over a long, long period of 8 years has made a vast number of our people somewhat skeptical. The proponents of this bill assure us, aye, more than that, they ridicule us, for even suggesting that the President would avail himself of the wide-open provisions of this bill and sell, lease, lend, or trade such munitions and equipment as would strip our own defense. In view of past performances of the administration it seems to me that its defenders "protest too much."

If, as the supporters of the President say, he will never use the totalitarian powers granted in this measure, why include them in the text?

Patrick Henry said:

Is it consistent with any principle of prudence or good policy to grant unlimited, unbounded authority which is so totally unnecessary that it never will be exercised?

For 8 long years we have seen the gradual encroachment of the executive department upon the legislative division. If we are not careful, our great Republic will be destroyed, and we shall suffer the indignation of living in a land where the executive decree is the last word.



The plea, or rather, a demand has been made by the party in power for unity. How hollow that plea sounds coming from those who have by word and action created a degree of class consciousness and class hatred that we never dreamed possible in this great Republic. What they want is not unity. They want submission not only by the minority but by the Members on their side who have the courage to manifest independence in thought and action. [Applause.]

Mr. MUNDT. Mr. Chairman, I yield 15 minutes to the gentleman from Minnesota [Mr. O'HARA].

Mr. O'HARA. Mr. Chairman, Members of the House of Representatives, I arise to discuss H. R. 1776. I assure you that I do not discuss it as a partisan, not as a Republican, not as a Democrat, but solely from the American point of view. To me the bill deals directly or indirectly with three subdivisions:

First, the constitutional guaranties to the people of the United States;

Second, the economic resources of the United States; and

Third, the most precious of all—the very lives of the people of this United States.

I fully appreciate that any legislation affecting any one of these all-important problems should cause each of us sleepless nights, and therefore I say that if we are sensible to our responsibilities we must give deep and sincere consideration to this bill with all of these tremendously important problems.

I have read and reread the Constitution of the United States, and it is my view that Congress alone is vested solely with those powers to provide for the common defense and general welfare, to declare war, raise and support armies and provide and maintain a navy and to furnish the rules of government and regulations of these land and naval forces. If we convey those powers to one man, the President, I believe we would be clearly guilty of abdicating those powers given to us by the Constitution, and it would amount to an abdication. If we convey those sacred responsibilities, then I suggest, as it has been suggested to me, that there is no further need of the Congress. Are we so incompetent as to not be entitled to discharge our duties, or are we so sluggish that we are incapable of performing the duties to which we are elected? Are we the ones to extinguish the last remnants of democracy?

Each of you has received a tremendous number of letters, not only from your own districts, but, as I have, from States from California to New York. Practically every letter that I have received has urged the defeat of this bill. Some of the writers have referred to it as a dictator bill, and you, as I am, are opposed to a dictator form of government.

We are told that this is a bill to give all-out aid to Britain. We are told through propaganda that this bill is vital to our national defense. Yet, in these days of debate, I have not heard a single convincing argument on any need of legislation for aid to Britain. We have been giving aid to Britain under present legislation. I have not heard a single convincing argument that the bill is

necessary for national defense. National-defense legislation has been provided for in the last previous Congress. I am more concerned whether that national-defense program has reached the stage of advancement to which it should be by this time in defense of the United States.

I hope it will not be charged that my viewpoint is provincial. During the last World War I spent some 27 months in the service of this country. A part of that time was spent in France, and part in England. I have no prejudice against England. I have great admiration for the ideals and courage of the English people. Is there any one here who does not admire many fine qualities of the people of the Germany that was and the France that was. But I am not British, or German, or French. I remind you that today Germany has a dictatorship, France was ruined by the so-called politicians, England is still a part of a great empire. I am proud to be an American, and I hope I have a deep appreciation of the American way of life, and my feeling as an American transcends any admiration or feeling for any foreign country and my single hope is that we preserve our American form of government and continue the American way of life.

At such a time, with the whole economic, political, and social structure of our country hanging in the balance, with the fact that only so recently by the Draft Act, thousands of the youth and the young men of our country have been taken from their homes and from their way of life, and placed in training camps, and the fact that thousands and hundreds of thousands more are to follow. With this transition, I hope that we can get along without propaganda, and when we are dealing with matters of national defense I hope that we can deal in these and the other problems which are ours without hypocrisy and with honesty, without passion or prejudice, and most of all, without partisanship.

I do not approach this problem with any idea that one side of this debate, or the other has a monopoly on patriotism. I know that sitting in this Congress on both sides of the House, are men who have served in the wars in which this country has been involved. I know that sitting on both sides of the House are men who have received the Distinguished Service Cross for their services. Surely you are as deeply concerned with what is best for this country as am I.

I come fresh from the people whom I have the distinguished honor to represent. In becoming a Member of Congress I was deeply impressed with the oath which I took only a few short weeks ago to uphold and defend the Constitution of the United States. The problems which we have here have caused me many sleepless nights. To me the problem of how to fulfill this oath is to follow the dictates of my conscience to do what is right.

I distinctly remember the pledges I made when I sought this high office, namely, I was opposed to our becoming involved in a European war, and I was opposed to sending the youth of our country to die on foreign battlefields.

I believe that most of you made those same pledges. I do not know of anyone who was elected on an "all out" platform. I intend to keep that pledge because I believe sincerely that the passage of this bill will mean involvement of this country in the tragedies of the European war, and that involvement means the death of many of the youth of our country.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. O'HARA. I yield.

Mr. HOFFMAN. You recall, of course, that Candidate Roosevelt promised to keep us out of war and the Republican nominee, you will recall, ran on that kind of a promise?

Mr. O'HARA. That is right.

Mr. HOFFMAN. Do you know of any Member of this House who did not make a similar promise?

Mr. O'HARA. I will say that I do not.

Mr. HOFFMAN. Do you know of any reason now why we should violate those promises?

Mr. O'HARA. No reason whatsoever. My first duty is to this Government, to my people, to my country. "To thine own self be true, and it must follow as the night the day that thou canst not then be false to any man." National defense? Yes. Increase it, extend it, and preserve it, but conserve our own lives, save our own republican form of government, and in so doing we will still be to the tragic peoples of distressed nations the candlelight still burning in the shrine of democracy—a sustaining light to which the eyes of Europe and Asia will look for guidance and reassurance that freedom has not perished from the earth and democracy is still worth fighting for.

I deny that the British Navy is our first line of defense. [Applause.] The British Navy is the first line of defense for Britain and that Navy will go wherever the dictates of need may be for the preservation of Britain. [Applause.] I am not an isolationist, and I am not a non-interventionist when I say that our concern should be the preservation of our American people and of our own form of government.

In this great debate there are those who have spoken of the dollar sign and what this bill means in money and in war contracts. I insist somebody should speak for those who pay the taxes that would go into the billions that would go for aid to Britain. If this bill passes and if it means war, someone should speak for the parents of sons, the mothers and fathers that have suffered and sacrificed that our great American race should go forward on the feet of youth sound in mind and in limb, and I speak for the youth whom you are calling upon to defend us, in training now, and if there is war—then giving their lives. I want that youth to have the same vision that our forefathers had when they founded this country. That youth who look to you with this question, What are you going to do; are you going to regiment us, or are we to be free? Do not destroy their belief in life, their confidence in our form of government. Do not inculcate fear with propaganda. Keep alive in them the belief in life which is the essence of



youth. Give them confidence in a great national defense, but do not substitute hysteria for that confidence.

Mr. Chairman, I state here and now that it is my sincere belief that H. R. 1776 is a bill that would change our form of government, dissipate our resources, endanger our defenses, and, what is more tragic, may decimate the youth of our land. Are we to shut our eyes to these realities in order to make a quixotic gesture of aid to Britain? Britain has 400,000,000 subjects. Britain is rich in resources—not only rich in her Empire but rich in wealth in this hemisphere. Let us not "sit in" at the poker table of Europe. H. R. 1776 is too high a price to pay for our stack of chips that would enable us to hold a hand in this slimy and crooked game of European intrigue. Our world and our ideology are new. We cannot affect the age-old intrigues of Europe or play the game of the shifting boundary lines that have involved Europe as far back as history itself. I quote from that statesman, Thomas Jefferson:

For us to attempt to reform all Europe and bring them back to principles of morality, and a respect for the equal rights of nations, would show us to be only maniacs of another character.

To have national defense we must have morale, not discord. We must have unity; we must have faith. Our strongest national defense is a united people—people believing in this Government and willing to pay any price in order to defend it.

It has been argued here that an overwhelming majority of our people favor this bill. I presume to doubt the soundness of this argument. It is my unbiased and honest opinion that there is a sharp and dangerous cleavage in the opinion of the people at this time. Who can say that that group—that great inarticulate group who oppose this bill—are not in the majority? What tragic means of expressing that cleavage will they have if this bill passes? Who will say which is the majority? I repeat to you, no candidate for President, no candidate for Congress, ran upon the platform which would have provided the vast group of our electorate to express their sentiments in favor of or against this legislation.

To change or abrogate the Constitution you must do it lawfully, not unlawfully. In behalf of those citizens, taxpayers, the mothers and fathers of our youth, and youth itself, I claim that they are the Government, and we are merely their official spokesmen.

As a Representative I object that we are not policemen of the world, but that our duty is to defend our own lives and liberty and treasure the pursuit of happiness by preserving our form of government. Devoutly I say that I put my trust in God, my faith in the form of government left me by our forefathers. My one concern is that we shall continue that trust and faith as a free people, and with that courage which has been nourished by freedom and independence gird to defend ourselves against any nation or combinations of nations.

Members of the Seventy-seventh Congress, I plead with you for unity and sanity, and for the reasons which I have

given you I urge you to defeat this bill. [Applause.]

Mr. MUNDT. Mr. Chairman, I yield such time as he may desire to the gentleman from Wisconsin [Mr. THILL].

Mr. THILL. Mr. Chairman, I am opposed to H. R. 1776. In my opinion, this measure, if passed, will lead this country down the road to war. The first duty of every American must be to preserve and protect his country. I cannot vote for a measure which, in my opinion, will give the President dictatorial powers. These powers, if injudiciously used, can easily lead the United States into a war which will cost the lives of millions of American boys and bring bankruptcy, hardships, suffering, and ruin to our Nation.

I am unwilling to give any President the power to dispose of our defenses as he sees fit. It was never the intention of the founders of our country that Congress should abdicate practically all of its war-making powers. We must face reality. We must not let emotionalism or partisanship becloud our vision and judgment. Let us not follow the dictators by centralizing power in one man. Our Nation is a republic and must be preserved as such. Our forefathers who fled the tyrannies of Europe have handed to us the torch of freedom. We must keep this fire burning brightly and defend our institutions against all enemies from without as well as from within.

Let me quote the following interesting excerpt from the minority views on H. R. 1776:

#### WHAT THIS BILL DOES

Using the slogan of "Aid to Britain," and under the title of "Promoting Defense," this bill gives the President unlimited, unprecedented, and unpredictable powers—literally to seize anything in this country and to give it to any other country, without limit in law. He may sell or give away our Navy, our planes, our arms, our secrets, and use any proceeds from such sales for similar purposes; he need come to Congress only for appropriations to restore our Navy, our planes, our arms.

John Bassett Moore, world-famous authority on international and constitutional law, says: "The pending bill assumes to transfer the war-making power from the Congress, where the Constitution lodges it, to the Executive. \* \* \* The tide of totalitarianism in government \* \* \* has not only reached our shores, but has gone far to destroy constitutional barriers, which, once broken down, are not likely to be restored." Remember, we cannot repeal war, we cannot repeal bankruptcy, and we cannot repeal dictatorship. Under this bill we surrender our democratic way of life now, for fear of a future threat to our democratic way of life. The oldest and last constitutional democracy surrenders its freedom under the pretext of avoiding war, with the probable result that the newest dictatorship will soon go to war.

Many authorities are convinced that H. R. 1776 is unconstitutional in its entirety, because it is a dictatorial and unwarranted demand by the President that the Congress of the United States abdicate its law-making, treaty-making, and money-disbursing power in the field of national defense and hand over such powers to the President for the defense of any foreign nations whom the President, in his own judgment, may wish to defend.

Under section 3 of the bill the President is given power which might result in

political, military, and commercial alliances or treaties with foreign countries without reference to any advice or consent of the Senate.

If the President uses the powers given to him under H. R. 1776, he can force the taxpayers of this country and my constituents to underwrite every foreign war occurring anywhere in the world. I do not believe that the people I represent want this Nation to finance and support foreign wars upon the say-so of one man. The war-making power should be left in the hands of Congress, where the Constitution provides that it belongs.

The following article discusses the laws which may be modified or voided by section 3 of H. R. 1776:

#### LAWS NULLIFIED BY PRESIDENT'S PROPOSED WAR-POWERS BILL

Section 3 (a) of the President's war-powers bill, as transmitted to Congress from the White House, provides: "Notwithstanding the provisions of any other law, the President may, \* \* \* when he deems it in the interest of national defense, \* \* \*" etc.

During testimony by Secretary Hull question arose as to what statutes or international commitments this authority might nullify.

Secretary Hull implied the pending measure would in no way affect the Johnson Act, adding:

"This [Johnson] act would not appear to be involved, for the reason that it does not apply to this Government, or to a public corporation created by, or in pursuance of, special authorization of Congress, or to a corporation in which the Government has or exercises a controlling interest, as, for example, the Export-Import Bank."

However, section 7 of the Neutrality Act of 1939 does forbid loans or credits to a belligerent government by the Export-Import Bank, or similar Government-controlled corporations; although section 7 does not prohibit loans directly by the United States Government, Secretary Hull told the committee.

The net effect of the new bill, if enacted in its present form, would be, as regards loans to belligerent nations, to repeal section 7 of the Neutrality Act of 1939. This would make possible direct Government loans or credits to any belligerent at the discretion of the President, through the Export-Import Bank or any other existing agency.

By this device, as Secretary Hull interprets the pending proposal, the Johnson Act would not be nullified as regards private credits to defaulting nations.

Nevertheless the result of the new measure would be to make unlimited Government credits available to any nation, belligerent or defaulter, or both, in the discretion of the President.

Moreover, this authority would not be encumbered by any specifications regarding collateral security, rate of interest, or maximum period of repayment. Under this authority, as proposed, the President would be authorized to lend the entire resources of the United States Government, in both money and materials, to any nation or group of nations, without reference to Congress concerning terms or conditions of the loan. No limitation upon this authority is found in the White House text, as regards either time or amount of the proposed loans.

#### ASSISTANCE TO WAR VESSELS

Secretary Hull also testified that three sections of title 18, U. S. C., would be nullified by the proposed executive authority, as follows:

"Section 23 makes it unlawful to fit out or arm in the United States a vessel with intent that it shall be employed in the service of a foreign belligerent against a power or people with which the United States are at peace.



"Section 24 makes it unlawful to increase or augment in our ports the force of a ship of war or other armed vessel belonging to a belligerent power.

"Section 33 makes it unlawful during a war in which the United States is neutral to send out of our jurisdiction any vessel built, armed, or equipped as a vessel of war for delivery to a belligerent nation."

In summary, Secretary Hull said: "These provisions would be superseded by the new act."

#### INTERNATIONAL LAW NULLIFIED

Secretary Hull added that three sections of The Hague Convention of 1907 also would be nullified by the proposed new powers. Article VI of the convention forbids the supply of war materials of any kind by a neutral to a belligerent power. Article XVII limits repairs of belligerent war vessels in neutral ports to the minimum necessary for resumption of voyage in a seaworthy condition. Article XVIII forbids increasing the power or armament of a belligerent war vessel in a neutral port.

Secretary Hull added that the Hague Convention was not applicable to the present European war, since article XXVIII provides it shall apply only when all belligerents are parties to the convention. "England and Italy are not parties to the convention."

From this point Secretary Hull outlined the new United States policy in these words:

"It may be urged that the provisions of the United States Code and the quoted provisions of the Hague Convention are declaratory of international law on the subjects mentioned and that to do the things contemplated by the proposed act would render us unneutral. This would be largely true under ordinary circumstances, but we are not here dealing with an ordinary war situation. Rather, we are confronted with a situation that is extraordinary in character."

This statement appears to summarize faithfully the ultimate significance of section 3 (a) of the proposed bill. Regardless of both domestic and international law, United States foreign policy would be fixed from day to day by Executive decree—the powers of totalitarian dictatorship.

Secretary Hull enumerates four domestic laws and three long-accepted principles of international law which would be at once nullified by "the things contemplated" under this single section of the proposed act.

Doubtless there are many other domestic laws which would be at once nullified. At one point in the committee hearings, for example, the question was raised whether the language of section 3 (a) would not, in fact, authorize the President to issue new Government obligations without regard to the debt limits fixed by Congress under existing law.

Mr. Chairman, we who represent the people of the United States must do everything in our power to sustain Americanism. In no other nation on the face of this globe do the people enjoy all of those liberties given to us by the founders of our Republic. Freedom of religion, freedom of speech, and freedom of press must be maintained, and that is a particularly hard task during times such as these, when hysteria and emotionalism can readily sweep the land. We cannot retain our freedoms and our form of government if we vest vast dictatorial powers in one man. Congress must save unto itself the rights granted to it under the Constitution. Not only must Congress lead the way toward preservation of our Republic but every American must act with wisdom, courage, and cool-headedness to protect the American way of life.

Mr. MUNDT. Mr. Chairman, I yield 10 minutes to the gentleman from Michigan [Mr. BRADLEY].

Mr. BRADLEY of Michigan. Mr. Chairman, it is an honor indeed to follow the very capable gentleman from Minnesota, whom we all know and recognize in the few weeks he has been here as a man of such abilities that he will soon become one of the most able Members of this body. [Applause.] Likewise, Mr. Chairman, it is an honor to come this far down the line toward the end in this debate. I hope the remarks I have to make will not prove the least valuable.

Mr. Chairman, I have listened with a great deal of interest to the debate on this bill in the last 3 days. This bill unquestionably is one of the most important measures ever to come before the Congress of the United States. Let us go back through history. We recall that in the year 1776 we came into being as a Nation.

In that year we were engaged in a war with Great Britain which sought to continue to rule us under a colonial status. We wrested from England our independence and became a great nation. Washington and Jefferson warned us repeatedly against further involvement in the power politics of Europe, in their constant turmoil and strife. Throughout all the years up to the World War we followed their mandate and became perhaps the greatest Nation on earth. During this debate, Mr. Chairman, some of the historians in the House have recalled to our minds the fact that the Monroe Doctrine was brought into being against whom? Against the dangers of encroachment by the British Empire in this hemisphere.

We were told that during the Civil War Great Britain sought to tear our nation asunder; and we were told that in the World War, after England had spent some \$100,000,000 or more on propaganda, they got us involved in that war on their side in order to have the world for democracy. At the end of that war who wrote the peace terms? England; and we became known as Uncle Shylock. That was the kind of gratitude we got. That was a war to end all wars, the war to make the world safe for democracy, but we have seen on the continent of Europe the rising of the dictators, the overrunning of democracy after democracy. No one in America has any faith, or any love, or any admiration for the dictators of Europe. We are all opposed to them. For that reason our sympathies unquestionably are at this time with the British people and the brave fight they are putting up.

This is not our war, the American people had no word in the start of it, and we shall have nothing to say when it is over. You can bet your life on that. Still some of us are concerned by reports that our leaders did perhaps make certain now embarrassing commitments before the start of this war. But we are in the middle of the stream, we are committed to aid to England, and we must carry that out, but let us not do it to the detriment of ourselves.

Last fall, in case some of you have forgotten, there was a political campaign in this country. Under our form of gov-

ernment we are governed by what are commonly known as politicians, and every so often we have a political campaign; we make speeches to the people and tell them what we will try to do for them, what we will stand for if elected. Some of us have very short memories, apparently. I do not know of a single man in this country, certainly neither of the leading Presidential candidates, who had the effrontery to run on any platform of "all out" aid for England—or any other nation.

If he had he would have gone down to the most ignominious defeat in the political history of this country. For myself, I campaigned on four definite pledges, among others: First of all, that I would not vote for any measure which I thought was a step leading to war. In my opinion, this bill is another step toward war, hence I am opposed to it. I intend to keep that pledge and keep faith with the people who sent me down here. [Applause.] Second, I said I would vote for no measure that had for its purpose the granting to the President of the United States or to the office of the President of the United States, regardless of who the occupant may be, now or in the future, any additional powers which were guaranteed by the Constitution to the Congress of the United States. This bill unquestionably does grant those powers, hence I am opposed to it. Let us do our job. It is not fair or fearless to pass the buck to somebody else. Point 3, aid to England? Yes; in view of the fact that we are in the middle of the stream, but not to the extent of sacrificing our own defense.

We have heard said on the floor of this House that General Marshall has testified that we have today in the United States Air Corps not one single modern fighting aircraft. We are shipping them all overseas; we are denuding our defenses; and now it seems we are going to go even further. My fourth pledge was that we should build our defense and make it impregnable. We cannot do that by shipping everything overseas as fast as it comes off the line. We must give our own boys something modern with which to train and with which to fight. We have heard it said in the well of this House that if Hitler wins this war we shall come next. There are those who would make you believe he would do so in the next 30 days; but what are we going to be doing in the meantime? If we build our defenses as we should and make our own shores impregnable, neither Hitler, Mussolini, the Japanese, nor the whole world could land a soldier on the shores of the United States and push us back from that shore line.

With respect to the bill before us, I want to ask a few questions. Last summer the membership will recall the Congress refused to go home when it was told to go home, told there was no more legislation to come up. We stayed here and we voted some \$10,000,000,000 and upward for national defense. We stayed here in Washington through all the heat and on into the fall. Many of us did not have time to get home to campaign sufficiently, and some Members are missing as a result. I ask you: Why



was not this bill or a similar one introduced in Congress at that time?

Ch. you may say it was not politically expedient to do so at that time. All right. We know that Hitler failed in his attempt to cross the English Channel, a little body of 22 miles of water, last fall. Is there anybody in this country today who doubted that he would make the attempt again this spring? Yet we are told today that we must rush this bill through in order to help England in a crisis which is coming up in 60 to 90 days. We knew last fall that this crisis was coming. Why was not this bill introduced at that time? Congress was in session within a week after the election. The same President had been reelected. There was no change in the administration. Why was not the measure brought out on the floor at that time?

Before our Foreign Affairs Committee each Cabinet member was asked just what change in the British emergency situation had come about since the election of last fall to make prompt action on this bill so imperative now. The answer was invariably, "Nothing."

We are now told that England's dollar assets are gone. Did anybody in the Government not know that last fall? Did Secretary Morgenthau not know last fall that England's dollar assets were becoming depleted? If so, why did he not bring the bill out then? The testimony before the committee is unmistakably to the effect that Secretary Morgenthau wrote this measure. Why did he not bring it out last fall? Why wait until January? Why come along to Christmas week and find the President with his usual suave delivery over the radio, alarm a peace-loving American people about the danger of an immediate invasion, and then state that we must become the arsenal for the democracies of the world? I ask again, why was not that speech not made months before Christmas?

A new Congress comes into being, and the Chief Executive comes down here to the Congress, and he tells us we must pass this bill right now to save England. Yet we asked the defense production chief, Mr. Knudsen, whether this bill will in any way speed up the defense of America or speed up aid to England, and the answer was unmistakably "No."

[Here the gavel fell.]

Mr. MUNDT. Mr. Chairman, I yield the gentleman 3 additional minutes.

Mr. BRADLEY of Michigan. Mr. Chairman, it is the same old stall. We are asked to rush this bill through. We are asked to grant more power in the hands of the Executive which belongs to the Congress of the United States. We are told, yes, the Congress can control this power because it still has the power of the purse strings.

Mr. Chairman, it has been proven on the floor of this House unmistakably by the gentleman from Ohio [Mr. VORYS] that under this bill he would have control right now of \$40,000,000,000 worth of American arms and ammunition, either now in existence in our Army, Navy, Marine Corps and air force or in the process of manufacture at this time. The gentleman from Michigan [Mr.

JONKMAN], a member of the committee, stated that was a most conservative estimate. All of this can be turned over not only to England but to China, Greece, or to Russia, or any other nation that the President deems is acting in the defense of the United States.

Why is this so serious? Simply because under this bill we are actually asked to create in the office of the President of the United States the office of quartermaster general of the armies now or hereafter in opposition to the Axis Powers. When we delegate this power, when we attempt to place in the hands of the Chief Executive of this Nation the quartermaster generalship of all the armies fighting the war in opposition to the Axis Powers, this Government, the President, and the people of the United States assume the strategy of the war, and we guarantee that the war must go through to a successful conclusion. It must follow that we underwrite the success of the war. We underwrite the cost of war, in munitions, money, and, finally, of necessity, manpower.

It is said that we are keeping the war away from our shores. Possibly we will, and we hope to God we will, but I want to ask just one final question. For the past year and a half Germany, with the greatest army on the face of the earth today, aside from the American people, with 6,000,000 men under arms, has found it impossible to cross 22 miles of the English Channel against a Britain that has only one and one-half million men under arms.

Now, then, if this war is to be brought to a successful conclusion, the Germans must be driven back to Berlin as they should have been in 1918. We have cast the die, or the President did in his fire-side chat. Hitler must be completely smashed in order to win this war—for England. If this is to be done, who else but ourselves can supply the four and one-half million men required to balance Hitler's manpower—who will logically be expected to furnish it—"Uncle Shylock," of course. No, Mr. Chairman, talk all you will, and I do not doubt the sincerity of any Member of this House when he says his sole interest is to keep our boys out of foreign wars, but, I repeat, I see no possible ultimate alternative but that there will, of necessity, be another A. E. F. To many of your memories these hal- lowed letters of the alphabet mean another American Expeditionary Force, but this time, having carefully watched prop- aganda get in its deadly work, to me they mean After England Failed to finish her own war—without American boys. It will not come soon. Today we learn that England does not need men. Very obviously, where could she use them? But watch out; before long will come the awaited blitzkrieg. England may then become short of pilots, where will she get them? Our flying fortresses are going over; we are supposed to have the only trained crews in the world who can effi- ciently fight them—and we are presumed to have some good fighters in our air force as well—though our policy has not permitted them to fly the modern ships now going to Britain. Who will soon be called upon to convoy ships? You guess.

But some day, Mr. Chairman, there will be a peace come to Europe again—we all pray that day be not far off—but I ask this question: Will England again write the peace terms? And will we again be called "Uncle Shylock" when, if ever, we have the temerity to ask for payment—in kind or equivalent—for our aid in the form of first, munitions; secondly, our money; and thirdly, our manpower if that comes to pass? Will "Uncle Shylock" again apply to American Gold Star Mothers and widows? Will "Uncle Shylock" again be applied to widowed expectant mothers, to fatherless boys and girls, of our land? Oh, I pray not and I think not.

Mr. Chairman, in the year 1776 we got rid of our colonial status; I pray that we guard well lest House Resolution 1776 now result in our being graciously granted Dominion status by Great Britain.

After all, let us face this issue as Amer- icans and let us remember our oath as Representatives of the American people who sent us down here. Our duty is clear. It is to save America for Americans, let the chips fall where they may. Let us be and remain Americans. [Applause.]

[Here the gavel fell.]

Mr. MUNDT. Mr. Chairman, we have no more requests for time on this side.

Mr. JARMAN. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Speaker pro tempore [Mr. GORE] having assumed the chair, Mr. COOPER, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H. R. 1776) further to promote the de- fense of the United States, and for other purposes, had come to no resolution thereon.

#### EXTENSION OF REMARKS

Mr. BRADLEY of Michigan. Mr. Speaker, I ask unanimous consent to in- clude in the remarks I have just made in the Committee of the Whole certain excerpts from the Republican and Demo- cratic platforms of last fall, as well as certain remarks made by the principal candidates during the campaign.

The SPEAKER pro tempore. Is there objection to the request of the gentle- man from Michigan?

There was no objection.

Mr. MUNDT. Mr. Speaker, I ask unanimous consent to revise and extend the remarks I made while we were in Committee of the Whole by adding cer- tain excerpts from the Senate Naval Af- fairs Committee report and from other documents.

The SPEAKER pro tempore. Is there objection to the request of the gentle- man from South Dakota?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. BEN- NETT] be permitted to extend his own remarks in the RECORD and include therein a short letter from the Chamber of Commerce of the City of Springfield, Mo., relative to the pending bill, also a brief Associated Press dispatch from the Washington Post of today relative to the











# S. 275

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IN THE SENATE OF THE UNITED STATES

FEBRUARY 6, 1941

Referred to the Committee on Foreign Relations and ordered to be printed

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## AMENDMENTS

Intended to be proposed by Mr. BALL to the bill (S. 275)  
further to promote the defense of the United States, and  
for other purposes, viz:

1 On page 3, between lines 18 and 19, insert the fol-  
2 lowing:

3 “(c) The aggregate value, on the basis of cost, of all  
4 defense articles which are sold, transferred, exchanged,  
5 leased, loaned, or otherwise disposed of, to any foreign  
6 government or governments under the provisions of sub-  
7 section (a), and which have been or are to be paid for  
8 from funds appropriated by the Congress, shall not be in  
9 excess of the aggregate amount of the appropriations which  
10 shall have been made pursuant to the provisions of this Act



1 prior to the time of the sale, transfer, exchange, lease, loan,  
2 or other disposition.”

3 On page 5, between lines 2 and 3, insert the following:

4 “(c) When any defense article which has been or is to  
5 be paid for from funds appropriated by the Congress is  
6 sold, transferred, exchanged, leased, loaned, or otherwise  
7 disposed of, to any government under the provisions of  
8 section 3 of this Act, the President is authorized to transfer  
9 from the appropriations made pursuant to the provisions of  
10 this Act to the appropriation or appropriations out of which  
11 funds were or are to be expended with respect to such  
12 defense article, an amount or amounts not in excess of the  
13 value, on the basis of cost, of such defense article; and the  
14 amount so transferred to any appropriation shall be avail-  
15 able, during the fiscal year in which the transfer is made  
16 and the ensuing fiscal year, for expenditure for the purpose  
17 for which such appropriation was made.”







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## AMENDMENTS

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Intended to be proposed by Mr. BAIL to the bill  
(S. 275) further to promote the defense of  
the United States, and for other purposes.

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FEBRUARY 6, 1941

Referred to the Committee on Foreign Relations and  
ordered to be printed

Net  
**S. 275**

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IN THE SENATE OF THE UNITED STATES

FEBRUARY 6, 1941

Referred to the Committee on Foreign Relations and ordered to be printed

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**AMENDMENT**

Intended to be proposed by Mr. BALL to the bill (S. 275) further to promote the defense of the United States, and for other purposes, viz: On page 4, beginning with line 17, strike out down to and including line 2 on page 5, and in lieu thereof insert the following:

- 1 (b) All money received under section 3 from any gov-
- 2 ernment, and all money derived from property which is
- 3 received under such section and converted into money, shall
- 4 be covered into the Treasury as miscellaneous receipts.



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## AMENDMENT

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Intended to be proposed by Mr. BAILEY to the bill  
(S. 275) further to promote the defense of  
the United States, and for other purposes.

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FEBRUARY 6, 1941

Referred to the Committee on Foreign Relations and  
ordered to be printed

### CONFIRMATIONS

Executive nomination confirmed by the Senate February 6, 1941, as follows:

#### FEDERAL WORKS AGENCY

Claude Van Parsons to be First Assistant Administrator of the United States Housing Authority, Federal Works Agency.

## HOUSE OF REPRESENTATIVES

THURSDAY, FEBRUARY 6, 1941

The House met at 11 o'clock a. m., and was called to order by the Speaker.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Eternal God, before whom millions bow in praise and adoration, we wait for that Presence which shall help us to discern clearly and perform faithfully the duties which await us. O Divine One, walk with us and guard our feet that they may not cross the gray wastes of indecision. Give understanding to our labors and gird us with fortitude for the day, that we may be champions of justice and challengers of social and political iniquity. O Master, who art the old way, the new way, and the everlasting way, be very real to us. Lay Thy hand on the breaking heart of this world with its wreck of human life, its blighted hopes, and mortal anguish, all unheeding of the love and the might of an infinite God. Compass our Republic and this Congress, appointed of the people, with the bands of unity and cooperation, thus allowing democracy to march victoriously to the new lands of promise. In the holy name of our Redeemer. Amen.

The Journal of the proceedings of yesterday was read and approved.

#### PERMISSION TO ADDRESS THE HOUSE

Mr. GIFFORD. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

[Mr. GIFFORD addressed the House. His remarks appear in the Appendix of the RECORD.]

#### EXTENSION OF REMARKS

Mr. GIFFORD. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by including a short article from an editor friend of mine on the bill H. R. 1776.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. SHANLEY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by including a statement on the British Fleet and the Aid Memoire.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. RIZLEY. Mr. Speaker, I wish to supplement my remarks of yesterday by

including in the RECORD an editorial from the Enid Daily Eagle of February 3, 1941.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. WEISS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include an article from the Pittsburgh Daily Sun-Telegraph, of Pittsburgh, Pa., of Tuesday, January 21, 1941.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. EDELSTEIN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include a resolution adopted by the State Executive Committee of the American Labor Party favoring H. R. 1776.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BLOOM. Mr. Speaker, I make the point of order there is not a quorum present.

The SPEAKER. Evidently, there is not a quorum present.

Mr. McCORMACK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

#### [Roll No. 7]

Bolles	Johns	Reed, III.
Burgin	Mason	Scanlon
Byron	Myers, Pa.	Schaefer, III.
Celler	Norton	Sheridan
Clason	O'Day	Smith, Pa.
Crowther	Patrick	Stearns, N. H.
Dies	Pheiffer	
Hartley	William T.	
Hess	Randolph	

The SPEAKER. On this call 407 Members have answered to their names a quorum.

Mr. BLOOM. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

#### EXTENSION OF REMARKS

Mr. KLEBERG. Mr. Speaker, in view of the fact that I had no opportunity to speak during the general debate, and that I have hope of speaking under the 5-minute rule, I ask unanimous consent that the consent heretofore granted me may be continued to include a compilation of certain data which I have prepared and expect to use in my remarks today.

The SPEAKER. Is there objection?

There was no objection.

Mr. SWEENEY. Mr. Speaker, I ask unanimous consent to extend my remarks and include a statement by Hon. John O'Connor, former chairman of the Committee on Rules of the House of Representatives, on the subject Aid to England, Short of—Dictatorship?

The SPEAKER. Is there objection?

There was no objection.

Mr. O'HARA. Mr. Speaker, I ask unanimous consent to extend my remarks and include an editorial from the Washington News of February 5, 1941.

The SPEAKER. Is there objection? There was no objection.

Mr. TINKHAM. Mr. Speaker, I ask unanimous consent to extend my remarks and include a letter published in the New York Times of this morning.

The SPEAKER. Is there objection? There was no objection.

Mr. MAAS. Mr. Speaker, I ask unanimous consent to extend my remarks and include certain historical quotations.

The SPEAKER. Is there objection? There was no objection.

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent to extend my remarks and to include the proceedings of the Committee on World War Veterans' Legislation in which honor was paid to the chairman of our committee, the gentleman from Mississippi [Mr. RANKIN].

The SPEAKER. Is there objection? There was no objection.

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks and include an address delivered by Mr. L. S. Hulbert, assistant general counsel of the Farm Credit Administration, delivered at a meeting of the co-operative cannery officials in Chicago January 18, 1941.

The SPEAKER. Is there objection? There was no objection.

Mr. PLUMLEY. Mr. Speaker, I ask unanimous consent to extend my remarks and to include an address by Ralph E. Flanders to the New England Wholesale Lumber Dealers Association.

The SPEAKER. Is there objection? There was no objection.

Mr. AUGUST H. ANDRESEN. Mr. Speaker, I intend to discuss the bill today under the 5-minute rule. I ask unanimous consent to include as a part of my remarks certain editorials and statistics.

The SPEAKER. Is there objection? There was no objection.

Mr. GEYER of California. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD.

The SPEAKER. Is there objection? There was no objection.

Mr. COFFEE of Washington. Mr. Speaker, I ask unanimous consent to extend my remarks on two different topics, and in each to include excerpts from magazine articles.

The SPEAKER. Is there objection? There was no objection.

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to extend my remarks and to include three letters.

The SPEAKER. Is there objection? There was no objection.

Mr. DOWNS. Mr. Speaker, I ask unanimous consent to extend my remarks and include an editorial.

The SPEAKER. Is there objection? There was no objection.

Mr. SCHWERT. Mr. Speaker, I ask unanimous consent to extend my remarks and include a resolution adopted by the board of supervisors of Erie County, N. Y.; also to extend my remarks and to include a resolution passed by the Common Council of the City of Buffalo, N. Y.

The SPEAKER. Is there objection? There was no objection.



## PROMOTION OF DEFENSE OF THE UNITED STATES

Mr. BLOOM. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 1776) further to promote the defense of the United States, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 1776, with Mr. COOPER in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Under the rule, general debate has been exhausted. The bill will now be read for amendment. The Clerk will read.

The Clerk read as follows:

*Be it enacted, etc.,* That this act may be cited as "An act to promote the defense of the United States."

Mr. BLOOM. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, at the proper time I intend to offer two amendments. One relates to the time limit and the other to the entry of American vessels into combat areas. I shall not discuss the amendments at this time, but I would like to read them for the sake of the record:

On page 4, line 1, after the word "except", insert "that until July 1, 1946, such powers may be exercised to the extent necessary."

So that subsection (c) of the committee amendment will read as follows:

(c) Neither the President nor the head of any department or agency shall, after June 30, 1943, exercise any of the powers conferred by or pursuant to subsection (a), except that until July 1, 1946, such powers may be exercised to the extent necessary to carry out a contract or agreement with such a government made before July 1, 1943.

The other amendment, Mr. Chairman, is on page 4, after line 5, insert a new subsection, which will also be an amendment to the committee amendment, to read as follows:

(e) Nothing in this act shall be construed to authorize or to permit the authorization of the entry of any American vessel into a combat area in violation of section 3 of the Neutrality Act of 1939.

Mr. Chairman, I yield back the balance of my time.

Mr. COLMER. Mr. Chairman, will the gentleman yield to me?

Mr. BLOOM. I prefer not to yield at this time. I will be glad to argue these amendments when they are offered.

The CHAIRMAN. Without objection, the pro forma amendment is withdrawn. There was no objection.

Mr. FISH. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, the gentleman from New York [Mr. BLOOM] has proposed for the majority side of the committee two new amendments to the bill. When this bill first reached the House or was sent by some unknown source to the House and to the committee, word went out throughout the country that there would be no amendments. It was considered a sort of sacred or sacrosanct

bill. The origin of this bill is most uncertain and mysterious. Practically every member of the Cabinet, as witnesses, denied that they had anything to do with it, except the Secretary of the Treasury, Mr. Morgenthau, and, boiled down, apparently Mr. Morgenthau and his aides wrote the bill.

Then word went out in the press that the bill was to be reported to the Congress in 3 days. It was even intimated that it might go through the House before the inauguration. What I want to say to the House is simply this: We are a part of the Congress of the United States, the greatest legislative body in the world. There is nothing sacred or sacrosanct about this bill. We did not have anything to do with originating this particular bill. It is our duty, regardless of partisanship—because this is not a partisan measure—to consider the pending bill and to shape and formulate this legislation, not only to consider these two amendments but to consider all amendments on their merits.

The objection of the people back home to this legislation is primarily twofold. First, they believe, rightly so, that the Congress is being deprived of its war-making powers in several instances in this bill. Likewise, that it is being deprived of its appropriating power, the two greatest functions of the Congress. Those are powers that the people want the Congress to retain and particularly at the present time.

I hope that when this bill is being considered, as it will be in a few minutes, under the 5-minute rule, that every amendment will be considered on its merits and that every amendment will be considered on a nonpartisan basis, and that all Members of the House will cooperate to try to formulate a bill that will be constitutional, that will be consistent with our national defense, that will be short of war, and that will carry out the objective we are all for, that is, providing loans for Great Britain. That is the main object of the bill. Therefore I hope the House will perform its legislative functions free from partisanship and consider every amendment based on the merits of that particular amendment. [Applause.]

[Here the gavel fell.]

Mr. McCORMACK. Mr. Chairman, I move to strike out the last two words.

For the purpose of disabusing the mind of the gentleman from New York [Mr. FISH], and for the purpose of the Record, and as the Member who introduced the bill in this House, I think it is only fair that the Record should show, and I think the gentleman from New York will accept my word—I hope so—that the rumors we heard in connection with this bill are prevalent in connection with almost any important bill. Of course, intelligent men do not form their opinions upon rumors.

I call the attention of the gentleman from New York [Mr. FISH] to the fact that when the bill was introduced and I was asked by some newspapermen about amendments, I said this bill has to go through the regular channels of legislating, with public hearings, debate on the floor; that the same process would

take place in the Senate; that this bill would go through the usual journey taken by any other bill. I believe that had there been any views that no amendment of any kind would be put on the bill, or had there been any desire to stop any amendment whatsoever, I would know about it. I can assure the gentleman that at no time was there any such intention or any such state of mind on the part of anyone. Certainly, when I was asked at the outset, I particularly said this bill has got to take the same journey and go through the regular legislative processes that any bill must take and go through.

My purpose in rising at this time is not to stir up controversy but in the interest of giving information, because things we say here go out to the country and cause excitement. Some people might believe that the reference of the gentleman from New York to rumors—whether or not I would make statements based on rumor I am not prepared to say; I am not taking issue with the right of any Member to make such statement if he thinks it is important or believes that he should—but such statements going out to the country are likely to erroneously influence people.

This bill has taken the same journey as that taken by any other bill, and that was always the intention. I might also say that the reference to this bill as the Morgenthau bill is incorrect.

In relation to appropriations, all I can say is that under this bill Congress has retained to itself as completely as possible the purse strings. Every piece of legislation we pass carries with it an authorization to appropriate. We have that on every bill, and we are simply doing it in this bill. In the absence of a specific appropriation in an authorization bill or a legislative bill the executive branch of the Government must come back to the Congress and make recommendations of appropriations. So, under this bill Congress has retained to itself complete power on the question of appropriations.

My main purpose in rising was to assure the gentleman from New York that so far as I know, and I would know if it was so, there was never any intention that amendments should be barred, and there is no justification for rumors that all amendments would be barred; and I hope we shall hear no more of that during the debate on this bill.

Mr. FISH. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield.

Mr. FISH. I am very glad this assurance has been given by the gentleman from Massachusetts. I was sure that would be his attitude as a Member of this House, that he would desire that the House should work its will on the legislation. It was not exactly a rumor, however, on which I was basing my information.

Mr. McCORMACK. I understand what the gentleman means.

Mr. FISH. I read in the newspapers that a spokesman of the White House had said this bill would go through the House without amendment, but that certain concessions would be made in the



Senate and the bill would be amended there. I knew that the gentleman did not believe any such thing.

Mr. McCORMACK. May I say that we all know the gentlemen of the press have various sources of information which they cannot disclose—"a spokesman of the White House," or, "one close to the President"; but the gentleman knows, as do I, that on many occasions that is the cover-up for information received by newspapermen, which they believe, but which is many times incorrect. [Applause.]

[Here the gavel fell.]

Mr. BLOOM. Mr. Chairman, may I ask how much time was used by each side during the 3 days of debate on this bill?

The CHAIRMAN. The gentleman from New York [Mr. Bloom] consumed 9 hours and 30 minutes. The gentleman from New York [Mr. Fish] consumed 11 hours and 36 minutes.

Mr. BLOOM. According to those figures, Mr. Chairman, the gentleman from New York [Mr. Fish] cannot complain about the treatment he has received from this side of the aisle.

Mr. FISH. The gentleman from New York is not complaining at all about the treatment he received in general debate.

Mr. MUNDT. Mr. Chairman, I have a motion on the desk in the nature of a substitute, which I offer; and I intend, if the substitute is adopted, to move to strike out the remaining sections of H. R. 1776 as they are read.

The CHAIRMAN. The gentleman from South Dakota offers an amendment which the Clerk will report.

The Clerk read as follows:

*Be it enacted, etc.,* That this act may be cited as "An act to promote the defense of the United States."

Sec. 2. As used in this act—

(a) The term "defense article" means—

(1) Any weapon, munition, aircraft, vessel, or boat;

(2) Any machinery, facility, tool, material, or supply necessary for the manufacture, production, processing, repair, servicing, or operation of any article described in this subsection;

(3) Any component material or part of or equipment for any article described in this subsection;

(4) Any other commodity or article for defense.

(b) The term "defense information" means any plan, specification, design, prototype, or information pertaining to any defense article.

Sec. 3. (a) There is authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, not more than \$2,000,000,000 for the purposes of this section.

(b) Sums appropriated pursuant to subsection (a) shall be available to the President to enable the extension of aid to the government of any foreign country whose defense the President, after conference with the Chief of Staff of the Army and the Chief of Naval Operations of the Navy, deems vital to the defense of the United States. Such sums shall be disposed of by making loans to any such foreign country which shall be repaid in good and valuable considerations in raw materials, territorial possessions, or scientific information on the effectiveness and efficiency of modern war materials: *Provided*, That if the President, the Army Chief of Staff, and the Chief of Naval Operations agree that it is necessary to the defense of

the United States, the President may give, without consideration, such sums to the government of any foreign country.

(c) Loans or gifts made under subsection (b) shall be subject to such terms and conditions as the President may determine, and in addition, to the following conditions:

(1) The proceeds thereof shall be used only for the purchase of defense articles and defense information in the United States; and

(2) If the President so determines, all orders for defense articles or defense information procured in the United States by the government of such foreign country shall be made through and approved by the Office of Production Management, or such other agency as the President may designate, in order that all procurement for the United States and by any foreign government of defense articles and defense information may be handled through a single agency and coordinated.

(d) The proceeds of any loan or gift made under subsection (b) shall not be made available to the government of any foreign country until the Secretary of the Treasury has certified to the President that such Government is unable to provide dollars or dollar exchange in the United States to pay for further contractual obligations in the United States for defense articles or defense information.

Sec. 4. There is authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such amounts (in addition to amounts appropriated pursuant to section 3) as may be necessary for the purposes of section 5 and for necessary administrative expenses to carry out the provisions and accomplish the purposes of this act.

Sec. 5. The Secretaries of War and of the Navy are hereby authorized to purchase or otherwise acquire arms, ammunition, and implements of war produced within the jurisdiction of any country to which section 3 is applicable, whenever the President deems such purchase or acquisition to be necessary in the interests of the defense of the United States.

Sec. 6. The President may, from time to time, promulgate such rules and regulations as may be necessary and proper to carry out any of the provisions of this act; and he may exercise any power or authority conferred on him by this act through such department, agency, or officer as he shall direct.

Sec. 7. All laws or parts of laws which are inconsistent with any provisions of this act are herewith suspended during the effective period of this act.

Mr. MUNDT (interrupting the reading of the amendment). Mr. Chairman, I ask unanimous consent that the reading of the substitute be dispensed with, it to be printed in the *Record*, however.

Mr. BLOOM and Mr. DICKSTEIN objected.

The Clerk concluded the reading of the amendment.

Mr. MUNDT. Mr. Chairman, since this is an important amendment and a comprehensive one, I ask unanimous consent that my time may be extended for 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

The CHAIRMAN. The gentleman from South Dakota is recognized for 10 minutes.

Mr. MUNDT. Mr. Chairman, let me say, first of all, that I realize it is difficult to follow closely an amendment read from the desk. Therefore I call attention to the fact that this amendment is

in the form of a bill, H. R. 2790, and printed copies are available at the Door-keeper's desk, should any Member desire to send a page for one. It is also printed in the Appendix of the *Record* and appears in the issue for January 29, if you care to follow it in that way.

Mr. Chairman, I believe on a measure as important and significant as this we should all be willing to consider every rational and reasonable proposal on the basis of the merits of the proposition; and, sincerely believing as I do that we should give aid to England as rapidly and as generously as we can, provided it will not jeopardize our own national defense or our own peace, I have felt a responsibility, as a member of the Foreign Affairs Committee, to do what I could to crystallize in the form of definite legislation a bill which will do that thing which 90 percent of the American people want to have done by this House at this time.

I believe if the Members will search their minds and search their letter files they will find that America today is very fully agreed on four fundamental aspects of national and international policy. If I understand representative government it is a form of government which is supposed to respond to the heartbeats of the constituents back home; it is not a government which should circumvent those desires and wishes, certainly when such circumvention is unnecessary. What are these four things your constituents and mine want this Congress to do today?

First, they want this Congress to implement effective aid to England and her associates. Second, they want this Congress to make secure the fact that America will be kept out of the war. Third, they want this Congress to take action that will assure that the defenses of this country shall be preserved and built up. Fourth, they want this Congress to guarantee to the people that in America the legislative branch of government shall have a coordinate share in determining the policies of this Republic. In the light of these four fundamental objectives of your constituents and mine let us examine this amendment.

The difference, you will find, is primarily in section 3. We started out with a desire to achieve these four fundamental objectives: First, it is provided that there shall be appropriated from money in the Treasury not otherwise appropriated not more than \$2,000,000,000 for the purposes of this section. If there be some who say that \$2,000,000,000 is not enough, may I point out that if this course is wise we can appropriate \$2,000,000,000 more next Thursday or Friday and \$2,000,000,000 the following Thursday, if that be necessary and if that be the policy of America and if that be the desire. No one, I am sure, can successfully say that \$2,000,000,000 is not enough at least to meet the problem for the next six months. So no argument that \$2,000,000,000 will not suffice to meet the problem can hold against my bill.

Mr. BLOOM. Will the gentleman yield?

Mr. MUNDT. I am sorry. I cannot yield. Will the gentleman extend me extra time?



Mr. BLOOM. I will be happy to extend the gentleman extra time.

Mr. MUNDT. Well, the gentleman does not have any time to yield, but I shall trust him to try to get me some.

Mr. BLOOM. Would not a point of order lie against the bringing in of an appropriation or anything next Friday or next week after we appropriate this \$2,000,000,000 today?

Mr. MUNDT. Not if this legislation becomes law.

Mr. BLOOM. It is a fact. You could not do it because the law is against it.

Mr. MUNDT. Once it is passed it can be done.

Mr. BLOOM. It is the law. I am sorry. I did not make the law.

Mr. MUNDT. Mr. Chairman, no point of order can lie against the passing of new supporting legislation at any time. This goes on:

Sums appropriated pursuant to this act shall be available to the President.

And I call your attention to the fact that we are reposing in the executive branch of the Government that responsibility which gentlemen say should lie in that department. There is no "hamstringing" of the President here—he is given all the discretionary power the circumstances require.

He may extend aid to the government of any foreign country whose defense the President, after conference with the Chiefs of Staff of the Army and Navy, deems vital to the defense of the United States—

Such sums shall be disposed of by making loans to any such foreign country which shall be repaid in good and valuable considerations—

As provided. And—

provided that if the President, the Army Chief of Staff and the Chief of Naval Operations agree that it is necessary to the defense of the United States, the President may give, without consideration, such sums to the government of any foreign country.

Mr. Chairman, I submit that gives as much aid and as rapid aid to England and her associates as any other conceivable measure from the standpoint of providing all the purchasing power needed because witnesses before our committee said such power was running low.

Proceeding, these loans or gifts shall be subject to the following conditions:

(1) The proceeds shall be used only for the purchase of defense articles and defense information in the United States.

Now comes the second important aspect of my substitute measure. We have satisfied the first demands. We have made the purchasing power available; we have made it available now; we have made it available in a manner that 90 percent of the American people can support; and we have provided the encouragement to morale for those fighting against tyranny and aggression overseas in their great battle for liberty.

The second has to do with the matter of coordination, and let me read you this section:

(2) If the President so determines, all orders for defense articles or defense in-

formation procured in the United States by the government of any such foreign country shall be made through and approved by the Office of Production Management.

Thus the way is opened for all the coordination that it is possible under any system of government or under any plan.

May I point out in the time remaining what I consider to be the honest and definite advantages of this type of approach to the problems which we have as contrasted with the unprecedented and unpredictable method which has been suggested by the terms of H. R. 1776.

We want the four objectives I have enumerated. I do not believe many of you desire in your heart to reduce this Congress to an unimportant, powerless branch of this Government. I do not believe very many of you wish to start a process and a program over which you will have no control once that program is started. Remember this as Congressmen, once you adopt H. R. 1776, as it is written, you have thrown away the steering wheel, you have locked down the throttle, you have no more control, and you accept the last step in the act when you accept the first.

You have no cause to complain once this measure is adopted and leaves you in a place where you would not like to find yourselves because you have authorized in advance full speed ahead in any direction the President may elect to go.

My alternative proposal keeps in the hands of Congress the powers which it should have, and implements further aid to England should further aid be necessary; it adds further power should further specific powers be necessary, but it keeps in the hands of Congress our constitutional responsibilities to the people who sent us here as their representatives.

The second aspect of these four things has to do with keeping America out of war. This measure carries this country not one step closer to the war. It provides the opportunity to assist our friends across the seas without involving us in these interminable conflicts which they have. Let me point out to you that H. R. 1776 by the rule of any logic or reason which we have makes the President of the United States the director general of the war. He and he alone will decide which ships to give or not to give and which countries to give them to or not to give them to. He alone will be responsible for the success or failure of measures conceived by foreign generals who may require supplies from American stocks in order to implement the war. His action or inaction at a given time; his answer to some specific foreign request may be the cause of those we would befriend charging us with responsibility for some disaster in the war. Is that the thing that you desire to do?

[Here the gavel fell.]

Mr. MARTIN of Massachusetts. Mr. Chairman, I ask unanimous consent that the gentleman may be allowed to continue for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts [Mr. MARTIN]?

There was no objection.

Mr. MUNDT. If you do that thing by this bill, making the President director general of the war, you make yourselves vicariously directors general of the war because you have released control and placed it there where no one else can ever again check or direct or help to modify the course which is selected.

The third thing I say our constituents want us to do is to build and protect the defenses of the United States. This bill permits this situation to arise: If, under the heat of an emotional appeal, if, breaking under the terrific burden of having on his shoulders the sole responsibility for directing the war, the President should injudiciously decide to give away substantial portions of the Navy, then you and I have failed in our responsibility to protect the defenses of America. If that ghastly gamble is taken and if the speculation fails, what have we to offer our constituents for the fact that we have left them stripped of a substantial portion of their defenses? My bill protects the defenses which we have, builds to them, and adds to the defenses of our friends across the seas by giving them, if it should be necessary, such purchasing power as they require. My plan does not delay—it speeds the help. It makes immediately available the help we want to extend.

Finally, we want to give all aid short of war to the democracies. This is all aid short of war to the democracies. No man supporting H. R. 1776, as presently written, dare write a single constituent of his, dare write the mother of a single son who is now serving in what she believes to be a peacetime draft, and tell her, "Madam, I have voted for a bill which will keep America out of the war." You dare not write that. You dare not say that during the course of this debate, because you know, as I know, you are taking a most tragic gamble with the chance that perhaps the end of the road, the first step of which you would endorse today, will be the sending of expeditionary forces overseas in another bloody war. If you have ever said in any campaign speech that you will never vote to send another mother's son across the seas in an expeditionary force, you cannot then in good conscience vote for H. R. 1776 as presently written. But you can aid England. You need not implement more powers in the President's office. You need not run the risk of war. You can vote for this bill H. R. 2790, the substitute I have submitted, which will enable you to give all aid short of war, keep this country out of war, keep the Congress an integral part of the United States, and thereby keep yourselves in harmony with the desires and the heartbeats of your constituents back home today. [Applause.]

[Here the gavel fell.]

Mr. LUTHER A. JOHNSON. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I shall detain the House but a very short time in urging that the substitute just offered be defeated. I do not anticipate that the House will seriously consider a substitute in the nature of an entirely new bill for the bill we are now considering, which is presented to



the House under a wide-open rule, subject to all amendments of every nature and kind that can be offered when the sections are read.

I do, however, simply wish to make this observation, that the gentleman's substitute, like many other substitutes and amendments that have been suggested, indicates a lack of realism as to the problem with which we are dealing. The grant of credits alone to England will not be sufficient to meet the situation which now confronts us. It is like granting a man who is sinking money with which to buy a life belt. There are, in addition to granting credits, money, and materials that are needed, two outstanding purposes accomplished under this plan, which has been carefully thought out and worked out, not alone from the standpoint of England but from the standpoint of our own country in its own vital defense at this time. One is to unify and expedite the production of all materials, defense articles, not only for England and other countries whose defense is vital to our own, but for our own defense. Unless the bill in its essence as presented here is passed, there will be no provision made for a unification of the production and the delivery of the goods, which will be greatly expedited if this is done. The real problem is how we can get the maximum amount of supplies to England in the minimum amount of time, and this bill is designed to do just that.

Mr. MUNDT. Mr. Chairman, will the gentleman yield?

Mr. LUTHER A. JOHNSON. Not now,

In addition, Mr. Chairman, there is another and very vital necessity for this bill. We not only want to supply England with materials and defense articles, and want to supply these articles in the quickest possible way through one channel, but we also want to do that which cannot be done unless this bill is passed, authorize the manufacture in arsenals, factories, and shipyards, under the jurisdiction of the War and Navy Departments, defense articles for those countries whose defense is vital to the defense of our own, and which cannot be done under existing law, or under the pending substitute.

Therefore I say, Mr. Chairman, that those who come in with various substitutes, with various plans, with various amendments, all seeking to get away from the main purpose, which has been carefully worked out by the military and naval experts of this Government looking to our own defense, are in the position that when we present one plan they think of and suggest some other plan. It is easy to criticize but it is difficult to construct.

This measure has the approval of every executive branch of this Government. It has the approval of the military and naval experts who are charged at this time with our defense. It will fulfill a threefold purpose, as I have pointed out. It will furnish, and furnish quickly, to England the materials needed for its defense. It will authorize the manufacture of those materials and their exportation to those countries for their defense, and it will at the same time give

them that aid which they need now and which we need now, for even if England should eventually fall, which God grant that she may not and which I believe she will not, during the time this material is furnished and they are carrying on that heroic fight we shall have time, time which we need so greatly, within which to prepare for the great hour of crisis which is about to confront us.

I say this, Mr. Chairman, not based upon hysteria. I believe I have, at least I hope I have, acquired the faith of my fellow Members that I am not hysterical, that I always try to keep my feet on the ground. I do not believe I am driven into a hysterical attitude in this matter. I base the gravity of it rather upon the expert testimony of those who know conditions and know best what should be done, and I hope the House will not consider substitutes or get off into hair-splitting and other amendments which do not meet the problem. [Applause.]

[Here the gavel fell.]

Mr. MOTT. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I am in favor of the substitute offered by the gentleman from South Dakota [Mr. MUNDT]. If it is adopted, it will bring about the unity which the majority says it desires, and it will bring general support for the bill.

The explanation made by the gentleman from South Dakota was so clear that it seems to me anyone should be able to understand it, and I am not going to repeat his argument. Instead, in the time remaining to me, I simply want to answer the statements made a moment ago by the gentleman from Texas [Mr. LUTHER A. JOHNSON] in regard to the impossibility of unifying our system of furnishing war materials to England except through enactment of H. R. 1776.

I do not know what kind of expert testimony it was which the gentleman heard before his committee upon this point, but I want to say to the gentleman and to all other Members that this matter has been gone into thoroughly and exhaustively by the Naval Affairs Committee of this House, in which we have heard every bureau chief and every important manufacturer of war planes in the United States. And I want to say to you now that under existing law the President not only has the authority to send 100 percent of our entire American production of planes and other war equipment to England, but that he also has authority under existing law to require any of these British orders, or orders from any other country for war planes, to conform to the American specifications. So, as far as that is concerned, under existing law we can have and do have all the unification and all the cooperation we want; and to that extent I beg to say the statement of the gentleman from Texas is not correct.

Mr. LUTHER A. JOHNSON. Mr. Chairman, will the gentleman yield?

Mr. MOTT. I yield to the able gentleman from Texas.

Mr. LUTHER A. JOHNSON. The gentleman asked me a question when I was speaking the other day in general debate, and I will say to the gentleman that I did not hear the testimony of the Naval

Affairs Committee, but I did hear the experts from the War and Navy Departments who testified in executive session, and while I would not be permitted to state what any individual said, I will say that their testimony was clear and convincing upon that point, and this illustration was used—

Mr. MOTT. If the gentleman please, I simply want to repeat my statement. The statement I have just now made as to the authority of the President to require foreign plane orders to conform to the specifications of our own so that they may be interchangeable, is plain and it is in the record of the hearings before the Naval Affairs Committee. The same statements were made by both the naval officers and by the plane producers, and that is as plain as I can say it. It is there in the record and there can be no doubt about it, and therefore I say the impression of the gentleman from Texas upon this point is not correct.

Mr. MUNDT. Mr. Chairman, will the gentleman yield?

Mr. MOTT. I yield to the gentleman from South Dakota.

Mr. MUNDT. The gentleman is absolutely correct; and may I add to that statement that in subsection 2 of section 3 of my substitute bill it is specifically provided, as I indicated in my remarks, that the President, if he so determines, may require all these orders to be handled through the Office of Production Management, giving us 100-percent coordination. Let me add further, in the matter of expert testimony, a study of the hearings before our Foreign Affairs Committee reveals that Mr. Knudsen and General Johnson both agreed in the testimony that this would include the coordination part of the study.

Mr. MOTT. That is correct; and so, in conclusion, Mr. Chairman, let me say, in view of the substitute now offered, I wish to take this occasion to call for unity upon the part of the whole House. Under this substitute all of the aid that it is physically possible for the United States to give the British can and will be given. Under this substitute all of the money that is necessary for Britain and the other democratic nations to use to purchase war equipment will be loaned or given to them as an outright gift, as the President may desire. And when we do that I say that we then shall have given Britain and the other democracies all of the aid that we can possibly give them without actually going to war, and we will have given them all of the aid that they have ever asked for; and I submit that there is no testimony before any committee of this House to the contrary. [Applause.]

Mrs. ROGERS of Massachusetts. Mr. Chairman, I move to strike out the last four words.

Mr. Chairman, I voted to report out this bill to the House in order that the bill might be discussed, might be debated freely, and that we might receive more information, if possible, than we were given in committee.

Mr. Chairman, as I understand it, this bill has for its main purpose, supposedly, the defense of the United States, and



in defending the United States it proposes to give aid to Britain. Mr. Chairman, I have always been under the impression that when we gave aid to people, and we really wanted to aid them, we gave them the kind of aid they wanted, the kind of aid that they required. I believe, Mr. Chairman, that the British people, the British colonies, would infinitely rather have a specified sum, a liberal sum of money that they could use to purchase materials that they wanted, the tanks that they needed first, or the airplanes that they needed first. In other words, to secure the things they wanted in the way they wanted them in this country. I believe this plan would be better in the production of our own national-defense guns, airplanes, and so forth.

I am told on good authority that the British have had no difficulty after they have placed their orders in this country in securing production or in getting their products or their materials of war quickly. In this way their securing aid may all be bound up in red tape and it will be a long time before they can secure what they need.

I plead for unity in this program for mutual help. I plead for a united nation in our national defense. Let us get together calmly and sensibly, correct this bill where it needs correcting, not in any spirit of partisanship but as Americans, and give to the country the assurance it needs so badly today—the assurance that everything is being done that possibly can be done to insure the safety of our country; that we will aid Britain in her brave struggle, but in so aiding her we will preserve our strength, our form of government.

I plead with the members of the majority. I plead with them to join in amending this bill. I helped to vote out their bill in order to give the House a chance to assist Great Britain. I cannot for 1 minute, Mr. Chairman, believe that it will not hurt this country if Great Britain should fall. It is essential to our well-being that Great Britain remain strong. Mr. Chairman, I think there is a great difference between a victorious Hitler and a victorious England.

I want to help England, but first of all I want to help this country and in helping Great Britain I believe that we are helping the United States. I earnestly hope that this amendment will be adopted. The President has the power under the Constitution, to do many of the things that the bill sponsored by the majority provides. I say to the Members in all seriousness, why legislate away your own powers, why legislate away the powers and responsibilities that your own districts have given to you. As I look into the faces of Members at the moment, I see great distress, great anxiety to defend America. For this is one of the most momentous bills that has ever come before the House in all history. I am going to attribute only the highest motives to every Member who votes today. I am only asking that you vote according to the dictates of your own conscience and for the preservation of the Constitution and the Government

that you swore to uphold when you took your oath of office. [Applause.]

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. O'CONNOR. Mr. Chairman, I move to strike out the last five words.

Mr. BLOOM. Mr. Chairman, will the gentleman yield to me to see if we cannot agree on some time for debate on this amendment?

The CHAIRMAN. Does the gentleman yield?

Mr. O'CONNOR. I yield, Mr. Chairman.

Mr. BLOOM. Mr. Chairman, I ask unanimous consent that all debate upon this amendment and all amendments thereto close in 45 minutes, 30 minutes of that to be controlled by the gentleman from New York [Mr. FISH] and 15 minutes by myself, this time to be exclusive of the time to which the gentleman from Montana [Mr. O'CONNOR] is entitled.

The CHAIRMAN. The gentleman from New York asks unanimous consent that debate upon this amendment and all amendments thereto close in not to exceed 45 minutes, 30 minutes of that time to be controlled by the gentleman from New York [Mr. FISH] and 15 minutes by the gentleman from New York [Mr. BLOOM], exclusive of the time to be occupied by the gentleman from Montana [Mr. O'CONNOR]. Is there objection?

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from Montana.

Mr. O'CONNOR. Mr. Chairman, on two occasions heretofore I have expressed myself on H. R. 1776 as being opposed to it. I am opposed to that bill as written, and I shall vote against it, if the bill as written should be voted on. My people in the western country are united on four propositions—first, to do everything we can for Great Britain, without danger of involving ourselves; second, to build up our defenses so that no nation on earth can successfully attack us; third, to keep this Nation out of war. That is the mandate that we received when we ran for office. Fourth, I was never told and I never received a mandate from my people to abdicate my job as Congressman representing the Second District of the State of Montana. We who ran for office received a mandate from our constituencies to keep this country out of war. My opinion is that if we pass H. R. 1776, as written, we will be on the road to war. The Secretary of the Navy and the Secretary of War did not run for office, they did not receive this mandate from the American people. Now, to whom is the President of the United States going to look for advice, except to the Secretary of War and the Secretary of the Navy? I do not think that we should put the future of the American people, the future of our country, the lives, the blood of our young men, and the property of our people in the hands of two men who did not go before the people for election to the offices which they now hold. In the final analysis that is just what this bill means. The Presidency of the United States is the biggest job that any man could ever hold. He necessarily has to

look for outside help and for advice. No human being could do this work alone.

Mr. Chairman, it is difficult for me not to follow our distinguished majority leader, for whom I have the greatest admiration. He made a speech yesterday on the floor of this House that will go down in history as one of the greatest and most memorable speeches ever delivered from his viewpoint. However, he said many things with which I cannot agree.

As to those who vote against this bill, he said the responsibility would be theirs. Mr. Chairman, I accept that responsibility, whatever it may be. Whatever happens to me is of little consequence, but what happens to my country is of great consequence, and I say further that my opinion is, anyone who votes to abdicate his powers as Congressman, who turns the trust and duties that the American people reposed in him over to somebody else to perform, is the one who is evading his responsibility and not one who votes to continue to face the future, whatever it is, and to continue to perform his duties as Congressman, and fulfill his trust to his country and people.

Another thing I want to call to your attention: They are talking about giving money to Great Britain. Give her everything she wants. God help her! I want her to have everything that can be spared, but as long as she has security, I want her to pay for it. I want her to put up security. I do not want to subordinate the American taxpayer in this country for the British taxpayer in Great Britain. I do not believe we owe more to the British people than we do to ourselves. We have want in this country today. It is stalking us everywhere. If it were not for this war, unemployment would be likewise stalking us every place; and it still is to some degree. Are we going to turn over our homes and farms of our country to some foreign nation? Is that our duty? Are we representing the United States or some foreign country? That is the question for us to decide when it comes to the extension of credit.

As I understand the substitute bill, it simply means that it will put a ceiling of \$2,000,000,000 upon the amount to be loaned. That is fairly reasonable. It also eliminates a lot of power that is given to the President of the United States. God bless the President of the United States. I would give him any power if it were humanly possible for any man to carry it out without having to rely upon someone else, but it is not. The job is too big. He must depend upon others. Harding depended upon others. Those others that the President will have to depend upon did not go before the American people and state their position and state their views and state what they would do in the event of their election. Every one of us said that we would keep this country out of war; that we would take no step to involve us in war, but send our convoy ships to Europe in danger zones and, as the President said, the shooting begins and the war is on. The die is cast and Congress will have nothing to say about it in the future. We must



under any circumstances prohibit as far as we can such action. It means war. [Applause.]

[Here the gavel fell.]

Mr. FISH. Mr. Chairman, I yield to the gentlewoman from Ohio [Mrs. BOLTON].

Mrs. BOLTON. Mr. Chairman, I rise with the hope that we may be more inclined to unity than we seem to be over all of these matters. I hope most earnestly that on both sides of the aisle there is but one idea, and that idea the protection of America. [Applause.]

To my mind, we are making a very serious mistake if we permit any irritations, shall I say, to enter into the discussion of any phase of this very important legislation. [Applause.] If we permit ourselves to be small about these things, then we will really be selling out our country, no matter what we do. If, on the other hand, we see our goal, and that goal is America, we will call into this House the spirits of our forefathers. We would do well, perhaps, to ask their guidance, for we quote them all very glibly. How much do we listen to the meaning of their words?

It is perfectly American that we change our viewpoints as we go along. It is American that we differ in our attitude. That is America. It is not American when we do not give due consideration to these very serious matters as they come before us. I say that to both sides of the aisle, not just to those with whom for the moment I may not agree.

I think we are in agreement on the main issues. We want to help the country that more than all others, probably, mothered us as a nation before we broke away and began to build our own method of life.

Now, surely what we mean to do is to help her in the best way possible now—not later on. Why? Because her need is immediate and because we need time, for we are tragically undefended. We have already given our President a great deal of authority, more than any other President has had. I would give it to him just as gladly as you did, if I believed it would protect our Republic, but I do not believe that we can be a democracy and give this total power to the President.

That is why I speak for the amendment that the gentleman from South Dakota [Mr. MUNDT] has brought before us. I believe that in this amendment we do far more than can be done through H. R. 1776, to help England, and at the same time we would protect the United States against those things which are hidden, and which are beyond our ken at the moment. Let me remind you of that which in the history of the world has always happened when all power has been granted even for a short space of time to any one man. Has any one of them ever willingly yielded it back to the people? [Applause.]

[Here the gavel fell.]

Mr. RICHARDS. Mr. Chairman, I yield 5 minutes to the gentleman from Texas [Mr. KLEBERG].

Mr. KLEBERG. Mr. Chairman, I most heartily concur in the spirit and the calm-

ness exhibited by the gentlewoman from Ohio [Mrs. BOLTON]. As a matter of fact, both the legislative and executive branches of our Government, working together, find themselves in a veritable Gethsemane at this tragic hour. Since the most remote period when the existence of man was first noted on earth man has been at war. For instance, since 1496 B. C. down to the present date, 1941 A. D., there have been in that 3,437 years but 227 years of peace. Think of it! There have been more than 14 years of war for every year of peace. In that memorable period of time just preceding, during, and following 1776, for the first time in the history of the ages the plan which had come from the hearts and souls of men was heard and acted upon by a sufficient number to bring into existence the United States of America, a government of reason, a government of law, based firmly on faith in God.

In this hour when we cavil back and forth, let us remember that we must first win the battle within ourselves, the battle against those human frailties which through the ages are best reflected by failure on the part of man to use his reason, by his consistently allowing those tragic wars through the ages, using war, and the god of war, if you please, as a one-man court before which to settle his differences. In all seriousness, Mr. Chairman, the proposition before us today is one which involves three major things. The first must be shown by our ability to harness our expression against ignorance, more or less capricious and effulgent statements, if you please, and to indulge in the purest, most crystal-clear exercise of God-given reason that man has ever been called upon in the history of the world to practice and exert.

The bill we have before us for consideration is opposed by some people because of perfectly honest and patriotic views concerning, for instance, the possibility that this bill might take away from us our freedom, our government of reason and law. On calm consideration those arguments we find fail because of the amendment limiting the operation of the bill to a given circumscribed period.

Let us now look at the major possibilities contained within the bill itself. The major thing that can be done under this bill immediately is to support, build up, and sustain the morale of that part of Christian civilization which is battling for its rights, its existence, and its freedom against Godless, atheist leadership and the spirit of aggression and conquest. [Applause.] If we weaken our support of H. R. 1776, which is widely publicized and is the bill before us, by substituting another measure, we will weaken the morale of Britain and Greece.

My countrymen and my colleagues, I take the floor on this occasion to lay before you and abler minds than my own some thoughts for your patriotic, earnest, and honest consideration. Some thoughts upon which, after consideration, action must be taken. Action upon which more, in my opinion, depends concerning our future and the future of the world than in any like period in the world's history. The hand of fate has inexorably laid upon

our shoulders and minds responsibilities unparalleled in the annals of history.

Our common God has willed this test, and, God willing, we will discharge our obligations.

In times remote, when the existence of man on earth was first noted, we have it that man has made war against inanimate objects, animals, cold, hunger, and, in short, everything that has resisted his will to live. Man has always been forced to struggle for existence, as he has also been forced to war with his fellows, with other men and other groups of men. In any event, this is true as far back as we have record of his activity.

The chronology of human events has been marred almost continuously through the ages by this mass malignity peculiar to man. From the writings of I. S. Bloch on *The Future of War*, written in Boston in 1899, we find this quotation. I quote:

An analysis of the history of mankind shows that from the years 1496 B. C. to the year 1861 of our era—that is, in a cycle of 3,357 years (there) were but 227 years of peace and 3,130 years of war. In other words, there were 13 years of war for every year of peace.

By my own research into the history of the period from 1861 to the present date, 1941, we find that there has not been one single year of that period during which a war or several wars were not being waged in each of those years. From the *United States News* in Washington, October 10, 1939, page 1, we find this language. I quote:

#### TWENTY YEARS OF PEACE?

Armed conflict over two-thirds of world since signing of the armistice in 1918; 45 countries—about two-thirds of the world's land surface—have been the scenes of wars, revolts, and revolutions continuously in the past 20 years.

I have before me a compilation of the outstanding wars of the world made by Clarence R. Williams on January 11, 1929. This compilation begins with Persia's invasion of Greece in the year 492 B. C. and ends with the World War in 1918. I have here, too, before me, from the records of the Carnegie Endowment for International Peace Library, a memorandum on the Wars of the World, List of Wars, Quotations on Comparative War and Peace Years, and References to Books on the History of War, compiled by Mary Alice Matthews, which at the proper time I will request may be included with my remarks at this juncture.

#### OUTSTANDING WARS OF THE WORLD

(Clarence R. Williams, January 11, 1929)

1914-18	World War.
1870-71	Franco-Prussian War.
1853-55	Crimean War.
1792-1815	Wars of Revolutionary France and of Napoleon.
1775-83	American Revolution.
1756-63	Seven Years War—France loses her American colonies.
1740-48	War of the Austrian Succession—Austria loses Silesia.
1701-13	War of the Spanish Succession.
1688-97	War of the Palatinate, France against European coalition.
1672-78	War of Louis XIV with Holland.
1667-68	War of Louis XIV with Spain over Spanish Netherlands.
1618-48	Thirty Years' War.



- 1555 Religious wars in Germany end with the Peace of Augsburg.  
 1521-25 Wars between Charles V and Francis I.  
 1338-1453 Hundred Years' War which expelled England from Continent.  
 1096-1272 The seven crusades.  
 1066 Conquest of England by the Normans under William.  
 772-804 Wars of Charlemagne.  
 632-732 Mohammedan conquests.  
 732 Charles Martel with Franks defeat Saracens at Tours.  
 378-476 Barbarians invade and overthrow Roman Empire in the west.

B. C.

- 264-146 Punic Wars—Rome against Carthage.  
 336-324 Conquests of Alexander.  
 492-479 Persia's invasion of Greece.

[Carnegie Endowment for International Peace Library, Washington, D. C., M. Alice Matthews, librarian. Memoranda series, No. 1, November 10, 1939]

WARS OF THE WORLD—LIST OF WARS; QUOTATIONS ON COMPARATIVE WAR AND PEACE YEARS; AND REFERENCES TO BOOKS ON THE HISTORY OF WAR

(Compiled by Mary Alice Matthews)

LIST OF WARS, 1588-DATE<sup>1</sup>

- 1588 Spain against England—The Armada.  
 1600-1606 Austro-Hungary-Turkey.  
 1615-17 Uskok war with Venice.  
 1618-48 Thirty Years' War.  
 1620-29 French war with the Huguenots.  
 1627-29 War of the Mantuan succession.  
 1635-59 French war with Spain.  
 1642-49 First English revolution.  
 1663-64 Austro-Hungary-Turkey.  
 1673-78 Austro-Hungary-France.  
 1683-98 Great Turkish war.  
 1686-97 France against the League of Augsburg.  
 1688-89 Second English revolution.  
 1689-97 Austria-Hungary-France.  
 1701-14 War of the Spanish succession.  
 1703-11 Insurrection in Hungary.  
 1709 Russo-Swedish war—Battle of Poltava.  
 1716-18 Austro-Hungary-Turkey.  
 1718-20 Austro-Hungary-Spain (quadruple alliance).  
 1733-35 War of the Polish succession.  
 1737-39 Austro-Hungary-Turkey.  
 1741-48 War of the Austrian succession.  
 1751-57 War in India. France against England.  
 1755-59 French and Indian war in America. France against England.  
 1756-63 Seven years' war. Prussia against France, Austria, and Russia.  
 1774 Catherine of Russia against Turkey.  
 1776-83 American Revolution.  
 1778-79 War of the Bavarian succession.  
 1784-85 Austro-Hungary-Holland (Scheldt war).  
 1788-90 Austro-Hungary-Turkey.  
 1789-95 French Revolution.  
 1792-1815 Napoleonic wars:  
     First war, against Austria in Italy, 1796.  
     Second war, against England in Egypt, 1798-99.  
     Third war, against Austria, 1800.

- 1792-1815 Napoleonic wars—Continued  
     Fourth war, against the coalition, 1803-5.  
     Fifth war, against Portugal and Spain, 1808.  
     Sixth war, against Austria, 1809.  
     Seventh war, against Russia, 1812.  
     Eighth war, against the nations, 1813-14.  
     Ninth war, Waterloo, 1815.  
 1810-22 Revolt of Spanish colonies in South America.  
 1812-15 United States of America against England.  
 1816-18 Great Britain and India.  
 1817-18 First Seminole Indian war.  
 1820-34 Revolts in Portugal.  
 1821 Revolution in Naples.  
 1821-29 Greek war for independence.  
 1823 Revolt in Spain.  
 1824-26 Great Britain and Burma.  
 1828-29 Russo-Turkish war.  
 1830 Revolution in France.  
 1830-32 Revolution in Poland.  
 1830-39 War between Holland and Belgium.  
 1830-39 War in Portugal and Spain.  
 1831 Russian campaign in Poland.  
 1831 Papal states insurrection.  
 1832 Black Hawk Indian war.  
 1832-41 Turko-Egyptian war.  
 1833 Revolt in Portugal.  
 1833-40 Civil war in Spain.  
 1835-42 Second Seminole Indian war.  
 1837-38 Insurrection in Canada.  
 1838-42 First Afghan war.  
 1840-42 Great Britain's Opium war in China.  
 1844 War of France against Morocco.  
 1846-48 United States of America against Mexico.  
 1848-49 Austro-Hungarian war.  
 1831 }  
 1848-49 } Italian wars of liberation.  
 1859 }  
 1866-67 }  
 1851-64 } War between Russians and Circassians.  
 1852-53 War between Montenegrins and Turkey.  
 1853 Revolution in Mexico.  
 1854-56 Crimean war.  
 1856-57 Great Britain against Persia.  
 1856-60 French and British war with China.  
 1857-58 Indian mutiny.  
 1857-60 Chinese war.  
 1858 Revolution in Mexico.  
 1858 Turkey and Montenegro.  
 1859 Austria against Sardinia and France.  
 1859-60 Spanish expedition to Morocco.  
 1861-65 American civil war.  
 1862-67 French expedition to Mexico.  
 1862-90 Wars between United States of America and American Indians.  
 1864 Dano-Prussian war.  
 1864 Prussia and Austria against Denmark.  
 1864-70 Brazilian war.  
 1866 Austro-Prussian War.  
 1867 Revolt in Greece.  
 1867-68 British expedition in Abyssinia.  
 1870-71 Franco-Prussian War.  
 1873-74 The Ashanti War.  
 1877-78 Russo-Turkish War.  
 1878-81 Second Afghan War.  
 1879 Zulu War.  
 1879-82 Chile-Peruvian War.  
 1880-81 First Boer War.  
 1881 French expedition in Tunis.  
 1882 Egyptian War.  
 1884-85 Franco-Chinese War.  
 1823-36 }  
 1851 } Burmese wars.  
 1885 }  
 1885 Serbo-Bulgarian War.  
 1887-95 Italy against Abyssinia.  
 1889-93 German conquest of German South West Africa.

- 1890 Guatemala and San Salvador War.  
 1891 Civil war in Chile.  
 1891-93 Revolution in Brazil.  
 1892 Revolt in Morocco against French rule.  
 1893-94 Great Britain's Matabele War.  
 1894-95 Chino-Japanese War.  
 1896 Revolt in Philippines against Spain.  
 1896-97 Revolt in Crete.  
 1896-98 War in the Soudan.  
 1897 Turko-Greek War.  
 1898 Spanish-American War.  
 1899-1900 Boxer uprising in China.  
 1899-1901 Filipino insurrection against United States' rule.  
 1899-1902 Boer wars (South Africa).  
 1901-2 Revolution—Colombia.  
 1903 Insurrection in Panama against Colombia.  
 1904 Great Britain and Tibet.  
 1904-5 Russo-Japanese War.  
 1906 Revolt in Ecuador.  
 1906 Moro battles in Philippine Islands.  
 1906 Revolt in Cuba.  
 1907 Japan's conquest of Korea.  
 1907 Moroccan revolt against France.  
 1907-9 Revolt in Persia.  
 1908 Italy against Abyssinians in Somaliland.  
 1908 Civil war in Morocco.  
 1908-9 Revolutions in Turkey.  
 1908-12 Algerian and Moroccan rebellions.  
 1909 Revolutions in Nicaragua.  
 1910 Revolution in Portugal.  
 1911-12 Revolution in China.  
 1911-12 Turko-Italian War.  
 1911-14 Revolution in Mexico.  
 1912 Civil war in Santo Domingo.  
 1912-13 Balkan wars.  
 1914-16 Punitive expeditions of United States of America against Mexico.  
 1914-18 World War.  
 1918-19 Civil war in Finland.  
 1918-19 Uprisings in Spain.  
 1918-20 Imperialist campaigns against Soviet Russia.  
 1918-20 Russo-Polish War.  
 1918-21 Civil war in Soviet Union.  
 1919-21 Irish revolution.  
 1919-22 Riff War in Spain.  
 1919-22 Greco-Turkish wars.  
 1920 French war on Arabs in Syria.  
 1920 Civil war in China.  
 1921-22 War in Asia Minor (Turkey and Greece).  
 1923-24 Rebellion in Mexico.  
 1924 Revolt in Brazil.  
 1925-26 The Riff war in Morocco.  
 1925-26 Insurrection in Syria (France).  
 1926 Revolution in Portugal.  
 1926-27 Nicaragua—revolutionary movement.  
 1927-30 China civil war  
 1929 Arab revolt in Palestine.  
 1929 Afghanistan rebellion.  
 1929 Mexican revolution.  
 1929 Revolt in Persia.  
 1929-31 China-Japan—Manchurian invasion.  
 1930 Bolivian Government overthrown.  
 1930 Civil wars in India, Argentina, Spain, and Brazil.  
 1931 Peruvian Government overthrown.  
 1931 Brazil—revolution in Sao Paulo.  
 1931 Panama revolution.  
 1932 Chile revolution.  
 1932 Japanese invasion of Shanghai.  
 1932-34 Leticia dispute (Bolivia and Paraguay).  
 1933 Cuban Army revolt.  
 1933-35 China-Japan clashes.  
 1934 Austrian civil war.  
 1934 Spain—Monarchist revolt.  
 1935-36 Ethiopia-Italy (Abyssinian War).  
 1936-39 Spanish civil war.  
 1937 Sino-Japanese War.  
 1938 Arab revolt in Palestine.  
 1939 (Sept. 3) Second European War.

<sup>1</sup>Names and dates of wars not verified. This list was compiled from partial lists of the principal wars of the world as found in: Allen, Devere, *Fight for Peace*; New York, 1930; appendix I. Bakeless, John, *Economic Causes of Modern War*; New York, 1921; see contents. Nearing, Scott, *War, Organized Destruction*; New York, 1931; p. 171. Ponsonby, Arthur, *Wars and Treaties, 1815-1914*; London, 1919; see contents. Turner, Tell, *Causes of War*; Boston, 1927; p. XIII.



## WARS OF ENGLAND

1778-81	First Mahratta War.
1778-83	North American (and with France).
1780-84	War with Netherlands.
1793-1802	Revolutionary War (with France).
1782-84	First Mysore War.
1790-92	Second Mysore War.
1803-14	War with France.
1815	Hundred Days War (Waterloo).
1801	War with Denmark.
1802-6	Second Mahratta War.
1806	Sepoy revolt.
1810-12	War with Sweden.
1807-12	War with Russia.
1812-15	War with United States.
1814-17	Gorkha War.
1817-18	Third Mahratta War.
1824-25	First Burma War.
1824-25	Ashanti War.
1826	Burma War.
1826	Intervention in Portugal.
1827	War with Turkey.
1832	Intervention in Netherlands.
1838-42	War with Afghanistan.
1840-42	War with China.
1840-41	Egyptian Insurrection.
1843-49	Sikh wars.
1845	Intervention in Uruguay.
1845-56	Intervention in Argentine
1851-52	Kafir War.
1852-53	Second Burma War.
1854-56	War with Russia.
1856-57	War with Persia.
1856-60	War with China.
1857-58	Mutiny of the Sepoys in India.
1863-64	Ashanti War.
1863-69	Maori War.
1867-68	War with Abyssinia.
1874	Ashanti War.
1878-80	War with Afghanistan.
1879	Zulu War.
1880-81	War in Transvaal.
1881-85	War of the Sudan.
1882-84	Occupation of Egypt.
1885-89	Third Burma War.
1895-96	Ashanti War.
1896-99	War of the Sudan.
1897-98	Intervention in Crete.
1899-1902	Boer War.
1900	Boxer Insurrection.
1901-2	Somali War.
1903-5	Tibet Expedition.
1908	War on the northwestern boundary of India.
1914-18	World War.
1919	Afghan War.
(Total for 150 years, 54 wars, lasting 102 years, or 68 percent.)	

## WARS OF FRANCE

1779-83	War with England (North America.)
1792-97	First Coalition War (against Dutch, Reinish, Italians, Spanish).
1789-1800	Second Coalition War.
1793-1802	War with England.
1793-96	War in Vendee.
1795-1802	Egyptian Expedition of Napoleon.
1791-1802	Insurrection in San Domingo.
1805	Third Coalition War.
1806-7	War with Russia and Prussia.
1809	War with Austria.
1803-14	War with England.
1808-14	War with Spain.
1812	War with Russia.
1813-14	War against German States (Hundred Days War—Waterloo).
1823	Spanish Expedition.
1827	War with Turkey.
1829	War on Madagascar.
1830-47	War in Algeria.
1832	War with Holland.
1834	War with Portugal.
1838-39	War in Mexico.
1838-40	War in Argentina.
1843-44	War with Morocco.
1845	Expedition to Uruguay.
1845	War on Madagascar.
1847	War in Cochinchina.
1849	Roman Expedition.
1854-56	Crimean War.

1857-62	War with Annam.
1859	Austro-Italian War.
1860	Syrian War.
1860-61	War for Papal State.
1861-62	Cochin China War.
1861-67	War in Mexico.
1862-64	War with China.
1867	War in Rome (against Garibaldi).
1873-74	Franco-Prussian War
1873-74	War in Tonkin.
1881-82	War on Tunis.
1883-85	War on Madagascar.
1883-85	War with Tonkin.
1884-85	War with China.
1890-92	War on Dahomey.
1890-94	War on Sudan.
1893	War on Siam.
1893-94	War on Morocco.
1894	War with Tonkin.
1895-97	War on Madagascar.
1900	Boxer Insurrection.
1907-12	War on Morocco.
1914-18	World War.
1925-26	Riffian War.

(Total: For 150 years, 53 wars, lasting 99 years, or 66 percent.)

NOTE.—From the Seattle Star of July 10, 1939. Reprinted in CONGRESSIONAL RECORD (daily) volume 85: 400-401 October 9, 1939).

Wars	Year war commenced	Number of years since last war
IN EUROPE		
The French Revolution.....	1789	-----
The Napoleonic Wars.....	1805	16
The Second French Revolution.....	1830	25
The Third French Revolution.....	1848	18
The Crimean War.....	1855	7
The Franco-Austrian War.....	1859	4
The Danish War.....	1864	5
The Prussian-Austrian War.....	1866	2
The Franco-Prussian War.....	1870	4
The Russo-Turkish War.....	1877	7
The Spanish-American War.....	1898	21
The Boer War.....	1899	1
The Russo-Japanese War.....	1904	5
The World War.....	1914	10
IN ASIA		
The Opium War.....	1839	-----
The Second Opium War.....	1856	17
The Franco-Chinese War.....	1884	28
The Sino-Japanese War.....	1894	10
The Boxer War.....	1900	6
The Russo-Japanese War.....	1904	4
The Chinese Revolution.....	1911	7
The World War.....	1914	3

NOTE.—From Neutrality in Asia, by L. E. Tsao. Chinese Social and Political Science Review, October 1936, v. 20: 393.

## QUOTATIONS ON COMPARATIVE WAR YEARS AND PEACE YEARS IN THE WORLD

From the Congress of Berlin in 1878 to the outbreak of the World War in 1914, there were some 20 full-dress wars, not to mention numerous small affrays, which left the world only 4 entirely peaceful years, 1886, 1888, 1889, 1910. From Bakeless, John, Origin of the Next War. New York, 1926; page 30.

From the commencement of the eighteenth century, Great Britain, France, and Russia have been the most formidable powers in Europe, while Holland, Denmark, and Portugal have ranked among the minor states. From 1700 to the general peace in 1815, these countries had been engaged in war as follows: Great Britain, 69 years; Russia, 68 years; France, 63 years; Holland, 48 years; Portugal, 40 years; Denmark, 28 years. From Jay, William, War and Peace. New York, 1919; page 49.

Woods shows that between 1450 and 1850 (400 years) Austria was engaged in war for 234 years; England for 198 years; France for 192 years; Spain for 271 years; and Russia for 250 years (figures taken from Frederick A. Woods, Is War Diminishing? Boston, 1915). Since 1920 there has not been a single year in which a war did not take place somewhere in

the world. From Nearing, Scott, War Organized Destruction. New York, 1931; pages 143 and 171.

An analysis of the history of mankind shows that from the year 1496 B. C. to the year 1861 of our era, that is, in a cycle of 3,357 years, there were but 227 years of peace and 3,130 years of war; in other words, there were 13 years of war for every year of peace. From Bloch, I. S., Future of War. Boston, 1899; page LXV.

Austria-Hungary, 1618-1913: In the number and significance of the wars in which she has been engaged in the last 300 years, the Austro-Hungarian monarchy ranks second among the military powers of Europe, only France surpassing her in that respect. \* \* \* These 12 wars (1600-1697) occupied 77 years, leaving only 23 years of peace in the century. \* \* \* The proportion of peace years to war years in the eighteenth century is somewhat more favorable than that in the seventeenth, but the war years are still in excess, 59 to 41. \* \* \* The number of peace years here (1800-1892) begins to exceed that of the war years, 25 years of war against 75 years of peace. From Bodart, G., Losses of Life in Modern Wars, Austria-Hungary. Oxford, 1916; pages 1-6.

France: 1614-1913: Not counting colonial wars, France has in these three centuries passed through 148 years of war and 152 years of peace. \* \* \* Since 1614 the number of years of war is almost equal to that of the years of peace. \* \* \* Thus, during the eighteenth century France had 48 years of peace as against 52 years of war. \* \* \* During the nineteenth century France had 26 years of peace as against 74 years of war, or, eliminating fighting in the colonies and overseas expeditions, 68 years of peace as against 32 years of war. From Bodart, G., Losses of Life in Modern Wars, France, 1614-1913. Oxford, 1916; pages 75-78.

It is a curious and interesting fact that since private wars ceased, each 100 years has witnessed a great foreign war, or series of foreign wars, and a great revolution or series of revolutions. Thus, no sooner was the Hundred Years War at an end than the revolution of the Renaissance began. \* \* \* No sooner had the seventeenth century run its course than the war of the Spanish Succession, 1702-14, was declared, and a simmering war period followed until 1740, when the war of the Austrian Succession broke out, and eventually plunged Europe into the Seven Years' War, 1756-63, the great war of the eighteenth century. This war was followed by the birth of the Industrial Revolution, the revolt of the American Colonies, 1775-83, and the French Revolution, 1789. Out of these emerged another great war which, fired by the genius of Napoleon, lasted until 1815. Directly this war was concluded another revolutionary period began, embracing the independence of South America, the release of Greece from Turkish rule, ferment in the Moslem world, the political revolution in England in 1832, the overthrow of the monarchy in France, prolonged agitation in Spain, the emergence of modern Italy, later of Japan, the general ferment of 1848, the Mutiny in India, and the American Civil War of 1861-65. Meanwhile another great war period was entered; the war in the Crimea, 1854-1856, the Austro-Prussian War, 1866, the Franco-Prussian War, 1870-71, the Russo-Turkish War, 1877-78, the colonial wars of the 80's, the Spanish-American War, 1898, the war in South Africa, 1899-1902, the Russo-Japanese War, 1904-5, the Balkan Wars, 1912-13, and finally the World War of 1914-18. Out of this last war emerged the Russian Revolution, a large number of other revolutions in Europe and South America, the establishment of dictatorships, widespread revolt in Ireland, Egypt, India, and China, and a general economic collapse. From Fuller, J. P. C. The Dragon's Teeth. London, 1932, pages 207-208.



Twenty years of "peace." Armed conflict over two-thirds of world since signing of the Armistice in 1918. Forty-five countries—about two-thirds of the world's land surface—have been the scenes of wars, revolts, and revolutions in the past 20 years. From United States News (Washington), October 10, 1939, page 1.

The percentages of years with and without war. \* \* \* The data for the question have been given above \* \* \* we present the data in the form of a summary.

TABLE 21.—Percentage of years with war  
Percent of years with war of the total number of years studied:

Greece .....	57
Rome .....	41
Austria .....	40
Germany .....	28
Holland .....	44
Spain .....	67
Italy .....	36
France .....	50
England .....	56
Russia .....	46
Poland and Lithuania .....	58

Table 21 shows that Germany has had the smallest (28) and Spain the largest (67) percent of years with war, the other countries occupying various positions between the two. All in all, about 50 percent of the years in these countries had an occurrence of war. Many wars lasted much less than a whole year; therefore, the period of peace in the history of these countries is certainly larger than the percent of years with peace, according to the table. (From Sorokin, P. A.) *Fluctuation of social relationships, war, and revolution*. New York, American Book Co., 1937, pages 351-352. (His *Social and Cultural Dynamics*, vol. 3.)

#### REFERENCES TO BOOKS ON THE HISTORY OF WAR<sup>1</sup>

Allen, Devere. *The Fight for Peace*. New York, Macmillan, 1930. 740 pages. Appendix I: Conflicts since the beginning of the organized peace movement. Wars of great magnitude (9) printed in capital letters; large-scale conflicts (49) in italics; minor conflicts (194) in ordinary type. Total in 114 years (252).

Angell, Sir Norman. *The Great Illusion*; a study of the relation of military power to national advantage. Fourth revised and enlarged edition. New York and London, G. P. Putnam's Sons, 1913. 416 pages.

Atteridge, A. Hilliard. *Naval and Military Developments From the Close of the Middle Ages to the Present Time*. (In Eyre, Edward. *European civilization*. New York, Oxford University Press, 1937, vol. 5; 1087-1260.) A study of war and peace in various periods, 1520-1932.

Bakeless, John Edwin. *The Economic Causes of Modern War*; a study of the period, 1878-1918. New York, Moffat, Yard & Co., 1921. 265 pages. (Williams College, David A. Wells prize essays, No. 6.) Bibliography: pages (231)-249. The economic motives of the wars of the world: 1878-1914 (and 1914-18), chapters 3-4.

Bakeless, John Edwin. *The Origin of the Next War*; a study in the tensions of the modern world. New York, Viking Press, 1926. 318 pages.

Bloch, Ivan (Stanislavovich). *The Future of War*, in its Technical, Economic, and Political Relations. Translated by R. C. Long. Boston, Ginn & Co. (1899). A translation of the last volume of the author's six-volume work on war.

Bodart, Gaston. *Losses of Life in Modern Wars*. Austria-Hungary (1618-1913), France (1614-1913), Military selection and race deterioration, by Vernon Lyman Kellogg. Oxford, the Clarendon Press; London, New York,

H. Milford, 1916. 207 pages. (Carnegie endowment for international peace. Division of economics and history.) Austria-Hungary: The years of war and years of peace in the last three centuries, pages 3-7. France. Wars of France in the last three centuries. Pages 75-81.

Burns, Cecil Delisle. *War and a Changing Civilization*. London, John Lane (1934), 154 pages. Bibliography: Pages 151-152. Analysis of war as a psychological and moral disease.

Butler, Smedley Darlington. *War Is a Racket*. New York, Round Table Press, Inc., 1935; 51 pages. "A hard-hitting soldier exposes and denounces the racket of war and outlines a program for the control of wars in future."

Coblentz, Stanton Arthur. *Marching Men; the Story of War*. New York, Unicorn Press, 1927; 488 pages. Man the warrior from prehistoric times to the World War.

Cowan, Andrew Reid. *War in World History*; Suggestions for Students. London, New York, Longmans, Green & Co., 1929; 120 pages. The influence of war in history. How civilization has been marred by the "mass malignity" peculiar to man.

Crosby, Oscar Terry. *International War; Its Causes and Its Cure*. London, Macmillan, 1919; 378 pages.

Custance, Sir Reginald Neville. *A Study of War*. London, Constable & Co., Ltd., 1924; 214 pages. To elucidate the theory of war and explain causes of differences between the political and military points of view.

Dave, Maurice Rea. *The Evolution of War*; A study of its role in early societies. New Haven, Yale University Press; London, Oxford University Press, 1929; 391 pages. Bibliography: (1923) 155 pages.

Dumas, Samuel. *Losses of Life Caused by War*, by Samuel Dumas and K. O. Vedel-Petersen. Oxford, the Clarendon Press; London, New York, H. Milford, 1923; 191 pages. (Half title: Publications of the Carnegie Endowment for International Peace. Division of Economics and History.) Bibliography: Pages (7)-13.

Fuller, John Frederick Charles. *The Dragon's Teeth*. A study of war and peace, by Maj. Gen. J. F. C. Fuller; London, Constable & Co., Ltd., 1932; 337 pages. "A stimulating and provocative study of war in all its aspects."

Hull, William Isaac. *The War Method and the Peace Method*; an Historical Contrast. New York, Chicago, Fleming H. Revell Co. (c1929); 364 pages. "The verdict of history" traces the history of wars of various peoples from the early Egyptians to the present day.

Jay, William. *War and Peace*; the Evils of the First and a Plan for Preserving the Last; reprinted from the original edition of 1912, with an introductory note, by James Brown Scott. New York, Oxford University Press, 1919; 69 pages. (Half title: Publications of the Carnegie Endowment for International Peace. Division of International Law, Washington.) "From 1700 to the general peace in 1815, Great Britain had been engaged in war for 69 years, Russia for 63 years, France for 63 years, Holland for 48 years, Portugal for 40 years, Denmark for 28 years." Statistics of war from 1700 to 1815; page 49.

Jordan, David Starr. *War and the Breed*; the Relation of War to the Downfall of Nations. Boston, the Beacon Press (copyrighted 1915); 265 pages. The same topic is treated in two previous essays. *The Blood of the Nation and The Human Harvest*.

Mewes, Rudolf. *Kriegs- und Geistesperioden im Volkerleben und Verkundigung des Nachsten Weltkriegs*. Leipzig, M. Altmann, 1922; 672 pages. Conclusions of the author were quoted extensively by Sorokin in his *Social and Cultural Dynamics*; volume 3.

Nearing, Scott. *War; Organized Destruction and Mass Murder by Civilized Nations*. New York, the Vanguard Press (copyrighted 1931);

310 pages. Bibliography: pages 273-295. "Since 1920, there has not been a single year in which a war did not take place somewhere in the world." Partial list of wars since 1920; page 171.

Ponsonby, Arthur Ponsonby, baron. *Wars and Treaties, 1815-1914*. London, G. Allen & Unwin, Ltd. (1918); 99 pages.

Renn, Ludwig. *Warfare, the Relation of War to Society*. Translation by Edward Fitzgerald. New York, Oxford University Press, 1939; 276 pages. A broad outline of the natural history of warfare as it has been practiced from classical antiquity to the present.

Shotwell, James Thomson. *War as an Instrument of National Policy and Its Renunciation in the Pact of Paris*. New York, Harcourt, Brace & Co. (c1929); 310 pages.

Sorokin, Pitirim A. *Fluctuation of Social Relationships, War and Revolution*. New York, American Book Co. (c1937); 636 pages. (His social and cultural dynamics; vol. 3.)

*Fluctuation of War in Intergroup Relationships* (pp. 257-380). Appendix to part 2: Detailed Description of War Studies (by country subdivisions) 500 B. C. to 1925; pages 543-577.

The Percentages of Years With and Without Wars (pp. 351-352). A study of the social and cultural movements of the last 2,500 years. An analysis of 902 wars and 1,615 internal disturbances shows that the war index for the twentieth century reached "a total eight times greater than all the preceding centuries." (From the New York Times, April 21, 1937, p. 25.)

Sumner, Charles. *Addresses on War*. Boston, for the International Union, Ginn & Co. (1904); 319 pages.

Contents: The true grandeur of nations; the war system of the commonwealth of nations; the duel between France and Germany.

Taylor, Joseph Judson. *The God of War*. New York, Fleming H. Revell Co. (c1920); 255 pages.

An examination of the place and power that the extolling of militarism has had in the history of civilization through the centuries.

Turner, Tell Arminius. *Causes of War and the New Revolution*. Brief narratives of the principal wars from the Spanish Armada, 1588, to the treaties of Locarno, 1925; with special reference to their causes. Followed by the advocacy and the evidences of a momentous revolution in all civilized nations, beginning with the second quarter of the twentieth century. Boston, Marshall Jones Co. (c1927); 228 pages. List of wars from 1588-1925 (pp. XIII-XV).

Wingfield-Stratford, Esme Cecil. *They That Take the Sword*. New York, W. Morrow & Co., 1931. 424 pages. Traces the history of war and shows that by Nature man is a peaceful animal. Great nations in the past have progressed steadily until they entered upon wars of aggression. Their decline dated from that time.

Woods, Frederick Adams. *Is War Diminishing? A study of the prevalence of war in Europe from 1450 to the present day*, by Frederick A. Woods \* \* \* and Alexander Baltzy. Boston and New York, Houghton Mifflin Co., 1915. 105 pages. Shows that between 1450 and 1850 (400 years Austria was engaged in war for 234 years, England for 198 years, Spain for 271 years, and Russia for 250 years).

Wright, Quincy. *The Causes of War and the Conditions of Peace*. London, New York, Longmans, Green & Co., 1935. 148 pages. (Publications of the Graduate Institute of International Studies, Geneva \* \* \* No. 14. Fluctuations of war and peace, pages 21-48.

Even this list is by no means complete, but at that, it constitutes a grim indictment—yes, and conviction of man down through the ages to the present time.

<sup>1</sup> Histories of individual wars are not included in the list.



The wars listed here are each and every one the result of man's failure to utilize his God-given reason save only on the part of those who as defenders and not as aggressors were called upon to exercise the first law of nature—self preservation or the preservation of that same priceless and divine gift which came from the same source and at the same time with life, man's liberty. This grim chronological array of historic indictment and conviction is being added to during this very hour. What tragic inconsistency; man created in the image of his Creator and the Prince of Peace and its everlasting champion, while we witness a large section of Christian civilization at death grips, at war. Yes, while we even at this hour prepare our countryside and Nation against that God-forbidden day when we, too, may be embraced by a relentless war god in defense of our lives, our liberty, and our homes.

Down through the ages from the hearts, the minds, and the souls of men, and later from his lips there began to be heard from individuals and small groups a plaint that man was entitled to freedom, that man was entitled to liberty, from oppressions of various sorts. In earlier days he called out for relief from oppression from some tribal chieftain, later from some form of despotic government. From times remote, man has cried out and fought for liberation from oppression of various sorts. Sources from which such oppression and restraint came, existed only because of man's irrational tolerance. No government or ruler in history has abused the society under them beyond their ability to tolerate without being finally overthrown.

If we will but examine into man's past from the time when his existence was first noted, and if we do this dispassionately, earnestly, and honestly with our reasoning facilities keenly awake and unalterably dedicated to the service of our fellows, we will uncover some vital truths of astounding moment to us in this period of tragic emergency. Yes, too, we will open the door to many amazing opportunities which are to be found in the correction of man's outstanding errors of the past.

Time does not afford opportunity for more than brief discussion and analysis of a few of these which have direct and immediate bearing upon the matter before us. Up until the period ending with 1776 and the Declaration of Independence drafted and signed by our forefathers, mankind had been ruled, generally, in but one fashion. From the early days when the various societies of which individuals were a part were divided into tribes, these groups were ruled by the will and whim of tribal chieftains. From the time when several tribes were grouped together under the exercise of power by some tribe more powerful than the others into nations governed by emperors or kings or what-have-you, man was still subject even in these enlarged groups to the will and whim of individual personalized rulers. There have, of course, been times such as during the days of Plato and the Greek democracies when man's main efforts were put forth to set up ordered

organized societies where the individuals might take part. But until the period beginning—I repeat—with 1776, when the United States of America was a-borning, mankind had not reached the goal of functioning under an organized society which derived all of its just powers with and by the consent of the governed people. Until the war of the American Revolution was fought and won, there had never been an organized society under government which was, in truth, a government of reason and based upon the teachings of our Creator and an imperishable faith in Him. There had never been a government or a society organized under government which, in fact, had come so nearly in answer to the plaints of tortured, oppressed mankind back through the ages. And so, today, as representatives of the great people and Government of the United States, as we sit in session and in consideration of a bill, H. R. 1776, may we recall and ever keep present in the forethoughts of our minds that this is a Government of reason, a Government based on a faith in God, and a Government which, in the last analysis, is inexorably charged with making decisions upon which depend our future and the future of Christian civilization. We must face the facts; we must use the facts, and from this great forum which constitutes today the last gigantic crucible in which the minds of Christian men and women, free in thought and speech and action, function for the benefit of mankind, God willing, will come the answer.

We are all citizens of the United States. We are all Americans. We all have the same God—and we all have the same objective—the best interest of our country. For my part, I believe in God and my country; I strive to serve both of them to the best of my ability; I propose to meet this obligation and carry this responsibility, not as a Republican, not as a Democrat; not as a Protestant, a Catholic, or a Jew; not as a Frenchman, a Scotman, an Italian, or any other nationality; not as a capitalist, a professional man, a clerk, a laborer, a mechanic, nor as a pauper—but as a citizen of the United States.

It is my unalterable purpose to participate in these deliberations and in the making of the decision which is to follow actuated by such reasoning power as I possess to a limited degree, dispassionately, without prejudice and with hatred in my heart for no man within my country. We have a job to do and a mighty big job. Let us do that job. Let us understand each other at the outset to avoid a repetition of a situation like unto that in the building of the Tower of Babel. We have a big stake in the outcome. Your children and my children and our children's children likewise participate.

The election is over. Our country has elected the President who, as such, is constituted Commander in Chief of the armed and naval forces of our country. Like unto us in this tragic period, if we are to succeed, he shoulders this great responsibility shoulder to shoulder with us. This is no time for rancor, bitterness, and grave dissension between and among us. If, in unity, there is strength, there

has never been more vital need for it than today. If we, the Members of the legislative branch, find ourselves in disagreement with the Chief Executive, our President, let us let him know the reason for this disagreement in a statesmanlike American way. Let us aid him in the performance of his duties which are more important today than ever before in history with wise counsel and the comforting handshake of fellow citizenship. Let us meet this crisis in the spirit and manner which the gravity of this occasion demands.

These are times for practical thought and action. The war in Europe is like all other wars in one major respect—the differences which caused its outbreak have again as through the ages brought on this war to act as a final tribunal for their settlements. Wars occur only because of the failure of human reason and its capacity to devise other means of arbitration and settlement. Today, we find the leader of the Axis and aggressor powers bent on conquest as a primary objective. Like other figures in history with this same bent, he cannot stop until he is stopped or conquers the world. To him, the conquest of England means nothing more than the removal of an obstacle in his path toward the attainment of world conquest.

The British Isles constitute, as it were, a switchboard from which the mighty British Navy is controlled. Of his machination and intrigue with other European and Asiatic powers, enough is already known to establish definitely enough for our purposes, the proof of solidarity of alliance and compacts between Germany and Italy and, yes, between Germany and Russia as well. The battle of England, however, is a different war in many respects from any that has heretofore been waged in history. The advance of civilized science has made this so. The facts are briefly these: First, the only danger which can come to the United States can only come after the location of operating bases by some foreign power on the Western Hemisphere. Second, as of today, the best defense existing against the location of such bases is Great Britain and the British Navy. Third, without the British Navy our best defense would be found in the development, if possible, of from ten to twenty thousand of the most powerful, effective long-range bombers in existence. The American manufacturing aviation industry can build such bombers—too, we have the best bomb sight in the world. This battle of England is definitely a battle of bombing planes. If we are to be given time to develop our industrial production of bombing planes, no better manner in which to do this can be found than at the outset by giving Britain all-out aid along this line. If we can help keep Great Britain alive and the British Fleet on the ocean, we will have established a double safeguard to the end of national security and its competent accomplishments. And fourth, if and when this tragic war shall end, our surplus bombing planes can be converted into passenger and freight carriers for commerce in the Western Hemisphere. And, lastly, in the face of the unholy alliance of



totalitarian powers, we find certain many interesting aspects. If we but review the facts, we become immediately convinced that our major problem is time in which to prepare.

Within our own country where defense preparations are going forward we find many matters which need our immediate attention. We are confronted with tremendous confusion and difficulties which by their very nature do not belong in this kind of a country. There are forces at work in this land of ours, such as class distinctions and hatreds together with incipient evidences of racial prejudices, which must be rooted out and discontinued. Class hatreds, for instance, were the basis upon which the flames of the Russian revolution were ignited and the communistic regime created thereafter. In the case of Hitler's Germany—it likewise was born of the flames of racial prejudices and hatreds which brought about Hitler's rise to power and these two in combination working as propaganda and as subversive influence have brought about in Europe the downfall of one democracy after another.

Sunday before last, at a Town Hall meeting here in Washington, I heard an address by Alexander Kerenski, ex-premier of Russia. Since hearing his speech I have procured a copy of his address which I have read and reread with intense interest. His was a most courageous, constructive, and enlightening speech. At the proper time I shall request by unanimous consent that I may be permitted to insert this speech in the CONGRESSIONAL RECORD for whatever value it may be as an addition to the compiled data concerning this troubled period in world history. Among other things he had this to say. I quote:

The truth must be faced squarely. The first phase of the war ended with the triumph of the totalitarian dictatorships. Our Europe is dead. Only Britain remains, on its island, cut off from Europe. And only Britain, in its stubbornness and ability to fight to the end, remains as the final hope for the resurrection of a free Europe. All the dictators regard the British Empire as the backbone of the pluto-democratic order which ruled the world until this war. They know that to establish a new order in Europe they must establish it throughout the world, in the Atlantic and the Pacific Oceans.

So, by force of necessity, the entire Anglo-American world is uniting in the defense of its right to live and of its way of life. This way of life is based on the individual liberty of each citizen and on the sovereignty of the people. Two worlds of ideas are in conflict and no compromise is possible between them. It is total war.

Total war is the war of ideas no less than of arms. The 20 years from Versailles to Hitler, while the old democracies were the masters of Europe, were barren years. There were no constructive ideas to build a new order. The new generation, born in the last war, had to have not only freedom, but a new social order to give to each enough bread. The dictators enticed millions by promising them bread without freedom. Now, these deceived victims know that without freedom they have even less bread.

Before all of us of the twentieth century, stands an incredibly difficult task. Unless we solve this problem perhaps all culture is to perish and the twilight of Europe will turn to world darkness. Our task consists in finding a real new order, in which the freedom of the individual will be preserved in an eco-

nomie system dedicated to the common good. But remember, the pre-war social order is dead forever and everywhere.

Remember, too, that we cannot achieve this task without the decisive victory of democracy not only over Hitler but over Stalin as well. Because Stalin and Hitler are brothers under the skin—both hate freedom and try to destroy its foundations for all time.

In the consideration of this bill before us, H. R. 1776, I realize that many difficulties lie before us before arriving at a decision concerning our final and united action. Like many of you, yes, most of you, and possibly all of you, I find myself at variance in many of its proposals and provisions. It is likewise clear to me that in making such a momentous legislative decision that inevitably there must be compromise. It is my earnest hope, due to the publicity given to our deliberation, that the procedure of our consideration of this measure will be orderly and devoid as nearly as possible of irrational or prejudiced statements or action. It is likewise my hope that after a surcease of 20 years from the consideration of war and its horrors by this body that the executive and legislative branches of the Government and the individuals who compose both branches may be tolerant of the effects of this unusual stress upon some of us.

This tremendous and unusual strain is indeed and in fact the actual test, not only of our capacity for self-government, but likewise of our capacity to meet the test of the tremendous responsibilities involved in world citizenship. This bill before us, constitutes a major challenge to our individual and national self-control, to our intelligence, and to our patriotism. During its consideration, it is my prayer, that we may be free from the effects of intolerance, appeals to our prejudice or our partisanship. May God grant us earnest, patriotic, constructive, practical, and tolerant minds during this period.

It is my belief in this serious moment that major responsibilities, obstacles, and difficulties, together with danger, uncertainty, and tragedy, weave into the fabric of human character greater potential strength and result in finer men and women and a better world. I have noted in the reading of history that great periods of national stress have produced greater and more constructive statesmanship. We have but to recall the prenatal days and the days of our national nativity to see irrefutable evidence of this truth.

During the days immediately preceding this debate, and on yesterday, statements were made by some of my colleagues in connection with the bill presently under consideration which gave evidence of the immediate effects of stress before we really get down to the business of reading and considering this bill for amendment, if necessary. Statements were made by Democrats charging Republicans with partisanship, and by Republicans charging Democrats with the same, and other more heinous failings. One particularly able address was made by one speaker who claimed that he was going to oppose the bill, and asserted that it violated both the Republican and Democratic Party platforms. Again, another able gentleman had his

suspensions aroused by what he termed the most unusual procedure developed by a visit of the English Ambassador from the Court of St. James's to the office of the chairman of the House Committee on Foreign Affairs.

The fact that one Member is a Republican and another is a Democrat can have no possible bearing on the position one should take with reference to this piece of legislation. Likewise, neither the Republican platform nor the Democratic platform have any real or pertinent value as a part in the proper consideration of this measure. Conditions have vastly changed since these platforms were written. Both of these documents are pledges of political parties written with the final objective of capturing votes and winning a political war.

This is a war far more vital to us in the matter of who might be the victor than in the case of the political war just passed, in which case at least the victor would have been an American and a citizen of the United States—an able and patriotic one.

In the case of the other instance referred to, where one of my colleagues had his suspicions aroused by the visit of the British Ambassador to the chairman in charge of this bill, we have evidence of another effect of this stress upon our thinking. A humorous consideration might be the conception that, forsooth and perchance, the Ambassador called to inquire of the chairman just what the Governor of North Carolina said to the Governor of South Carolina.

After all, even if we pass the most effective bill possible for the aid of England, which today, in my earnest opinion, constitutes the only effective obstacle and defense against an invasion by the Axis Powers, there is still much more for us to consider by way of adequate national defense.

Let us therefore get down to business. The most serious and desperately important business ever undertaken in history by a given group of men. Let us first divest ourselves as nearly as possible of all serious impedimenta to sane thought and reaction; unless we succeed in this, the results of our deliberation will not be the best of which we are capable. In times like these I hope our best will be good enough to meet the test. We should agree within the heart of each and every one of us that each and all the rest of us are motivated and influenced by a purely patriotic and God-fearing exercise of reason. We must accept differences of position and opinion concerning this bill as natural and inevitable. In this frame of mind and consequent conditions prevailing throughout the remainder of the bill's consideration and with the help of God, the results must be inevitably better.

In my opinion this bill should be passed. It must be passed. If by its passage England is saved, we likewise are safe. We, and the people that we represent combined, cannot prevent a declaration of war on us by Hitler, who has but to commit an act of war to engulf us. There is no possible doubt but that his determination to destroy England is in reality purposed to remove



her from his path in order to reach us. So, patently, in response to the first law of nations, national defense, we must aid England by every legitimate means short of war. That is exactly what H. R. 1776 proposes to do. We must do our best to keep out of war at the same time. This likewise is an objective of the bill before us. I nor no other man can say whether or not it is possible to achieve this latter objective. We know, and God knows, that we most earnestly desire to keep this Nation—our homeland—in peace and out of war.

I give you a little poem by Mabel Freer Loveridge, which is significant and emblematic of the prayer that comes from the hearts of American fathers and mothers. Its title is additional and serious evidence for your consideration—Foreboding:

While I am rocking you, my son,  
And singing lullabies,  
Someone is planning stouter planes  
For Death to ride the skies.  
While I am dressing you, my son,  
In little boyish suits,  
Someone is making uniforms  
And sturdy soldier boots.

While you are chasing butterflies  
Amid the tangled grass,  
Someone is testing chemicals  
To make a deadlier gas.  
And while you eat your simple fare,  
Perhaps the war lords sit,  
To start again the bugle notes  
That only call the fit.

While I would build a splendid man  
So fine and strong, my son,  
Someone in secret, tries to make  
A farther-reaching gun,  
A gun that on some distant day,  
When drums of battle roll,  
May leave me with a golden star  
And iron in my soul.

The CHAIRMAN. The gentleman from New York [Mr. FISH] is recognized.

Mr. FISH. Mr. Chairman, I yield 5 minutes to the gentleman from Michigan [Mr. HOFFMAN].

Mr. HOFFMAN. Mr. Chairman, the bill is unnecessary because everything it seeks to do, except the delegation of power, Congress can do by separate bills; as, for example, the other day we voted \$909,000,000 for a certain purpose. We can take up each individual request as it comes along and put it through the House.

This bill should not go through under any misapprehension as to what it means. There seems to be some. I call attention to page 215 of the CONGRESSIONAL RECORD where the majority leader the gentleman from Massachusetts [Mr. McCORMACK] said this in answer to the gentleman from Nebraska [Mr. CURTIS]:

The gentleman knows that the President cannot do a thing under this bill if it becomes a law until Congress appropriates the money, does he not?

Then later when the gentleman from Nebraska [Mr. CURTIS] said that was not correct the gentleman from Massachusetts [Mr. McCORMACK] replied:

Without the necessary appropriations to carry it into operation the bill cannot be operative until Congress appropriates the necessary money.

As to whether or not that statement is correct, every Member in this House can

judge for himself. All one needs to do is to turn to section 3 of the bill. It is, in part, as follows:

Notwithstanding the provisions of any other law, the President may, from time to time, when he deems it in the interest of national defense, authorize the Secretary of War, the Secretary of the Navy, or the head of any other department or agency of the Government \* \* \* to sell, transfer, exchange, lease, lend, or otherwise dispose of any defense article \* \* \* after consultation.

What is this we are transferring to the President but the war-making power?

#### FALLACIOUS ARGUMENT

Because of the unquestioned patriotism and outstanding ability of the gentleman from New Jersey [Mr. EATON] and of the gentleman from New York [Mr. WADSWORTH], we all listened attentively and with respect to their arguments in support of the passage of this bill.

The gentlemen were persuasive, but, translated to cold print and shorn of emotionalism and of the kindly feeling which we have for these two gentlemen, these arguments lose their force.

The argument of the gentleman from New York [Mr. WADSWORTH], as printed on page 541 of the RECORD, starts with the premise of the gentleman from New Jersey [Mr. EATON], which was and is that there is an attempt now being made, and I quote: "To spread revolution all over the world; revolution involving eventually the upsetting of social, economic, and political conditions everywhere, and the imposition of a set of new philosophies upon all nations, including our own."

Assume that there is such a revolution in progress. It does not follow that our best method of combating that revolution is to send a navy or an army to Europe.

Our people, whether or not they be mistaken, are opposed to fighting another war in the Eastern Hemisphere, whether it be in Europe, in Africa, or in Asia.

It is doubtful if any of the gentlemen who spoke for this bill will deny that statement. The gentlemen who spoke may be in favor of a war across the seas, but our people are not in favor of such a war.

Then comes the question, Are we to serve our people as they wish to be served? Are we to carry out their wishes and stay out of this war as we promised that we would do when we sought their votes?

Again, is it true, as has been stated on this floor that, in order to keep war from our shores, we must fight a war abroad? If we are to fight a war to stop this revolution, have not our people said they prefer to fight it here at home, where they think—and so many of us believe—we can best defend ourselves, resist the aggressor?

If American soldiers are again to die in a war which we did not cause nor bring about, in the settlement of which we shall have but little to say, is it not better that that war be fought here at home, where our boys, if they must die and be buried, can die in defense of the homeland, be buried in ground which we

own, rather than ground which we shall be forced to buy from the nation whose existence we are attempting to preserve?

Does anyone think the gentleman from New Jersey, the gentleman from New York believes that, if we are to engage in a total war, the chances of ultimate success are better if that war be fought in the Eastern Hemisphere?

And have the gentlemen counted the cost, reckoned with the possibility of failure? Have they thought of the disastrous result which will follow if, gambling with the fate of our Nation, we continue to meet the foe where he is best prepared to meet us and, in the end, in spite of all we do, we fail to make good our invasion?

Or do they think that we are so strong that even if we send an expeditionary force and lose we yet will have the strength to throw back any invader? If that be the thought, then if we go into this war now, we are going in not to defend ourselves but solely to aid and preserve the British Empire, and we have placed ourselves in a position where we are thinking first of a country other than our own.

From the premise that a world revolution is occurring, the gentleman from New York [Mr. WADSWORTH] proceeds to the fact that we are preparing for defense, and he says—I quote:

It is the high function of the Congress to summon the resources of the land, the power of the Nation, for its defense; to summon the manpower, if necessary; to build up our sea power; to mobilize materials; to mobilize strength. That is the function of the Congress performing its legislative duty, as I look upon it.

Ignoring, then, the constitutional provision, his argument proceeds in this manner:

Having summoned the resources and the powers, there is but one officer of the Government under the Constitution of the United States who may employ those resources and exercise those powers—the President; none other.

His latter conclusion is not justified. It is the duty of Congress to summon the resources of the land, the power of the Nation, to its defense. But, unfortunately for the conclusion of the gentleman from New York, it is the high function of the Congress to determine when and where war shall be made.

It is quite true that there is but one officer of the Government "who may employ those resources and exercise those powers." But, before that officer can employ those resources and exercise those powers, it is the function of Congress to determine and to declare whether this Nation shall be at war or at peace.

This Congress is dodging the duty, the responsibility, placed upon it by the Constitution. By the enactment of this bill, this Congress will do indirectly what the Constitution requires it to do directly. By subterfuge and by deception this bill would bring about a state of war without a declaration of war.

If our purpose be, as these gentlemen indicate, to carry on a war of aggression, to invade Germany, then let us have the courage to defy the people who sent us here and declare war forthwith. Let us not hide behind an aid-to-Britain bill.



The gentleman from New York [Mr. WADSWORTH], in his argument, and I challenge not his sincerity, ignores utterly the provision of the Constitution which places upon him, upon each and every one of us, the responsibility of declaring war if war is to be.

Congressmen may avoid voting for a declaration of war and so claim that they kept the promise made before election to keep this country out of war. But, if Congressmen vote for this bill, which empowers the President to make war, does anyone believe that those mothers, whose boys are marching away to war, will not see through the duplicity of such action?

Does any Member of this body think that he can deceive the folks back home, after he has voted for this war-making bill, by stating, after we are in the war, that he would have voted against a declaration of war, but that the President got us into it and, being in it, we must go along?

The issue today before Congress is whether we shall take part in this war. If we intend to involve our country in this war, let us have the courage to make a square declaration of policy and declare war. If we do not intend to involve this country in war, then let us refuse to give the President authority to make war.

#### ONE DUTY

One duty, one obligation, one responsibility rests upon every American.

To my conscience, to the people who sent me here, to my country, must I answer for my conduct as a Representative and a citizen. No man can serve two masters. No Member of the House can have in mind or heart as we consider this bill any thought other than the preservation of our Nation.

We may hate Hitler because of his persecution of the Jews. We may despise Great Britain because of her treatment of the millions of Indians, who have suffered and died because of her maladministration. When she or her friends talk of democracy and of aggressor nations, we may point to Ireland, to South Africa, where the Boers were slaughtered and finally subjugated to make way for British commercialism.

But neither hate, a desire for world trade, nor for revenge, nor all combined, justifies us in forgetting for one moment our homes and firesides, our country. The preservation of this Government is our duty. All else fades into insignificance.

The sincerity, the judgment, the patriotism of no man is questioned. We have different views as to the manner in which we can best preserve our Nation.

The bill before us does not give to the Executive the power to declare war. It does give to him the power to make and carry on war. As wars are now fought and won or lost without a declaration of war, it follows that the enactment of the bill into law will, to all intents and purposes, transfer from the legislative branch the power to declare war.

When the Constitution was written, and down to the beginning of the present World War, it was conceded by all that a declaration of war by Congress must antedate the entrance of this Nation into any war. Pass this bill and the

Congress has, in effect, unconstitutionally amended the Constitution. If and when this bill becomes law, the Executive will have the power, without a declaration of war, the necessity for which will by our action have been stricken from the Constitution to involve us in war.

When we pass this bill, we in Congress here assembled will have said to the people of the United States, "The Constitution vests in Congress the power to declare war, but we, without submitting to you an amendment to that Constitution as required by its terms, have amended it by empowering the President to make war without a declaration of war by Congress.

Yes, standing with head bared, right hand uplifted, each and all of us, in the presence of the Almighty God, solemnly promised:

I will support and defend the Constitution of the United States; \* \* \* so help me, God.

No one will be so bold as to say that God has turned his face from us, but before the week is over, if present prophecies come true, this House will, in effect, have stricken from the Constitution that provision which gives Congress, and Congress alone, the authority to declare war, for, as I have thrice repeated, it will place in the hands of the Chief Executive the power to make war, and war, whether it be a declared or an undeclared war, is today, as from the beginning of time, hell on earth.

How can we, having taken an oath to uphold the Constitution—all of it, not just part of it—by our action effectively transfer from Congress to the Chief Executive the war-beginning power?

But one argument is advanced to justify this action. Hitler, we are told, seeks world dominion, and we are so weak, so bound to Great Britain by ties of friendship, that our only safety lies in joining her in invading Germany and destroying the Axis Powers.

The foregoing is the essence of all the arguments which have been made in favor of this bill.

Many of us doubt that Germany wants any more than has been asked down through the ages by every people, by every nation, which has found itself with territory too small to contain its increasing millions, or with men capable of fighting not needed in peaceful pursuits and with a leadership at once efficient and ambitious.

But assume that Hitler is bent on world conquest. Does it follow that we are so weak, with a population almost twice that of Germany, natural resources far greater, possibilities for industrial development as well advanced, that we cannot, properly prepared, defend ourselves from any forces which he may bring against us?

Practically all seem to agree that Hitler cannot now, or in the predictable future, successfully wage war against us in the Western Hemisphere. If that be true, then what an awful, what a terrible responsibility rests upon those who would send our ships, and ultimately our men, to invade Europe, and assume the possibility, if it be no more than a possi-

bility, that we should be unsuccessful in that attempt.

To you who would send our ships, and send our men across 3,000 miles of ocean to invade a hostile Continent, I say, Have you weighed the chances of success? Have you weighed the consequences of failure? Will you tell the people of these United States, whose representatives you are, what the result will be if, having joined Britain and attempted this invasion of Europe, we find ourselves defeated and a victorious enemy making the terms of peace?

Then, all too sadly, we will retire to the Western Hemisphere and make good, even though we have suffered appalling losses in treasure and in manhood, our claim that no enemy can successfully invade our shores.

Oh, but you say we will not send an army to Europe. I know. The Chief Executive promised, as did the candidate of the Republican Party during the last campaign, that he would not send an army to Europe.

Yes; you promised before God; you promised, as did I, that we would not be a party to involving this country in war. Oh, yes; some say now we do not intend to send an army to Europe. Is not such a statement an insult to our intelligence? Follow the course which we are pursuing and we can do no less than send an army across the seas.

It is the purpose of this administration, notwithstanding all statements to the contrary, to send our men to fight in this war. It may be that they will not be sent directly to Europe. It may be that they will be sent across to Africa, then on east until they can turn back westward and knock at the back door of Germany. Either procedure is a violation of your promise and mine, of the assurance we gave when we were elected.

That the invasion of Germany is the purpose of this administration is shown by the arguments which have been advanced in favor of this bill. Attention will be called to but one statement, which is typical of all. Reference is made to the statement of the gentleman from Pennsylvania, Colonel FADDIS, made on the floor of the House on February 3, when he said that it was our purpose to "assist Great Britain to defeat Germany." And when asked whether he intended to finish it—that is, the defeat of Germany—replied, "I am willing to go as far as is necessary to assist Great Britain to defeat Germany," and then added:

I see no hope of Great Britain or any other nation winning this war until they form an army of invasion and invade Europe and defeat Germany on their own soil.

Destruction of the Axis Powers, which can only be accomplished by the invasion of Germany, which Great Britain cannot bring about without the aid of American soldiers, is the goal, the acknowledged goal, of many of those who are backing this bill. We are but deceiving ourselves if we ignore it.

Let me repeat: Conceding to every Member of this House as much or more ability than I possess; as much—no more—sincerity or patriotism than I claim for myself, I cannot understand how we can ignore the promises made to



our people before election; assume the hazards of a war on foreign soil, with the possibility of the utter ruin and destruction which may follow if we lose; the permanent involvement in foreign affairs, the crushing burden of a military establishment, if we win.

One more thought: This war was not of our making. Today we know not the objectives of the warring nations, for none has stated them, except as each has proclaimed its desire for the ultimate and complete destruction of the other. History gives us no assurance that, when the war is ended, our interests will be consulted in the making of the peace which must come.

Assume, if you will, that we take part in this war; that we join with Britain and invade and destroy Germany. Then what?

Are we to continue cooperating with England to supervise the government of the German people? Are we to send our politicians to join her politicians in governing that land? Are we to maintain an army of occupation in Germany to insure that the German people do not again grow strong, powerful, and again make war?

Is it to be our business from this time on, until our Nation shall be no more, to have a ruling and governing class in every country in all the world, while at home millions sweat and toil to pay the taxes to maintain this Military Establishment?

Can we not again today think once more first of America; first of our home land and, for ourselves and those who must come, preserve the form of government given us in 1776, maintained in '61 and '65 and handed on to us by Lincoln, who asked us to rededicate ourselves then, as we should now, to the preservation of this Government?

Let me repeat: On the first day of the session every one of us stood here with bared head and uplifted hand; and before Almighty God we promised to uphold, defend, and maintain the Constitution of the United States. I repeat, the Constitution places in our hands, upon our shoulders, the responsibility as to whether or not in the future we shall have war. If we now enact this bill, we turn over the war-making power—not the power to declare war; the war-making power, because they make war without declaring it—by our vote we place in the hands of the Executive a power which was never given him under the Constitution; we amend the Constitution by subterfuge. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. FISH].

Mr. FISH. Mr. Chairman, I yield 5 minutes to the gentleman from Michigan [Mr. CRAWFORD].

Mr. CRAWFORD. Mr. Chairman, the substitute offered by the gentleman from South Dakota is more acceptable to me than the original bill.

I disagree with the gentleman from Texas because I personally feel that section 3 (c) (2) would allow the coordination of purchases of materials practically the same as would the original bill—H. R. 1776.

I disagree with section 3 (b) of the substitute, wherein it proposes to give the President and certain officials of the Army and Navy the power to actually give these funds away.

In my opinion, the whole approach involved in this bill is some of the poorest international horse trading that has ever been submitted to the Congress of the United States. Personally it is impossible for me to become worked up emotionally over this whole subject. I believe that the United States, through Congress, in enacting this bill is surrendering all of its powers to, let us say, supervise the building of the rough forms for a peace foundation subsequent to the cessation of hostilities. If we ever intend to sit around the table and use some of our influence in setting up what we consider a proper peace program, why in the world do we surrender—lock, stock, and barrel—all of our power of coercion or influence, or whatever you want to call it, by saying to the fellows in charge of the situation over in Europe: "We will give you two billions now and more billions later and let you do just as you please."

We surrender all our power. I am so constituted that I do not now or any other time go along with any such type of horse trading.

After all, this war is economic. This approach is an economic approach. The peace terms will be of economic considerations. If I fear being made the slave of some foreign ruler, my approach is from an economic standpoint; and to me this bill, H. R. 1776, is asinine, it is foolish, and it is un-American.

I do not care at this moment to go into the question of its constitutionality or my oath here on the floor. To me the bill is just uncommon sense. On account of the objections I pointed out to the substitute, I would not support the substitute, as much as I would like to go along with the leaders on my side of the House.

Mr. Chairman, I did not tell my people during the campaign that I would not vote for a declaration of war or that I would not vote to send our people to war. I feel sure most all of us would vote a declaration of war under given conditions. I do not know what I will do until the situation comes up. I told them that perhaps by the time the situation developed to a certain point they might demand, overwhelmingly, that we go to war. I stated, "When we get to that point, let us decide it then." The people in my district are not asking me to vote for a declaration of war at the present time. They have not convinced me they want to go to war, and I do not intend to vote for H. R. 1776 now or at any other time in its present form.

Mr. MURDOCK. Will the gentleman yield?

Mr. CRAWFORD. I yield to the gentleman from Arizona.

Mr. MURDOCK. Would it not be possible, if some good international horse trading should go on under a law embodied in the bill H. R. 1776, for the President under the powers conferred by H. R. 1776 to see to it that for whatever we furnish England we have collateral? I would like to see the President require collateral—probably of island possessions of Britain in the Western Hemisphere.

Mr. CRAWFORD. Why, I would ask them for collateral for their own benefit. Why should we teach people to disregard their obligations? I would ask for collateral from a firm of mine or a family of mine or among my friends.

Let them put up the collateral. They have it.

[Here the gavel fell.]

Mr. FISH. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. HINSHAW].

Mr. HINSHAW. Mr. Chairman, some 35 years ago when I was a boy emerging into youth, I met a man who was even then great and who lives today. He was and is a great cartoonist. I refer to the famous John T. McCutcheon.

John T. McCutcheon does not often draw cartoons these days because he has become an old man. But on the 2d of January he presented in a cartoon his best wishes to the Nation in the following words:

My wish for 1941 is that every American will think first and always of the interests of his own country, just as every Briton thinks first, last, and all the time of the interests of his own country. Then I can be certain the peace and the future welfare of this Nation is assured.

I hesitate now to remark on the words of the distinguished and much loved British statesman who recently passed away in our midst, but I think it will be interesting to the House to know that this man has said that the greatest contribution in history to government, to the art of government, was made on the eastern seaboard of the North American Continent between the years 1781 and 1789, namely, during the formative period of the Constitution and the Government of the United States. He said that some time in the next 50 to 200 years something similar to that must occur in Europe, that the existence of 28 separate sovereign states in Europe is akin to governmental anarchy, to say nothing of economic anarchy. He continued to say that this war might in part be said to be for the ultimate purpose of determining whether or not Britain or Germany would head this federation. He admitted, as we all must admit, that in order to bring about, to establish that federation, there must be a power head.

It could be hoped that that federation might be arrived at without bloodshed, but evidently this is not possible, for the people who are in Europe are of different tongues and different temperaments, and are not so able to be of the same mind as the representatives of the Thirteen Colonies who met in Philadelphia. As we in America prefer by far that the type of government now existent in Germany be not the head of such a European federation, and in fact feel deeply that that government and its avowed plans are dangerously inimical to the interests of our own country, we choose to support Britain.

Mr. Chairman, I want to speak briefly about this bill, and the substitute which has been offered. There is a very considerable difference, of course, between the presently proposed substitute and the bill H. R. 1776, for 1776 gives the President the power to authorize the Secretaries of War and Navy or the head of



any other department or agency of the Government, among other things, to manufacture in the arsenals, factories, and shipyards under their jurisdiction, and I assume that to mean the arsenals, factories, and shipyards that are owned by the Government of the United States, for foreign governments, and to transfer the materials so manufactured by our Government to foreign governments, either as a gift or under lease or otherwise. The proposed substitute grants credit or an almost outright gift, and if I were a Briton I would rather have that than the control of my country's destiny that is set out in H. R. 1776.

May I ask my colleagues in the House if that language in H. R. 1776 does not place the United States in the position of being the heavy end of a British-American axis? Does that not place us in direct partnership, just as Italy was to Germany before she actually engaged in war, and just as Russia is at the present time to Germany, except for the fact, to the best of my knowledge and belief, neither Italy nor Russia have given Germany anything? Germany has paid for what she has gotten from her Axis partners.

Mr. Chairman, when you vote on H. R. 1776, there is a terrific responsibility involved, because when you vote for that bill you are voting to place our country in a position of direct partnership as a partner in this new axis. We will be very much in the position of an ally in fact and liable to and with the fortunes of war of our partner. This is not an altogether new position for our country as we took the first long step when the Seventy-sixth Congress in November 1939 repealed the arms embargo previously placed in the Neutrality Act. I believe now that if I had been a member of the Seventy-fourth and Seventy-fifth Congresses that I should have voted against the passage of that Neutrality Act in the first place. Certainly it has been a futile gesture to say the least, a serious restriction upon our diplomacy, and probably it constituted an invitation for aggressive-minded nations to make war.

As a partner in a new axis, pledged to support our ally to the end of victory as stated by our President on January 6, 1941, it could mean not only untold credit, gifts, munitions, and ships, but our Army and Navy as well, for once having taken that position we would not dare let Britain down without having expended every means and every effort to prevent defeat.

However, we seem to have a mandate from the people to give our aid to England. The potential consequences are clear to all of us.

If you are willing to do that, then you must also be willing when the time comes to vote a declaration of war, for after this step, H. R. 1776, the next step is that the Congress will be called upon to recognize a state of war.

The substitute offered by the gentleman from South Dakota is, in my belief and evidently in the belief of those whom I heard testify as proponents of this bill, all that is being asked at the

present time, for it was said by Mr. Morgenthau, by Mr. Stimson, and by others whom I heard testify on this bill, that the reason for the bill was that the credits of Britain were being exhausted. The only reason given for urging haste in the enactment of the bill was that it was for the moral uplift of Great Britain, and that it would give Britain courage to meet the crisis due in 60 to 90 days. Their credits will admittedly not be exhausted until sometime toward the end of 1941. [Applause.]

[Here the gavel fell.]

Mr. FISH. Mr. Chairman, I yield 5 minutes to the gentleman from Minnesota [Mr. H. CARL ANDERSEN].

Mr. H. CARL ANDERSEN. Mr. Chairman, there is not a single Member of this House who is going to vote on this important legislation other than what his conscience dictates to him. Some of you may be swayed or influenced by the fact that you feel you can place implicit trust in one man; that you have unbounded faith in him. There are many of us here, however, who feel that we cannot give away Congress' remaining power in order to achieve what most of us wish to achieve, what I believe 90 percent of the Members of this House want to accomplish, and that is, to give to Great Britain and the nations suffering from the attacks of the aggressor certain aid that our sympathetic people feel should go to them.

It may be that my viewpoint on this particular legislation is influenced because of one thing that has often forced me to reflect upon the results of the war of 1917, more so than possibly most of you ladies and gentlemen. Ever since that calamity it has been my duty to go to a certain veterans' hospital three or four times a year and see a brother of mine who there is dying a lingering death as other thousands of American boys have died, just because of that first World War.

I cannot support H. R. 1776 as long as it gives to one man the power that this proposed legislation does. I cannot support any such legislation as long as it leaves open the possibility that that man, good as he may be, has the right to order, without consulting Congress, the conveying of ships carrying our war material across the seas, with the possible eventuality that in such conveying perhaps one of our warships may be sunk, and again there would be undoubtedly a repetition of our 1917 expeditionary force to a foreign land. No; even while I will support the gentleman from South Dakota [Mr. MUNDT] in his amendment, and will do so because I believe that a compromise is necessary in order to secure that unity we all want at this critical period, yet, when I think even of the \$2,000,000,000, I hesitate. I cannot but remember the fights we had on the floor here to try to get for our own people—the farmers of this Nation—that now seemingly paltry \$212,000,000, just to give agriculture a bare three-quarters of parity with industry. I cannot but think of the pitiful procession of letters across my desk from old people in my district telling me that they cannot live on the amount granted

them under the Old Age Assistance Act, and asking whether it is not possible to receive even a little more. I cannot help but think of all the farms through the Midwest, where the farmers for 10 years have not received parity and have been unable to keep their farmsteads up or even retain their farms and meet their obligations. Many of these farmers have been forced on relief because agriculture has been free-traded out of prosperity so as to secure for our Nation the name of being a good neighbor.

In conclusion, Mr. Chairman, may I say to you, just as it was my privilege yesterday to do, that today America, our beloved Nation, is at a very critical period in its history and now, if ever, is the time to stop, look, and listen. [Applause.]

[Here the gavel fell.]

Mr. MUNDT. Mr. Chairman, I yield 5 minutes to the gentleman from Tennessee [Mr. JENNINGS].

Mr. JENNINGS. Mr. Chairman, it occurs to me that this amendment offered by the gentleman from South Dakota will achieve the end we all have in mind, that is, to meet the difficulties Mr. Morgenthau testified confronted Great Britain in the exhaustion of her dollar credit. There is no doubt in my mind, and I take it there could be no doubt in the mind of any of us, that Great Britain would be delighted to have this Nation as an ally in this war. On the other hand, there is no doubt that our people, and all of us, want to keep out of this war.

We have embarked upon a course of conduct from which we cannot withdraw. We have set our hand to the plow and we have started out to give Great Britain material assistance. I am in favor of a continuation of that policy, but this amendment provides for some security for the aid that is furnished and does not subject us to the danger that is attendant upon this bill 1776.

Let us bear in mind that this is a Government of enumerated, delegated, and limited powers, and that this is a Government of three coordinate branches, each supreme in its respective sphere. I must measure my conduct in this matter and my actions by the standards and the obligations of the Constitution. There can be no debate upon the proposition that the war-making power is in the Congress, that the President can make treaties with foreign governments by and with the consent of the Senate, and that the Congress is vested with the power to dispose of the property of the United States.

The people of this country demanded that during the year 1940 this Congress remain continuously in session in order that it might meet any emergency, foreign or domestic, by congressional action; yet upon the threshold of this Congress we are asked to strip ourselves of the right to declare war and to control the question of whether or not we shall be involved in war, to surrender our control of the purse strings, and to surrender our control of the treaty-making power and our control of the property of the United States.

Now, it has been said that the President will not exercise these powers.



Well, if he is not to exercise the powers, why give him the powers? He has supreme power within the limits of the Constitution as the Chief Executive. We are not asking him to surrender to us any of his powers. Why on the other hand should we surrender any of our powers? As I construe my oath of office, if I am clothed with a power which is exclusive with respect to the declaration of war or with respect to the disposition of the property of this country, I have no right under my oath or under the Constitution to surrender that power. Emergencies do not create powers. This Government was fashioned by men who were familiar with every governmental experiment from the dawn of history to their day and they knew that power feeds upon power, and they knew, putting it in the language of Mr. Jefferson, that no mortal man can be trusted with unrestrained power and therefore, he said, "Let him be bound down by the chains of the Constitution." [Applause.]

[Here the gavel fell.]

Mr. BLOOM. Mr. Chairman, I yield the remainder of the time to the gentleman from Massachusetts [Mr. McCORMACK].

Mr. GIFFORD. Mr. Chairman, will the gentleman yield for one short question?

Mr. McCORMACK. I yield to my friend.

Mr. GIFFORD. Is it the gentleman's understanding that under the proposed amendment cash only is involved, that we could not lend materials?

Mr. McCORMACK. That is my understanding—credit or cash, credit primarily, and there is a provision in the substitute amendment on page 2:

*Provided, That if the President, the Army Chief of Staff, and the Chief of Naval Operations agree that it is necessary to the defense of the United States, the President may give, without consideration, such sums to the government of any foreign country.*

Mr. GIFFORD. I wanted the House to understand you could not lend material which we might possibly have and that sometime we might get back what we might lend in the way of materials, but this provides for loans in cash and I wanted the House to fully understand that.

Mr. McCORMACK. The gentleman's understanding of the bill and mine are consistent with each other.

Mr. Chairman, it is refreshing to note the speeches that have been made to date, particularly on the substitute amendment, because all those I heard who spoke in favor of the amendment admitted that they recognized the danger and the necessity for action at this time and that they realized it is absolutely necessary for our best interests that we should lend assistance to those countries that are now resisting aggression. To that extent unity exists and I hope that unity will exist in support of the bill, whatever the bill is, as it finally emerges from the Committee. It may be substantially along the lines of the bill reported out by the Committee on its final passage in the House, but the important thing is

that practically every Member recognizes the necessity for action.

The gentlewoman from Massachusetts [Mrs. ROGERS] very aptly put the situation, as I see it, when she said that "in helping Great Britain," and I would include China, because that is a danger spot and important in connection with what we do in relation to our own national defense—Mrs. ROGERS said that "in helping Great Britain she believed we are helping the United States."

My friend who just preceded me talked about the purse strings. Most of us are Members who have been here for more than the present Congress, and the new Members are just as well aware as we are that this is an authorization bill. It is true there are certain powers in relation to the transfer of materials, but so far as any new activity is concerned, this bill is an authorization bill and the executive branch of the Government must come back to this very body seeking the appropriation of the money to carry the bill into operation; and by the provisions of the bill we have reserved, insofar as future appropriations are concerned, to ourselves complete jurisdiction over the provisions of the bill that depend upon future appropriations.

Mr. TABER. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield.

Mr. TABER. Does the gentleman feel that this bill gives the President authority to contract for materials or anything of that kind for which a future obligation would be created?

Mr. McCORMACK. That is a very fair question, and I think the bill does, and the further answer to that is that it is extended to July 1, 1943, under the additional amendment that has been adopted, in the instances where there is a consummation of the contract by July 1, 1946, and the answer to that, I think my friend from New York will agree, is that if I were President of the United States, if the gentleman from New York were President of the United States, or any other person, expressing my own state of mind, at the present time it is President Roosevelt, and I think we can repose confidence in him as well as in any other President; whoever was President would faithfully execute the trust imposed by this bill and would not enter into contractual obligations other than those that are essential and necessary for our national defense.

Mr. VORYS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman.

Mr. VORYS of Ohio. Is it not true that under this bill we appropriate—not authorize but appropriate—the proceeds of the \$17,000,000,000 of defense appropriations already made and any future defense appropriations, inasmuch as the whole scheme of the bill is that we should furnish our own arms to other countries?

Mr. McCORMACK. Mr. Chairman, I cannot agree with the gentleman in the practical operation of the bill. The gentleman knows that legislation operates in a practical manner, and my answer to the gentleman from Ohio is

the same as my answer to the gentleman from New York [Mr. TABER]—that no President of the United States within my wildest dreams would ever think of doing that. We have to repose confidence somewhere; and certainly to advance an argument that the present President of the United States, or anyone else who might be, if he were President today, would undertake to go as far as that, I think, does not represent the honest inner opinions of the gentleman himself.

Mr. EBERHARTER. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. Yes.

Mr. EBERHARTER. The Constitution, in article I, section 9, clause 7, provides that no money shall be drawn from the Treasury but in consequence of appropriations made by law, so that no contract can be made until an appropriation has been made by the Congress.

Mr. CASE of South Dakota and Mr. MORT ROSE.

Mr. McCORMACK. Oh, Mr. Chairman, I have only a few minutes left, and I hope my friends will not misunderstand me. I am not refusing to yield, but I am constrained to ask that I be permitted to proceed without interruption.

This bill confers upon the President of the United States only a few additional powers that he does not now possess under the Constitution as the Chief Executive of our country. The bill is concerned chiefly with the supplying of weapons to those nations whose survival we deem to be important to our national interest and to the extent that that is necessary this bill gives the authority as it might. We are also supplying these nations with weapons, and most of the critics of the bill say they agree with that policy. The main purpose of the bill is to make it possible for those nations to continue to obtain those weapons, irrespective of their ability to pay for them in cash. That is one additional authority. The chief discretion given to the President in the bill is the power to decide what we shall take in payment.

There is one other power—and only one other power—that this bill gives in addition to the powers already possessed under the Constitution by the President of the United States. The bill gives him the power to make it easier to merge the munition orders of the foreign nations with our own in order to make our rearmament program more unified and efficient. That is all the bill grants in addition to the constitutional powers the President already possesses. I hope that the substitute amendment under consideration and all similar substitute amendments limiting this to a specific amount will be defeated. [Applause.]

The CHAIRMAN. The time of the gentleman from Massachusetts has expired. The question is on the substitute offered by the gentleman from South Dakota [Mr. MUNDT].

The question was taken; and on a division (demanded by Mr. MUNDT)—there were, ayes 96, noes, 151.

Mr. MUNDT. Mr. Chairman, I demand tellers.

Tellers were ordered and the Chair appointed Mr. MUNDT and Mr. BLOOM to act as tellers.



The Committee again divided and the tellers reported—ayes 145, noes 206.

So the amendment was rejected.

Mr. MAAS. Mr. Chairman, I offer the following amendment which I send to the desk and ask to have read.

The Clerk read as follows:

Amendment offered by Mr. MAAS: Strike out section 1 and insert in lieu thereof the following:

"That the President of the United States is hereby authorized to negotiate the purchase, en bloc, of all possessions of the British Empire except the Dominion of Canada and the Province of Nova Scotia, lying west of 40° west longitude and east of 180° east longitude, north of 15° south latitude: *Provided*, That two island possessions determined by the negotiating nations to have the least military and/or naval value, one in the Atlantic and one in the Pacific, be retained by the British Empire for the permanent residence of such inhabitants of the various possessions so transferred to the United States who may wish to remain under British sovereignty: *And provided further*, That no fortifications or naval bases shall be established on these two islands except by the United States.

"2. The President of the United States is authorized to set such value upon the territory so purchased as may be determined by mutual agreement between the negotiating nations, against which value the debt of England to the United States may be credited: *Provided, however*, That the net amount to be credited to England shall not exceed \$10,000,000,000.

"3. The net amount of the purchase price so agreed upon shall be placed in the Export-Import Bank of the United States to the credit of England for purchases in the United States.

"4. Pending completion of the above authorized negotiations, there is hereby placed in the Export-Import Bank of the United States to the credit of England, for immediate use, \$1,000,000,000, but such sum to be charged against the final purchase price of the British possessions purchased by and ceded to the United States under authority of this act.

"5. The inhabitants of such territories as may be transferred to the United States under authority of this act who may so elect shall have 1 year from the date of transfer of such territories to the United States to declare their allegiance to the United States of America. All such residents of such possessions who so declare their intentions under such regulations as may be prescribed by the President of the United States within the period herein specified shall thereafter be under the full protection of the United States of America."

Mr. LUTHER A. JOHNSON. Mr. Chairman, I make the point of order against the amendment upon the ground that it is neither germane to the section to which it is offered nor to any other section of the bill. The amendment, as I caught it, deals with negotiations for the acquisition of territory by our Government, and also make a direct appropriation, whereas the bill under consideration is for the furnishing of materials to other democracies, and for our own defense. I do not think by any stretch of the imagination it could be considered germane either to the section to which it is offered or to any other portion of the bill. Therefore, I make the point of order.

Mr. MAAS. Mr. Chairman, will the gentleman reserve his point of order?

Mr. LUTHER A. JOHNSON. I am willing to reserve it for 5 minutes.

The CHAIRMAN. The gentleman from Texas reserves the point of order. The Chair recognizes the gentleman from Minnesota for 5 minutes.

Mr. MAAS. Mr. Chairman, the purpose of this amendment, which would be a substitute for the bill, is twofold. We are told that the primary reason for H. R. 1776 is to extend the purchasing power of England in the United States.

This proposal would give them \$10,000,000,000 through the Export-Import Bank for purchases in the United States, and so that there would be no delay would make immediately available \$1,000,000,000 through that same source, pending the completion of the negotiations for the transfer to the United States of the Western Hemisphere possessions of the British Empire.

The other purpose of the bill is to avoid a situation of making a loan which the borrower cannot or will not repay, and thereby risk not only the loan, but the loss of friendship as well. So frequently when you loan something that cannot or will not be paid back, you lose both the thing loaned and the friendship. This is true as between nations as well as individuals. We had an excellent example of that after the World War when we became known as Uncle Shylock as part of a propaganda campaign to shame us into canceling the war debts. I think if we are under obligation, and I assume we are, to help the British in order to help ourselves, we ought to be willing to bear our fair and proper share of that cost. But the purpose behind the purchase of these islands is something very directly affecting the defense of this Nation. These island possessions have only one value, and that is military. They have no economic value. They are an economic liability and are and must be subsidized by the British. If we take them over they will be an economic liability and will create a social problem for us. However, it is for their military value that we desire them. From the standpoint of their military value they have only one defensive value, for they are of value in the defense of only the United States and of the Western Hemisphere. They are too far from Europe or Asia to be of any value in the defense of Europe or Asia. And from the standpoint of their offensive value their only military value is an offense against the United States and the Western Hemisphere. They are too far from Asia or Europe to be used in an offensive operation against either of those continents.

So long as these islands remain in the possession of any overseas power it is a guaranty that we will be dragged into any overseas war. So long as they remain in the possession of the British Empire they are a hostage to guarantee that we will have to bail Great Britain out of any war in which she becomes involved, because we do not dare, as at the present time, permit these islands to pass, by an imposed peace or otherwise, into the hands of any other power. If we bought these islands now, regardless of the out-

come of this war, they would be our possessions, and the question of their ownership could not then arise which might involve us in perhaps yet another war. They are essential to the defense of this hemisphere, and all of these possessions in the defense system of the United States would truly make of the Western Hemisphere an impregnable military stronghold.

Mr. MURDOCK. Will the gentleman yield?

Mr. MAAS. I yield.

Mr. MURDOCK. Would it not be possible by the enactment of H. R. 1776 for the President to make loans on just these same terms specified in the substitute?

Mr. MAAS. No; I do not think so, because what I am proposing is a ceding of the sovereignty of those territories to the United States—not borrowing them. I want to point out that we are only leasing these bases in the Caribbean now. Had we leased the Louisiana Territory it would have already reverted to Europe and would now be a part of the European economic, political, and military system, most certainly involving the rest of this country in every European quarrel of any nature. It was very wise that our wise ancestors bought rather than leased Louisiana, and I think we will be wise to follow their example and buy these islands upon which we are going to establish American naval defenses and operating bases.

Mr. MURDOCK. I agree with the last statements the gentleman has made, but hope the President will have a similar view if and when H. R. 1776 becomes law.

Mr. EBERHARTER. Mr. Chairman, will the gentleman yield?

Mr. MAAS. I yield.

Mr. EBERHARTER. I call the gentleman's attention to the fact that under section 3 the President would have the power to make the exchange. He could take in these sovereignties or take any bases permanently and in fee, so that your bill would just give him the same authority that he already has under H. R. 1776.

Mr. MAAS. I hope that if he has the authority and if this bill passes that he will do exactly that then. I believe that the American people overwhelmingly want this done.

[Here the gavel fell.]

Mr. LUTHER A. JOHNSON. Mr. Chairman, I insist upon the point of order.

The CHAIRMAN (Mr. COOPER). The gentleman from Minnesota [Mr. MAAS] offers an amendment in the nature of a substitute for the pending bill. The gentleman from Texas [Mr. LUTHER A. JOHNSON] makes a point of order against the amendment on the ground that it is not germane to the section to which it is offered, or to the pending bill.

The Chair has examined the amendment offered by the gentleman from Minnesota with some degree of care. The pending bill, H. R. 1776, provides for granting material aid to certain countries as specified in the bill. The amendment provides for negotiation for the acquisition of certain territorial possessions, as provided in the amendment.



The Chair is of the opinion that there is a very clear distinction between the bill and the amendment offered which, of course, embraces a different subject matter.

Therefore the Chair is constrained to sustain the point of order.

The Clerk will read.

The Clerk read as follows:

SEC. 2. As used in this act—

(a) The term "defense article" means—

(1) Any weapon, munition, aircraft, vessel, or boat;

(2) Any machinery, facility, tool, material, or supply necessary for the manufacture, production, processing, repair, servicing, or operation of any article described in this subsection;

(3) Any component material or part of or equipment for any article described in this subsection;

(4) Any other commodity or article for defense.

Such term "defense article" includes any article described in this subsection: Manufactured or procured pursuant to section 3, or to which the United States or any foreign government has or hereafter acquires title, possession, or control.

(b) The term "defense information" means any plan, specification, design, prototype, or information pertaining to any defense article.

SEC. 3. (a) Notwithstanding the provisions of any other law, the President may, from time to time, when he deems it in the interest of national defense, authorize the Secretary of War, the Secretary of the Navy, or the head of any other department or agency of the Government—

(1) To manufacture in arsenals, factories, and shipyards under their jurisdiction, or otherwise procure, any defense article for the government of any country whose defense the President deems vital to the defense of the United States.

(2) To sell, transfer, exchange, lease, lend, or otherwise dispose of, to any such government any defense article.

(3) To test, inspect, prove, repair, outfit, recondition, or otherwise to place in good working order any defense article for any such government.

(4) To communicate to any such government any defense information, pertaining to any defense article furnished to such government under paragraph (2) of this subsection.

(5) To release for export any defense article to any such government.

(b) The terms and conditions upon which any such foreign government receives any aid authorized under subsection (a) shall be those which the President deems satisfactory, and the benefit to the United States may be payment or repayment in kind or property, or any other direct or indirect benefit which the President deems satisfactory.

With the following committee amendment:

On page 3, beginning in line 2, strike out the word "article" and insert: "article, but no defense article not manufactured or procured under paragraph (1) shall in any way be disposed of under this paragraph, except after consultation with the Chief of Staff of the Army or the Chief of Naval Operations of the Navy, or both."

The CHAIRMAN. The question is on the committee amendment.

Mr. VORYS of Ohio. Mr. Chairman, I have an amendment to the committee amendment which I have sent to the desk.

The Clerk read as follows:

Amendment offered by Mr. Vorys of Ohio to the committee amendment: On page 3, in line 4, after the paragraph strike out the

rest of line 4, all of lines 5 and 6, and insert in lieu thereof the following:

"Unless the Chief of Naval Operations in the case of naval material and the Chief of Staff of the Army in the case of military material shall first certify that such material is not essential to the defense of the United States."

Mr. VORYS of Ohio. Mr. Chairman, this amendment preserves the exact wording of the policy adopted by Congress May 28, 1940, when we wrote into law the requirement that no defense article should be disposed of until our highest Naval and Army officials certified in writing that these materials are not essential to the national defense.

This provision has worked fairly well during this period of building up our defense materials and rendering aid to Britain. Of course, any requirement that the Chief of Staff or the Chief of Naval Operations shall make a certificate is not a complete protection to our defense. Pressure could be brought upon these officials. The President, of course, could remove an official who refused to sign a certificate the President desired, but these are possibilities we need not consider. They have not arisen in the past few months when this certificate has worked fairly well. I happen to know that both General Marshall and Admiral Stark do not want this responsibility, for it is a serious responsibility. I also happen to know that so long as General Marshall is Chief of Staff and Admiral Stark is Chief of Naval Operations the requirement of such a certificate will be a very real protection to the defense of the United States.

The precise words employed in this amendment were presented on the floor in May 1940. At that time the gentleman from Georgia [Mr. VINSON]—Admiral Vinson—the head of our Naval Affairs Committee, said this, and I quote him:

So you see the protection of this amendment is thrown around all the ships, munitions, and airplanes. As long as they are essential for the defense of this country they cannot be sold.

Mr. VINSON of Georgia. Mr. Chairman, will the gentleman yield?

Mr. VORYS of Ohio. Not at this point.

Mr. VINSON of Georgia. But I would like him to yield right at that point. Did not the gentleman oppose that amendment at that time?

Mr. VORYS of Ohio. I did not oppose that amendment and the RECORD will so show, because it was the best we could get then. I was also in favor of an amendment which passed in the House which forbade any transfer at all of our naval vessels.

The constitutionality of this amendment was passed on by Attorney General Jackson in his famous mosquito-boat-destroyer opinion. In that opinion he refused to hold this provision unconstitutional, saying, and I quote:

The legislative history of the section indicates that no arbitrary restriction is intended.

This amendment is real. The committee amendment requiring mere consultation is a fake. Under one we have trained,

expert, veteran officers of the Army and the Navy passing on the technical elements of our national defense. Under the committee amendment we have a civilian who never wore the uniform of his country accepting this terrible responsibility. It seems to me it is no slight to our President when we give officers whom he appoints statutory duties. We have, of course, provided statutory duties for the Secretary of War and the Secretary of the Navy, and a great army of other officials he appoints. No one has ever claimed that this was unconstitutional or was in any way a criticism of the President. This amendment eliminates a lot of old hampering laws that are out of date that now limit the disposition of Army and Navy matériel. It simply preserves the one requirement that this Congress has adopted and that has been working fairly well except for trade-offs, and we may expect them again. If we get good deals these gentlemen will certify that such deals are essential to our defense.

By adopting this amendment we protect our own national defense while attempting to aid other countries.

[Here the gavel fell.]

The CHAIRMAN. The gentleman from Texas [Mr. LUTHER A. JOHNSON] is recognized for 5 minutes in opposition to the amendment.

Mr. LUTHER A. JOHNSON. Mr. Chairman, the amendment offered by the gentleman from Ohio [Mr. VORYS] to the committee amendment was given very careful, exhaustive, and serious consideration by the Committee on Foreign Affairs. The committee's action in adopting the committee amendment reported in the bill was not taken hastily. An amendment substantially similar to the one offered by the gentleman from Ohio [Mr. VORYS] was considered by the committee, and it was the sense of the committee after hearing the testimony of the representatives of the War Department and the Navy Department that the amendment as offered by the gentleman from Ohio was not wise, was not practicable, and that it had not worked well in the legislation in which it had been placed last year.

The gentleman from Ohio said these officials did not want this authority. I think he could also say that the evidence before the committee was to the effect that it did not work satisfactorily, that it caused delay, that it caused confusion, and that it should never have been written into the law of the land, because it violates a fundamental principle by allowing a subordinate officer to overrule the action of his superior. The idea of having a subordinate say to his superior what shall be done is contrary to all good usage and is unsound in both principle and practice.

Mr. VORYS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. LUTHER A. JOHNSON. I yield.

Mr. VORYS of Ohio. The gentleman will concede, will he not, that Congress constantly gives statutory duties to subordinate officers of the President?

Mr. LUTHER A. JOHNSON. Certainly we give powers to them.



Mr. VINSON of Georgia. But we never give the veto power to them.

Mr. LUTHER A. JOHNSON. We do not, however, give veto power to subordinates. We keep the veto power for ourselves, or their superiors. The gentleman well remembers, does he not, the testimony we had on that particular amendment which is in the law which was passed last year?

Mr. VORYS of Ohio. The gentleman has asked me a question?

Mr. LUTHER A. JOHNSON. Yes.

Mr. VORYS of Ohio. The objection was to a lot of old laws that hampered national defense.

Mr. LUTHER A. JOHNSON. No; I am talking about this particular amendment. As I recall, and I think my memory does not fail me, the representatives from the War and Navy Departments testified that that provision which the gentleman has now offered as an amendment to the committee amendment on this bill, the amendment that was adopted last year in one of the naval bills, had not worked and they thought it was best that it should not have been in there because it hampered and delayed the performance of duty, and they all testified that no such limitation upon the President should be written into the present bill. I say as an original proposition it is not sound and as a practical proposition we have tried it and we have failed.

Mr. McCORMACK. I also call attention to H. R. 2790, introduced by the gentleman from South Dakota [Mr. MUNDT], in which he recognized this same difficulty apparently when he had the bill drafted, and this same technical distinction, which is important, when he spoke about the sums appropriated for the President after conference with the Chief of Staff of the Army and the Chief of Naval Operations of the Navy, which he deems for the defense of the United States. This is after conference, but it is not with veto power.

Mr. LUTHER A. JOHNSON. That is true. I think the amendment should be defeated. In other words, it places the veto power in a subordinate officer. It is unsound. We tried this particular plan and it has not worked. That is all I care to say.

Mr. CASE of South Dakota. Mr. Chairman, I move to strike out the last word.

Mr. LUTHER A. JOHNSON. Will the gentleman yield to see if we can get some agreement as to time?

Mr. CASE of South Dakota. I yield to the gentleman.

Mr. LUTHER A. JOHNSON. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 10 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas [Mr. LUTHER A. JOHNSON]?

Mr. MARTIN of Massachusetts. Mr. Chairman, reserving the right to object, I think the gentleman wants to be fair.

Mr. LUTHER A. JOHNSON. I certainly do.

Mr. MARTIN of Massachusetts. We have just started debate on this amendment.

Mr. LUTHER A. JOHNSON. I wanted to find out about that. What time does the gentleman suggest?

Mr. FISH. We have five Members who want to talk.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas [Mr. LUTHER A. JOHNSON]?

Mr. FISH. Mr. Chairman, I object.

Mr. LUTHER A. JOHNSON. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 25 minutes, reserving 5 minutes to this side in order to close the debate.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas [Mr. LUTHER A. JOHNSON]?

There was no objection.

The CHAIRMAN. The gentleman from South Dakota [Mr. CASE] is recognized for 5 minutes.

Mr. CASE of South Dakota. Mr. Chairman, this amendment to the committee amendment, as well as the original amendment of the committee, puts the spotlight on one of the most vital points in the bill. The majority leader has several times said that this bill does not carry appropriations and will be effective only when Congress has made appropriations, with a very small exception. The committee amendment and the amendment to it make clear that the gentleman is mistaken. The section of the bill to which they are addressed grants power to transfer defense articles on hand or on order without the appropriation of a dollar.

I hope the majority leader will read carefully the amendment that has been proposed by the committee and which is sought to be amended by the amendment offered by the gentleman from Ohio. The committee amendment recognizes this fact. It proposes that:

No defense article not manufactured or procured under paragraph 1 shall in any way be disposed of except after consultation.

This clearly recognizes that all existing equipment of the United States Army, Navy, air force, and all the equipment on order can be transferred without 1 cent of appropriation by the Congress. It merely seeks to provide consultation before it is done.

That is the point I have sought to bring out in my questions of the majority leader, whose name the bill bears. And, I repeat, not 1 cent of appropriation is required to permit the transfer of any defense articles on hand or on order. Is this a wise provision?

The amendment of the gentleman from Ohio seeks to correct that and to protect the defensive equipment of the United States by requiring a statement in writing that it can be spared. I want to cite a concrete instance with respect to the Navy, with respect to the air force, and with respect to the Army to show that this proposal of the gentleman from Ohio should be adopted.

With respect to the Navy, you will recall that in the much-advertised testimony of Admiral Stark last June he was asked certain questions about our ability

to dispose of or to spare certain naval equipment. Admiral Stark went on record as saying that it could not be spared. More recently we have heard Secretary Knox say that in his estimation no additional destroyers could be spared, but that he was not the Commander-in-Chief.

With respect to the Air Corps, in connection with the hearings by the Appropriations Subcommittee for the War Department on amendments to the regular military appropriation bill last year, the ranking minority member of the committee, the gentleman from New Jersey [Mr. POWERS] asked General Brett, now Chief of the Air Corps, "Are these big bombers to be ordered for Great Britain or are they for us?" General Brett testified: "These bombers are for us. We need them very badly."

Certainly some of you have seen reports in the last few weeks that many of the bombers that we needed have gone abroad.

With respect to the Army, when the proposal was made that 100 tanks be transferred to England, General Marshall held out against giving a certificate in writing for several days, and I have it on unimpeachable authority that General Marshall held that we could not spare those tanks if we were to have adequate training material. For several days he held out against it until he was given some assurances that we would get delivery in kind. And within the past few weeks I have been told on unimpeachable authority that we had received only 46 tanks in replacement.

I believe that it is this particular provision of the bill, permitting immediate transfer of existing equipment, which causes more downright concern to the men of the Army, the Navy, and the Air Force, who are in positions of responsibility, than any other part of the bill.

There is a reasonable measure for what equipment we can spare. It would be that we should retain enough to equip our outlying possessions and bases and enough for training purposes of continental troops. We do not need full equipment of continental troops in all categories, since we could take over materials in production if and when we start fighting.

The heads of the several military and naval branches are best equipped to give assurances on this point. They will not make a statement in writing on their responsibility unless they feel the equipment can be spared safely. We ought to have that protection and the President ought to have that protection.

If we are going to protect the defense forces of the United States to insure that we will have enough equipment on hand for the training of our forces, the amendment offered by the gentleman from Ohio should be adopted. [Applause.]

[Here the gavel fell.]

The CHAIRMAN (Mr. COSTELLO). The Chair recognizes the gentleman from Massachusetts [Mr. BATES].

Mr. BATES of Massachusetts. Mr. Chairman and members of the committee, I rise to support the amendment which has just been offered by the gentleman from Ohio [Mr. VORYS.] In



my opinion, there is no part of the pending bill in which the people of this country are more interested than that which is affected by the amendment offered.

Under the provisions of the measure as reported by the Committee, the President is authorized to dispose of any article of defense, without any limitation on authority whatsoever. The Committee report simply states that no defense article shall in any way be disposed of except after consultation with the Chief of Staff of the Army or the Chief of Naval Operations of the Navy, or both.

This Committee amendment is meaningless and it would seem to me that we do not have to insert language in the bill that would authorize the President to consult with either of these officials because he has plenty of authority now and undoubtedly avails himself of it at every opportunity. In other words, the measure as reported by the Committee gives the President and the President alone, the authority to dispose of any defense article, irrespective of whether or not such articles are essential to our own national defense. He need not take the advice of either the Chief of Staff of the Army or the Chief of Naval Operations as to the wisdom of such action.

The amendment by the gentleman from Ohio makes it mandatory that before the President can sell, transfer, exchange, lease or lend, or otherwise dispose of any defense article, he shall be required to secure from the Chief of Naval Operations, in the case of naval materials, and the Chief of Staff of the Army, in the case of military materials, a certificate stipulating that such material is not essential to the defenses of the United States.

The adoption of such an amendment will assure us that the fullest consideration will be given to our own defense needs before the disposal of any defense article. I do not mean by such a suggestion that the President cannot be trusted with the authority given in this bill, any more than the committee did in the suggestion that the President shall consult with these military experts before taking action. I believe, however, that it is essential in the interest of our own protection, that these military experts, who are sworn to defend the United States of America against all enemies, give the fullest consideration to our defense requirements before they

issue such a certificate. It would give me and many other Members of Congress who have a strong desire to aid Britain in every way possible, an added feeling of security, if such an amendment were made a part of this legislation, and also that the conveying of ships be prohibited.

I believe, however, that Congress ought to take speedy action in making provisions for aiding Great Britain in every way possible. The proposed measure, in my opinion, is not a step toward war and I am strongly of the conviction that the adoption of this measure, with the proper amendments, will be in the interests of our national defense.

It is my opinion that the danger is graver today than what it was in 1917. At that time, there was a strong front line in France held by the Allies against Germany. Italy and Japan were lined up against Germany. The British, French, Italian, and Japanese Fleets were in almost complete control of all the oceans of the world. Today, Italy and Japan are members of the German Axis. France is conquered and her fleet is incapable of opposing the Central Powers. The British Fleet today stands alone as an obstacle to German control of the Atlantic.

The most important question for this country is whether the control of the high seas shall pass into the hands of powers bent on a program of unlimited conquest. It is in this light that we should order our present-day thinking and action with respect to the amount of material assistance which our country is prepared to furnish Great Britain.

If England is defeated, the first requirement will be the surrender of the fleet. Some say it will be sunk. Others say that it will be transferred or given away to another government. The consequences for failure to surrender the fleet would bring further tragedies upon that people. England might gain something if she surrendered the fleet, but to otherwise dispose of it might mean that she would have to bear the results of such an action.

In Hitler's hands, the British Fleet added to the present strength of the Axis would be tantamount to supremacy of the sea.

The following table prepared by the Navy Department gives the approximate strength of the major naval powers and a study of the same will show the danger that threatens this country if the Axis Powers defeat Great Britain:

*Approximate strength of French and British Fleets as of Jan. 31, 1941*

	British Empire		France	
	Number	Tons	Number	Tons
Battleships.....	16	515,050	1	26,500
Aircraft carriers.....	8	161,100	1	22,146
Cruisers.....	66	482,585	11	112,480
Destroyers.....	233	313,364	50	92,508
Submarines.....	45	46,680	60	53,938
Total.....	368	1,518,779	126	307,572

Because of lack of official information on navies other than United States, these figures are considered to be approximate by Bureau of United States Naval Statistics. They have been corrected for war losses.

The truth of the present situation is that the combined naval strength of Germany, Italy, and Japan far outnumbered that of the United States and that, despite the new building program, America cannot possibly catch up, but faces even greater odds than before if the British Fleet is sunk or captured. America is now outnumbered by the Axis navies almost 2 to 1. In the event of a Hitler victory, and if the price of peace is the French and British Fleets, this will create a ratio of 4 ships to our 1 combatant naval strength. In addition to that they will have the enormous ship-building facilities which the Axis Powers have acquired or built and which the Secretary of the Navy informs us is seven times larger than our facilities in the United States.

The real interests of American democracy would be more effectively served if we consider this bill calmly in the light of the infinitely more serious and more tangible dangers that might be expected to follow the defeat of Britain and the passage of Atlantic control to Germany.

Like all its predecessors, the Nazi regime has found that the power of its armies alone cannot establish that rule, because Europe is not self-supporting in raw materials and the Nazi armies are powerless to obtain these materials unless they have control of the sea. The struggle now going on is, fundamentally, an attempt by Germany to seize control of the sea from Great Britain. That is the reason why, from a military viewpoint, the war has so vital an interest to the United States.

We need time to build ships and to train their crews; time to build our outlying bases so that we can operate our fleets as a screen for our continent, and time to train our armies to accumulate war stores, to gear our industry for defense.

Concerning the control of the Atlantic and Pacific, this must be done by either our own fleet or by a coalition with powers that are friendly to us. Our two-ocean fleet will not be finished until 1946. Without doubt this will be too late to cope with an emergency which is already not far distant. So long as the British Navy continues to hold the Axis on the Atlantic, our fleet can watch and defend the Pacific, and as such we have the

*Relative approximate strength of United States and Tripartite Axis Navies, Jan. 31, 1941*

	United States		Tripartite Axis						Tripartite Axis	
	Number	Tons	Italy		Germany		Japan		Number	Tons
			Number	Tons	Number	Tons	Number	Tons		
Battleships.....	15	464,300	6	164,488	4	122,000	10	301,400	20	587,888
Aircraft carriers.....	6	134,800	0	0	1	19,250	8	123,470	9	142,720
Cruisers.....	37	328,975	20	145,849	9	73,400	46	318,985	75	538,234
Destroyers.....	159	217,590	115	118,107	47	55,000	125	160,558	287	333,665
Submarines.....	106	107,960	92	68,734	120	70,000	71	98,461	283	237,195
Total.....	323	1,253,425	233	497,178	181	339,650	260	1,002,874	674	1,839,702



equivalent of a two-ocean navy. However, if the British Navy should be defeated, regardless of the form or terms, we would have but a one-ocean navy to defend two oceans.

If the Panama Canal should be closed by bombardment from the air or by sabotage, our one-ocean navy would be confined in either ocean and leave the other side open for invasion. In brief, we must gain time by making certain that the British Fleet will continue to hold the totalitarian forces in Europe while our fleet watches the Pacific.

Admiral William D. Leahy, former Chief of Naval Operations and now Ambassador to France, while appearing before the House Naval Affairs Committee in favor of the 20-percent naval-expansion bill in January of 1938, voiced the following interesting opinions:

In the face of international political conditions and our naval needs, the relative strength of the United States Navy, as compared with the naval strength of other naval powers, must be considered.

This proposed Navy is barely adequate to provide defense against attack on our shores and our island possessions, and beyond that it should not go.

It would not be sufficient to protect us on both oceans and the Panama Canal at the same time. We have a navy that can afford protection to one coast at a time.

Many nations have a sufficient number of transports to invade the United States if they could eliminate our Navy before they started the expedition.

There may possibly be several combinations of foreign navies that could destroy our fleet with the thought that then there would be no difficulty in landing.

This bill does not contemplate providing defense for both coasts at the same time.

I think it would be impossible to stave off a superior navy for so long a time as is required to construct modern naval vessels—3 years as a minimum.

The Atlantic coast has not sufficient force at the present time to insure against invasion.

The Atlantic coast has practically no naval protection against attack from abroad at the present time.

In view of the above statements by Admiral Leahy, it is well for us to consider the danger that must inevitably follow the defeat of the British Fleet.

If Germany becomes free to move across the ocean for the conquest of new territories, she will likely move first into South America to get hold of that great storehouse of continental wealth.

South America is today the largest storehouse of raw materials left in the world. It is populated sparsely. None of its nations has an armament sufficient to protect itself against an aggressor. Nothing would be more inevitable, economically, than such a building up of an economic relationship between the many nations of South America and the dominant power in Europe.

The point of vantage for the Axis lies in South America. In certain countries there you will find a sense of sympathy for Germany. If these nations set up a totalitarian government, they can supply Germany with a naval base from which to operate. The bombardment of the Canal, plus the defeat of the British Fleet, will not allow us to enforce the Monroe Doctrine as effectively as we can

now. Regardless what terms we make with the South American countries, they can be abrogated whenever they see fit. In other words, even if we establish bases in that country, it lies in their discretion as to how long we can keep these bases.

We must keep in mind the danger of dictators. If we are to learn from their treatment of other nations thus far, and from some of their public utterances as to the purpose they have in mind in their desire of unlimited conquests, we certainly have reason to be watchful. We can either sit still and wait until it gets here, as was the case in other countries, or we can resist before it reaches our actual borders by aiding a country that is putting forth a great effort to check and resist that movement.

We must also keep in mind the fact, that according to the findings of the Dies committee, Russia has been longer and more actively engaged in subversive activities in America than any other country. Russia cannot be overlooked in the general picture.

It would be disastrous for this hemisphere to offer no resistance beyond its own boundaries if and when it sees the state of manifest danger.

We have at this present moment two great forces arrayed against each other in the world, one the force of despotism, the other the force of democracy. The danger today is not fantastic. It is real.

It has been clear throughout that Japan has been actuated from the beginning by ambitious plans for placing herself in a dominant position in the entire western Pacific. Her heads have openly declared their determination to secure and hold that position by force and thus to make themselves masters of almost one-half of the world. As a consequence, they would have arbitrary control of the sea and trade routes in that region.

Past experience and current developments show that the proposed new order in the Pacific area means, politically, domination by one country. It means, economically, employment of the resources of the area concerned for the benefit of that country and to the ultimate impoverishment of other parts of the area, and exclusion of the interests of other countries.

History presents no parallel to the crisis confronting the race today and we must face the fact that there can be no guaranty of peace in this troubled world today. Consequent with our own defense needs we should devote our energies wholeheartedly to the single objective, namely, all necessary aid to Britain and those who stand with her, in order that we may more effectively defend America.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Ohio [Mr. JONES].

Mr. JONES. Mr. Chairman, I take this time to ask the chairman of the committee a question in opposing this amendment. Is it true that the Chief of Naval Operations and the Chief of Staff do not give approval in time, and this slows up the approval?

Mr. LUTHER A. JOHNSON. They said that the length of time taken for consul-

tation and conference had not worked well, that the plan had been found unsound and impracticable in its workings, and that the provision ought not to have been placed in the bill. As one of them said, "Here is a man with me in whom I have great confidence. He is my subordinate. But I would not want any provision of law or a regulation made whereby he can overrule me." Therefore, they said that such a provision ought not to have been in the law, and that it would be a mistake to put it into this bill. That was their testimony.

Mr. VINSON of Georgia. The crux of it is a subordinate overruling and overriding the decision of the Commander in Chief. In other words, it is just like a secretary vetoing your decision.

Mr. JONES. I do not feel that the situation is the same. We have the Chief of Staff of the Army and the Chief of Naval Operations of the Navy, both of whom are expert in their lines. Certainly the judgment of the President of the United States, who is an amateur naval man and knows nothing about the intricacies of running a ship or what it takes to make it go cannot be compared with the judgment of the Chief of Naval Operations.

Mr. VINSON of Georgia. If the gentleman will yield further, does the gentleman believe for one moment that the Commander in Chief would transfer any article if the Chief of Operations or the Chief of Staff took the position that it did not accrue to the defense of the United States?

Mr. JONES. That is just the point. Why is not Congress guaranteed by this kind of an amendment that in every case the President will consult with them? The gentleman is telling us that without this provision he will do the same thing the gentleman says it will take 2 months to do if you adopt this amendment. I cannot understand the consistency of that.

Mrs. ROGERS of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. JONES. I yield to the gentleman from Massachusetts.

Mrs. ROGERS of Massachusetts. Is it not true that the Secretary of the Navy and the Secretary of War are always political appointees, and if they do not go along with the President they have to resign? Is it not true that Secretary of War Garrison resigned because he did not believe in a policy of President Wilson, and did not the Secretary of War resign under President Roosevelt's administration because he did not believe in a policy of the President?

Mr. JONES. I believe that is correct.

Mr. VINSON of Georgia. That may be true; but there is no Member of Congress who would believe that the President, when his military advisers warn him and counsel him not to do a thing, would do it over the advice of his counselors. He has to have someone to consult.

He consults the people designated by him as his chief advisers and if they think the transfer should be made, in the interest of our national defense, the transfer is all right, but does not the gentleman and every man on this floor know



that if the Chief of Naval Operations would say to the President that it would not prove to the benefit of this country to make a transfer, and the President would do so over his objection, public opinion would be with the military head?

Mr. JONES. I cannot understand, then, why this amendment is opposed by the gentleman.

Mr. REED of New York. Mr. Chairman, will the gentleman yield?

Mr. JONES. I yield.

Mr. REED of New York. For practically 8 years now any man who has disagreed with the President has been invited to resign.

Mr. VINSON of Georgia. I can state that no military man, under such circumstances, has been invited to resign.

Mr. JONES. I do not yield further, Mr. Chairman.

As I understand, the chairman of the Foreign Affairs Committee said that a new bureau would be established to administer this law. I will ask the gentleman from Texas [Mr. LUTHER A. JOHNSON] whether a bureau will be established to administer this measure, H. R. 1776.

Mr. LUTHER A. JOHNSON. Not necessarily; no.

Mr. JONES. The gentleman thinks that is not contemplated?

Mr. LUTHER A. JOHNSON. I do not know what is contemplated; it is not necessary.

Mr. JONES. Mr. Chairman, under this bill, the Congress of the United States elected by the sovereign people under the Constitution abdicates and delegates war making, control of the purse strings, and many other of its constitutional powers not only to the President of the United States, but to at present unknown bureaucrats whom he might in the future designate. The last line of the last paragraph of this bill states, "He may exercise any power or authority conferred on him by this act through such department, agency, or officer as he shall direct."

Under this provision the President could, therefore, retransfer any or all of the vast congressional power and authority handed to him by Congress to anyone whom he chooses. He can transfer all of the powers to Madam Perkins, to Barney Baruch, or to any other person or persons in the United States, including Harry Hopkins, a former social-service worker who was unable to properly administer the W. P. A., of late a star boarder at the White House who is now roaming around Europe as the Colonel House of the present New Deal administration.

The people of the Fourth District of Ohio elected me to represent them in Congress and perform the duties of a Congressman under my oath of office and under the Constitution of the United States. I shall not betray the confidence of those people and abdicate in favor of Harry Hopkins, Madam Perkins, Barney Baruch, or any other person or persons whom the President might choose under the last sentence of the last paragraph of the bill which I have quoted.

Mr. Chairman, I am opposed to the enactment of H. R. 1776, which sabo-

tages the Constitution of the United States and permits President Roosevelt to spend Uncle Sam into bankruptcy, plunge him into war, in many foreign lands, and establish a Soviet dictatorship in our Republic.

Mr. Chairman, this is a war measure which our New Deal brethren have clothed in the robes of national defense.

The President truly said in one of his addresses to Congress that "We cannot have our cake and eat it too." By the same token, we cannot have our own national defense if we continue to send many of the highly essential portions of it to foreign lands 3,000 miles across the sea, as this bill proposes to do. In the future, as in the past, I shall wholeheartedly and actively support and vote for legislation and appropriations which are essential to provide for an adequate and effective national defense of my country and my countrymen. To that end I shall continue to do everything I can to keep war out of the United States by keeping the United States out of war in foreign lands in accordance with a clear-cut provision of the Monroe Doctrine, which states—

In the wars of the European powers, in matters relating to themselves, we have never taken any part, nor does it comport with our policy so to do.

The place for our American manhood is on top of American soil. The flower of our youth should not be sent to slaughter in foreign lands in order to satisfy the lusts and the greed of international bankers, warmongers, war interventionists, and war profiteers who foment and promote war in order to make bloody war profits, while the great rank and file of the people sweat and toil to directly and indirectly produce the tax dollars which are essential to pay the financial costs of war, as well as fight, suffer, bleed, and die in the military service.

Mr. Chairman, many of my colleagues, in exceptionally able speeches in opposition to this bill, have presented incontrovertible facts which should convince every thinking unprejudiced person that its defeat is essential to the defense and preservation of our republican form of government and its sacred rights and liberties of free people. I shall, therefore, use most of the limited time at my disposal to bring to the attention of Congress and the country some of the highly dangerous features of this bill, the full implications of which have not been stressed thus far in the debate.

Mr. Chairman, on January 27, 1837, in an address before the Young Men's Lyceum of Springfield, Ill., Abraham Lincoln, in pointing out the dangers to our democracy, said:

At what point shall we expect the approach of danger? By what means shall we fortify against it?

Lincoln then pointed out that danger to America would not come from without, but from within, from men of ambition and talents, who seek the gratification of their ruling passions and whose ambitions would be beyond a seat in Congress, a gubernatorial or Presidential chair, and whose towering genius disdains a beaten path, but thirsts and burns for distinc-

tion, and, if possible, it will have it, even at the expense of enslaving free men. He said that it is reasonable to expect—that some man possessed of the loftiest genius, coupled with ambition sufficient to push it to its utmost stretch, will at some time spring up among us and when such a one does, it will require the people to be united with each other attached to the Government and laws, and generally intelligent, to successfully frustrate his designs.

Lincoln then indicated that when that time came—

reason—cold, calculating, unimpassioned reason—must furnish all the material for our future support and defense. Let those materials be molded into general intelligence, sound morality, and in particular a reverence for the Constitution and the laws.

Mr. Chairman, the danger foreseen by Abraham Lincoln on January 27, 1837, now confronts us in this bill and reason—cold, calculating, unimpassioned reason—sound morality, and a reverence for the Constitution and the welfare of our Republic require the people to unite with each other in order to frustrate the President's designs to replace our republican form of government with a New Deal dictatorship under this bill.

Mr. Chairman, at Cincinnati in 1859, Abraham Lincoln said:

The people of these United States are the rightful masters of both Congress and the courts, not to overthrow the Constitution, but to overthrow the men who pervert the Constitution.

Daniel Webster spoke in the United States Senate on July 17, 1850, for the last time and said:

I mean to stand upon the Constitution. I need no other platform. I shall know but one country. The ends I aim at shall be my country's, my God's, and truth's. I mean to do this with absolute disregard of personal consequences.

Mr. Chairman, I choose to take my position with Abraham Lincoln and Daniel Webster, who had some deep love and affection for our American constitutional system of Government. I shall therefore cast my vote against it, as I firmly believe that in so doing I shall best serve my country and my countrymen to the end—that this Nation, under God, shall have a new birth of freedom, and that government of the people, by the people, and for the people, shall not perish from the earth.

[Here the gavel fell.]

The CHAIRMAN (Mr. COOPER). The Chair recognizes the gentleman from Wisconsin [Mr. STEVENSON].

Mr. STEVENSON. Mr. Chairman, as one of the new Republicans in Congress, it had not been my intention to take any active part on the floor of the House until the traditional period of probation for neophytes in the Halls of Congress had passed. But the ramifications and the effects of H. R. 1776, in my opinion, are so far-reaching and of such serious consequence to the people of this Nation that I feel constrained to voice my opposition to this bill on the floor of Congress.

I cannot approve the lend-lease bill, H. R. 1776, because, in my opinion, it would to all intents and purposes abolish our republican form of government, and turn a balanced democracy of the three



equal branches of our constitutional government into a practical dictatorship.

Congress owes a duty to the people of this Nation to preserve our republican form of government. We, as Members of Congress, have been elected to represent the people, and Congress should not delegate its constitutional rights, powers, and prerogatives to any individual, no matter who, or how popular he may be. I am unalterably opposed to relinquishing any further powers and prerogatives vested in Congress by the Constitution of the United States.

I believe, however, that our own country should be prepared to meet all eventualities in its own defense, but I will exert every possible effort to keep this Nation out of any foreign war. My stand during my campaign was, as was the stand of many of my colleagues, as prescribed by the platforms of both the Democratic and Republican Parties and by their leaders—and I am free to say that my stand now is that I shall oppose all acts of Congress which I am convinced might make it necessary for any American boy to fight on foreign soil—unless we are attacked by an aggressor.

And, in this regard, I believe in the principles so clearly and forcibly laid down by the first President of our United States, George Washington, the Father of our Country, set forth in his Farewell Address to the people of the United States. I feel that many of my colleagues on the other side have forgotten the exhortations of the Father of our Country, and I am therefore giving you herewith the admonitions and exhortations of George Washington dealing with the necessity of harmony among the members of our political parties, and relative to the observance of good faith and justice, peace and harmony, between our Nation and the other nations of the world:

The alternate domination of one faction over another, sharpened by the spirit of revenge natural to party dissension, which in different ages and countries has perpetrated the most horrid enormities, is itself a frightful despotism—but this leads at length to a more formal and permanent despotism. The disorders and miseries which result gradually incline the minds of men to seek security and repose in the absolute power of an individual; and, sooner or later, the chief of some prevailing faction, more able or more fortunate than his competitors, turns this disposition to the purpose of his own elevation on the ruins of public liberty.

Without looking forward to an extremity of this kind (which, nevertheless, ought not to be entirely out of sight), the common and continual mischiefs of the spirit of party are sufficient to make it the interest and duty of a wise people to discourage and restrain it.

It serves always to distract the public councils and enfeeble the public administration. It agitates the community with ill-founded jealousies and false alarms; kindles the animosity of one part against another; foment occasional riot and insurrection. It opens the door to foreign influence and corruption, which finds a facilitated access to the government itself through the channels of party passions. Thus, the policy and the will of one country are subjected to the policy and will of another. \* \* \*

It is important, likewise, that the habits of thinking in a free country should inspire caution in those entrusted with its adminis-

tration, to confine themselves within their respective constitutional spheres, avoiding in the exercise of the powers of one department, to encroach upon another. The spirit of encroachment tends to consolidate the powers of all the departments in one, and thus to create, whatever the form of government, a real despotism. A just estimate of that love of power and proneness to abuse it which predominate in the human heart is sufficient to satisfy us of the truth of this position. The necessity of reciprocal checks in the exercise of political power, by dividing and distributing it into different depositories, and constituting each the guardian of the public weal against invasions of the others, has been evinced by experiments ancient and modern; some of them in our country and under our own eyes—to preserve them must be as necessary as to institute them. \* \* \* But let there be no change by usurpation; for though this, in one instance, may be the instrument of good, it is the customary weapon by which free governments are destroyed. The precedent must always greatly overbalance in permanent evil any partial or transient benefit which the use can at any time yield.

Of all the dispositions and habits which lead to political prosperity, religion and morality are indispensable supports. In vain would that man claim the tribute of patriotism, who should labor to subvert these great pillars of human happiness, these firmest props of the duties of men and citizens. The mere politician, equally with the pious man, ought to respect and to cherish them. A volume could not trace all their connections with private and public felicity. Let it simply be asked, where is the security for property, for reputation, for life, if the sense of religious obligation desert the oaths which are the instruments of investigation in courts of justice? And let us with caution indulge the supposition that morality can be maintained without religion. Whatever may be conceded to the influence of refined education on minds of peculiar structure, reason and experience both forbid us to expect that national morality can prevail in exclusion of religious principle. \* \* \*

Observe good faith and justice toward all nations; cultivate peace and harmony with all. Religion and morality enjoin this conduct, and can it be that good policy does not equally enjoin it? It will be worthy of a free, enlightened, and, at no distant period, a great nation, to give to mankind the magnanimous and too novel example of a people always guided by an exalted justice and benevolence. \* \* \*

In the execution of such a plan, nothing is more essential than that permanent, inveterate antipathies against particular nations and passionate attachments for others, should be excluded; and that, in place of them, just and amicable feelings toward all should be cultivated. The nation which indulges toward another a habitual hatred, or a habitual fondness, is in some degree a slave. It is a slave to its animosity or to its affection, either of which is sufficient to lead it astray from its duty and its interest. Antipathy in one nation against another, disposes each more readily to offer insult and injury, to lay hold of slight causes of umbrage, and to be haughty and intractable when accidental or trifling occasions of dispute occur. Hence, frequent collisions, obstinate, envenomed and bloody contests. The nation, prompted by ill-will and resentment, sometimes impels to war the government, contrary to the best calculations of policy. The government sometimes participates in the national propensity, and adopts through passion what reason would reject; at other times, it makes the animosity of the nation subservient to projects of hostility, instigated by pride, ambition, and other sinister and pernicious motives. The peace

often, sometimes perhaps the liberty of nations, has been the victim.

So, likewise, a passionate attachment of one nation for another produces a variety of evils. Sympathy for the favorite nation, facilitating the illusion of an imaginary common interest, in cases where no real common interest exists, and infusing into one the enmities of the other, betrays the former into a participation in the quarrels and wars of the latter, without adequate inducements or justifications. It leads also to concessions, to the favorite nation, of privileges denied to others, which is apt doubly to injure the nation making the concessions by unnecessarily parting with what ought to have been retained and by exciting jealousy, ill will, and a disposition to retaliate in the parties from whom equal privileges are withheld; and it gives to ambitious, corrupted, or deluded citizens who devote themselves to the favorite nation, facility to betray or sacrifice the interests of their own country, without odium, sometimes even with popularity; gilding with the appearances of a virtuous sense of obligation, a commendable deference for public opinion, or a laudable zeal for public good, the base or foolish compliances of ambition, corruption, or infatuation.

As avenues to foreign influence in innumerable ways, such attachments are particularly alarming to the truly enlightened and independent patriot. How many opportunities do they afford to tamper with domestic factions, to practice the arts of seduction, to mislead public opinion, to influence or awe the public councils. Such an attachment of a small or weak toward a great and powerful nation dooms the former to be the satellite of the latter.

Against the insidious wiles of foreign influence—I conjure you to believe me, fellow citizens—the jealousy of a free people ought to be constantly awake; since history and experience prove that foreign influence is one of the most baneful foes of republican government. But that jealousy, to be useful, must be impartial, else it becomes the instrument of the very influence to be avoided, instead of a defense against it. Excessive partiality for one foreign nation and excessive dislike for another, cause those whom they actuate to see danger only on one side, and serve to veil and even second the arts of influence on the other. Real patriots, who may resist the intrigues of the favorite, are liable to become suspected and odious; while its tools and dupes usurp the applause and confidence of the people, to surrender their interests.

The great rule of conduct for us, in regard to foreign nations, is, in extending our commercial relations, to have with them as little political connection as possible. So far as we have already formed engagements, let them be fulfilled with perfect good faith. Here let us stop.

Europe has a set of primary interests, which to us have none, or a very remote relation. Hence, she must be engaged in frequent controversies, the causes of which are essentially foreign to our concerns. Hence, therefore, it must be unwise in us to implicate ourselves, by artificial ties, in the ordinary vicissitudes of her politics, or the ordinary combinations and collisions of her friendships or enmities.

Our detached and distant situation invites and enables us to pursue a different course. If we remain one people, under an efficient Government, the period is not far off when we may defy material injury from external annoyance; when we may take such an attitude as will cause the neutrality we may at any time resolve upon, to be scrupulously respected; when belligerent nations, under the impossibility of making acquisitions upon us, will not lightly hazard the giving us provocation, when we may choose peace



or war, as our interest, guided by justice, shall counsel.

Why forego the advantages of so peculiar a situation? Why quit our own to stand upon foreign ground? Why, by interweaving our destiny with that of any part of Europe, entangle our peace and prosperity in the toils of European ambition, rivalry, interest, humor, or caprice?

It is our true policy to steer clear of permanent alliance with any portion of the foreign world; so far, I mean, as we are now at liberty to do it; for let me not be understood as capable of patronizing infidelity to existing engagements. I hold the maxim no less applicable to public than private affairs, that honesty is always the best policy. I repeat it, therefore, let those engagements be observed in their genuine sense. But, in my opinion, it is unnecessary, and would be unwise, to extend them. \* \* \*

Constantly keeping in view that it is folly in one nation to look for disinterested favors from another; that it must pay with a portion of its independence for whatever it may accept under that character; that by such acceptance it may place itself in the condition of having given equivalents for nominal favors, and yet of being reproached with ingratitude for not giving more. There can be no greater error than to expect, or calculate upon real favors from nation to nation. It is an illusion which experience must cure, which a just pride ought to discard.

In offering to you, my countrymen, these counsels of an old and affectionate friend, I may even flatter myself that they may be productive of some partial benefit, some occasional good; that they may now and then recur to moderate the fury of party spirit, to warn against the mischiefs of foreign intrigue, to guard against the impostures of pretended patriotism; this hope will be a full recompense for the solicitude for your welfare by which they have been dictated.

[Applause.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio to the committee amendment.

The question was taken; and on a division (demanded by Mr. VOYTS of Ohio) there were—ayes 78, noes 109.

So the amendment to the committee amendment was rejected.

The CHAIRMAN. The question now recurs on the committee amendment.

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 3, after line 22, insert;

"(c) Neither the President nor the head of any department or agency shall, after June 30, 1943, exercise any of the powers conferred by or pursuant to subsection (a), except to carry out a contract or agreement with such a government made before July 1, 1943."

Mr. LUTHER A. JOHNSON. Mr. Chairman, we have an amendment to the committee amendment, which is at the Clerk's desk.

The Clerk read as follows:

Page 4, line 1, after the word "except", insert: "that until July 1, 1946, such powers may be exercised to the extent necessary."

Mr. LUTHER A. JOHNSON. Mr. Chairman, the committee amendment, as printed in the bill, is what is known as

the time-limit amendment which, as you know, reads:

Neither the President nor the head of any department or agency shall, after July 30, 1943, exercise any of the powers conferred by or pursuant to subsection (a), except to carry out a contract or agreement with such a government made before July 1, 1943.

Some of the membership are questioning the necessity or the wisdom of the last clause in the committee amendment which says:

except to carry out a contract or agreement with such a government made before July 1, 1943.

In other words, they do not object, as I understand, and, in fact, no one objects, to the time limit within which the contract may be made, which the committee suggests as 2 years, but they do question the wisdom or the necessity of the last clause:

to carry out a contract or agreement with such a government made before July 1, 1943.

This last clause in the committee amendment was placed there for one reason and one reason only and that was to permit contracts made before July 1, 1943, to be consummated and carried out.

If the time limit has no clause giving authority within a certain time by which contracts may be performed and completed, then contracts would not be entered into because parties would not make contracts if they did not have sufficient time under the law within which to complete them. Assume, for example, that we will—and it is so contemplated in the bill—provide planes to other democracies, and that we will build ships, and supply them, those things may take some time in the execution of the contract. Very well. The contract is made before July 1, 1943, and yet the consummation of the contract cannot be completed until after that time expires, and in order that the contract may not be vitiated, and would not be entered into if they could not be completed, the committee added that last clause to permit the carrying out of contracts made before July 1, 1943. To meet the apprehension and fear of some who said that contracts so made might cover a long and indefinite period of time we have offered, as the chairman of our committee [Mr. BLOOM] stated this morning, would be offered a modification of that amendment, which I would term in short language an over-all time limit, and this is a time limit within which the execution of the contract must be performed. That is the purpose of this amendment, and if this be adopted the amendment will now read:

(c) Neither the President nor the head of any department or agency shall, after June 30, 1943, exercise any of the powers conferred by or pursuant to subsection (a), except that until July 1, 1946, such powers may be exercised to the extent necessary to carry out a contract or agreement with such a government made before July 1, 1943.

In other words, for a completion of contracts by July 1, 1946, the contract must be entered into before July 1, 1943,

and must be completed before July 1, 1946.

Mr. JENKINS of Ohio. In other words, we understand the contract must be entered into by the 30th of June 1943.

Mr. LUTHER A. JOHNSON. Absolutely.

Mr. JENKINS of Ohio. But that they may be carried out until July 1, 1946.

Mr. LUTHER A. JOHNSON. Yes. A contractor would not want to make a contract unless he knew the Government had time within which to complete it. Subsection (a) is that portion of the contract where we sell and give something away, and subsection (b) is that portion whereby we receive something in return. The time limit is restricted to subsection (a) therefore to limit the time in which this Government may complete contracts on articles furnished by it, not those received by it, in exchange on such contracts.

Mr. TABER. Does the gentleman understand that the provisions of section 3 authorize the President without further action by Congress or further appropriations to enter into contracts for purchasing of defense articles?

Mr. LUTHER A. JOHNSON. I do not.

Mr. TABER. Does he understand that they authorize the President to enter into contracts with foreign governments for the payment of moneys to them?

Mr. LUTHER A. JOHNSON. I do not. I think that any powers exercised here with reference to the payment or expenditure of money must be made in accordance with appropriations made by Congress, and cannot be exercised until Congress, by law, makes appropriation therefor.

Mr. TABER. Before the contract is entered into?

Mr. LUTHER A. JOHNSON. That is my understanding.

Mr. TABER. I agree with the gentleman.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. SUMNERS of Texas. Mr. Chairman, I rise in opposition to the amendment, in order to propound a question to the gentleman from Texas [Mr. LUTHER A. JOHNSON], and this is the question. What may be done prior to 1943 with reference to contracts without further authorization or further appropriation than is contained in this bill.

Mr. LUTHER A. JOHNSON. Nothing, so far as the expenditure of money is concerned. I think the report sets forth clearly our interpretation of that—that with reference to contracts made involving the expenditure of money that estimates must first be submitted, and the Committee on Appropriations will pass on it and Congress make the appropriation before any binding contract can be made for the expenditure of any funds under this bill.

Mr. SUMNERS of Texas. These contracts that may be made between this time and 1943 are contracts where estimates must be made and the other things done that the gentleman just enumerated?

Mr. LUTHER A. JOHNSON. I do not get the question.



Mr. SUMNERS of Texas. My question is with reference to the contracts that may be made between this time and 1943. Does it require that estimates be made and anything be done other than as provided under the terms of this bill and the authorizations of the bill?

Mr. LUTHER A. JOHNSON. The gentleman means contracts with foreign governments?

Mr. SUMNERS of Texas. The contracts referred to in this amendment and the gentleman's amendment to the amendment.

Mr. LUTHER A. JOHNSON. Yes. I answered that. As I understand, there must be estimates made and appropriations made by Congress before any binding contract may be made that will affect our Government where the expenditure of money by our Government is involved. That is my interpretation.

Mr. MICHENER. Mr. Chairman, the question asked by the gentleman from Texas [Mr. SUMNERS] seems to be aimed at and concerned only with contracts affecting appropriations. This bill permits exchanges and trades of the commodities and things mentioned in the bill. It deals in war materials, it deals in farm products, and with most matters with which our economy is affected. Under this bill, without limitation, the President may make any contracts as he thinks advisable under the powers in the bill, and dealing with the things mentioned in the bill, to be carried out at any time in the future, without limitation as to time of completion. Is that not correct?

Mr. LUTHER A. JOHNSON. I will say in answer to the suggestion by the gentleman from Michigan [Mr. MICHENER] that he is in part right and in part wrong. I think, with reference to materials where there is no money required and no appropriation required, the President would have the right to go ahead and make contracts, but with reference to any contract that required the expenditure of any money to be appropriated, then an estimate would have to come in here, and Congress make appropriation therefor.

Mr. MICHENER. That is true, but I raised this point in the Rules Committee. Without the limitation the President could make trade agreements binding this country in perpetuity. Is it the purpose of the amendment to prevent that possibility?

Mr. COFFEE of Nebraska. Will the gentleman yield?

Mr. SUMNERS of Texas. I yield.

Mr. COFFEE of Nebraska. I would like to inquire whether or not it would be possible for the President to use the \$100,000,000 that we appropriated last week for the purpose of purchasing defense articles not only in the United States but possibly in South America or anywhere else in carrying out the provisions of this bill.

Mr. SUMNERS of Texas. I yield to the gentleman from Texas [Mr. LUTHER A. JOHNSON] to answer that.

The CHAIRMAN. The time of the gentleman from Texas [Mr. SUMNERS] has expired.

Mr. JENKINS of Ohio. Mr. Chairman, I move to strike out the last word.

I take this time to ask the gentleman from Texas [Mr. LUTHER A. JOHNSON] a question or two. I do not understand this amendment and its full implications. In the first place, let us take subsection (a) of section 3. That is the section that permits the President to sell whatever is outlined there—battleships, and so forth. If you did not insert any time limit in the amendment on page 3, of course he could sell them and take payment in 10 years or 20 years. Now, on page 3 is subsection (b). It provides that the President, when he makes these sales, can provide any sort of terms he wishes with reference to return payment. If you let it stand at that, the President could sell what he pleased and take payment in whatever method he pleased at whatever time he pleased. But if you put a limitation on section (a)—

Mr. LUTHER A. JOHNSON. That is the only part of the bill where the President would exercise any authority. Section (b) simply states the conditions and what property he can receive in return. All the President's powers to act are in subsection (a) of section 3. We limit the right specifically to make contracts so that they must be made before 1943, and they must be terminated by 1946.

Mr. JENKINS of Ohio. Why did you not put in this subsection (b) that provision?

Mr. LUTHER A. JOHNSON. We did not want it, because subsection (b) is what we get. They may give us tin or rubber or a lease on something that would last for a long time. We do not want to limit ourselves as to the payment they shall make. We only want to limit the time in which we can grant them anything.

Mr. JENKINS of Ohio. Then in subsection (b) you provide for a trade or barter for something like tin—suppose the President should sell a battleship for \$10,000,000 and take in return \$10,000,000 worth of tin, and he still can, as provided in this bill, that that tin may be delivered in 10 or 15 years?

Mr. LUTHER A. JOHNSON. Whatever the terms of payment are to be. The limitation is upon what goes out and not what comes in.

Mr. JENKINS of Ohio. Let us understand that clearly. Then the President can sell a battleship under this bill and he can provide that the payment shall come back at any time he fixes; but you interpret your amendment to your amendment to mean that the President cannot make any agreement after when?

Mr. LUTHER A. JOHNSON. After June 30, 1943.

Mr. JENKINS of Ohio. Then what is this other provision you have for 1945?

Mr. LUTHER A. JOHNSON. Suppose we say we are going to sell a battleship or build a battleship, as we will build ships, they cannot be completed; the manufacturer may not be able to complete them by June 30, 1943. That is to give time in which to complete those articles.

Mr. JENKINS of Ohio. Then we understand your amendment to mean this, that with your amendment adopted, to-

gether with the last amendment to the amendment, the President can sell what he pleases and take back anything he pleases over an unlimited period of years?

Mr. BLOOM. Oh, no.

Mr. JENKINS of Ohio. Oh, yes; it means that, but he must deliver what he is going to sell by 1946.

Mr. LUTHER A. JOHNSON. That is right.

Mr. JENKINS of Ohio. Now, let us repeat it, then. My understanding is that the President can sell what he pleases for what he pleases and have the payment come back any time he pleases, even for 100 years, if necessary?

Mr. LUTHER A. JOHNSON. Yes.

Mr. JENKINS of Ohio. But if he does sell anything he must deliver it by 1946?

Mr. LUTHER A. JOHNSON. That is right. And he must contract to deliver it before 1943.

Mr. JENKINS of Ohio. But if he contracts to sell something he must do it before 1943 and deliver it before 1946?

Mr. LUTHER A. JOHNSON. That is right, and in addition to that the Appropriations Committee must approve of it.

The CHAIRMAN. The time of the gentleman has expired.

Mr. REED of New York. Mr. Chairman, I move to strike out the last three words.

The CHAIRMAN. The gentleman from New York is recognized for 5 minutes.

Mr. REED of New York. Mr. Chairman, I doubt if I shall take the entire 5 minutes, but there is one question in this bill that is disturbing me very much. I admit that this bill is going through as it is, but I want to have the gentlemen on this side who are going to assume that responsibility give just a little thought to this question: Under this bill the President has full power to purchase whatever Great Britain may need from us in the conduct of her wars. This makes the President their purchasing agent for essential war materials here. I have heard on this floor from probably a hundred Members that they want to aid Great Britain. I maintain that any such power of strangulation over Great Britain, now fighting for her life, is not fair. I cannot believe Great Britain wants this type of aid vested in one man.

We approach the time when we see ourselves being drawn into the war. Let us assume that. There is one man in the world who has the power to say to Great Britain, "I have decided that the time has now come for peace." Great Britain says, "No; we are going to fight it through; this is not the time." But the great world demand is for peace, and you put it in the power of the President of the United States to say, "It must be peace. I will not give you, or sell you, or lend you, or lease you, the essential war materials to go one step further." Mr. Chairman, that is not the kind of aid Great Britain wants.

Mr. RAMSPECK. Mr. Chairman, will the gentleman yield for a question?

Mr. REED of New York. I yield.

Mr. RAMSPECK. This bill does not take away any of the present rights of



the British Government to purchase war materials in this country, does it?

Mr. REED of New York. That does not make any difference.

Mr. RAMSPECK. It does make a difference.

Mr. REED of New York. If the President has all this power to purchase as provided in this bill, he will have the power in a crucial hour to force a peace upon Great Britain against her interests.

Mr. CRAWFORD. Mr. Chairman, will the gentleman yield for a question?

Mr. REED of New York. I yield.

Mr. CRAWFORD. Do I understand now that this bill would leave the situation so that Britain could purchase raw material and equipment from one of our private firms after the enactment of this bill put control in the President?

Mr. REED of New York. What the President would do I do not know; but if he can conscript private industry, how could the industries so conscripted control the disposal of their products? Where would this leave Great Britain if the President should decide to force a peace by stopping the shipment of materials to her? [Applause.]

By unanimous consent, the pro forma amendments were withdrawn.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas to the committee amendment.

The amendment to the committee amendment was agreed to.

Mr. DIRKSEN. Mr. Chairman, I offer an amendment to the committee amendment.

The Clerk read as follows:

Amendment offered by Mr. DIRKSEN to the committee amendment: On page 3, line 25, after the comma, insert: "nor shall such powers be exercised if terminated by a concurrent resolution by both Houses of the Congress."

Mr. DIRKSEN. Mr. Chairman, it has been said repeatedly by many of the proponents of this bill, including the majority leader, that Congress still retains control because under the authorization carried in the bill it still becomes necessary to come to Congress for appropriations.

As a matter of strict fact nothing could be further from the real fact. I will cite you the example of the independent offices appropriation bill, which passed this House the other day and which soon will pass the Senate. It contains an item of \$100,000,000 for emergent appropriation by the President with authority to ignore much of existing law in the expenditure.

What the President proposes to do, however, in the policy he proposes to establish will not be made manifest until that appropriation becomes law, make no mistake about it. There will come to the Appropriations Committee deficiency and supplementary messages from the White House asking for money in rather broad terms for emergent purposes, and the President will have the money before he undertakes to articulate the pending legislation, so the check is gone and then abuses may arise. They may arise before June 30, 1943. If they do, how are

you going to retrieve the power? Would you retrieve it by passing general legislation and sending it to the White House? The President would have to approve it before you could repeal any of the provisions of this bill if it is enacted into law. If he disapproves and sends it back, it will take a two-thirds vote not only of this House but of the body at the other end of the Capitol to retrieve that power. There is one way of doing it and doing it now, there is one way for Congress to tie a string to this matter, and that is to provide in this bill that by concurrent resolution of the two Houses, without the necessity of the signature of the President, we can reach out in case of excesses and abuses and take back the legislative power that is today being delegated.

There is precedent for this. You will remember that when the reorganization bill was passed in 1939 most of the opposition came from the majority side. Finally there was shaped in that legislation a provision that when the President submitted a reorganization plan it was provided that by concurrent resolution the Congress could repudiate any plan of reorganization the President suggested. At that time this Chamber fairly rang with stentorian speeches about delegated power and the danger of excesses and abuses on the part of the Chief Executive. So Congress guarded that power and held it by making a provision whereby anything the President should submit could still be repudiated by a concurrent resolution that did not require the signature of the Executive.

Forever after hold your peace unless today we make it possible in an hour of abuse, in an hour of excess, that we cannot now foresee, that we can reach out and retrieve this power and make firm and certain that the exclusive war-making power of the Congress will not leave this body.

Mr. BLOOM. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. I yield.

Mr. BLOOM. I ask the gentleman this for information: Does the gentleman intend to repeal any specific deals? Does the gentleman intend that after a contract is made we may repeal the contract? What does the gentleman expect to do by this concurrent resolution?

Mr. DIRKSEN. The gentleman forgets that this is an amendment to his amendment.

Mr. BLOOM. Yes, I know it is. That is why I am asking the gentleman.

Mr. DIRKSEN. Which provides that this contract authority shall extend to 1946 and definitely the authority shall extend to 1943. In the event of abuses, then the Congress must reach out and take back all of that power or any part of it that the Congress sees fit to recite in a concurrent resolution and the terms of the resolution can at that time deal with all the detail that may be required.

Mr. BLOOM. Then the gentleman's idea is to repeal all of the contracts that are made up to that time?

Mr. DIRKSEN. No, indeed. This deals only with the power then recited and as to what will be taken back; as

to what will be permitted to go on, is a matter that the Congress can determine at the time, provided it has the authority to enact a concurrent resolution to take away those powers; so those powers ought to be contingent upon that concurrent resolution.

[Here the gavel fell.]

Mr. EBERHARTER. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Illinois [Mr. DIRKSEN].

Mr. Chairman, the gentleman from Illinois has discussed the appropriation feature, and this has been discussed in the last 4 days. Everybody has made up his mind as to that, so I will not go into it; but it seems to me the amendment he has presented shows the spirit in which certain Members of the House are approaching this bill. It exhibits a distrust of the President of the United States, and to adopt an amendment of this sort would show conclusively that you did not have any confidence in the President of the United States, whether he be the present President or some other President.

In my opinion, this is just a useless amendment. The Congress of the United States can repeal this act at any time. It is also uncertain, according to the wording of the amendment, whether he intends to review the various contracts made by the President in the interim up to July 1, 1943, or whether he revokes all of the powers; and I say that if the Congress at any time in the future desires to pass a concurrent resolution, no President, whoever he may be, would dare continue to exercise the powers which are granted in this bill. As I say, it is a useless amendment; it is an amendment that throws bricks at the White House; and I hope it will be defeated.

[Here the gavel fell.]

The CHAIRMAN. The question is on the amendment to the committee amendment.

The question was taken; and on a division (demanded by Mr. DIRKSEN) there were—ayes 83, noes 107.

Mr. DIRKSEN. Mr. Chairman, I ask for tellers.

Tellers were ordered, and the Chair appointed Mr. LUTHER A. JOHNSON and Mr. DIRKSEN to act as tellers.

The Committee again divided; and the tellers reported there were—ayes 148, noes 141.

So the amendment to the committee amendment was agreed to.

Mr. VOORHIS of California. Mr. Chairman, I offer an amendment to the committee amendment as amended.

The Clerk read as follows:

Amendment offered by Mr. VOORHIS of California to the committee amendment: Page 3, line 24, after "June 30", strike out "1943" and insert "1942", and on page 4, line 2, after "July 1", strike out "1943" and insert "1942."

Mr. VOORHIS of California. Mr. Chairman, as I have explained in the brief speech I made 2 days ago when there was hardly anybody present in the House, I believe the central purposes of this legislation are essential under all existing circumstances. It has been my



hope from the beginning that when the time finally came for the last roll call on this legislation it could be supported by as large a majority of the House as possible. I am fully convinced that it is necessary under the conditions existing in the world for the Congress to grant considerable power to the Executive.

As I have said before, I have no mistrust of the President. I have no doubt in the world that the President of the United States will do everything he can to protect the interests of the United States of America. But I was deeply impressed by the remarks of the gentleman from New York [Mr. WADSWORTH] the other day when he pointed out that the essential thing to a grant of power from the Legislature to the Executive is the principle that in the course of a definitely determined time this power shall return to the Legislature again, then to be granted if in the wisdom of the Legislature it is found wise and necessary to do so.

The present terms of the bill continue the operation until 2½ years from now. My amendment would make it continue in operation until 1½ years from now, but would not change the date 1946 for the end of contracts that might be made. This would mean that a year and a half from now on the basis of the condition and situation at that time, and I submit to any Member of the House that in a year and a half's time, the situation in this world will be much clearer than it can possibly be now, we will then continue this legislation if needed, or not continue it if not needed. I have no fear of the wisdom of the verdict of the Congress at that time and I have no fear as to how the mandate given in this bill will be carried out by the Chief Executive.

I believe the adoption of this amendment, which I believe is a better amendment than the one which was just adopted by the Committee of the Whole, would help in gaining support for this legislation by keeping a little closer to the legislature the power that has been granted. It does not limit that power in any way, it does not change it in any way. It merely says that it shall last 1½ years instead of 2½ years.

Mr. CREAL. Mr. Chairman, will the gentleman yield?

Mr. VOORHIS of California. I yield to the gentleman from Kentucky.

Mr. CREAL. What is the purpose of the gentleman's amendment now, since the gentleman with others voted to give no definite time at all?

Mr. VOORHIS of California. I may say to the gentleman that I am not absolutely sure that I did right when I voted for that other amendment. It was a difficult question to be decided in about 2 minutes. But I voted for it because it seems to me there is a principle of legislative responsibility involved here which to me is entirely different from the question of trust of the Executive. It seems to me that the United States Congress, as the last freely functioning great legislative body, has to give to the people of America a definite demonstration of its sense of legislative responsibility. [Ap-

plause.] I hope and I believe that that is an entirely separate question from the question of your trust and honor for the Chief Executive of the United States, which I have in sincerity toward him. The Dirksen amendment simply means, as I view it, that Congress accepts continuously its share of responsibility for the future of our country.

Mr. VORYS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. VOORHIS of California. I yield to the gentleman from Ohio.

Mr. VORYS of Ohio. If we find any particular matter which will require more time, the Congress can then act on that matter. Is that not true?

Mr. VOORHIS of California. Yes; that is true.

May I say in further answer to the gentleman from Kentucky that should this amendment be adopted, one course of action would be, in case a roll call is called for, to vote against the Dirksen amendment and in favor of this one. If both of these amendments are adopted and placed in the bill, every Member will have his chance to take his choice between them. The whole purpose of my offering this amendment, as I explained 2 days ago, is to try to secure a bill here that can receive a very impressive majority on the final roll call. I believe that is important.

Mr. FITZPATRICK. Mr. Chairman, will the gentleman yield?

Mr. VOORHIS of California. I yield to the gentleman from New York.

Mr. FITZPATRICK. The gentleman would have to vote the committee amendment up or down. He cannot vote for the Dirksen amendment alone. The gentleman knows that. Under the parliamentary situation, he would have to vote the committee amendment up or down.

Mr. VOORHIS of California. I am mistaken. I stand corrected. These are amendments to an amendment, and as the gentleman points out, a roll call cannot be had upon them.

[Here the gavel fell.]

Mr. LUTHER A. JOHNSON. Mr. Chairman, I rise in opposition to the amendment by the gentleman from California [Mr. VOORHIS] to the committee amendment.

Mr. Chairman, the author of this amendment in his last statement, I believe, has demonstrated the folly of trying to legislate upon a bill of this kind by putting in half-baked amendments on the floor of the House. He admits now that on the Dirksen amendment upon which we have just voted he possibly voted wrong in supporting it. Now he presumes to come in and offer another amendment to set aside the action of a committee that has been considering this legislation for almost a month, in both executive and open hearings. We have analyzed this bill and every provision of it, not only with the departments of the Government but with others concerned with it.

Mr. VOORHIS of California. Mr. Chairman, will the gentleman yield?

Mr. LUTHER A. JOHNSON. I yield to my friend.

Mr. VOORHIS of California. I said, I believe, that I was not certain about whether or not I voted correctly.

Mr. LUTHER A. JOHNSON. That is what I understood the gentleman to say, and if he was mistaken in his vote on the Dirksen amendment, may his judgment not be wrong in offering this amendment.

Mr. VOORHIS of California. That is an honest statement.

Mr. LUTHER A. JOHNSON. I know it is.

Mr. VOORHIS of California. I said it seemed to me that a certain principle was involved here that I was trying to get at.

Mr. LUTHER A. JOHNSON. I appreciate the gentleman's candor. It is commendable that he now admits that he was probably wrong about it. What I am saying is not in criticism of his vote. He had the right to vote as he thought best, but I think his admitted error in so voting and immediately thereafter offering another amendment demonstrates the folly of a hastily prepared amendment to try to change the important terms of a bill which had been given serious and earnest consideration by the Foreign Affairs Committee of the House.

This bill was not hastily prepared. This bill was carefully thought out, and every word and provision in it. It was not even introduced until after it had been gone into very thoroughly. Then the committee heard all the committee amendments. It was the consensus of the committee that there ought to be a 2-year limit within which this could be done. As was so well said in the question of the gentleman from Kentucky [Mr. CREAL], after having already placed in the bill an amendment providing that Congress can by concurrent resolution terminate the bill at any time, why do you want to shorten the time? I believe the gentleman is right. I believe the gentleman voted wrong in voting for the Dirksen amendment, but I believe he will again be wrong if he votes for the amendment he has offered.

Let us look at the thing in a practical way. The 2-year limitation that we fixed expires within the life of the next Congress. The gentleman wants to fix it so the power will expire on June 30, 1942. We say that during this crisis the President ought to have these powers, and that when the new Congress comes in in 1943, unless it extends the powers they automatically expire. We believe that 2 years is the proper time in which this can be done. No one can foresee whether the crisis will come sooner or later.

I believe, Mr. Chairman, in view of the fact that it is thought by all who have considered this matter, not merely in the offering of amendments but those who have considered it in committee, that 2 years ought to be the time for the life of the bill and we should not adopt another amendment here changing the provisions still further.

Let me appeal to the Members of the House that in the consideration of this bill they do not vote for an amendment just because it sounds good. Remember



that it has been weighed by your committee with every consideration in view.

I ask you to defeat this amendment and other amendments that may be offered that will emasculate the bill. [Applause.]

[Here the gavel fell.]

Mr. FISH. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, if the reasoning of the gentleman from Texas is correct, if his logic is sound, the House need not consider any amendments at all. The committee is infallible, according to the gentleman from Texas, and we have no right even to consider amending legislation. That is utterly and totally absurd. We are here as Members of Congress to legislate and formulate legislation regardless of the committee or of anyone else except ourselves.

The gentleman from California has introduced one of the most important amendments that will come before this body in connection with the limitation of the powers granted the Executive in this bill. There is no one who does not agree that this is one of the most far-reaching and important pieces of legislation ever before Congress. There is no one who does not agree that this legislation delegates the most extraordinary, the most excessive, and the most unprecedented powers in the history of our country to President Roosevelt.

It amounts to a blank check on the blood and the money of the American people, and it is only right and proper that there should be some definite limitation of time placed in the bill. If I had my way, and thought it would be adopted, I would offer an amendment to limit it to 1 year, to see how it would work, and then, inasmuch as we are in session every year, and inasmuch as we appropriate money every year, the President could then come back for this power and for these appropriations, but the gentleman from California [Mr. VOORHIS] did not limit it to 1 year. He changed the amendment as it reads now from 1943 to 1942, and I submit to anyone who cares anything about the Constitution at all, who does not think the Constitution is a mere scrap of paper, that the amendment as written in the bill is completely unconstitutional. I am going to read you from SOL BLOOM'S—I think that is the title—"The Story of the Constitution, by SOL BLOOM." [Laughter.] This is my authority, and no one is going to question it:

Article I, section 8, paragraph 12, which has to do with the powers of the Congress—

To raise and support armies, but no appropriation of money to that use shall be for a longer term than 2 years.

It does not say 2 years and 1 day, it does not say 2 years and 3 months or 5 months, it says for no longer term than 2 years.

Mr. BLOOM. Mr. Chairman, will the gentleman yield there?

Mr. FISH. Let me finish and then I will give you some time or you can take more time. You do not want to deny what is written in the Constitution?

Mr. BLOOM. Now, you are asking a question. Let me ask you where is the appropriation here?

Mr. FISH. That is what I am coming to. This bill has to do with defense articles for our Army and for our Navy. If this is not in support of our Army then what is? This bill definitely says "defense articles for our Army and Navy" in so many words and I submit that as now written it is completely and totally contrary to the Constitution.

You have the votes and I am only warning you. If you want to scrap the Constitution and deliberately defy this particular section of the Constitution you have the votes. You have the votes even to defy the Constitution, but I do not believe Congress will want to do that when they know the facts.

The amendment of the gentleman from California [Mr. VOORHIS] remedies this situation and limits it to a period of 1 year and 3 or 4 months which, in my opinion, is 4 or 5 months longer than it should be, but it brings it within the Constitution. The only other amendment that would be constitutional, if you want to make it, is a definite 2-year limitation which is only a few months longer than the time provided in the amendment of the gentleman from California. But as now written in the bill it is in defiance of the Constitution and I disagree with the statement that our committee is infallible in all things. No committee is infallible and both the minority and the majority may offer any amendments on the floor. It is the duty and responsibility of this House to legislate, within the confines of the Constitution, for what is best for America. [Applause.]

[Here the gavel fell.]

Mr. BLOOM. Mr. Chairman, I move to strike out the last word just to ask the gentleman from New York [Mr. FISH] a question. Will the gentleman from New York [Mr. FISH], now that he has quoted from the Constitution, kindly tell me where the appropriation is that is extended for 2 years or where there is any 2-year appropriation that would be affected by this constitutional provision?

Mr. FISH. If you are going to have any bill at all that is going to mean anything, it must carry appropriations to carry out the purposes of the bill, and that is the main purpose of this bill—to provide aid and defense articles for Great Britain, all of which cost money.

Mr. BLOOM. Will the gentleman from New York kindly show me where the appropriation is in this bill that is intended for 2 years or for any length of time?

Mr. FISH. I am not going to quibble with the gentleman or with any other Member of the House, but this bill has but one purpose, whether it costs \$20,000,000,000 or \$40,000,000,000. I do not know what it is going to cost, but I know that this bill, if it is carried out at all, unless we are fooling England and everybody else, calls for appropriations, and I want to limit them and bring them within the Constitution and I have no other reason in mind.

Mr. BLOOM. That is what I want to do and where in this bill is there any appropriation that is extended for 2 years so as to come within the provisions of the Constitution that the gentleman from New York is talking about? Please answer that.

Mr. FISH. What does the gentleman think section 3 (a) (2) means, "to sell, transfer, exchange, lease, lend, or otherwise dispose of, to any such government any defense article." What does the gentleman consider that means?

Mr. BLOOM. Does the gentleman from New York mean that that is an appropriation?

Mr. FISH. Does the gentleman from New York think that these articles of defense grow on trees? Does he think we do not have to pay for them?

Mr. BLOOM. Does the gentleman mean to say that that is an appropriation of something that is going to come out of the Treasury? Why, that is ridiculous, and the gentleman ought to know better than that.

Mr. FISH. The gentleman is a wizard if he thinks we do not have to pay for these defense articles by appropriations out of the United States Treasury.

Mr. BLOOM. I am a wizard, according to that book there. [Laughter.]

[Here the gavel fell.]

Mr. JARMAN. Mr. Chairman, I move to strike out the last four words. Not only does this bill very definitely not carry an appropriation, but, as a matter of fact, the Attorney General ruled in 1904 that the 2-year limitation on appropriations to "raise and support" armies did not place any limitation on appropriations for "arming or equipping" armies and specifically stated that it did not limit appropriations for forts, fortifications, ordnance, arms and ammunition, and other means for the purpose of defense, and that, Mr. Chairman, is exactly what this bill proposes to do.

Some reference has been made to half-baked legislation and to writing legislation on the floor of the House, and we might say to frivolity. I read now in connection with that the following paragraph from the minority's report:

There has been much talk of "restrictive" committee amendments. The amendments adopted do not prohibit our conveying merchantmen; do not require our Army or Navy officers to determine our own defense needs; do not place a constitutional 2-year limitation on the life of the bill.

I repeat the pertinent part:

The amendments adopted do not place a constitutional 2-year limitation on the life of the bill.

Tell me in all seriousness, laying aside the jokes and the horseplay, how in the name of common sense could the Foreign Affairs Committee or any committee of the House place a "constitutional 2-year limit" on any bill? What do they mean by criticizing the committee for not placing a constitutional limit on a bill? They know as all of us know that in order to amend the Constitution two-thirds of a quorum of this House and of the other body must vote for it, and it then must go to the States where three-fourths of them either in legislatures assembled or



by convention must ratify the proposed amendment. We all know that 9 months plus is the shortest time in which that has ever been accomplished. Nine months plus has been the shortest time required to amend the Constitution. And while our colleagues on the other side of the aisle are indulging in great protestations of friendship for Great Britain, while they pretend to be earnest indeed in their desire to defend this country, yet they complain of the Foreign Affairs Committee that it did not indulge in action which would have required at least more than 9 months, while Rome burned, to cause this relief and defense.

Mr. MUNDT. Mr. Chairman, will the gentleman yield?

Mr. JARMAN. Yes.

Mr. MUNDT. We were not complaining that you had not amended the Constitution. We were complaining because you did not conform to the Constitution as written by our forefathers, to wit: Subsection 2 of section 3 of the bill authorizes the President to sell, transfer, exchange, lease, lend, or otherwise dispose of, to any such government any defense article. That is a direct appropriation bill of every ship we have, or every defense article that we have, if the President desires to give it away. It is a \$40,000,000,000 appropriation bill.

Mr. JARMAN. I challenge the statement that this is an appropriation bill and the gentleman knows that it is not. That is as ridiculous and as frivolous as the statement in the minority report that the Foreign Affairs Committee did not place a constitutional 2-year limit on the life of the bill. You may not have said what you meant, but that is what you said and it is absolutely ridiculous.

Mr. BLOOM. And I would like the gentleman to show where there is any provision which takes any money out of the Treasury, and if it is an appropriation bill, why do not they make a point of order against it now?

Mr. CASE of South Dakota. Because the gentleman brought in a rule waiving all points of order.

The CHAIRMAN. The time of the gentleman from Alabama has expired.

Mr. JONKMAN. Mr. Chairman, I move to strike out the last word. I am very glad that I am speaking on a very simple amendment. If I understand this amendment correctly—and I am beginning to come to a point where I do not know whether I am understanding anything—we are going to change "1943" to "1942." I think that is quite simple. I support the amendment of the gentleman from California [Mr. VOORHIS], but I cannot understand the gentleman from Texas [Mr. JOHNSON] when he says that the gentleman from California is inconsistent. The gentleman from California said that it is about time we were showing our sense of responsibility for our legislative authority. He voted for the amendment of the gentleman from Illinois [Mr. DIRKSEN], which would reserve certain powers in the Congress and enable the Congress to take them back from the President whenever it deems fit. Then, in addition to that, he voted for this amendment to further limit the duration of delegated power by 1 year,

which was entirely consistent with that amendment, and I defy anybody to show the contrary, namely, again to keep those powers more nearly in the hands of Congress. Yet we are told that that is inconsistent. Mr. Chairman, I have done a little hunting at times with a double-barreled shotgun, and I very often needed the second barrel to get what I wanted. A double-barreled efficiency to secure the powers entrusted to Congress is desirable in this situation.

There is no certainty that a concurrent resolution would do the job. That misconstruction is the trouble with this whole bill. It is the worst sleight-of-hand performance I have ever seen. It is a bill to promote our defense, they say; but in reality it is a bill to go to war with foreign nations. You can make what you want of that. They say there is no appropriation in this bill. I just want to read, as I read to Secretary Stimson certain sections of this bill. Paragraph 6 can be stricken from the bill; it does not mean a thing in this bill. This is what counts:

The term "defense article" means (1) any weapon, munition, aircraft, vessel, or boat.

I asked the Secretary, "Is there any implement of war on land or sea that is not embraced within that definition?" He said, if there was they had overlooked it.

Section 2 of article 3 says "to sell, transfer, exchange, lease, lend, or otherwise dispose of any defense article," not only existing now but hereafter to be made. I said, "Can the President, under that provision, lease, lend, give away, or dispose of our entire product of the entire seventeen and one-half billion appropriated last year?" "Of course, he can," was the answer.

"Can he dispose of the Navy?"

"Of course, he can. He can dispose of our foodstuffs, our munitions factories."

When somebody said \$40,000,000,000 the other day they were very conservative, because he has the power to take over General Motors or the United States Steel, if necessary, or the Ford plant. Forty billion dollars is only a drop in the bucket.

I ask you, in conclusion, can we not at the end of a year extend this power or before the year has elapsed? Are we going to stand here all day and say, "Trust the President" and at the same time say that Congress cannot be trusted to do its duty? Give him powers that he will never use? I say if we do give him powers that we know he will never use, we are violating the oath of office we took when we came into the well of this House. This is not wartime. If we say he might use them, then we are within our rights if the Constitution warrants it, but when we will give him powers that we know he will never use, we are going too far.

Mr. JENKINS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. JONKMAN. I yield.

Mr. JENKINS of Ohio. The Constitution provides that we ourselves, this Congress, if we are in war, cannot appropriate a dollar for more than 2 years, but today we are going to pass a bill permitting the President to handle billions of

dollars for more than 2 years, when we ourselves, in our own war, could not put up any money for longer than 2 years.

Mr. JONKMAN. Very true, although I think this violates the spirit if not the letter of that provision.

[Here the gavel fell.]

Mr. McCORMACK. Mr. Chairman, I rise in opposition to the amendment.

I rise to call attention to the fact that on all of these amendments, with probably one or two exceptions, there will be a solid vote for them on the left side of the aisle. I also want to call attention to the fact that the gentleman from New York [Mr. FISH] talks about powers and delegation. Some of the things we do rise up out of the past like a ghost to stare us in the face. On January 22 of this year the gentleman from New York [Mr. FISH] introduced a bill, H. R. 2612. Let us see what he says in section 3 and see the delegation of power, but not to the President:

SEC. 3. The Federal Loan Administrator is hereby granted the broadest powers—

Mark that language from one who is condemning the delegation of power in this bill to the President.

The Federal Loan Administrator is hereby granted the broadest powers to finance the war needs of Great Britain or other nations included under the provisions of this act, and, if necessary in his judgment—

That is, the Administrator—

to make actual grants of credit, without requiring from such governments any collateral, to finance the purchasing of their needs in the United States.

Yet he says this is the most terrible delegation of power ever recorded in the history of the country, when in his own bill he delegates "the broadest powers" possible to the Federal Loan Administrator. If that does not laugh him out of court, as one lawyer would say to another, I do not know what does. [Applause.]

Any reference I make to the gentleman from New York is purely impersonal and with the highest respect for him.

Mr. FISH. Will the gentleman yield?

Mr. McCORMACK. I yield for a question; not for a speech.

Mr. FISH. All that bill did was confined to \$2,000,000,000, and that is all.

Mr. McCORMACK. All right. That language speaks for itself. The Federal Loan Administrator is granted "the broadest powers to finance the war needs of Great Britain and other nations included under this act."

Mr. FISH. But for only two billion dollars.

Mr. McCORMACK. Yes. You have no hesitancy in granting the broadest powers to an appointive official, but you will not delegate power to an elective official, in this case the President of our country.

Mr. MAY. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. For a brief question.

Mr. MAY. I should think there is a distinction to be drawn also between the granting of power to a man to whom the Constitution has already confided powers and to one who is not known to the Constitution.



Mr. McCORMACK. Exactly. My friend, the gentleman from Missouri [Mr. SHORT], yesterday talked about war. Why, when the conscription bill passed he said it would lead us into war. When the repeal of the Neutrality Act took place, he told us it would lead us into war. When we appropriated money for 5,500 airplanes he took the well of this House, and, from his remarks—

Mr. SHORT. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. Oh, my distinguished friend! And, by the way, he gave me a characterization yesterday that I consider to be a great compliment: The Irishman from Boston. There is one greater compliment that he could pay me by characterizing me as "the American of Irish descent from Boston." [Applause.]

I hope this amendment will be defeated. [Applause.]

The CHAIRMAN. The gentleman from Kentucky [Mr. CREAL] is recognized for 5 minutes.

Mr. CREAL. Mr. Chairman, I have been working for 3 days trying to get hold of 5 minutes' time. [Laughter.] The chairman of the Committee on Foreign Affairs had plenty of time to give to some Republicans, and even extended their time once or twice while they were on their feet, but he could yield none to me, a supporter of the bill, so I had to hang on until I could get in here under the 5-minute rule.

I want to dwell for a minute on the remarks of the distinguished gentleman from New York [Mr. FISH] on opening the 3-day debate. His remarks were presumed to be a preview like a preview in the picture-show coming attractions—he opened the debate, and in the first paragraph said:

There is no disposition on the part of the minority to delay this bill, and we hope it will be disposed of this week.

In the following paragraphs he said it was the death knell of the Republic, the complete surrender of the constitutional power; that it was national bankruptcy; that it meant war in 6 months; that it was complete surrender to dictators at home. Now, just think of that. A patriotic gentleman, who would not want to fight over 3 days when it is going to do all those wicked things to the country. [Laughter and applause.] Why, my Lord, if I thought it was going to do any one of those things, I would fight and filibuster here until they had to arrest me and carry me out. Did he believe it? He also said that this should transcend all party lines, and in the very next paragraph he called attention to how many members in the committee who voted to report it resided south of the Mason and Dixon line.

I had not noticed that until he said it, and do not suppose anyone else had. But a man cannot talk all the time without saying something you agree with. He said:

I have never known any bill about which there has been so much hypocrisy, shameless misrepresentation, and falsehood.

With that I agree. [Laughter.] You know a man cannot keep on talking with

his mouth all the time without saying something that you will agree with. [Laughter.]

When he voted against the repeal of the embargo he used an expression that burned itself in on my mind. He said:

We are so near war that I can hear the flapping of the wings of the angels of death.

I remember that phrase most particularly. [Laughter.] He said we would be in war in 6 months, and then he comes along and tells us that the boys who voted to repeal this embargo are the ones who are responsible for war and that in his judgment Belgium, Holland, Denmark, and those other countries would still have been intact had we not repealed the embargo. Well, that is a very sensible argument. Is it, or is it? I think I can lick you, I have sized you up, found out how much you can lift, what you weigh, how your wind is; but I hesitate. When, however, I learn that another man your size is going to help you, that acts to make me attack you. What do you think of that argument?

When Congress first voted down the measure to repeal the arms embargo and told the world that Hitler's victims could get no aid by buying from us, the natural effect would be to encourage him to strike.

He said in one paragraph that he hoped the bill would be considered on its merits without villification or abuse. Then in another paragraph he says, and I quote:

I have no patience with the hypocritical, craven and cowardly attitude of some of the witnesses for the bill.

In another paragraph he has the defeatists, the interventionist, and war makers all joining together to make war propaganda. Some of our friends got agitated the other day and asked if Britain would come to our aid in case the Monroe Doctrine were violated.

Mr. ROBSION of Kentucky. Mr. Chairman, just a minute; will the gentleman yield?

Mr. CREAL. Not just now. I had to wait a long time to get these 5 minutes.

There is no chance of her coming to our aid. She never will for two good reasons. The question answers itself. As long as Britain maintains her sea supremacy plus our aid, no second-rate power would ever be fool enough to violate the Monroe Doctrine. That is one reason she will not come to our aid. Another is that if she goes down, she will not have anything with which to come. So it may well be said that it will never be necessary for Britain to come to the aid of the Monroe Doctrine. My time is limited, but for just a minute I want to touch on another phase of this matter. Who will be protected under this bill? Who will pay for it? Take, for example, the man with large investments. Let us suppose some man who worships money above all else, who does not care who wins—Germany or England—so long as he saves his money.

[Here the gavel fell.]

Mr. DICKSTEIN. Mr. Chairman, I ask unanimous consent that the gentleman may have 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from New York [Mr. DICKSTEIN]?

There was no objection.

Mr. CREAL. Mr. Chairman, I want to talk about that man. Suppose I had money, and money was my god and it transcended all patriotic motives. Suppose I wanted to bring in financial experts, some statesmen, and some stock-market prognosticators and ask them: "How can I best save my estate for my family when I am gone?"

This thing is going to cost a lot of money. So, on cold dollars and cents alone, should Britain fail—and there is nobody here who would say that Britain can win without our material assistance—is it not going to cost us a great deal more money? And we will have to remain a military power for a century. If so, your estates in the second generation will not be in existence at all. It costs money for this program, and will cost much more if England falls.

This matter is costly; yes. But we buy insurance policies on houses and pay on them all of our lives, and the houses never burn. Look at the millions that are spent for night watchmen, and look at the money that is spent for locks where nobody tries to get in. But you cannot do without them. I am not afraid of the power granted. If so, I would introduce a law to repeal the power of the sheriff to arrest anybody for fear he might abuse his power and lock up some innocent individual. Is it not strange that your constituents should send you here and give you certain power for fear you might misuse it and do something you should not do? That same argument can be used against any officer at any time.

Let me refer to the last gentleman who spoke about consistency. I address this to you lawyer Members of the Congress. Suppose we write into this bill a definite, fixed grant of power of 2 or 3 years, and another clause saying you can take it back any time you want to by a joint congressional resolution. How would the courts construe it? Which paragraph would supersede the other in the matter of importance? I maintain that the men who voted for the amendment awhile ago were absolutely inconsistent, one with the other; but, strange to say, quoting from my friend the gentleman from New York, Brother FISH:

I have never known of any bill about which there has been so much hypocrisy, misrepresentation, and shameless falsehood.

I believe it was David Lawrence who said the other day that while all the combined opposition to this bill is in the minority, according to every sort of poll, according to the votes of the Members of Congress, the Gallup poll, and everything else, we find that minority is not unified. There are three distinct and separate groups. There is one, the Nazi propaganda machine, that wants to prevent any aid of any sort to Britain. There is another one, the fellow who is honestly mistaken, perhaps, but those are his views, that we not extend any aid, and the third one is the group with the spirit of partisanship.



The gentleman said he hardly knew which one of the three was the larger. Well, you will readily agree with me that two of those elements ought to go out of our consideration immediately. One is the spirit of partisanship, and the other is the Nazi propaganda, and if you cut those two out you will have a mighty small bunch left in the opposition that makes up this minority, as shown by the polls.

Yes; I am a very selfish creature, just like you are. Not many men are willing to die for others if he doubts any permanent benefit being received by himself. I never heard of anybody volunteering to be hanged for somebody else. Yes; I am a selfish creature. I have sons. They are subject to military call; but may I say, presenting another view and not questioning anybody's patriotism, that I believe this is the best way of keeping my boys and yours from going to war. I figured this out months ago. I will not sleep sound if England goes down, but if I could get the news that we do something by this bill and quit monkeying around here with delays, party sparring, sectionalism, and so forth, and get this bill through, and if Britain picks up and shows some effect from this new sustenance we have given them, it will be the greatest comfort to those boys and their mothers that you can ever give them. [Applause.]

We want Britain to win for their sake, but a far greater reason is for our own sake.

We are not voting to send boys overseas to fight. All are opposed to that except a very few. We want Britain to win to remove the danger of ever having to use our boys to fight here or elsewhere.

[Here the gavel fell.]

Mr. SHORT. Mr. Chairman, I move to strike out the last three words.

Mr. Chairman, by this display of non-partisan spirit of fine sportsmanship I am not so sure that we will not be at war among ourselves sooner than we can get in against the Axis Powers. I will admit this bill before us now is a farce, but it is so outrageous it is not funny and you who laugh today will perhaps have cause to take yourselves a little more seriously later on. He laughs best who laughs last. This is no laughing matter.

I certainly did not want, even by indirection, to cast any aspersions upon the patriotism of my good friend the majority leader, when I referred to his Irish ancestry of blood, because I have some of that in my veins, JOHN. It might interest the gentleman from Massachusetts to know that my great, great granddad came from Killarney and fought with George Washington at Valley Forge. Both of my grandfathers, though from the Southland, fought to preserve this Union that Washington founded.

Mr. McCORMACK. I did not assume for an instant that the gentleman did.

Mr. SHORT. That is fine. I thank you.

Mr. McCORMACK. I would not want any impression like that to be contained in the RECORD or elsewhere.

Mr. SHORT. I want to correct the gentleman on one thing. I voted for the 5,500 airplanes, and I did not say at

any time during the debate on that bill it would lead us to war. The truth of the matter is the gentleman from Missouri, myself, as every other single Republican member of the Committee on Military Affairs and of the whole House of Representatives, have voted for every dollar for defense appropriations. The only difference between the gentleman from Missouri and some Members on the other side is, I want these billions of dollars that we are spending for national defense to be for the defense of America; I want the tanks, the planes, and the battleships built to be kept here at home instead of stripping both the Army and Navy to send them abroad. How can we render ourselves strong and invincible to attack by sending practically all our defense weapons to Britain? That is exactly what we have been doing and the American people should know it. I like England, but I love America infinitely more. My own country first, last, and all the time. [Applause.]

I did lead the fight against peacetime conscription and I am proud of the fight that I made. [Applause.] I did say that I thought it was a step in the direction of war, and I still believe that it was. I did vote against the repeal of the arms embargo. I voted for that New Deal piece of legislation, the neutrality law, which the President insisted that we pass in time of peace when we could think calmly, without passion and without prejudice, when we could think objectively and realistically; but within 2 or 3 weeks after the war broke out we were called back into special session under the pressure of war hysteria and were told that we should repeal the embargo on arms and cease to be neutral.

Yes; I said that the repeal of the arms embargo was the first step toward war. We said we are not going to fight anybody, we are just going to let the camel get his nose under the tent. I did say that peacetime conscription, a power never exercised by another President, was another step to war. I did say that this bill here is almost the final step that will lead us into war. We are not quite into war yet, not altogether, John, but we are fast and far on our way.

Mr. LUTHER A. JOHNSON. Mr. Chairman, will the gentleman yield?

Mr. SHORT. No.

I do not think there is any justification for a lot of these unwarranted and unfounded fears of the United States being invaded. I think this war in Europe is going eventually to bog down, and no side will win. Whoever is called the victor will be exhausted and will be bled white to the extent that it will not be able to get out of its own back yard. Where in the name of God will all the Austrians and Czechs and Poles and Danes, and Norwegians and Dutch and French be and what will they be doing then? Adolf has already bitten off as much as he can chew, and if Britain should fall and succumb he will have swallowed more than he can digest. What will all these disgruntled, discontented minorities be doing even if Hitler is called the victor? It is an utter impossibility, and any military or naval man will tell you so, for any nation or

combination of nations on the face of the earth to invade this country.

[Here the gavel fell.]

Mr. FISH. Mr. Chairman, I ask unanimous consent that the gentleman from Missouri be permitted to proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. SHORT. Mr. Chairman, I do not want to trespass upon the time or patience of the membership but I thank you all. I merely wish to say that I think we have been taking very definite and very certain steps that are bringing us appallingly nearer the precipice. I do not fear the invasion of this country. I do not fear the loss of our democracy half so much from without as from within. Of course, we are going to have to face economic penetrations through South America, but I submit to the Democratic Members of the House that we are going to face this problem whether we remain neutral or become a belligerent. Regardless of who wins the war, we will have to face that economic question. However, whoever is called victor in Europe, I know they will be exhausted. It will require a large German army as a police force to keep in subjugation the disgruntled minorities that are on the verge of revolution now. Hitler's whole line of defense stretches from Narvik to North Africa, and he has to police from the west coast of France clear down into the Balkans, which are seething and foaming with revolt and revolution.

No; let me tell you, we had better realize that not even after we had entered the World War did Woodrow Wilson ask the Congress of the United States to give him the extraordinary powers that are granted in this bill. In the Spanish-American War, McKinley never even asked, let alone demanded, that the Congress turn over its prerogatives to him. Not even in the darkest days of the Civil War did the immortal Lincoln ask to be given the extraordinary powers that are granted the President under H. R. 1776. I think Cordell Hull was right when he once said that this is more power than any good man should want, and God knows, it is more power than any bad man should have.

I do not care how much faith you have in your President, you know there is wisdom in a multitude of counsel. No one man has a monopoly on the wisdom and virtue in this world. We all make mistakes. After all, we are Members of the Congress of the United States, elected by our constituencies. We have taken the sacred oath that we would preserve and protect and defend this form of Government. God knows I do not want to destroy democracy now because I think maybe at some future time we might be confronted with a possible enemy who might destroy it.

That reminds me of the man who jumped off the precipice because he was afraid that sometime he would contract cancer. You might as well go out and commit suicide at this hour because you think that sometime you may catch pneumonia as to vote for this bill.



I said, Mr. Majority Leader, when we repealed the embargo, I said when I fought peacetime conscription, I said yesterday on the floor of this House, I will say it again, and I will keep on saying it, that if we continue the present course we have taken, if we accept the foreign policy announced by this administration through the President in his fireside chat a few nights before this session of Congress convened, we are pledged to extend the aid necessary to insure an Axis defeat. God knows it will require 10,000,000 men to invade Europe. If we get into this war it will be a long-drawn-out affair. Believe me, it is easy to get in but it is going to be plenty tough to get out. How can we finance, let alone fight a war in Europe? I do not want to bluff or lie to anybody; bluff Hitler or lie to the British or mislead our own people.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. SHORT. I yield to the gentleman from North Carolina.

Mr. COOLEY. Did not the gentleman on yesterday state that he was in favor of aiding Britain?

Mr. SHORT. I did, and I will define that aid. I did not have time to do so on yesterday. My sympathies are naturally with the British. My people came from there.

Mr. COOLEY. What type of aid is the gentleman in favor of rendering Britain?

Mr. SHORT. I do not want to aid Britain at the expense of defeat of America. [Applause.] I am not talking for Britain. I am talking for the mothers, and the wives, and the sweethearts, and for the youth of America who will have to fight the battle and die. [Applause.] If it is Great Britain that is fighting our battle, then we are dastardly cowards not to go in and fight with all our strength. We should declare war now. Stop playing the hypocrite and be honest to all men.

Mr. COOLEY. May I ask the gentleman what type of aid the gentleman is in favor of rendering Great Britain?

Mr. SHORT. After we lift the arms embargo, and, of course, have taken these steps that I have enumerated, I doubt if we can go back, and that is why I would be in favor now of extending Britain a loan provided she would put up the collateral to insure and guarantee the payment. This she is able to do but we had better pay for the last war before we get into another one. [Applause.]

(Here the gavel fell.)

Mr. BLOOM. Mr. Chairman, I think we have talked about this amendment for quite a long while now—

Mr. FISH. Not for the last 20 minutes.

Mr. BLOOM. Mr. Chairman, I move that all debate on this amendment and all amendments thereto close in 10 minutes.

The motion was agreed to.

Mr. HINSHAW. Mr. Chairman, I move to strike out the last four words.

Mr. Chairman, I take the floor at this time to recall to the House that in spite of all the wonderful forensics we have just heard, one peroration from each side,

we are considering now an amendment offered by my colleague from California, which changes the date of termination of a certain portion of this bill from 1943 to 1942, and while we have been considerably entertained in the last 20 minutes, that is the business we are now to pass upon.

I believe this amendment should be agreed to for one important reason, in addition to those explained by my colleague from California, and that is—I believe this House of Representatives should have the responsibility for either renewing or canceling this law, and the only way that that can be done is to terminate it within the life of this Seventy-seventh Congress. [Applause.]

Mr. Chairman, I yield back the balance of my time.

Mr. PACE. Mr. Chairman, in my judgment, controversy over this bill should now come to an end. You have, either wittingly or unwittingly, adopted the Dirksen amendment. The Dirksen amendment provides that all of the rights and powers of the President of the United States under this act shall terminate upon the adoption of a concurrent resolution of the two Houses by a vote of a simple majority, which does not require the approval of the President of the United States. That amendment, whether you wish it or not, is now in the bill. It cannot now be taken out. It will be there when you vote on this bill, as it was an amendment to an amendment which the committee is supporting.

The opposition to this bill has arisen over the question of the powers to the President which could not be taken back. You have now provided by the Dirksen amendment that all of these powers rest in the hands of a simple majority of the Congress. I now call upon the opposition, upon the distinguished Republican leader, upon the distinguished Representative, the gentleman from New York [Mr. FISH], who has complained of these powers, to come in and help us present to the Nation a united front on this question. [Applause.]

I do not believe there are six Members of this House who do not pray in their heart of hearts for British victory. I do not believe there are six Members of this House who are not anxious to render all possible aid to Great Britain consistent with our own military necessities. My friends, what I fear is that if this controversy continues, with the issues before this Nation for the next 6 months, you will have done more harm to your own Nation within its own borders than any foreign power could ever do. Do you realize what you are building up among the people of this Nation?

You know there are millions of people in this Nation who would like to see Great Britain go down? You know there are millions of people in this Nation who would like to see a communistic control come over this Nation? And I say to you, as calmly and as sincerely as I know how, in my judgment the controversy which has been going on here, the controversy which will continue in the Senate, will, in my opinion, visit upon the Nation you love greater destruction than

any foreign power could administer. There is no justification at this hour for amending this bill further. There is no cause for any further controversy. The bill is now in shape to be passed in 30 minutes, and it is my prayer and it is my hope that now that all the rights and all the powers are kept in the hands of a simple majority of the Congress that you will recognize, for the welfare of your Nation, that we should stand on the left and on the right, man to man, and let this unfortunate controversy come to an end. [Applause.]

[Here the gavel fell.]

Mr. GIFFORD rose.

The CHAIRMAN. For what purpose does the gentleman from Massachusetts rise?

Mr. GIFFORD. I would like to have a minute or so if there is any time left.

The CHAIRMAN. Three and a half minutes were yielded back by the gentleman from California [Mr. HINSHAW]. Does the gentleman desire recognition for that time?

Mr. GIFFORD. I do.

The CHAIRMAN. The Chair will recognize the gentleman for 3½ minutes.

Mr. GIFFORD. Mr. Chairman, I rise to express the great assurance I shall have after listening to the statements of the gentleman from Missouri [Mr. SHORT], that Hitler will soon be exhausted if he conquers all these other countries. I have been hoping that it could be proved that we might be free from danger of invasion. However, I have been reading the situation of those nations which he has already conquered, and it seems to me, with all the loot taken, with the absolute control that he now has, importing labor of all sorts from other countries, and freeing his men to be soldiers, he will be in a position far from exhaustion. For instance, we learn that he has been careful not to bomb the shipyards of England, but dive bomb hospitals, public buildings, and homes expecting, probably, that the shipyards will be useful to him after he conquers England. If he conquers England, I understand that he would have seven times the shipyard facilities that we have now. So, as I say, I have risen to speak of the comfort that I have a right to take from the knowledge given us that the more he gets the more exhausted he will be.

Mr. HOUSTON. Mr. Chairman, will the gentleman yield?

Mr. GIFFORD. If I have the time.

Mr. HOUSTON. Not in any sense to criticize the gentleman, because I agree with him, but I would like to know if there is any Member of the House who can tell us how many German soldiers or how few it has taken to police Denmark or any other country?

Mr. GIFFORD. I do not know, but probably very few, but I want to believe what the gentleman from Missouri [Mr. SHORT] has said. I believe in him, and I want to believe in what he says, but somehow I am very, very doubtful. I had thought it might be the other way.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired. The question is on the amendment offered by the gentleman from



California to the committee amendment, as amended.

The question was taken; and on a division (demanded by Mr. VORVYs of Ohio) there were—ayes 93, noes 136.

So the amendment to the amendment was rejected.

Mr. CHIPERFIELD. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The Chair is trying to ascertain whether there are any other amendments to the committee amendment. Is the gentleman from Illinois preparing to offer an amendment?

Mr. CHIPERFIELD. No.

Mr. MOTT. Are we under subsection (c) or have we proceeded to subsection (d)?

The CHAIRMAN. We are still on the second committee amendment, which is paragraph (c) on page 3. Are there any further amendments to the committee amendment? If not the question recurs then on the committee amendment as amended.

Mr. CHIPERFIELD. Mr. Chairman, I move to strike out the last word.

Mr. LUTHER A. JOHNSON. Mr. Chairman, the debate has been exhausted on the committee amendment and all amendments thereto.

The CHAIRMAN. The Chair was under the impression that the debate was exhausted on the committee amendment. The gentleman from Illinois has already been recognized.

Mr. CHIPERFIELD. Mr. Chairman, on last Tuesday I discussed the question on the floor of the House whether there could not be placed in this bill a reasonable and workable limitation of time. I pointed out that the committee amendment that was adopted by the Foreign Affairs Committee was meaningless and ineffectual so far as placing a time limit was concerned.

During my discussion I pointed out at least four different ways how the committee amendment could be amended so as to place definite time limits in this bill. On that occasion I said:

Third, if it was thought desirable that the United States should have further time to carry out her contracts, but still retain a definite time limit beyond June 30, 1943, and that England should also complete her contracts within that same additional period, this could be accomplished by striking out on page 4, lines 1 and 2, and inserting in lieu thereof:

"That such powers may be exercised until (inserting any date that is desired) if such exercise is necessary to carry out a contract or agreement with such a government made before July 1, 1943."

Now the majority members of the committee are offering an amendment to the committee amendment which reads as follows:

except that until July 1, 1946, such powers may be executed to the extent necessary to carry out a contract or agreement with such a government made before July 1, 1943.

At that time I respectfully called the committee's attention to my suggestions and I want to thank the majority members of the committee for either accepting my suggestions or at least using almost identical language in this proposed amendment to the committee amendment.

The only objection I have is that they chose the wrong date. July 1, 1946, gives too great a period of time for the execution of these contracts.

While I prefer a 2-year limit I have given considerable thought to the date of January 20, 1945. Such a date would give almost 4 years for the completion of these contracts. If the vast resources which this bill proposes to transfer to Great Britain will not turn the tide by that time it is at least doubtful that the continuation of such a policy would ever do it. Again, on January 20, 1945, there will be a change of administration. The President has said he will not run again so there will be a new man chosen. Whether he will be a Democrat or Republican, of course, it is impossible to say. A new Congress will be in session during the month of January 1945, fresh from the people and they could determine from conditions then existing whether it was necessary and desirable than an extension of time should be granted.

Moreover, those of you who have implicit faith in the President that he will carry out the provisions of this act wisely and shrewdly might not be willing to place such powers in the hands of someone unknown to us now, and give him the power to carry out long contracts, the terms and conditions of which we have no way of knowing at the present time.

The cost of the program suggested under this bill will be tremendous and it is going to have to be paid sometime. So far as possible this burden should not be shifted upon the new administration—whichever it may be.

I can only suggest to the chairman that he modify his amendment so that the limitation of time would be January 20, 1945.

Personally, I prefer a strict 2-year limitation of time or less from the date of enactment of this bill, not because a longer time would violate the Constitution, but as a matter of policy. As I said on Tuesday:

It is the policy under our Constitution that we should not raise or appropriate money for the support of our own Army for more than 2 years, then it certainly seems to me it would be wise to place a similar limitation upon giving support to the armies of foreign countries.

Another reason I prefer a strict 2-year limit is because I think the importance of these vast powers being brought back into the hands of Congress within a reasonably short time greatly outweighs any benefits that might be conferred by further extension of time. The danger of extending the time limit beyond 2 years is that you simply invite those upon whom the power is conferred of continuing a policy of aid for the maximum time limit.

Remember this, once these contracts are made they are valid and enforceable up to July 1, 1946, and Congress cannot repeal such a contract. Once these powers are executed into such a contract the right of Congress to invalidate them is lost.

I hope this Committee will adopt a 2-year limitation, but if that cannot be accomplished then I prefer the date of January 20, 1945, rather than July 1, 1946.

The CHAIRMAN. The question now is on the adoption of the committee amendment as amended.

The committee amendment as amended was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Committee amendment: Page 4, after line 2, insert:

"(d) Nothing in this act shall be construed to authorize or to permit the authorization of conveying vessels by naval vessels of the United States."

Mrs. ROGERS of Massachusetts. Mr. Chairman, I move to strike out the last word. I do so to ask the chairman of the committee if he will explain how far he feels the provisions of section 3, subsection (1), would permit the President to go. I read subsection (1):

The manufacture in arsenals, factories, and shipyards under their jurisdiction, or otherwise procure, any defense article for the government of any country whose defense the President deems vital to the defense of the United States.

I ask the gentleman how far he feels the words "otherwise procure" would go? Does it not seem that under those words the President would be able to procure any such material he desires, and that it would mean he could commandeer private industry and compel it to supply any defense article on any terms he sees fit?

He would likewise be empowered so to deal with the crops of the country, for wheat and cotton are as much weapons of defense as guns. In other words, by this proposal he would be in a position to take over the entire economy of the Nation under such conditions as he saw fit. Further he could acquire in any country, England or Argentina or Canada or Iran any defense materials, likewise, under any arrangement that he alone might deem desirable. The competitive effect of such procurement on industries in your districts will be readily apparent to you, and this in peacetime.

Mr. LUTHER A. JOHNSON. Does the gentleman want me to answer that question?

Mrs. ROGERS of Massachusetts. I do. I realize there are several questions.

Mr. LUTHER A. JOHNSON. The words to which the gentleman's question relates are "or otherwise procure"?

Mrs. ROGERS of Massachusetts. That is right.

Mr. LUTHER A. JOHNSON. My answer to that is that that does not authorize the President to do other than acquire them by lawful means. It would not authorize the President to acquire them by requisition or condemnation, which I understood you thought might be implied by the language.

Mrs. ROGERS of Massachusetts. I should think it would under those words.

Mr. LUTHER A. JOHNSON. What words does the gentleman think would give that authority?

Mrs. ROGERS of Massachusetts. "Otherwise procure."

Mr. LUTHER A. JOHNSON. Oh, no. The legal interpretation of that term would certainly not clothe the President with authority to go out and condemn or



requisition or take away property from others. That certainly is not tenable and I do not think any lawyer would so contend. He would have the right to acquire by purchase, gift, or exchange, but certainly he would not have the right to go out and take property away from people, either by condemnation, requisition, or other means mentioned in the gentleman's question.

Mrs. ROGERS of Massachusetts. But, as a matter of trading, I suppose he could secure in trade the oil fields of Iran?

Mr. LUTHER A. JOHNSON. No. There is nothing in this section that authorizes him to do this anywhere except in the United States, because this section relates only to the United States. There is a later section in the bill—section 8—with reference to purchases in other countries of arms, ammunition, and implements of war, but the section you inquire about does not confer any authority upon the President to go to other countries to acquire products.

Mr. WOLCOTT. Mr. Chairman, will the gentleman yield?

Mrs. ROGERS of Massachusetts. Yes; I yield with pleasure for a statement.

Mr. WOLCOTT. I do not like to differ with my colleague from Texas with respect to his interpretation of the language which the gentleman from Massachusetts has cited, but I call the gentleman's attention and the gentleman's attention to the provisions of the defense bill which was passed last year, which was approved on June 28, 1940, which specifically gives the President the authority to take over and operate factories, either by Government personnel or by contract. So I interpret those words "otherwise procure" to mean that they can be acquired under the provisions of the Defense Act of 1940. If it does not have that meaning I am sure it is absolutely meaningless. Can the gentleman give the House and the country the positive assurance that the language which the gentleman from Massachusetts has cited does not refer to the Defense Act of 1940?

Mr. LUTHER A. JOHNSON. The bill the gentleman speaks of may give that authority, but this bill does not give any such authority, either expressly or impliedly. This bill is not responsible for any other authorities that the President may be clothed with, because the terms have to be construed as written in the bill.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. TABER. Mr. Chairman, I ask unanimous consent that the gentleman may have 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. TABER. Will the gentleman yield?

Mrs. ROGERS of Massachusetts. I am very glad to. I want the opinion of the majority, who have the bill in charge, as to what they think is contained in this act. I am very glad to have the opinion of the distinguished gentleman from

New York. I am searching for information. I want to see how far it goes.

Mr. TABER. Will the gentleman yield to me to ask a question?

Mrs. ROGERS of Massachusetts. Gladly.

Mr. TABER. Would the gentleman from Texas feel that there was any authority whatever in the President to do any of these things without first coming to Congress and receiving an appropriation under this language?

Mr. LUTHER A. JOHNSON. I would not; certainly where the expenditure of any money by our Government is involved.

Mr. TABER. You would not?

Mr. LUTHER A. JOHNSON. I would not.

Mr. HOPE. Mr. Chairman, will the gentleman yield to me?

Mrs. ROGERS of Massachusetts. Yes; I yield with pleasure.

Mr. HOPE. I would like to ask the gentleman from Texas [Mr. LUTHER A. JOHNSON] what there is in the language that has been called to his attention which would prevent the President from going to Argentina and purchasing wheat for the use of Great Britain or any other country?

Mr. LUTHER A. JOHNSON. I think the answer to that is twofold. In the first place, we have a general law by which we cannot purchase articles in other countries. That is the "Buy American" statute that we have.

Mr. HOPE. Is that not repealed by this law?

Mr. LUTHER A. JOHNSON. No. In this same bill you will find a provision in section 8 authorizing the purchase of certain war material in other countries by the Secretary of War and Secretary of the Navy, but it does not relate to this section whatsoever, and does not include agricultural products, but is restricted to arms, ammunition, and implements of war.

Mr. HOPE. Well, this section does not expressly authorize it in so many terms, but certainly there is nothing in there that would prevent the President from procuring it.

Mr. LUTHER A. JOHNSON. If I am not mistaken there is another statute which we call "Buy American" which prohibits the buying of those things in other countries.

Mr. HOPE. Do we not repeal that by implication, at least, in this bill?

Mr. LUTHER A. JOHNSON. I do not think it is repealed. I do not believe the legislation expands the powers of the President to allow him to go to other countries to buy, because that has been against our policy and it is against our statutory law. So, I think those fears are groundless.

Mr. HOPE. I am glad to have the gentleman say that.

Mr. LUTHER A. JOHNSON. I believe that is right.

Mrs. ROGERS of Massachusetts. I should like to have the gentleman from Texas [Mr. LUTHER A. JOHNSON] or the gentleman from New York [Mr. Bloom] comment on the phrase "Notwithstanding the provisions of any other law, the

President may from time to time." Does that mean that the so-called protective labor legislation and other laws may be repealed? It seems to me that there is a possibility of that as a result of those words.

Mr. LUTHER A. JOHNSON. It does not and I may say to the gentleman from Massachusetts that in order that that intention should be made clear it is written into the report that such is not the understanding of Congress and that such repeal is not made of any of the legislation mentioned.

Mr. HOOK. Mr. Chairman, will the gentleman yield?

Mrs. ROGERS of Massachusetts. I yield.

Mr. HOOK. I was very much interested in the gentleman's statement on the buy-American proposition for I notice that just recently the Reserve Board bought 100,000 pounds of Chilean copper. I was wondering how they did that, whether they did it to evade the excise tax.

Mr. LUTHER A. JOHNSON. I am sorry I cannot tell the gentleman. I am not familiar with the transaction to which he refers and do not know under what authority the purchase was made, if it was made.

Mr. MUNDT. Mr. Chairman, may I inquire whether the place where the Clerk stopped reading was line 5 on page 4?

The CHAIRMAN. The Clerk had just read the committee amendment on page 4 beginning in line 3 and extending through line 5.

Mr. MUNDT. And he stopped with the word "States." Is that correct?

The CHAIRMAN. The gentleman is correct.

Mr. MUNDT. Mr. Chairman, I offer an amendment.

The CHAIRMAN. Is it an amendment to the pending committee amendment?

Mr. MUNDT. It is.

The CHAIRMAN. The gentleman from South Dakota offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. MUNDT to the committee amendment: On page 4, line 5, after the word "States," strike out the period, insert a comma, and add: "and it is the sense of this Congress that the conveying of such vessels to belligerent ports or through belligerent waters should not be undertaken."

Mr. LUTHER A. JOHNSON. Mr. Chairman, I reserve a point of order against the amendment.

The CHAIRMAN. The gentleman from Texas reserves a point of order against the amendment. The gentleman from South Dakota is recognized for 5 minutes in support of his amendment.

Mr. MUNDT. Mr. Chairman, Members all realize, from reports in the newspapers and from what took place in the Foreign Affairs Committee, that the matter of convoys gave our committee considerable reason to discuss and to decide what best should be written about that particular hazard to our peace. The committee finally brought in an amendment which talks about convoys and says that nothing in this bill specifically permits the conveying of ships.



My amendment to the committee amendment does more than that. It expresses the voice of this Congress in terms of what I believe the attitude of this country is—that it is our sense and judgment that such convoying of ships into belligerent ports and into belligerent waters should not be undertaken. My amendment makes a perfectly constitutional mandate upon the President, a perfectly constitutional expression of our congressional attitude, a perfectly constitutional prohibition against engaging in the dangerous business of convoying. I want to read to you from what I believe are our too-neglected hearings on this lend-lease bill. You will find this on page 185 of the hearings. I read this especially for the benefit of some who may contemplate voting against my amendment simply putting the Congress on record as being adverse to the convoying of ships into belligerent waters. Mr. Knox was being asked some questions. I will pick up the colloquy on page 185. The gentlewoman from Ohio [Mrs. Bolton] made this statement:

Mrs. BOLTON. But we can perhaps convoy ships while we are neutral?

Mr. KNOX. No, no. In my judgment, that would be an act of war.

I am simply asking this Congress if it passes this legislation to pass it in such form it will not permit, in the opinion of the Secretary of the Navy, "an act of war." I am asking you to put in a provision recommending to the President that it is our opinion, at least, that such should not be undertaken.

Mr. VAN ZANDT. Mr. Chairman, will the gentleman yield?

Mr. MUNDT. I yield.

Mr. VAN ZANDT. The gentleman understands, of course, that the President is the Commander in Chief of the Army and the Navy, and that the President of the United States can order our naval vessels into any waters he sees fit.

Mr. MUNDT. The gentleman is entirely correct, and that is why I have couched my amendment in the language that it shall be the sense of this body that such convoying of ships should not be undertaken. We are simply utilizing one of the remaining coordinating powers which Congress has to advise the Chief Executive that we do not want him to do that type of thing.

Mr. ROBSION of Kentucky. Mr. Chairman, will the gentleman yield?

Mr. MUNDT. I yield.

Mr. ROBSION of Kentucky. I did not perhaps hear the gentleman's development of what Mr. Knox said; but after he said that the convoying of vessels as described would be an act of war, still he said if his Commander in Chief ordered him to do it he would obey orders and do it.

Mr. MUNDT. That, of course, is correct; but we have the right to tell the President we desire him not to send convoys into belligerent ports, and that is all I ask in this amendment.

Mr. STEFAN. Mr. Chairman, will the gentleman yield?

Mr. MUNDT. I yield.

Mr. STEFAN. Section (d) would put the Nation on notice that we as Congress are opposed to the convoying of ships;

and the gentleman's amendment to the committee amendment strengthens the position of Congress.

Mr. MUNDT. Yes. Without my amendment no notice of any kind is given, because the bill itself will read if the committee amendment only is adopted, "Nothing in this act shall be construed to authorize or to permit the authorization of convoying vessels by naval vessels of the United States." It does not express the voice of the Congress. We should avail ourselves of this opportunity to express ourselves on this matter of foreign policy.

Mr. STEFAN. I agree that the gentleman's amendment should be adopted.

Mr. MUNDT. The country is overwhelmingly in favor of such an amendment, is overwhelmingly in favor of keeping out of war. The convoying of ships very likely would get us into war.

I know of no reputable authority anywhere who will say that convoying ships will not get us into war. [Applause.]

Mr. EBERHARTER. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, it is recognized by every Member of the House that under the Constitution of the United States the President as Commander in Chief of the Navy has wide powers. The gentleman from South Dakota, in order to get around the powers of the President of the United States as Commander in Chief of the Navy and in order to get around the authority given the President by the Constitution, words his amendment so that it is the sense of this Congress that the convoying of such vessels to belligerent ports shall not be undertaken. In other words, the gentleman knows that, the President having these powers, the Congress cannot legislate to curb those powers, so by a devious method he wants to curb the powers of the President of the United States given under the Constitution and he wants the Congress of the United States to usurp powers which we do not have.

The amendment drawn by him is so broad that in my opinion it would prevent the convoying of vessels from say New York City to the Panama Canal or from any American waters say to Newfoundland, because we do not know when those waters may be classed as belligerent waters.

In addition to that, I call the attention of the membership to the fact that the committee amendment agreed upon by the majority members of the Foreign Affairs Committee states that nothing in this act shall be construed to authorize or to permit the authorization of convoying vessels by naval vessels of the United States. In other words, the wording which we submit neither takes away any power of the President of the United States nor gives him any additional power. We are doing exactly what is permitted by the Constitution. We are taking nothing away from the President and we are giving nothing to him.

If you want to do something that is unconstitutional, you will vote for this amendment to the amendment and by doing so I think you will defeat the very purpose the gentleman has in mind. There are many times when close ques-

tions arise. There have been many times in past history when the President of the United States has found it necessary to send our naval vessels for the protection of our own commerce and the amendment drawn by the gentleman from South Dakota would hinder the President in the exercise of his constitutional powers.

Mr. Chairman, I submit that the amendment which is offered to the committee amendment should be defeated because it is an attempt on the part of the Congress to usurp constitutional powers now vested in the President of the United States.

Mr. JONKMAN. Will the gentleman yield?

Mr. EBERHARTER. I yield to the gentleman from Michigan.

Mr. JONKMAN. If the amendment proposed by the committee does not mean anything or does not take away anything, then is there any purpose in putting the amendment in here other than to mislead the people of the United States and make them think it is going to prevent something?

Mr. EBERHARTER. The amendment offered by the majority members of the committee simply states definitely that no additional powers are given to the President of the United States by this bill, and I am certain the gentleman will not have any objection to that. If we clearly state this act shall not give any additional powers to the President of the United States than he has under the present statute and under the Constitution, the gentleman should be satisfied.

Mr. JONKMAN. My point is, why not leave it out altogether?

Mr. EBERHARTER. The gentleman would rather have it stated clearly that we are giving him no additional powers, would he not?

Mr. MOTT. Will the gentleman yield?

Mr. EBERHARTER. I yield to the gentleman from Oregon.

Mr. MOTT. My question is along the same line. I clearly agree with the gentleman that subsection (d) gives the President no powers, neither does it take away any powers from him; so my question was along the line of that asked by the gentleman from Michigan [Mr. JONKMAN]. I think it would be much better to eliminate section (d) altogether, but because it is in there I have offered a clarifying and restrictive amendment.

Mr. EBERHARTER. If it is definitely stated that no additional powers are given to the President by this act I think that is all that is necessary, and I believe it should satisfy the minority members of the committee because that is what they were complaining about. They complained that this act gave the President the power of convoying vessels which he did not previously have; therefore this amendment would do away with that objection.

Mr. MOTT. I never heard anybody contend that.

[Here the gavel fell.]

Mr. JENKINS of Ohio. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I take this time because this is probably one section of this bill in



which the American people are more interested than any other section. It is well recognized that we can come nearer getting actively into the war and we can do it quicker by convoying vessels in the Atlantic Ocean than in any other way. The people can understand that if we send our naval vessels to do convoy duty Hitler's submarines will sink one of them and the war is on.

Day before yesterday or yesterday the chairman of the Committee on Foreign Affairs, when we were discussing this proposed amendment, made a statement that I think every Member of the Congress should know about and be advised of. If you were not here yesterday or day before and did not hear it you have missed what I think is one of the most salient features of this whole debate. He said that this amendment did not mean anything, and that there was no reason for it. He said in effect that this amendment was an innocuous amendment, it did not amount to anything, that it was nothing more or less than a sop to the American people.

Mr. BLOOM. Does the gentleman say I said that?

Mr. JENKINS of Ohio. I said the gentleman said that in effect. If I am wrong I beg the gentleman's pardon.

Mr. BLOOM. Do not say that I ever used the word "sop." I do not know what it means even, alone to use it.

Mr. JENKINS of Ohio. No; I did not say that you used the word "sop," but I know what it means.

Mr. BLOOM. I did not say anything like that.

Mr. JENKINS of Ohio. Wait a minute.

Mr. BLOOM. I never said anything like the gentleman said.

Mr. JENKINS of Ohio. The gentleman is assuming to take umbrage at a very small matter and he has no right or reason for it.

I maintain that the chairman of the Committee on Foreign Affairs yesterday—I repeat it now so there will be no mistake—said in effect that this was an innocuous amendment, that in effect it amounted to nothing but a sop to the American people. I do not want the gentleman to make a display of innocence. The Record will prove that I am right.

I want you to know that this is one amendment in which the American people are interested. They cannot be put off with a sop—when the President attempts to convey ships with our battleships they will ask why Congress did not prevent him from so doing—I shall answer that Mr. Bloom and his majority brethren said in effect that we will give the people a sop and they will be satisfied. Then are we going to say to the American people that we cannot do anything about this? Are we going to take the explanation of the last gentleman who spoke, that the Constitution does not permit us to do this, that Congress cannot make a provision in this law restricting the President from sending our battleships as convoys?

The gentleman and no one else has had advanced any authority to this effect.

I agree with the gentleman from Pennsylvania that the President of the United States is the Commander in Chief of the Navy, but in this bill we do something that is outside the duties of the Navy.

The Constitution makes the President the Commander in Chief of the Army and the Navy. That means he has exclusive right to send the Navy where he pleases when it is within the reasonable duties of the Navy. He might send a battleship to take Jimmy back and forth to Hollywood and Mrs. Roosevelt back and forth around the world, but he would have no right to do so. The constitutional grant means that he can direct the Navy to do what he wishes it to do in line with the reasonable duties of the Navy. Of course if he sent Jimmy back and forth to Hollywood we could not prevent him in any way that I know of except by impeachment. But just because he might do that is no reason for saying he has the right to do it. He has no right to do anything except what is right. When we give the President the right under this bill to make contracts with foreign countries for the sale of munitions we are not dealing with him as Commander in Chief of the Navy. He has many duties other than being Commander in Chief of the Navy. We designate him as we would Cordell Hull or any other man. And as such we have the right, it seems to me, to tell him how and what to do and not to do.

When we give him the power to sell munitions to Great Britain in this bill we do not give him the right to transport them to Great Britain. He has no right because we do not give him the right. Neither has he the right to convoy the goods because we do not give it to him. But they tell us that we cannot prevent him because of his constitutional power. If he ever thinks he has that power he will surely exercise it. Therefore in order to prevent him from doing so we should say so emphatically in this bill. This is our chance and the people will not accept our excuses for failing to do so. The present amendment is what the gentleman from New York [Mr. Bloom] said in effect it was—a sop. I hope we can pass an amendment that will protect the people.

If we have the power to designate what articles the President may sell and to whom they may be sold, and to where and how they may be delivered, we can surely say of those that the President should not convoy them with the armed ships of our Navy.

I want you to be thinking about the fact that we are going to pass this bill without answering to the people of the United States about the one thing they are probably more interested in than anything else.

If any ships of any country molest American ships in the South Seas or in the Atlantic Ocean or any place else, or interfere with the general welfare of the American people, the President of the United States has a right, whether Congress is in session or not, to send a battleship to protect America's interests. The President has a right to do that as a pro-

tection of American rights and interests. He does that under his constitutional power as Commander in Chief of the Navy. But it is not a matter of American rights or interests to deliver these goods. This is simply a matter of delivery of goods. I say that we have just as much right to say that they shall not be convoyed as we have to say that they shall be delivered in certain vessels, or to say, as we do say in the present law that they shall not be delivered in American ships.

Mr. EBERHARTER. Mr. Chairman will the gentleman yield?

Mr. JENKINS of Ohio. I yield to the gentleman from Pennsylvania.

Mr. EBERHARTER. Does the gentleman mean to contend that under the Constitution of the United States the President, as the Commander in Chief of the Navy, does not have the right to convoy vessels, whether in South American waters or Atlantic waters or Pacific waters?

Mr. JENKINS of Ohio. I say that the President of the United States as Commander in Chief of the Navy has the right to send the battleships where he thinks they ought to be, if anybody is attacking the rights of the American people.

Mr. EBERHARTER. Yes.

Mr. JENKINS of Ohio. The President of the United States does not have the right to send a battleship out just at his own whim. He might do that, and there is no way to prevent him from doing it, the only remedy being that of impeachment. He might do it, but he would be doing it wrongfully. I say we have a right to state in this bill that these goods should not be convoyed, that they should be delivered in the regular way. Let those who are to receive them come after them and take them. [Applause.]

[Here the gavel fell.]

Mr. BLOOM. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I just want to read to the gentleman what I did say last Monday. I think it is very good language, even if I admit it myself:

Under existing law, the President, as Commander in Chief of the Navy under the Constitution, has the power to authorize our Navy, for example, to convoy American vessels. Thus, for instance, if our trade routes to South America were harassed by pirates, the President could order our destroyers, cruisers, or battleships to convoy an American-flag ship to South America. That is one of the things the Navy is for. But that has nothing to do with the bill now before Congress. In fact, the bill contains a specific amendment stating that it in no way authorizes convoying by naval vessels of the United States.

That is what I said on Monday, and that is entirely different from the words the gentleman has been trying to put in my mouth.

Mr. JENKINS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. BLOOM. I yield to the gentleman from Ohio.

Mr. JENKINS of Ohio. I did not refer to what the gentleman said on Monday. I referred to what he said yesterday, and to again prove what I said was exactly



right, here it is right out of the RECORD, on page 578 of yesterday's RECORD is the following:

Mr. COLMER. Immediately preceding the point where I propose to offer this amendment is another amendment which states in almost identical language that "Nothing in this act shall be construed to give power to convoy vessels." Carrying this matter further, may I ask the gentleman if there is anything in the legislation that gives the power to convoy vessels?

Mr. BLOOM. I will answer the gentleman in this way. There has been so much talk about that matter that the committee thought it would put that in there just to allay fear; but there is nothing in this act, and there is no reason for an amendment, which grants power of that sort in there, and the Neutrality Act specifically provides for that. In my speech of Monday I covered the question that the gentleman raises.

Mr. COLMER. The gentleman admits then that there is nothing in the legislation that would authorize the convoying of ships and that that was put in there to allay fears and to reaffirm and to redeclare the policy of this country with reference to that particular item. Is that right?

Mr. BLOOM. Yes; that is correct.

What would the gentleman say about this. The gentleman wants to lay down the broad proposition that the President can send a battleship wherever he pleases. Let me put this proposition to the gentleman. This would be a very extreme case. I mean it to be a very unusual case so as to make the illustration as unusual as possible. Suppose, for instance, a ship would put out of New York Harbor, flying the American flag, and carrying a load of contraband of the worst kind. Suppose it was carrying contraband and illegal moonshine liquor, for instance, or whatever contraband you want to consider.

Mr. BLOOM. You take the moonshine liquor; I do not want it.

Mr. JENKINS of Ohio. I am just giving an example.

Mr. BLOOM. Yes; but you take it.

Mr. JENKINS of Ohio. Oh, well, the gentleman does not answer the question by trying to be funny. That ship gets out into the ocean. It is recognized to be a lawbreaker, recognized to be clear beyond the pale of any honest protection. Would the President have the right as commander in chief of the Navy to send a warship to take care of that ship?

Mr. BLOOM. That is so ridiculous it does not even require an answer. It is absolutely absurd.

Mr. JENKINS of Ohio. I should have known better than to have asked the gentleman a question that he cannot even understand.

Mr. RAYBURN. Mr. Chairman, will the gentleman yield?

Mr. BLOOM. I yield to the gentleman from Texas.

Mr. RAYBURN. May I ask the gentleman from New York and the members of his committee the reason the committee put subsection (d) in this bill? I believe the gentleman could well say that that confers no power, but did not the committee, after hearing so much about additional powers granted to the President in this bill, write subsection (d) into the bill to make certain that under this bill no additional power of convoy was being granted?

Mr. BLOOM. Mr. Chairman, that is absolutely correct.

Mr. RAYBURN. And as to the amendment of the gentleman from South Dakota [Mr. MUNDT] for which the gentleman from Ohio [Mr. JENKINS] spoke, under the assumption, I fear, that the gentleman from South Dakota had offered an affirmative amendment, the gentleman from South Dakota being a little regardless of some provisions of fundamental law did not write an affirmative amendment, but simply wrote an amendment expressing the sense of the Congress. There is no power conferred in the amendment of the gentleman from South Dakota one way or the other.

Mr. JENKINS of Ohio. I did not speak in behalf of the amendment of the gentleman from South Dakota. I spoke on my own motion to strike out the last word.

Mr. RAYBURN. I thought the gentleman spoke for the amendment offered by the gentleman from South Dakota, and I simply wanted to clarify in the minds of the members of the committee the fact that this paragraph (d), of course, grants no power, and the reason for including it in the bill was to say that the bill does not grant any additional power on convoys.

Mr. JENKINS of Ohio. I stated, in effect, that I was not armed with citations of authority, and that I was not prepared to defend it against all the constitutional lawyers in the House, but I was prepared to defend, when no one else brought forward any authority, that Congress has the authority to make an affirmative amendment to this bill which would be constitutional, if we want to do so, and that I believe the people of the country would not be satisfied unless we did that. The majority members of the committee have the responsibility of placing such an amendment in this bill.

Mr. RAYBURN. It would appear then that the gentleman or someone who believes like the gentleman would have introduced a bill to repeal some of the powers of convoy that are already in the law.

[Here the gavel fell.]

Mr. KOPPLEMANN. Mr. Chairman, I rise in opposition to the amendment.

Mr. BLOOM. Mr. Chairman, will the gentleman yield?

Mr. KOPPLEMANN. I yield.

Mr. BLOOM. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 18 minutes.

The CHAIRMAN. The gentleman from New York asks unanimous consent that all debate on the pending committee amendment and all amendments thereto close in 18 minutes.

Mr. WOLCOTT. Mr. Chairman, reserving the right to object, may I ask the gentleman whether it is his intention to close debate at about 5:30?

Mr. BLOOM. That is the understanding, I may say to the gentleman, because there have been several engagements made and quite a few of the Members have asked that we rise at about 5:30.

Mr. WOLCOTT. It is my understanding that we will rise after closing debate on this amendment, but we do not pro-

hibit the offering of amendments to section 3 on tomorrow, and the order of business then will be further amendments to section 3?

The CHAIRMAN. Let there be no misunderstanding about the matter. As the Chair stated, the request of the gentleman from New York is that all debate on the pending committee amendment and all amendments thereto close in 18 minutes. Is there objection?

Mr. WOLCOTT. Under my reservation of objection, I want to stress the fact that this amendment will be the last order of business tonight inasmuch as the Committee is expected to rise after the discussion of this amendment.

Mr. BLOOM. That is right.

Mr. MOTT. Mr. Chairman, reserving the right to object, I would like to inquire whether under the statement made by the Chair, when we close tonight in 15 minutes, there will be any more amendments to subsection (d)?

The CHAIRMAN. Debate will be closed on the committee amendment and amendments thereto.

Mr. MOTT. Mr. Chairman, there is another committee amendment coming in, and to be specific, it is the amendment to be offered by the gentleman from New York [Mr. BLOOM].

The CHAIRMAN. It certainly would not apply to any committee amendment that has not yet been offered.

Mr. BLOOM. That has nothing to do with this amendment.

Mr. MOTT. Is the gentleman going to offer the amendment tonight?

Mr. BLOOM. No.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. KOPPLEMANN. Mr. Chairman, I have a letter from a friend in Finland which I want this House to hear.

He writes:

Life is not easy in Finland in spite of peace and neutrality when you have two mighty enemies on either side of you who are near friends, at least on the surface. There is little left of independence. We have scarcity in all fields. In the spring, I believe, we will hunger. Your Republic has a curiously slow and cumbersome way of enacting laws. This way of yours will not be of any help to you in a world where "blitz" is the rule. Before you realize it you will have the Japs and Germany on top of you, because the word neutrality has been discarded in Europe.

Wolves must be treated as they would treat you.

It will be of no help to anybody if you come too late.

This letter, ladies and gentlemen, was written on December 26, 1940, 6 weeks ago. In those 6 weeks, a dozen times a day, in a dozen different parts of the world, the fate of this Nation along with the fate of the world is being decided. And still we delay taking the action that the majority of the American people expect us to take.

It will be a long time before this bill can go into effect while every hour is a vital one. All along the way there will be delays and obstruction and all the while the safety of our own Republic is menaced by this delay.

Every amendment proposed to this bill thus far has been for the purpose of re-



stricting it, restricting the speed with which it should be carried out, and restricting the help that we ought to be giving. We are consuming and wasting valuable time waiting on conventions in a world where convention does not exist, in a world torn by war where lightning speed is the watchword and the method.

Very few Members of this House think that we will not be in a grave danger if the Axis wins. Why do you of the opposition persist in blinding yourselves to the wisdom of preventing an Axis victory? Why do you persist that we sit back on our haunches and wait for them to come over here and get us? Why do you haggle over business propositions in this matter where only our conscience and sense of moral responsibility should be our guide?

The people of America are ready to make the sacrifice to help England. The last election expressed the will of this Nation that we help speedily with our resources and our equipment and our material.

England will not win this war with our sympathy. England is standing alone against the mightiest military combination in history. Every arsenal in Europe is producing at top speed to beat her—and to beat us—and this Congress deliberates on whether we ought not to be cautious, and insist on adequate security before we will give the help that will protect us. Forget England, you ladies and gentlemen of the opposition, and think of ourselves. Where will we be if England goes down? The responsibility will fall on you and on you will descend the curses of Americans for generations to come—because you and I will not live to see this Nation again at peace, and civilized order restored to the world.

Here is a letter from a constituent in Connecticut, which is typical of other letters I have received:

Even though I am a Republican—

He writes—

I am frank to acknowledge the forthrightness and merit of the attitude assumed by the present Democratic administration in our foreign relations and I am willing to subordinate any political affiliation I might have to lend my support to getting this emergency job done quickly and with permanent results.

This Connecticut constituent reminds me of what Adolf Hitler told Herman Rauschnig, and I quote from *The Voice of Destruction*:

We have a right to South America—

Said Mr. Hitler—

These South Americans will need us. They are fed up with the United States. If ever there was a place where democracy is senseless and suicidal, it is in South America. \* \* \* We shall create a new Germany in Brazil.

And against that statement, which is one of many in the same vein, do we think our democracy would survive if Germany wins this war—or do not you want democracy to survive?

I well remember a scene in a dimly lit station in France a week after this war was declared. I saw a French soldier say goodbye to his mother and his wife. Disconsolately he sat down on a bench

with two other French soldiers. He burst into tears and sobbed, "War, war, it is always war. My father went to war. I am going to war. My son will go to war."

Our job is to put an end to war. We did a poor job of it the last time. We started out all right but failed at the finish. There will never be peace in the world so long as the Axis domination prevails. For there never will be peace so long as people who once were free are enslaved. It is our moral responsibility to bring about the end of this war as quickly as possible and in a manner whereby we can sit down with other nations and really work out a lasting peace where our voice and our authority will be respected and heeded. We shirked our responsibility toward the League of Nations and the World Court. And we, therefore, shirked our responsibility in maintaining a permanent peace.

Let this Congress not be branded with cowardice now. If we shirk our responsibility to enact this bill as quickly as possible, as given to us by the committee after lengthy and deliberative consideration of all the testimony, both public and private, without paralyzing amendments, we will be traitors to democracy and to our Nation's peace, which I am certain everyone of us wants to preserve.

Therefore I am opposed to this amendment and to all other amendments directed at hamstringing our national security, which is the fundamental purpose of this bill.

Mr. WILSON. Mr. Chairman, I rise in support of the amendment. The gentlemen of the majority party state that the amendment does not carry any additional powers. Then why not adopt it for the satisfying effect that it will have on 132,000,000 constituents of the Members of this House? If my mail is any index of what the people think, the last and final step which will determine our entry into this war is the conveying of ships. My constituents state in their letters that we will possibly be conveying ships, and those convoy ships will be sunk, and then public opinion will relent to the sending of armed forces. Then American blood will be spilled on European soil. That is the thing that they are most fearful of. I know that my constituents have a lot of confidence in this legislative body, and any words that we may insert in the bill that will make them feel that we do not favor the sending of convoys, that one last long step, will be happily received by them. Therefore, I recommend that this body pass this amendment for the sake of these 132,000,000 people.

When this bill passes we have underwritten an English victory. This may cost us many times the lives it would cost us to set up a first line of defense as outlined in the Monroe Doctrine. I for one put American blood ahead of American skyscrapers. Of course, a bomb or two would cost the lives of a person or two, but nothing compared to what the passage of this bill is likely to cost in blood.

If this bill passes, we must admit to our posterity that we were unable to cope, diplomatically or otherwise, with the problems at hand, and that we have

mortgaged their lives and their futures to meet our competition in this mad rush for what?

Mr. MUNDT. Mr. Chairman, will the gentleman yield?

Mr. WILSON. Yes.

Mr. MUNDT. The gentleman has made an effective statement, and I think it should be pointed out that while this is simply an advisory resolution, it will have considerable restraining influence upon the Executive. Advice from Congress will mean something toward the discouraging of the sending of convoys.

Just as the Dirksen amendment may have no practical effect in preventing Executive actions which might involve us in war or in continuing the coordinate power which Congress should have in Government it is at least a token declaration that Congress is reluctant to divest itself of its responsibilities to the people. So, with this convoy amendment which I offered—granting for sake of argument, without admitting the validity of the contention, that Congress cannot expressly prohibit the President from sending convoys, no serious-minded man can deny Congress has the right—nay the duty—to advise the President that such action would be contrary to their desires and to the dictates of their collective judgment.

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. ROBSION of Kentucky. Mr. Chairman, I rise in support of the Mundt amendment and I shall read it to refresh your minds. It provides:

It is the sense of this Congress that the conveying of vessels into belligerent harbors and through belligerent waters be not undertaken.

Why should not the proponents of this bill accept that amendment? The American people believe that the conveying of vessels into belligerent waters is more likely to get us into war than any one other thing. Secretary Knox said it would be an act of war. The President has stated to the country, according to the press, time and time again, that it is not his purpose to use the Navy to convey any vessels into belligerent waters. Why should this amendment not be accepted? It is not undertaking to legislate. It is merely giving to the Executive and those who administer this law what is in the mind of Congress in passing the law. I said yesterday, in my remarks upon this bill, that the committee amendment is less than a gesture. Why? Because it is contended that the President has such power, and this bill merely says that we are not granting him any power to do so in this bill. It is less than a gesture. If we get into this conveying business, you will not merely be conveying American vessels, because America does not have many vessels. These supplies more likely will be carried to Europe, the British Empire, in British vessels. They have the ships.

You will find, if you do not watch, the American Navy conveying British vessels with these munitions of war into belligerent waters and conveying our own vessels. Then the opportunity will be there. Everyone admits we have been in war for



some time, and many technical acts of war have been committed. We have not been fired upon because we have not been anywhere to get shot at yet, but you get your naval vessels and your American ships into the war zone and it will not be long until some of your war vessels or your merchant ships will be sunk, and then the flame will go over America and you cannot stay out of that costly, bloody European-Asiatic-African war.

Mr. JENSEN. Will the gentleman yield?

Mr. ROBSION of Kentucky. I yield.

Mr. JENSEN. The the American flag will be fired on, and we will be in the war.

Mr. ROBSION of Kentucky. Yes; and we will be fired on.

[Here the gavel fell.]

Mr. KEFAUVER. Mr. Chairman, the introduction of this amendment presents one of the strangest spectacles, one of the most unusual situations, I have seen on the floor of this House in a long, long time. All week we have been having the opponents of this bill appear in the role of strict constitutionalists. They want the letter of the Constitution lived up to. They do not want the Congress to give away by inference or innuendo any power that is given to the Congress by the Constitution. Some of them are using this argument to get around the clear mandate of the American people. Yet these same strict constitutionalists, who are opposed to this bill, in the outset, come here and say "We want, by innuendo, by inference, to upset the Constitution and take away from the constitutional powers of our Chief Executive."

These opponents to the bill would take away the President's constitutional power by direct action if they could. But since they cannot do that, they try to do it by indirection, by inference.

I must confess I do not follow your logic and I do not think the American people will. The American people are tired of this bickering over this bill. What they want is to give full aid to Britain. I am afraid that some of those opposed to this measure have forgotten that the American people made their choice for President in the election last November; and want to have the election over again. I dislike to say this, but I think it is true. Some of the minority are losing sight of what the American people want in their efforts to embarrass our Chief Executive.

I wonder if they would present the same limiting amendment if a Republican President had been elected? We do not want any politics in this bill. But if you want to be strict in preserving the powers of Congress, then by the same logic you must give the President the constitutional powers to which he is entitled.

Mr. RICH. Mr. Chairman, will the gentleman yield?

Mr. KEFAUVER. I have only a limited time. I will yield if the gentleman will get me some more time.

I think Mr. Willkie has shown himself to be a real, true American. He has put away partisanship as far as this matter is concerned, and in supporting this meas-

ure he is carrying out the dictates of the American people. I think your arguments would be more persuasive and you would accomplish more good if you would compliment Mr. Willkie and go along with the idea and principle that the American people want carried out.

Mr. Chairman, as far as the convoy matter is concerned, we all realize that nothing that can be written into this bill will take anything away from or give anything to the President's right as Commander in Chief of the Army and Navy. So why should we indulge in this idle and meaningless language to take a slap at the President or to say that we do not have confidence in him? The American people have confidence in our President, and I believe the majority of the Members of Congress have also. He, above any man, represents the hope of people the world over who want to be free.

Mr. Chairman, in passing upon this bill, the primary question I think we must determine is whether an Axis victory would be detrimental to the Government and the people of the United States. I do not see how anyone who has studied the course of events during the past few years, and who has taken cognizance of the declared aims and policies of the Axis governments, can reach but one decision on this point. Indeed, the American people appreciate the disastrous result that would befall if the forces fighting the totalitarian aggressors should lose. This is more than a war of armies—it is a war of ideas, of religion, of philosophies, and, being a conflict to the death on this basis, it affects very directly and immediately the welfare and rights of the people in this country of every class.

The American people have wisely declared that it is to our interest to give all possible aid to the Allies short of war. On the floor of the House today there is no real dispute on this issue. The majority report of the Foreign Affairs Committee reaches this conclusion, and with equal definiteness the minority report declares all-out aid to Britain to be the logical national policy of this Government.

What, then, is the argument and dispute about? Unfortunately, I am afraid that some Members of the House have allowed personal antagonisms and minor considerations to obliterate their views of the prime objective we are trying to reach. Admittedly, no bill that could be prepared would in all details please all, or perhaps any of us, but we must remember that the carrying out of this definite policy, which, in my mind, is the best chance of saving our Government and of keeping us out of war, is the primary purpose, and it should not be deflected from by political or personal differences.

The American people are tired of indecision—they want action. They do not want this bill, which is their surest chance of survival, to be thwarted and defeated because of petty bickering or political jealousies.

Some Members claim to be opposed to this measure because of the wide and broad powers it gives to the Chief Executive of this Nation. I do not believe the American people will accept this excuse.

In the time of a crisis or emergency there must be swift and immediate action. The framers of our Constitution, with their uncanny foresight, realized this and made a most wise provision to take care of it in the basic law of our land. The Constitution places all executive power in the President. This power cannot be shared by Congress. I do not believe this bill gives the President any power that he does not have under the Constitution. Furthermore, the great wisdom of this constitutional provision has at many times been demonstrated. Washington, Jefferson, Lincoln, and Wilson, during times of emergency, exercised great executive power which in many instances went further than the powers contained in this bill. It is true that Jefferson in negotiating the Louisiana Purchase, Lincoln in suspending the writ of habeas corpus and calling for 75,000 volunteers, and Wilson in arbitrarily fixing prices and eliminating competition, were all called dictators and usurpers. But who, today, can or does question the wisdom or necessity of their action.

America today is at stake. Our institutions, our welfare, and those liberties which we prize so highly are in issue. This is no time for quibbling over details. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The gentleman from Ohio [Mr. BENDER] is recognized for 3 minutes.

Mr. BENDER. Mr. Chairman, talk about partisanship in connection with this lend-lease bill should not be directed to this side of the House. Last week our Republican leadership indicated to us very definitely that there were no instructions they had to give us. We are acting here as Americans, not as Republicans. Our action is not dictated by anyone. No dilatory tactics have been used. The time for debate has been set and allotted by the leadership on both sides of the aisle. We Republicans have had no steamroller to use. We have had no jobs to offer to anyone in connection with our vote on this or any other measure. We are in the minority.

I am in favor of legislation aiding Great Britain and am prepared to vote for a lend-lease bill which will restrict the authority of the President within reasonable limits. I believe that congressional consent should be given before any vessel of the United States is used for any purpose connected with the present war. It must be limited in its scope both as to the time of its effectiveness and the extent of the delegated power.

I want to vote for this particular bill. We have gone part of the way, as far as I am concerned, in making it possible for me to vote for it, in passing the Dirksen amendment. When some people say it is ineffective and that it is meaningless, I point to the fact that Judge SUMNERS, chairman of the Committee on the Judiciary, did not think it was meaningless. He thought it meant what it said when it retained for Congress the control that they desired and the control we said we wanted in connection with this bill.



I plead with you to vote for this Mundt convoy amendment so that the President knows just exactly where we stand. Republicans and Democrats ought to forget their partisanship in this situation and unite. There are several vital points on which you should yield, yield so that we may go out of here unitedly. If you yield in the matter of providing a ceiling in connection with expenditures and that convoys will not be permitted, you will remove dangers that will prove very troublesome and very costly to all of us. Vote "yes" on this amendment and other vital amendments and provide speedy aid to England and safeguard our own peace and safety. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The gentleman from New York [Mr. FISH] is recognized for 2 minutes.

Mr. FISH. Mr. Chairman, I hope we shall not have any more time consumed in the House by the reading of letters from foreign countries telling what this Congress should do. I do not think it serves any useful purpose to have somebody from some foreign country tell us what our duty is in America and in the Congress of the United States.

No one on either side has tried to delay or obstruct the consideration of this bill for 1 minute. We have gone along and cooperated with the majority as to the amount of time for general debate and the consideration of this bill; and we hope to finish it tomorrow before midnight. I trust no Member will repeat the statement that we are trying to obstruct the bill or to delay its consideration in the House.

I am sorry the convoy amendment offered by the gentleman from South Dakota [Mr. MUNDT] does not go further. I should like to see a direct prohibition upon the President, whether he be a Republican or a Democrat, I should like to see it permanent law that the President cannot use our Navy to convoy ships into war zones. I am not at all sure that we have not the power to do it anyway, because the Constitution gives to the Congress the power to provide and maintain a navy and to make rules for the government and regulation of the land and naval forces. I do not know why we have not got the right under those regulations to have such an affirmative proposition before us. This is not the case, however. The gentleman from South Dakota [Mr. MUNDT] has introduced an amendment saying that it is the sense of Congress that our naval vessels should not be used to convoy ships into the war zone. Certainly that is the sense of the Congress. All the Cabinet officers who testified on the bill told us it was an act of war.

This is a very simple proposition. If you want to keep out of war and express the will of the American people, you should vote for this amendment. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The gentleman from West Virginia [Mr. KEE] is recognized for 3 minutes.

Mr. KEE. Mr. Chairman, I said yesterday when I stood before you in the well of this House that I believed that convoying ships would be an act of war. It would leave our naval vessels open to attack. I would vote against any provision directing the convoying of ships or authorizing it at this time and under present conditions; but we have now before us a measure that does not mention the convoying of ships and this is not the time nor place to deal with that subject. The bill under consideration does not mention the transportation of any goods and materials. It does not authorize the President or anybody else to either transport materials or have them convoyed. The only place in the bill where convoying is mentioned is in the amendment which reads:

Nothing in this act shall be construed to authorize or to permit the authorization of convoying vessels by naval vessels of the United States.

We recognized the fact there was no provision in this bill as originally proposed authorizing any convoying of ships. That question was not then nor is it now germane to the bill nor pertinent, but submitting to the wish expressed because of the dire fears that someone might construe some term in the bill as authorizing the convoying of ships we, put in the committee amendment I have just quoted.

The gentleman from Ohio a moment ago referred to the committee amendment as a sop to the American people. If ever there was a sop offered to the American people it is the amendment offered by the gentleman from South Dakota [Mr. MUNDT]. It is a sop because it does not mean anything in the world. My colleagues over here all agree that Congress has no right to insert a provision in any bill, nor even pass a special one, taking away from the President his constitutional rights.

You all agree we cannot put in this bill a provision directly prohibiting the President from authorizing ships to be convoyed. If you thought otherwise you would have offered such an amendment. Now, instead of proposing an amendment in plain and direct language stating and forbidding the convoy of ships, you offer an amendment to do what? That it is the "sense of the Congress" that these vessels shall not be convoyed. What does "sense of the Congress" mean? It means that you are aware of this fact that you cannot alter the constitutional provision under which the President has the right to convoy or to order convoys of these ships. This amendment we are now considering does not mean a thing and I hope it will be defeated.

[Here the gavel fell.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from South Dakota [Mr. MUNDT] to the committee amendment.

The question was taken; and on a division (demanded by Mr. MUNDT) there were—ayes 74, noes 111.

So the amendment to the committee amendment was rejected.

The committee amendment was agreed to.

Mr. BLOOM. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Speaker having resumed the chair, Mr. COOPER, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H. R. 1776) further to promote the defense of the United States, and for other purposes, had come to no resolution thereon.

#### EXTENSION OF REMARKS

Mr. WHITTINGTON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Record and to include an article published in the Staple Cotton Review of January 1941 by A. H. Stone of Mississippi. Mr. Speaker, I am advised by the Public Printer that this article will take two and a half pages, the cost of which is \$112, and I ask unanimous consent that notwithstanding the cost the article may be printed as an extension of my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi [Mr. WHITTINGTON]?

There was no objection.

Mr. WIGGLESWORTH. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record and to include an article appearing in this morning's Washington Post.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts [Mr. WIGGLESWORTH]?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Record and to include a very fine speech in reference to peace made by William Cardinal O'Connell, of Massachusetts.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts [Mrs. ROGERS]?

There was no objection.

Mr. MANSFIELD. Mr. Speaker, the gentleman from Texas [Mr. KLEBERG] delivered an address over the radio this afternoon. I ask unanimous consent to extend my own remarks in the Record, and to include this speech.

The SPEAKER. Is there objection to the request of the gentleman from Texas [Mr. MANSFIELD]?

There was no objection.

(Mr. ELLIS, Mr. CRAWFORD, Mr. DIRKSEN, and Mr. HINSHAW asked and were given permission to extend their own remarks in the Record.)

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. HESS (at the request of Mr. ELSTON), for today, on account of illness.

To Mrs. O'DAY (at the request of Mr. CULLEN), indefinitely, on account of illness.

To Mr. CELLER (at the request of Mr. CULLEN), indefinitely, on account of illness.



## ENROLLED JOINT RESOLUTION SIGNED

Mr. KIRWAN, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled a joint resolution of the House of the following title, which was thereupon signed by the Speaker:

H. J. Res. 77. Joint resolution making an appropriation to the United States Maritime Commission for emergency cargo ship construction, and for other purposes.

## JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Mr. KIRWAN, from the Committee on Enrolled Bills, reported that that committee did on this day present to the President, for his approval, a joint resolution of the House of the following title:

H. J. Res. 77. Joint resolution making an appropriation to the United States Maritime Commission for emergency cargo ship construction, and for other purposes.

## ADJOURNMENT

Mr. BLOOM. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 44 minutes p. m.), under its previous order, the House adjourned until tomorrow, Friday, February 7, 1941, at 11 o'clock a. m.

## COMMITTEE HEARINGS

## COMMITTEE ON AGRICULTURE

The Committee on Agriculture will hold a hearing on Tuesday, February 11, 1941, at 10 a. m., on H. J. Res. 15 in Room 1324, New House Office Building.

## COMMITTEE ON MERCHANT MARINE AND FISHERIES

The Committee on Merchant Marine and Fisheries will hold public hearings at 10 a. m. on the following dates on the matters named:

Thursday, February 20, 1941:

H. R. 554, to exempt sail vessels from the provisions of section 13 of the act of March 4, 1915, as amended, requiring the manning of certain merchant vessels by able seamen, and for other purposes. (Manning requirements for sail vessels.)

H. R. 2520, to amend the act entitled "An act to except yachts, tugs, towboats, and unrigged vessels from certain provisions of the act of June 25, 1936, as amended," approved June 16, 1938. (Manning requirements for seagoing barges.)

Friday, February 21, 1941:

H. R. 2074, to amend section 353 (b) of the Communications Act of 1934, as amended. (Experience requirements, radio operators on cargo ships.)

## EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

176. A letter from the Acting Secretary of the Interior, transmitting a draft of a proposed bill to authorize the payment of certain unpaid Creek equalization claims and to repeal a provision contained in the Deficiency Appropriation Act of June 19, 1934

(48 Stat. 1021-1033); to the Committee on Indian Affairs.

177. A letter from the Acting Secretary of Agriculture, transmitting a draft of a bill to facilitate refund of excess amounts collected by the Forest Service in connection with utilization of national-forest resources and use of land; to the Committee on Appropriations.

178. A letter from the Acting Secretary of the Interior, transmitting a draft of a proposed bill to authorize the exchange of certain Indian-owned and privately owned lands on the Santa Ysabel Indian Reservation, Calif.; to the Committee on Indian Affairs.

179. A letter from the Acting Secretary of the Interior, transmitting a draft of a proposed bill to authorize the sale and conveyance of certain property now held by the Secretary of the Interior in trust for the benefit of the undetermined heirs of Jackson Barnett, deceased Creek enrollee No. 4524; to the Committee on Indian Affairs.

180. A letter from the Coordinator, Office for Emergency Management, transmitting a draft of a bill to amend the National Housing Act, and for other purposes; to the Committee on Banking and Currency.

181. A letter from the Acting President, Board of Commissioners of the District of Columbia, transmitting the draft of a proposed bill to consolidate the municipal court and the police court of the District of Columbia; to the Committee on the District of Columbia.

182. A letter from the Acting President, Board of Commissioners of the District of Columbia, transmitting the draft of a proposed bill to amend an act to make unlawful the transportation of convict-made goods in interstate commerce, and for other purposes, approved October 14, 1940; to the Committee on the Judiciary.

183. A letter from the President, Board of Commissioners of the District of Columbia, transmitting the draft of a proposed bill authorizing the installation of parking meters or other devices on the streets of the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

184. A letter from the Acting President, Board of Commissioners of the District of Columbia, transmitting the draft of a proposed bill to amend the District of Columbia Revenue Act of 1939, and for other purposes; to the Committee on the District of Columbia.

## REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. LESINSKI: Committee on Immigration and Naturalization. H. R. 814. A bill for the relief of Dr. Gustav Weil, Irma Weil, and Marion Weil; without amendment (Rept. No. 32). Referred to the Committee of the Whole House.

Mr. LESINSKI: Committee on Immigration and Naturalization. H. R. 1264. A bill for the relief of Charles Molnar; without amendment (Rept. No. 33). Referred to the Committee on the Whole House.

Mr. LESINSKI: Committee on Immigration and Naturalization. H. R. 1991. A bill for the relief of Ludwig Baur; with amendment (Rept. No. 34). Referred to the Committee of the Whole House.

Mr. LESINSKI: Committee on Immigration and Naturalization. H. R. 1992. A bill for the relief of Rudolfo Kaufmann and his wife, Ellinor T. Kaufmann; without amendment (Rept. No. 35). Referred to the Committee of the Whole House.

Mr. LESINSKI: Committee on Immigration and Naturalization. H. R. 2415. A bill for the relief of David Morgenstern; without amendment (Rept. No. 36). Referred to the Committee of the Whole House.

Mr. LESINSKI: Committee on Immigration and Naturalization. H. R. 2416. A bill for the relief of Salomon Georg Kaufmann, his

wife, Doris Kaufmann, nee Stern, and their child, John Michael Peter Kaufmann; without amendment (Rept. No. 37). Referred to the Committee of the Whole House.

Mr. MACIEJEWSKI: Committee on Immigration and Naturalization. H. R. 387. A bill for the relief of Dr. Frantisek Blonek and Ema Blonek; without amendment (Rept. No. 38). Referred to the Committee of the Whole House.

Mr. MASON: Committee on Immigration and Naturalization. H. R. 1376. A bill to record the lawful admission to the United States for permanent residence of Ona Lovci-kien and children, Edmundos and Regina; without amendment (Rept. No. 39). Referred to the Committee of the Whole House.

Mr. MACIEJEWSKI: Committee on Immigration and Naturalization. H. R. 1539. A bill for the relief of Izaak Szaja Licht; without amendment (Rept. No. 40). Referred to the Committee of the Whole House.

Mr. MASON: Committee on Immigration and Naturalization. H. R. 2141. A bill for the relief of Karel Lederer; without amendment (Rept. No. 41). Referred to the Committee of the Whole House.

Mr. MACIEJEWSKI: Committee on Immigration and Naturalization. H. R. 2414. A bill for the relief of Meier Langermann, his wife, Friederike, and son Joseph; without amendment (Rept. No. 42). Referred to the Committee of the Whole House.

Mr. MASON: Committee on Immigration and Naturalization. H. R. 2557. A bill for the relief of Moses Limon and Ida Julia Limon; without amendment (Rept. No. 43). Referred to the Committee of the Whole House.

## CHANGE OF REFERENCE

Under clause 2 of rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 465) granting a pension to George E. Cornelius; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 2918) granting a pension to Maud Carrico; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. CASEY of Massachusetts:

H. R. 3129. A bill providing for an amendment to the Fair Labor Standards Act; to the Committee on Labor.

By Mr. HEALEY:

H. R. 3130. A bill to amend section 6 of the Federal Employees' Compensation Act; to the Committee on the Judiciary.

By Mr. IZAC:

H. R. 3131. A bill providing for a Naval Aeronautical Academy in the San Diego Bay area in the State of California, and for other purposes; to the Committee on Naval Affairs.

By Mr. LARRABEE:

H. R. 3132. A bill to establish a Division of Aviation Education in the United States Office of Education, Federal Security Agency, and for other purposes; to the Committee on Education.

By Mr. WEAVER:

H. R. 3133. A bill to provide for the imposition of import quotas upon articles bound on the free list in foreign trade agreements; to the Committee on Ways and Means.

By Mr. WEISS:

H. R. 3134. A bill to provide for payment to postal employees of time and one-half for overtime; to the Committee on the Post Office and Post Roads.



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## EXTENSION OF REMARKS

Mr. TINKHAM. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by including an article from the Economist.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. CARLSON. Mr. Speaker, I ask unanimous consent to revise and extend the remarks I expect to make this afternoon, and to include certain tables.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. HINSHAW. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD concerning a graduate from the Naval Academy, a gentleman from my own district.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. SPARKMAN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include an editorial from the recent issue from a paper in my district.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. CONNERY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include an appreciation of the recent contribution by Hollywood to the President's birthday balls.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. O'BRIEN of New York. Mr. Speaker, I ask unanimous consent to extend my remarks and include a short editorial concerning one of our distinguished colleagues, the gentleman from New York [Mr. WADSWORTH].

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. SHANLEY. Mr. Speaker, I ask unanimous consent to extend my remarks and include a recent editorial from the Baltimore Sun.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. COFFEE of Washington. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include a brief article from a magazine.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. LAMBERTSON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD.

The SPEAKER pro tempore. Is there objection?

There was no objection.

## PROMOTION OF DEFENSE OF THE UNITED STATES

Mr. BLOOM. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 1776) further to

promote the defense of the United States, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 1776, with Mr. COOPER in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose yesterday the committee amendment to section 3 of the bill had been disposed of. Section 3 is now subject to further amendment.

Mr. BLOOM. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. BLOOM: Page 4, after line 5, insert a new subsection, as follows:

"(e) Nothing in this act shall be construed to authorize or permit the authorization of the entry of any American vessel into a combat area in violation of section 3 of the Neutrality Act of 1939."

Mr. BLOOM. Mr. Chairman, I would merely state that this bill does not authorize in any way any change in section 3 of the Neutrality Act respecting the movement of ships to a combat zone.

Mr. LUTHER A. JOHNSON. Mr. Chairman, will the gentleman yield?

Mr. BLOOM. Yes.

Mr. LUTHER A. JOHNSON. Mr. Chairman, is this not an amendment that has been worked out after suggestions made, one having been made in the committee by the gentleman from Ohio [Mr. VORYS] and one made also by the gentleman from Mississippi [Mr. COLMER] in his remarks the other day, at which time he said he would offer an amendment? I have conferred with the gentlemen who have these proposed amendments, and I think the amendment as worked out is satisfactory, since it seems to meet the same end that we all have been trying to accomplish.

Mr. BLOOM. Mr. Chairman, this amendment which I have offered has been taken up by members of the Committee on Foreign Affairs on both sides. The gentleman from Ohio [Mr. VORYS] offered a similar amendment, as did the gentleman from Mississippi [Mr. COLMER]. The amendment in no way affects section 3 of the Neutrality Act, which remains the same.

Mr. JENKINS of Ohio. Mr. Chairman, I ask unanimous consent that the amendment be again read by the Clerk.

The CHAIRMAN. Without objection, the Clerk will again report the amendment.

There was no objection, and the Clerk again reported the amendment.

Mr. WOLCOTT. Mr. Speaker, will the gentleman yield?

Mr. BLOOM. Yes.

Mr. WOLCOTT. If I understand correctly, the committee does not intend in any way to abdicate any of the power which the President might otherwise have in respect to naval craft. It is not the intention of the amendment to include naval craft. It includes only our merchant marine. Is that correct?

Mr. BLOOM. It includes both, but the amendment speaks for itself. Section 3 of the Neutrality Act remains identically the same. It does not change anything.

Mr. VORYS of Ohio. Is it not true that this amendment provides substantially that nothing in H. R. 1776 shall affect in any way the provisions contained in the Neutrality Act as to combat areas?

Mr. BLOOM. That is true. That is absolutely correct. Section 3 I am talking about.

Mr. VORYS of Ohio. And is it not also true that section 2 (a) of the Neutrality Act, which prohibits the use of American vessels in transporting men and materials to belligerents, is so shot full of exceptions and explanations that it is not a very valuable section of the neutrality law?

Mr. BLOOM. No. The gentleman knows he is wrong there, but this section 3 is clearer—

Mr. VORYS of Ohio. Let me make myself clear.

Mr. BLOOM. But you want me to answer you. I said "No"; that this section 3 is clearer and more definite and to the point.

Mr. VORYS of Ohio. Section 3 is broader in its prohibition as to the use of American vessels than the provisions of section 2, and therefore the way this is presented by the committee is a broader prohibition upon the use of American ships than the particular suggestion which I offered in committee or the suggestion which the gentleman from Mississippi [Mr. COLMER] offered the other day on the floor. Is that not true?

Mr. BLOOM. That is right. This is very comprehensive. This amendment was offered so as to satisfy Members on both sides.

[Here the gavel fell.]

Mr. RANKIN of Mississippi. Mr. Chairman, of course, I am supporting the amendment now before the House, because I believe it will help keep my country out of the European war.

My vote on this bill and all amendments will be directed by that guiding star—keeping America out of the present European and Asiatic wars. I took that position in 1939 when the question before us was lifting the embargo. There was a great deal of protest against a negotiated peace at that time, just as there is today. I stated then that, in my humble opinion, if we pursued a different course the war in Europe would come to an end in the settlement of the controversy over the Polish Corridor. I said that if we proceeded to lift that embargo it would be a green light for England and France to go into a war for which they were not prepared. Although war had been declared, the real hard fighting had not begun. I said that if we lifted the embargo, it would encourage England and France in the belief that America was going in also. I said if we did do it, we would be encouraging them to go into war against most overwhelming odds. Time has borne out that prediction. More than a year has passed, and France



has collapsed. She went down pleading to America to come to her assistance.

We are now embarking upon a policy that is strange and untried. The people of this country are appealing to us to help England, but to keep America out of this war. It seems to me that we have reached the point now that if we are going to prepare—and we must have an air force to prepare—we must have time in which to do it, and it may be that the passage of this law will give us that time.

There are only three possible outcomes in this conflict. One of them is a negotiated peace. I know that some people will throw up their hands and say they are not for a negotiated peace. Then if there is no chance of negotiating a settlement of this conflict it must end in a victory either for Germany or for England. In my humble opinion the British Empire today is in the greatest danger in its history. I have not underestimated the bombing plane. I have watched it ever since Gen. Billy Mitchell sank the *Ostfriesland* in Hampton Roads. I am convinced that it is so powerful today that no navy will dare approach a hostile coast of a country that is sufficiently supplied with bombing planes and with submarines. According to the information we have, our air force is deficient, and we must have time to build it up.

There are at least two things in this world that probably have to come to an end. One of them is the domination of the world by floating crafts, by floating navies. The other is the domination of the financial world by the gold standard. Away back and beyond this conflict, back beyond the conflict over democracy, we are seeing a world-wide conflict between these two economic theories, a managed currency and the gold standard; and yet those of us who are supposed to be on the gold standard side, have seen countries abandon the gold standard and we are now on a managed currency ourselves.

But the other alternative is victory for England.

England cannot win this war by herself. If we are not going to have a negotiated peace, it is going to be necessary to send armies into continental Europe and into Berlin. If we are going to enter this war with that in view I shudder to think what may happen. We shall perhaps lose five or ten million men in the attempt, the pick and flower of America's best manhood, and then I am not sure we would succeed, because we would be attempting to invade the continent of Europe against one of the most powerful military forces in the world. We would be met with everything from heavy artillery and bombing planes to poison gas.

Do not get the idea that any country is too humane today to use poison gas in war. War is an abandonment of humanity; in a way it is an abandonment of all humane feelings. Do you suppose we would hesitate to use poison gas if we were to get into this war and our Pacific coast were invaded by Japanese hordes? No. We would use everything that would kill a human being. Do you suppose England would hesitate if it were

necessary to save her country from the devastation of being overrun by Hitler and his hordes? No. England would do just what any other country would do. She is going to do everything necessary to save her people from being conquered. We may expect to meet the same opposition if we attempt to invade the continent of Europe.

I make this statement because this is probably the only chance I shall have to speak to the House on this subject. I want to go along with this bill, but there are certain amendments I hope to see adopted, some of which were discussed by the gentleman from New York [Mr. WADSWORTH] the other day. I want to save my country from being plunged into a devastating war while at the same time I want to furnish all the aid we can to England commensurate with our national safety. I believe also we are going to have to build the greatest air force in the world. This may give us time to do so. But whatever it takes, I for one shall use as my guiding star the policy that I think will keep my country out of another devastating war that might wreck this Nation, leaving crepe on every door-knob in America, broken hearts, widows' weeds, and vacant chairs in every home, and leave us a burden of debt that would take untold generations to pay. [Applause.]

The CHAIRMAN. The gentleman from Tennessee [Mr. COURTNEY] is recognized.

Mr. BLOOM. Mr. Chairman, I believe the gentleman from Tennessee [Mr. COURTNEY] is the gentleman to whom the gentleman from Texas [Mr. LUTHER A. JOHNSON] referred in the matter of extending his time.

Mr. LUTHER A. JOHNSON. Mr. Chairman, I made the request that the gentleman from Tennessee be allowed to proceed for 10 minutes because he has been ill and he is a member of the committee.

Mr. FISH. I have no objection, Mr. Chairman, but I hope the gentleman from New York and the gentleman from Texas will have no objection when important amendments are under consideration if the gentlemen on our side ask for a little additional time.

Mr. LUTHER A. JOHNSON. I feel we have been very generous.

The CHAIRMAN. The gentleman from Tennessee [Mr. COURTNEY] is recognized for 10 minutes.

Mr. COURTNEY. Mr. Chairman, I requested this time to proceed possibly out of order, because the adjournment of Wednesday night precluded me from making some brief observations on the pending bill, which I now desire to do. The bill has been so thoroughly discussed in all its component parts that specific discussion of any features would be unnecessary. I do believe, however, that the bill with the amendments that will be adopted gives the proper authority to the proper officials, with all necessary checks and counterbalances to do what the American people are determined to do—that is, give England every aid short of war, at the same time so helping our own defenses to keep war away from our shores.

As we debate the bill under consideration, I realize the fact that with its final passage America is assuming a responsibility unparalleled in its history, but I believe that our people generally would think us craven and unfit for the position that we hold should we neglect our own defenses at this critical period and fail to come to the aid of democracies and free peoples threatened with utter extinction at the hands of dictators and tyrants whose only law is brute force and cruel destruction.

I have heard no Member on the floor of this House, or any person anywhere, for that matter, deny that we must quickly bring this country to a state of total defense. Defense against what power? Not England if she wins. Not China if she escapes. Not Greece if she ultimately defends herself successfully. Our preparations, of course, must be against Germany, Italy, and Japan in the event of their success, already joined as they are in a solemn pact and league to bring their joint might against us at their pleasure. If they lose we are safe, and those heroic nations now standing against them constitute our first line of defense. This bill, therefore, instead of being a bill to get us into war, as some of its opponents claim, is in reality a bill to keep us out of war.

I had hoped that the consideration of this bill would be purely from a nonpartisan standpoint. Yet I noticed during the course of the debate and the vote on various amendments proposed the opposition comes largely from our friends on the left, claiming that the bill is a step toward war, overlooking the fact that they made the same kind of fight on the repeal of the arms embargo based on the same prophecy; and what false prophets they proved to be.

I assume that most of the opponents of this bill have read the hearings before our committee, which were nonpartisan in every respect. Among the important witnesses appearing, Secretary Hull urged the vital necessity of this legislation. During the 8 years that he has had his finger on the pulse of the international situation I have never heard his nonpartisan patriotism questioned. Secretary Stimson, of the Army, and Secretary Knox, of the Navy, of whom the same thing can be said, were equally emphatic in their statements.

It is claimed by some that this bill, if enacted, will violate the principles of international law. As a matter of fact international law, with the brutal conquests of the past few years without justification and with little warning, is a thing of the past. The law of self-defense among nations now prevails. It is true that the totalitarian powers have committed no overt act against us. Neither did they against the other nations that they attacked until ready for the kill. The declarations, however, of the Axis Powers show that they have designs upon us and Hitler personally, in his writings and public statements, has indicated the same thing in the strongest possible manner.

Of course, a direct invasion of America from across the seas is improbable but with totalitarian sympathizers in South



American countries daily fomenting trouble there, the establishment of Axis bases in South America is not impossible and not improbable should they win in the present conflict. When that situation develops the peril to America would be immediate.

These powers cannot avail themselves of the principles of international law for another reason. Germany and Italy, along with America, were signatories to the Kellogg-Briand Peace Pact and in violating the terms of that pact meant to outlaw war, the best international law authorities agree that other signatories would have the right to supply the state attacked with financial and material assistance, including all munitions of war.

I think the best synopsis of the situation prevailing that makes the enactment of this legislation imperative is to be found in portions of the testimony of Hon. William C. Bullitt before our Foreign Affairs Committee, a brilliant diplomat who has spent half a lifetime in the foreign capitals of the world:

1. We are determined to maintain the independence of the United States and our government of the people by the people, and for the people.

2. We hate war. Therefore we desire to protect our country and our liberties without going to war.

3. Germany has drawn Italy and Japan into a league directed against us and other free nations by a treaty signed in Berlin on September 27, 1940.

4. We cannot appease Germany. It is impossible to appease the unappeasable. And the Western Hemisphere is the juiciest morsel before the dictators.

5. The earth has been so contracted by the airplane that for the first time in our history the war machines of Europe can reach the Western Hemisphere in a few hours.

6. The Atlantic and Pacific Oceans remain formidable obstacles to invasion of the Americas so long as both are controlled either by the American Navy or by the navy of a power friendly to us.

7. We have a one-ocean navy and shall not have a two-ocean navy before 1946.

8. So long as the British Navy continues to hold the Germans and Italians on the other side of the Atlantic, while our fleet watches in the Pacific, we have and shall have the practical equivalent of a two-ocean navy.

9. If the British Navy should be eliminated, we would still have a one-ocean navy, but we should have two oceans to defend.

10. A one-ocean navy cannot cover two oceans.

11. Without the British Navy, we could not protect both the Pacific coast and the Atlantic coast of the Western Hemisphere. We could not lock both the front door and the back door of our national home.

12. An ocean without a fleet is not a defense but a broad highway for invasion.

13. There are strong totalitarian elements in many states of South America.

14. The elimination of the British Navy and control of either the Atlantic or the Pacific by a totalitarian navy would be the signal for totalitarian government to be installed in one or more states of Latin America. The movement of totalitarian control toward the Panama Canal would be rapid.

15. The experience of cities in England has shown that it is impossible to prevent bombardment of the Panama Canal by planes based on the northern portion of South America, or on Central America, or on aircraft carriers.

16. If the Panama Canal should be closed by bombardment from the air or sabotage, our one-ocean Navy would be fixed in one ocean and the other ocean would become a pathway for invasion.

17. We are not prepared today to meet an attack by the totalitarian states that are leagued against us. We must buy time in which to prepare.

18. We can buy that time only by making certain that the British Fleet will continue to hold the totalitarian forces in Europe while our fleet watches in the Pacific.

19. If we should permit the conquest of the British Isles, the officers and men of the British Navy would be threatened with the starvation of the entire population of Great Britain if they should continue to hold the Atlantic for us. It is improbable that they could or would do so for long.

20. Should the British Navy be eliminated and should the Panama Canal be blocked before we are prepared, invasion of the Western Hemisphere would be almost certain. It is entirely certain that the shipbuilding facilities in the hands of the totalitarian dictators would be at least four times as great as our shipbuilding facilities, and what we had planned to be a two-ocean navy would turn out to be only a one-ocean navy after all. More than 90 percent of the human race would be controlled by the dictators and be organized both militarily and economically against us. A Japanese iron ring around Asia and Australasia and a German iron ring around Africa and Europe, including Great Britain and Ireland, would cut us off from trade with so great a portion of the earth that we, in a mutilated stump of the Western Hemisphere, would be thrown into economic disorder. The standard of living of even the poorest American would be gravely reduced. And we should have to try to support with our crippled economic system armaments colossal enough to resist the whole world. We should have to organize our American life on a military basis from top to bottom and maintain it on a military basis throughout years of misery and years of totalitarian propaganda directed against our democratic form of government. How long, under those conditions, we could maintain the liberties that have been the birthright of every American since the birth of our Nation no man knows.

21. These would be to us the consequences of British defeat. We must, therefore, for our own self-preservation, try to see to it that Great Britain is not defeated.

22. We are determined not to be drawn into this war. We leave out of the discussion, therefore, the policy of going to war, although we know that the most certain way to insure against risk of British defeat would be for us to go to war. We set two limits on our support of Great Britain: First, we will not declare war; second, we will not ourselves initiate military or naval hostilities.

23. We can diminish the danger to ourselves only by supplying promptly to the British and the other states that are now holding the totalitarian war machines away from our shores every material, munition, and arm that they need.

24. It is so greatly to the advantage of the totalitarian states to have us stay out of war while they are attempting to conquer Great Britain, Greece, and China that no matter how much aid we furnish and no matter what form that aid may take, the dictators will hesitate to declare war on us unless they have first conquered Great Britain. If they were to declare war, they could not now get at us.

25. We must produce implements of defense as fast as if we were in war, and we must employ the implements of defense that we now possess and shall produce in the wisest manner for our defense.

26. The question of whether it is wiser to defend our country by turning over a particular implement of defense at a particular moment to the British, or other forces, to use immediately, or wiser to keep that instrument within our own country, is an intricate technical question that can be decided with the highest wisdom—and in time—only by the Commander in Chief of our Army and Navy, who acts on the advice of his military, naval, air, and diplomatic advisers. We should not even be an independent nation if a committee had sat at Valley Forge where Washington stood. The framers of our Constitution were wise when they made the Chief Executive Commander in Chief of our Army and Navy.

27. Our country is in such danger today that decisions on the effective use of our instruments of defense are as vital as if we had already been attacked.

28. Bill 1776 is designed to empower the President to make those decisions. By passing it the Congress would show, I believe, that the wisdom of the framers of our Constitution is still alive in our land, and that we, like our forefathers, will submit to no master but God.

In conclusion we should never permit, and we will never permit, sentiment to involve us in actual war, but I think our sentiment and natural sympathies should spur us to the immediate passage of this legislation to the end that necessary aid be given where so sorely needed. Of course we sympathize with China, now struggling desperately upon her knees. Throughout her long centuries without any acts of aggression against her neighbors, toiling humbly to feed her teeming millions, she has found the time and the talent to give us many of the things of beauty and utility that have become part of the pattern of our daily life.

Our sympathy goes out to Greece. From the days of her early glory and grandeur she has contributed much to the civilization of the world, and an untold number of her people have cast their lots here with us and fitted into the American way of life.

But in this day of world agony our hearts turn most strongly to England with her demolished homes and institutions, her murdered civilian population, and mothers and babes in arms. This is England, the motherland. We are blood of her blood and bone of her bone. This is England that cradled for us our culture, our law, and our religion.

One of her soldier poets, Rupert Brooke, who died in the last war in France has left this epitaph:

If I should die, think only this of me:

That there's some corner of a foreign field  
That is forever England. There shall be

In that rich earth a richer dust concealed;  
A dust whom England bore, shaped, made  
aware,

Gave, once, her flowers to love, her ways to  
roam.

A body of England's, breathing English air,  
Washed by the rivers, blest by suns of home.

And think, this heart, all evil shed away,  
A pulse in the eternal mind, no less

Gives somewhere back the thoughts by Eng-  
land given;

Her sights and sounds; dreams happy as  
her day;

And laughter, learnt of friends; and gentle-  
ness,

In hearts at peace, under an English  
heaven.



Such a country inspiring such sentiments must not be destroyed. There must always be an England and that is why time is of the essence in the passage of this bill. [Applause.]

Mr. WOLCOTT. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, as the issues in connection with this bill have crystallized, it appears that most of us have given a sort of superficial look at the Constitution and taken a great many things for granted in respect to the powers the President has over the Army and the Navy as Commander in Chief.

The Constitution provides that the President shall be the Commander in Chief of the Army and the Navy. Since the issue arose on yesterday or day before I have had occasion to study the powers of the President over the armed forces of the country, and I find from all the opinions that the Commander in Chief of the Army and the Navy, the President of the United States, in the performance of his duties, is bound by law. He has no autocratic powers over the Army and the Navy but must command the armed forces of the United States within the restrictions placed upon him by the Congress of the United States.

In respect to this particular amendment I asked the chairman of the committee the gentleman from New York [Mr. BLOOM] whether in his opinion this amendment was a restriction against the use of naval craft in combat areas. If I understood him correctly he said it was.

Mr. BLOOM. No; if the gentleman will yield.

Mr. WOLCOTT. I yield.

Mr. BLOOM. I said that so far as this amendment was concerned in reference to this bill there was nothing that in any way changed section 3 of the Neutrality Act. The rights of the President as Commander in Chief of the armed forces are fixed by the Constitution. If the gentleman from Michigan reads something into the Constitution with reference to that, it is his opinion, not mine.

Mr. WOLCOTT. I do not attempt to be a constitutional lawyer. I tried that once, and the Supreme Court reversed me a couple of weeks afterward. A good constitutional lawyer now is the fellow who can outguess the Supreme Court. [Applause.] So I do not pass upon the constitutionality of acts any more.

Mr. Chairman, the point I want to make is that this amendment does not in any way restrict the President as Commander in Chief, if he desires so to do, from ordering naval vessels into combat zones, because the Neutrality Act does not include naval craft. It applies solely, as I read it, to our merchant marine and other private craft.

Another matter to which I think we should give some consideration is the argument that there is a limitation upon the President, inasmuch as the Congress controls appropriations.

Mr. BLOOM. Mr. Chairman, will the gentleman yield?

Mr. WOLCOTT. I would like to proceed, if the gentleman will permit. My time is very limited, as the gentleman well realizes, and there are several additional points I would like to bring out.

The Constitution, it has been said, limits the authority of Congress to appropriate to 2 years. We have heard it repeatedly announced on this floor that we control the purse strings; that regardless of how much power we delegate to the President, we do not delegate the power to appropriate. That is a misconception, and there is a misunderstanding of the law in that respect, because there is no limitation in the Constitution of the United States with respect to appropriations for maintaining a navy. Most of this bill here, as I understand it, has to do with naval craft, the creation of factories, docks, and other facilities for the servicing of belligerent naval craft, and there is no time limitation in the Constitution with respect to appropriations for the maintenance of the Navy.

The Constitution provides that the Congress has the power to raise money to support armies, but no appropriation of money for that use shall be for a longer period than 2 years. Then it goes on to say that it shall also have the power to provide and maintain a navy. [Here the gavel fell.]

Mr. WOLCOTT. Mr. Chairman, I ask unanimous consent to proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan [Mr. WOLCOTT]?

There was no objection.

Mr. WOLCOTT. Mr. Chairman, if it was intended by the founding fathers that this restriction against these appropriations should apply to the Navy, it would have included the Navy in the same clause in which it recited that appropriations for the Army shall be restricted; but inasmuch as there is no mention in this clause, which authorizes and empowers the Congress to provide and maintain a navy, of a restriction in connection with the appropriation, then it must be understood that the limit on the appropriation applies only to the Army, and does not apply to the Navy. Therefore, it does not apply to the bill which we are discussing here today.

Mr. WALTER. Will the gentleman yield?

Mr. WOLCOTT. I yield to the gentleman from Pennsylvania.

Mr. WALTER. It has been suggested that the reason for the language as written, and which the gentleman has just been discussing, was because the founding fathers, the framers of the Constitution, realized that the construction of naval vessels conceivably would take a longer period than 2 years.

Mr. WOLCOTT. I think that is right. So it is generally understood or should be generally understood that the limitation on appropriation which we have been discussing here does not apply to the Navy and does not apply to most of the provisions, or the purposes at least, of the bill we are discussing.

There is another misconception with reference to whether the President can declare war. We say to the people that there is always the safeguard that the Congress is the only body in the Government which can declare war. Well, now, that is right so far as a legal war is concerned, a de jure war, as you lawyers

want to call it; but in the *Prize Cases* (2 Black, 635), which it will be recalled had to do with the authority of President Polk to declare that a state of war existed between Mexico and the United States, in which it was clearly determined that the President at any time could declare that a de facto war existed between the United States and any other country. The President under certain conditions may declare that a de facto war exists and may resist within the limits of his authority as Commander in Chief of the armed forces. So we are just as effectively in the war, whether it is de facto or whether it is de jure. Let us not mislead ourselves and our constituents by stating that we cannot get into a war unless we declare war, because if the President should order one of our naval craft into a combat area—and this amendment does not cover that situation, as the gentleman from New York has explained—and a bomb from a German airplane should fall within 150 or 200 yards of that naval craft, then that could be interpreted as a hostile, overt act against the United States.

The President, as Commander in Chief of the Navy, could order the commander of that vessel to get out his antiaircraft guns and blaze away at that German aircraft, and we would be as effectively in the war as if a majority of this Congress had declared war against Germany or any other belligerent. That is what we have to watch for—a de facto war. We refer to it as a war which actually exists but which we have not recognized by law, but it does not take a law to get us effectively into a war. Under the decisions of the Supreme Court in respect to the Prize cases it does not take any more to get us into that kind of a war than if we had declared war.

Wars are not declared these days, as we know. We might be called upon after that overt act and after the President had declared a de facto war existed to confirm the action of the President in that particular, the same as Congress confirmed the act of President Polk with respect to the war with Mexico, and at that time perhaps public sentiment would effectively have been created for a declaration of war.

Mr. Chairman, those are three questions I wanted to raise so that the Members could study them and in answering their constituents, determine whether it is their responsibility or the President's to keep us out of war.

[Here the gavel fell.]

Mr. FADDIS. Mr. Chairman, I move to strike out the last word.

Mr. FADDIS. Mr. Chairman, the Committee on Foreign Affairs so far has produced a splendid piece of work in this piece of legislation, and I very much regret to see them resort to a piece of sham, hypocrisy, and demagoguery. I regret very much to see the House of Representatives today announce to the American people and to the world that once more in the history of this crisis we are going to refuse to recognize the seriousness of the crisis; that once more we are going to stutter and stammer and be indeci-



sive; that once more we are going to say to the world, "Oh, we are out to help England just so far and no further, and we are not going to go any further than right here. There we are done." Once more we put ourselves in the position in which we put ourselves when we enacted the Neutrality Act, and then in order to protect ourselves we had to back up and say that our action then was ill-considered; we were mistaken; we were going to have to reverse ourselves. That is what we are doing if we adopt this amendment, even as meaningless as it is. We are going to be under the necessity of repealing this amendment if we are to give Great Britain the assistance she must have if she is to survive.

Of course, the idea of all of us is to keep out of war. That must be our desire. Our idea is to preserve democracy throughout the world. But far and above our idea to keep out of war, far and above our idea and desire to preserve democracy, must be our determination to preserve our national integrity. That must be our desire and that must be our aim. If we are to be statesmen, that must be the goal at which we must aim in every piece of legislation we enact, and that determination must overwhelm and overshadow any desire we may have.

Mr. Chairman, the spirit that dictates amendments of this kind is not the spirit that made this Nation, and such a spirit cannot preserve it.

Working under a progressive spirit of courage and daring, our fathers, in a comparatively short space of time, converted a howling wilderness into a land of homes and gardens, shops and factories, schools and churches. Where once a half million savages roamed and fought in the summertime and half starved every winter, now 130,000,000 people live amid abundance. In a century and a half we grew from a few struggling States to the mightiest nation in the world. The spirit which made possible this growth and brought to the citizens of this Nation more privileges, liberties, and freedom, more luxuries, comforts, and conveniences than enjoyed by any other people in the world was not a spirit of timidity or meekness. Our independence, our liberties, and our high standard of living are not part of creation or gifts from the gods but are the result of positive, courageous, and intelligent action of men who had faith in the destiny of their race and the courage and determination to secure it. If the blessings passed on to us by our fathers are to be preserved, they must be preserved by the same spirit which secured them.

Among the many factors which contributed to our national progress was our commercial intercourse with the rest of the world. The freedom of the seas was essential to our growth, and we insisted upon enjoying it. Even as an infant nation, we early took the lead in shipping, and the American clipper ship proudly sailed the world around. No sea was so distant, no isle was so lonely, that it did not know the Stars and Stripes proudly flying from the masthead of those peerless vessels.

These ships were commanded and manned by valiant men who had no fear

of anything on earth. No people were so low in the state of savagery that they did not know to respect the crews of these ships, because of their willingness and ability to defend themselves, their cargoes and their right to sail the seven seas at will. American commodities were carried to the ports of every nation in the world and foreign goods were brought back in return. This commerce contributed in no small way to our national development. These were glorious days, and no one felt called upon to apologize for any of our national actions, as we proclaimed to the world that we intended to protect the many newly lighted torches of liberty in this hemisphere.

Now evil days have fallen upon us. This wonderful national spirit has been replaced by one of meekness, timidity, and apology. We have grown soft in body and softer in mind. For two decades our national foreign policies have been dictated by pacifistic influences demanding a weakness which invites imposition and destruction. Instead of being run by the hardy, courageous spirits of former years, our merchant marine has fallen into the control of slimy, scurvy, scabby rats from the gutters of Moscow. We have shackled ourselves with negative neutrality legislation, and our freedom to use the seas, so valiantly won at the cannon's mouth, has been surrendered to no purpose at all except to encourage international banditry.

Are we to continue to make ourselves sheep, only to be devoured by the international wolves at their leisure? Are we to allow this strange spirit of national timidity to prevent us from extending every possible aid, both moral and material, to our sister democracies—Great Britain, Greece, and China—now fighting for their very existence? Are we to remain stupefied in apathy while the forces of totalitarianism extinguish every other torch of liberty in this world and then combine to extinguish ours? That is what this amendment will mean.

It will also bear a message to the old, weary, tottering head of a once proud and powerful nation, now reduced to a state of abject vassalage to her ruthless conqueror. This message will say to Marshal Petain, of France: The United States of America, whose torch of liberty your nation once shielded, is too timid, too vacillating, to rise to the demands of the occasion. Complete your national degradation. Throw your weight into the balance on the side of oppression, slavery, and injustice, and purchase what relief you can in that reprehensible manner.

We will say to the Japanese: Awake from your dream of yellow peril. Your day has arrived. Organize the hordes of Asia and bring to the world another Genghis Khan. Make the rivers flow again with blood and cover the earth once more with pyramids of human skulls. The mightiest nation in the world—the nation which woke you from your trance of barbarism and started you on the road to progress—is lapsing into the comatose state of hermitism which you once occupied. We are done. The risk of remaining a nation of position, power, and influence is too great.

We prefer to sink into obscurity. You may control the Pacific.

Then will the Japanese, from the lairs they have constructed for pirates and commerce raiders in their group of mandated islands at the crossroads of the Orient, pour forth and challenge us to send a ship west of Hawaii. We will be deprived of our trade with that section of the world and cut off from all of our supplies of rubber, quinine, and manila fiber, much of our tin, tungsten, silk, and many other essential and strategic commodities. Thus will we go down that one-way road to oblivion and be numbered among the nations of the past.

Let us not shackle ourselves any more in this crisis. We do not know to what extent we may be forced to go in order to preserve Great Britain, Greece, and China. Let us leave the door open. Let us no longer attempt to lull the people of this Nation into a position of false security. I hope this amendment will be rejected. [Applause.]

[Here the gavel fell.]

Mr. MOTT. Mr. Chairman, I offer a substitute for the committee amendment.

The Clerk read as follows:

Amendment offered by Mr. MOTT as a substitute for the committee amendment: On page 4, line 5, after the words "United States", insert "Nothing in this act shall be construed to repeal or suspend any of the provisions of section 2 or 3 of the Neutrality Act approved November 4, 1939, and all of such provisions shall remain in full force and effect until repealed or modified by act of Congress. Neither the President nor any governmental agency under authority of this act or otherwise shall send or cause to be sent any American merchant ship to any belligerent nation or into or through any combat area, unless the President by proclamation shall have declared that such nation has in fact ceased to be a belligerent or that such area has in fact ceased to be a combat area."

Mr. BLOOM. Mr. Chairman, I make the point of order against the amendment that it is an amendment changing the Neutrality Act and is not germane to this section.

Mr. MOTT. Mr. Chairman, may I be heard on the point of order?

The CHAIRMAN. The Chair would be pleased to hear the gentleman from Oregon.

Mr. MOTT. Even a casual reading of this amendment will clearly disclose to anybody, including the learned gentleman from New York, that it in no wise changes the Neutrality Act or any provision of the Neutrality Act, but that it declares in so many words that the Neutrality Act may not be changed except by act of Congress, and that nothing in the pending bill, H. R. 1776, shall be construed to change it or modify it by implication. The purpose of this amendment is to preserve the Neutrality Act as far as sections 2 and 3 are concerned, and preserve it intact. So, Mr. Chairman, if that is the only objection, clearly the wording of the amendment itself overcomes it.

Mr. BLOOM. Does the gentleman have a copy of his amendment?

Mr. MOTT. Yes, I have one here but, Mr. Chairman, I do not think the objector to this amendment should go up to



the Speaker's desk and consult with the Chairman about it, as he is now doing. He can make a statement here on the floor. I will gladly give the gentleman my copy of the amendment.

Mr. JONKMAN. Mr. Chairman, may I be heard on the point of order?

The CHAIRMAN. The Chair will be pleased to hear the gentleman.

Mr. MOTT. Mr. Chairman, may I call the attention of the Chair to the fact that neither the gentleman from New York nor I had finished our arguments on the point of order? May we proceed after the gentleman from Michigan has concluded?

The CHAIRMAN. The Chair understood the gentleman had proceeded at some length on the point of order. Does the gentleman desire to be heard further?

Mr. MOTT. I do, if the gentleman from New York wishes to raise a new point.

The CHAIRMAN. The Chair will be pleased to hear the gentleman after the gentleman from Michigan has concluded.

Mr. JONKMAN. Mr. Chairman, I wish to say that this bill provides "notwithstanding the provisions of any other law." In other words, the purpose of that part of the language is to suspend certain laws. If we wish to confine that within certain limits, then this amendment is entirely in point.

Mr. LUTHER A. JOHNSON. If the gentleman will yield, the objection to it is that the amendment goes further than the neutrality law and seeks to change the neutrality law. That is the ground upon which the objection is made, as I understand, that it does not simply adhere to the neutrality law but goes beyond the neutrality law and changes it. In other words, the gentleman seeks to change another act of Congress by this amendment.

Mr. MOTT. By what language?

Mr. JONKMAN. That is the very point I am making.

Mr. LUTHER A. JOHNSON. By this language. The amendment arbitrarily states that certain things shall and shall not be done, whereas the Neutrality Act leaves the question of danger zones to the executive discretion of the President.

Mr. MOTT. I believe the gentleman can find no language in the proposed amendment that will support his contention.

Mr. LUTHER A. JOHNSON. I understood that it did.

Mr. KEE. If the gentleman will yield, the second paragraph of the gentleman's amendment reads as follows:

Neither the President nor any governmental agency under the authority of this act—

Mr. MOTT. That is H. R. 1776.

Mr. KEE—

or otherwise, shall send, or cause to be sent, any American merchant ship to any belligerent waters.

Now, the Neutrality Act would authorize the President to suspend, under certain conditions—

Mr. MOTT. And the condition is that he make a proclamation declaring that the state of war which caused him to make the original proclamation no longer exists.

Mr. KEE. When you say "this act or otherwise" you repeal that portion of the Neutrality Act.

Mr. MOTT. I will say to the learned gentleman from West Virginia that if his only objection is to the words "or otherwise" I would readily consent to have them eliminated.

Mr. KEE. That is not the only objection. I think, on further consideration, you will find the paragraph is not germane.

The CHAIRMAN. Has the gentleman from Oregon concluded his argument?

Mr. MOTT. Unless the gentleman from New York [Mr. BLOOM] has a new point to raise. The contention of the gentleman from New York, as I understand it, is that the amendment I now offer changes the provisions of the Neutrality Act. My contention is that the language of this amendment not only does not change the provisions of the Neutrality Act, it provides that the provisions of that act shall not be changed, and that language is this:

Nothing in this act shall be construed to repeal or suspend any of the provisions of section 2 or 3 of the Neutrality Act, approved November 4, 1939, and all of said provisions shall remain in full force and effect until repealed or modified by act of Congress.

This language, it seems to me, is a direct contradiction of the gentleman's statement.

Mr. BLOOM. Will the gentleman kindly finish by reading the next paragraph?

Mr. MOTT. Yes; I intend to do that. I am arguing one paragraph at a time.

Neither the President nor any governmental agency under authority of this act—

And the gentleman, who is the author of the act, will recall, I believe, that those governmental agencies were the Secretary of War, the Secretary of the Navy, and other named agencies—

Neither the President nor any governmental agency under authority of this act or otherwise—

The gentleman from West Virginia [Mr. KEE] objected to the words "or otherwise," and I said I would consent to eliminate them if he desires—

Neither the President nor any governmental agency under authority of this act shall send or cause to be sent any American merchant ship to any belligerent nation—

And that is under section 2 and not section 3, which is the only section covered by your act—

or into or through any combat area unless the President, by proclamation, shall declare that such nation has ceased to be a belligerent or such area has ceased to be a combat area.

It is my position, Mr. Chairman, that there is nothing in that language that modifies the Neutrality Act. There are in this language things that limit the authority proposed to be granted under H. R. 1776, but, certainly, nothing that changes the provisions of the Neutrality Act; on the contrary, all of this language strengthens the provisions of sections 2 and 3 of the Neutrality Act.

The CHAIRMAN (Mr. COOPER). Has the gentleman concluded?

Mr. MOTT. I have, Mr. Chairman.

The CHAIRMAN. The Chair is prepared to rule.

The gentleman from New York [Mr. BLOOM] has offered an amendment to the pending bill. The gentleman from Oregon [Mr. MOTT] has offered an amendment in the nature of a substitute for the amendment offered by the gentleman from New York [Mr. BLOOM]. The Chair has examined the two amendments with some care and invites attention to the fact that the amendment offered by the gentleman from New York [Mr. BLOOM] does not seek to amend or alter or change the existing law known as the Neutrality Act. The amendment provides that nothing in this act shall be construed to authorize or to permit the authorization of the entry of any American vessel into a combat area in violation of section 3 of the Neutrality Act of 1939.

Therefore the effect of the amendment is to make reference to and recognize the Neutrality Act, whereas the amendment offered by the gentleman from Oregon, after providing certain language in the first part of the amendment, it occurs to the Chair, goes further and imposes certain restrictions or obligations upon the President that would be a change of the so-called existing Neutrality Act. Therefore the Chair is very clearly of the opinion that the scope of the substitute amendment is much broader than the scope of the amendment offered by the gentleman from New York and would embrace sufficient additional provisions as to make the substitute amendment not germane to the pending amendment. Therefore the Chair sustains the point of order.

Mr. MOTT. Mr. Chairman, in view of the ruling of the Chair, I desire to offer this as an independent amendment, to be known as subdivision (e) of this section, and I shall so offer it at the proper time.

The CHAIRMAN. The gentleman has the right to give notice that he will offer his amendment at a different place and in different form, and that notice is entirely proper.

Mr. WHITTINGTON. Mr. Chairman, I move to strike out the last three words.

Mr. Chairman, the pressing necessity for the pending bill, as disclosed by the hearings, is the exhaustion of British credit and British securities in the United States. Primarily and originally this was a war between Great Britain and Germany, and I believe that the cost of the war should be borne by Great Britain before the citizens of the United States are taxed to provide defense articles. We were assured during the course of the debate that the Secretary of the Treasury had a full list of all the properties and securities belonging to the British Government and to the British nationals in the United States, and, further, that it was the intent in the administration of this bill that all such properties and securities be exhausted before American credit and the American taxpayer paid for the defense articles furnished. I gave careful consideration to amending the pending section, which is the real heart of the bill, so as to make sure that before aid might be extended under this bill all such British properties and credits in the United States would be exhausted, and the more I studied the matter the more



thoroughly I became convinced that an amendment to prevent the President from giving aid and making any transfers until British credit and the property of British nationals had been exhausted might cripple and weaken the purposes of this bill, because under the section under consideration the President must approve the securities and approve the consideration for the aid and the transfer. The terms and conditions are to be satisfactory.

It occurred to me that even though the property and the wealth of the British Government and British nationals in the United States were exhausted, there is the security of Bermuda and the Bahama Islands, the Leeward and the Windward Islands, Trinidad, British Honduras in Central America, and British Guiana on the mainland of South America. In all the circumstances, standing as I do for the objectives of this bill, I believe that its provisions are broad enough to enable the President of the United States to get the very best possible benefit, security, and consideration, and to provide that the American taxpayers shall not bear the burden until British resources have been exhausted. So therefore, I shall not offer the contemplated amendment.

Mr. Chairman, I am also in sympathy with the view that there should be a limitation, if possible, upon the appropriations authorized by this bill. I have given a great deal of thought to that matter. We might as well understand that the purpose behind this bill is the determination of the United States to see that Great Britain and the United States are supreme on the Atlantic Ocean, and that the British Navy is imperative to the defense at the present time of the Western Hemisphere. So, Mr. Chairman, not knowing the amount that would be required—and no Member of Congress or of the committee having suggested a definite and adequate amount—it occurred to me that if we limited the authorization to \$2,000,000,000, Great Britain might be misled into believing that we would spend \$2,000,000,000 whether it was necessary or not. More than that, it occurred to me that Germany might be misled, and that Germany might conclude that \$2,000,000,000 would not be sufficient to do the job, and that we had limited our aid to that amount. We might as well understand, and the Axis Powers might as well understand that the United States is determined that the British Fleet shall not be destroyed. [Applause.]

The CHAIRMAN. The time of the gentleman from Mississippi has expired. Mr. WHITTINGTON. Mr. Chairman, I ask unanimous consent to proceed for 2 minutes more.

The CHAIRMAN. Is there objection? There was no objection.

Mr. WHITTINGTON. And further, Mr. Chairman, it should be understood that if \$2,000,000,000 is not sufficient to do the job, additional appropriations will be made.

I stand for unity. There is too much distrust, and it has resulted in a lack of adequate and prompt production of defense articles in the United States. There is a distrust of labor and manage-

ment. There is distrust of industries of the administration. There is a distrust of Democrats by Republicans. I stand for unity, and I believe that the best thing that the Congress of the United States can do to keep war out of the United States is to understand firmly, unitedly, and emphatically that the British Navy shall be preserved and that the resources of the country are back of that assertion, so that Germany and the world may understand that while we stand for unity in the United States, we stand for unity that does not weaken, for a unity that does not contribute toward defeat, for a unity that stands for victory. Only as Democrats and Republicans unite, only as labor and management unite, only as agriculture and industry unite, can labor and private initiative remain free in this country. We must all unite on our foreign policy if freedom is to continue and be preserved in America. [Applause.]

Under leave to extend I assert that the supremacy of Great Britain and the United States on the Atlantic Ocean is imperative to the protection of the Western Hemisphere. As I have stated, the second World War is primarily between Great Britain and Germany. Great Britain should bear the costs of the war. It is to be kept in mind that the second World War is also primarily between totalitarianism and democracy. From the very beginning the future of the United States has been involved. We have determined not to send American youths to fight in foreign wars. We have determined to keep war out of America. The best way to keep war out of America is to aid Great Britain. The longer the second World War continues the more the United States has at stake in its results and the more certain the United States is to become involved. Victory for Great Britain is essential to keep the second World War out of America.

The pending bill is popularly called the lend-lease bill. It is made necessary by the exhaustion of Britain's credits in the United States. The compelling reason for the bill as disclosed by the hearings and as developed in the debates, is that Great Britain has only enough assets which can be converted into dollars in both this country and abroad to pay for orders already placed in this country. As disclosed by the testimony of Mr. Morgenthau, Secretary of the Treasury, Britain does not have available assets convertible into dollars which can be used to place further orders or to acquire further defense articles in this country.

Exports of cotton and wheat have fallen off since the beginning of the second World War. There is a reason. Great Britain has been placing orders for munitions, war planes, and other articles of war in the United States. While agricultural exports to Great Britain have declined, the total of exports has materially increased. Domestic manufacturers have used more cotton in the past year than in previous years. Exports have declined, but domestic consumption of cotton has increased unprecedentedly.

The only reason that Great Britain has not bought more cotton and more

wheat and more tobacco is because Great Britain has used her dollars to buy munitions for defense. Under the pending bill cotton, wheat, and tobacco are embraced. No one can tell what a day will bring forth. Great Britain may be getting tobacco from Turkey, but Turkey may become involved in the war and thus be unable to export. There is an opportunity not only for normal exports of agricultural products from the United States but, if the need becomes sufficient, there may be abnormal exports from the United States. The only way that cotton can be exported, however, is for the Government to lend aid to Great Britain. We are not importing manufactures from Great Britain. I share the view that Britain should use American cotton and wheat, and their use is contemplated by the pending bill.

#### SECURITY

As I have stated, I believe that British assets and securities should be exhausted before American citizens are taxed for the defense of Great Britain. The bill should be unequivocal in this respect. The aid authorized should not be extended without consideration or security until Great Britain or its nationals are no longer able to provide in the United States dollars, dollar exchange, or property convertible into dollars or dollar exchange, and are no longer able to provide securities of any kind, including territorial possessions off the Atlantic seaboard. The bill and report, as well as the debates, show such to be the clear intent of Congress.

I thought about clarifying the terms and conditions upon which aid might be given, by an amendment to section 3 and paragraph 5, by providing that some security or consideration in money or property shall be required in every case until the President is fully advised that the foreign government or its nationals are no longer able to provide in the United States dollars or dollar exchange or property convertible into dollars or dollar exchange. The more I thought about the inclusion of such an amendment, the more I thought that its inclusion might preclude the President from taking other security or from accepting other considerations than property. The more I thought about including the language I had in mind, the more I concluded that I might exclude the security of the island possessions off the Atlantic seaboard.

Again, the inclusion of the language I had in mind might justify the giving, without consideration or security, after the property had been exhausted. If the bill were amended to require as collateral property or lands, it might preclude the security of British territorial or other possessions. After all, there will be aid after British property has been exhausted, otherwise Congress would not be considering the pending bill.

Section 3 provides that the terms and conditions shall be deemed satisfactory by the President and that the benefits shall also be deemed satisfactory before any aid is extended. It may be payment or repayment in kind or property or any other direct or indirect benefit which the President deems satisfactory. In the



circumstances, therefore, I believe that the language of the bill should be flexible and that amendment might destroy the flexibility of the bill and thus prevent the President from obtaining the best terms and conditions and best benefit to the United States. I am for the bill, and I oppose any amendment that would weaken, impair, or defeat its purpose. Always the President will keep in mind that the defense of the United States and the welfare of American citizens is the fundamental purpose of the bill.

#### LIMITATION OF APPROPRIATIONS

I am in sympathy with the spirit of the suggestion that there should be a limitation upon the appropriations authorized by the bill. The Republic, in an emergency and in war, can only function through the Chief Executive, who, under the Constitution, is Commander in Chief of the Army and Navy. From the beginning he was vested with supreme power. In all wars and in all preparations for war he has exercised supreme power. The opposition always charged dictatorship in the exercise of such powers. It is essential that there be speedy action in an emergency. It is always essential that such action be sound.

Jefferson negotiated the purchase of Louisiana, but Congress provided the funds. As Commander in Chief of the Army, Abraham Lincoln, to promote enlistments, suspended the writ of habeas corpus, and without the act of Congress called for volunteers, but it was only the Congress that made appropriations for the prosecution of the war. The Executive and the Commander in Chief has been vested with great power but there is one power that the Congress of the United States has never surrendered and that is the exercise of the power over the purse strings of the country. If the purposes of the bill could be accomplished with a limitation, I would favor such a limitation. I am aware that those who advocate limitations on appropriations are repeatedly reminded that such limitation should be placed in the authorization. It has been repeatedly stated by the committee in charge of the bill that 95 percent of the aid contemplated will be provided by appropriations, and it has been repeatedly stated as the intent of the bill that Congress retains the power of limitation when the appropriations are made. No one has suggested the amount that will be required. A small amount would hinder. Again, it would be misunderstood. If two or four billions of dollars were stipulated, England might expect aid to this amount whether they needed it or not. If more were required and imperative, Germany might assume that no more would be granted. The purpose is to prevent the conquest of Britain and to maintain the supremacy of the British Fleet. We are putting our shoulders to the wheel for this purpose with the definite understanding that we are retaining the control of the purse strings of the Treasury. After thoroughly exploring the matter I have, therefore, concluded that a limitation upon the amount of the appropriation would be unwise, and in the end might really defeat the purposes of the bill.

#### UNITY AND NOT COMPROMISE

I have never given more thoughtful or careful consideration to any measure. I have followed the debates and have considered the hearings. I have been open to suggestion. Mere loans will not suffice. I stand for unity but that unity must promote defense; it must not contribute to defeat. A compromise on the imperatively needed provisions of the bill would result in defeat. England and America may on occasion quarrel. England may wage war and so may America, but when war has been waged by others against either England or America, England and America have been together. Both have made mistakes. The pending bill does not violate international law. A nation is justified in acting in its own defense. A nation that violates the basic rules of international law is estopped to assert that it has been violated by other nations. A violator of international law is estopped to charge other nations with violations. We might as well understand that no matter what position the United States takes that position will not please Germany. Only appeasement will satisfy Germany.

If we lend billions to Great Britain, the loans should be effective. Unity that will promote victory is most desirable, but a unity that will contribute to defeat should be avoided. The best aid that can be extended to Great Britain in her gallant fight to repel the invader is effective articles of defense by a united America. All views are entitled to consideration, but, after all, the responsibility is with the administration. When the majority in Congress have determined the foreign policy of the United States all should rally to the support of the flag and of the country.

#### COOPERATION

Britain may have been fighting her own battle at the beginning of the second World War, but she is now fighting the battle of freedom and of liberty. It is time for all parties and for all groups to cooperate. It is no time for advantage by capital or advantage by labor; it is no time for advantage by worker or by management; it is time for labor and management to cooperate; it is time for industry and agriculture to unite. There must be unity of all if free institutions survive. If England loses, the danger of America losing is greater. If England survives, America will be defended.

Any policy or any program in international affairs now involves a risk of war, but the best policy and the best program is to provide adequate national defense, and the best program for defense is to provide for battle on other shores and in other countries than our own. The best way to protect America, I repeat, is to keep war out of America.

Mr. LUTHER A. JOHNSON. Mr. Chairman, I rise in opposition to the pro forma amendment. If we are going to finish this bill this week we will have to enforce the rules hereafter with reference to debate on amendments that are germane to the pending amendment. There were 11 hours and 36 minutes of time in general debate consumed by the opponents of the bill, and 9½ hours by the proponents of the bill. During the

discussion under the 5-minute rule and the amendment pending yesterday we have been very liberal and have not invoked the rules with reference to other matters concerned; and in order that we may get through with the bill, I give notice now that hereafter I intend to object to a discussion of matters not germane to the pending amendment.

Mr. FISH. I am in entire accord with the gentleman. We want to expedite this bill, but when we get to the major amendments I hope we will have ample time.

Mr. LUTHER A. JOHNSON. That is what I am seeking to do. We have amendments to discuss. So I shall insist that the amendments be discussed, and not other things.

Mr. MAY. Will the gentleman yield?

Mr. LUTHER A. JOHNSON. I yield.

Mr. MAY. It seems to me that the general trend of all the debate on this bill, particularly from the opposition, has been to giving the President unprecedented power under this legislation. Now, since the Dirksen amendment was adopted yesterday what is the necessity for further debate on that issue?

Mr. LUTHER A. JOHNSON. I think the gentleman answers the question in the question itself.

[Here the gavel fell.]

Mr. GIFFORD. Mr. Chairman, I move to strike out the last three words.

Mr. Chairman, some of you may recall that on Tuesday I mentioned this convoy suggestion. It is a delicate matter. It is a most important matter. We wonder what our Navy is for. Today we are doing a prosperous business with the democracies. The business index is high, because the British fleet protects the shipments and sees that the goods we sell are delivered. Our own Navy does not seem to be very helpful. I am talking strictly about this particular amendment. Perhaps some of us do not recall the conditions imposed in the act or the repeal of the embargo. We established very restricted combat areas. We did not include the Great Lakes. We found that we must not interfere with Canada even if convoy was needed. We did not include the Pacific Ocean. We would convoy there. We did not include the Indian Ocean; we did not include any areas south of 32 degrees north latitude. We would convoy those areas. The President is therefore restricted in determining combat areas. Suppose the Axis Powers threatened in these free areas, would we withdraw our convoys? I think not. The gentleman from Michigan [Mr. Wolcott] is remarkably shrewd at analysis. He refers to that neutrality bill and he suggests that the act applies only to merchant ships. If you will read section 3 of that act you will find it says "surface ships transporting," and so on. Surface ships might mean navy ships, but the act imposes fines on merchant ships. The legislation, at least, implies merchant ships only. The gentleman from Michigan seems quite right about it. Would it not be strange if danger threatened even within this combat area which the President defines, or some overt act was committed that our Navy could enter that area to give protection? I stated



the other day that we told Hitler, and the dictators, in 1937 that we would not sell arms and ammunition to any nation at war. So that gave them real assurance, did it not? Then we had to retreat and repeal the arms embargo so that our friends could buy munitions and arms material to defend themselves. Now, let us not tell Hitler today what we will do or will not do about convoying ships. Let us not be forced to retreat from such a position again.

I will support this amendment because it is of little harm or effect. I rose to remind those not having the Neutrality Act fresh in their hands that the Neutrality Act really did seem to cover only surface vessels transporting merchandise. How could you impose a fine on the Navy if it entered those combat zones? It can hardly be thought that the act included the Navy in writing the legislation. Of course, if merchant ships were refused convoy the Navy is not needed. We must keep our Navy free to act for our protection at any time or place. The President must retain his constitutional rights as to this convoy idea. Let us not be too cowardly and try to limit or cripple the possible needed protection for which our Navy has been built. The point I desire to make is not to tell the dictators that we will not convoy, and bring them further assurance. [Applause.]

[Here the gavel fell.]

Mr. BLOOM. Mr. Chairman, I move that all debate on this amendment and all amendments thereto do now close. We have been nearly 2 hours on this simple amendment.

The CHAIRMAN. The question is on the motion of the gentleman from New York [Mr. Bloom].

The motion was agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York.

The amendment was agreed to.

Mr. TINKHAM. Mr. Chairman, I offer an amendment, which is at the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. TINKHAM: Page 2, line 21, after the words "any country," insert "other than the Union of Soviet Socialist Republics."

Mr. TINKHAM. Mr. Chairman, section 3 is the heart of the bill. Paragraph 1 of section 3 is the heart of section 3. If my amendment is adopted, this paragraph will read as follows:

(1) To manufacture in arsenals, factories, and shipyards under their jurisdiction, or otherwise procure, any defense article for the government of any country other than the Union of Soviet Socialist Republics whose defense the President deems vital to the defense of the United States.

The United States foreign policy as declared by the President and as repeatedly asserted on this floor is to assist any country which is attacked, and to oppose any country which attacks, which is the aggressor.

Russia is an equal aggressor with Germany. Each has occupied six countries.

Mr. CASEY of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. TINKHAM. I yield to the honorable Representative from Massachusetts.

Mr. CASEY of Massachusetts. The gentleman is a very deep and earnest student of foreign affairs. Has the gentleman had any knowledge that Mr. Churchill and the English Government would welcome an alliance with Russia upon the theory of fighting fire with fire and using Russia as a stopgap against Germany?

Mr. TINKHAM. I understand that in the past the British Government were very desirous of entering into an alliance with Russia but that for some time now they have not wished an alliance; that in fact, they are now protesting to the United States against shipment of war materials to Russia, which they claim are going to Germany.

Mr. CASEY of Massachusetts. Having that in mind would the gentleman still wish to insist on his amendment?

Mr. TINKHAM. I certainly do.

Mr. O'CONNOR. Mr. Chairman, will the gentleman yield?

Mr. TINKHAM. I will, if it is not taken out of my time.

Mr. O'CONNOR. In other words, the gentleman does not want to yield anything. Does the gentleman think Stalin's hands are not as bloody as those of Hitler?

Mr. TINKHAM. I certainly think they are. If anything, I think they are even more bloody and murderous. The Union of Soviet Socialist Republics during its regime has killed by outright murder and starvation between 10,000,000 and 20,000,000 people.

Mr. O'CONNOR. The gentleman is right.

Mr. CASEY of Massachusetts. Does that make any difference in this respect that if the gentleman were attacked by one footpad and another footpad came along and began to attack the attacking footpad, he would not stand aside and let the fight go on?

Mr. TINKHAM. That may not make any difference to the honorable gentleman from Massachusetts, but it makes a good deal of difference to me and to the people of the country so far as homicidal, communistic Soviet Russia is concerned. [Applause.]

Mr. CASEY of Massachusetts. Why?

Mr. TINKHAM. Because the people of the United States are against murder, the murder of the innocent and the inoffensive; because they are against the liquidation of human beings who oppose or who are thought to oppose a dictator. [Applause.]

Russia made war on Finland; by force of arms she occupied Poland, Lithuania, Latvia, Estonia, and Bessarabia.

Russia is the arsenal of Germany. The President of the United States has declared that the United States is the arsenal of the alleged democracies. Certainly some of the countries which he has promised to assist are not democracies. Should we not exclude the arming of the arsenal of Germany from this bill? What could be more unreasonable, what could be more fantastic than for us to arm the arsenal of Germany, the enemy of the countries which we promise to assist?

[Here the gavel fell.]

Mr. BATES of Massachusetts. Mr. Chairman, because of the numerous interruptions I ask unanimous consent that the gentleman from Massachusetts may proceed for 5 additional minutes.

Mr. LUTHER A. JOHNSON. Reserving the right to object, if we can get an agreement that debate on this amendment will close in 10 minutes, I to have the last 5, I shall not object.

Mr. TINKHAM. I expect there will be free debate on this amendment. I certainly hope there will be.

Mr. LUTHER A. JOHNSON. I am giving the gentleman 10 minutes and taking but 5 myself; I am giving him twice as much time on his amendment as I take for myself.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas that debate on this amendment close in 10 minutes?

Mr. DIRKSEN. Mr. Chairman, I object.

Mr. LUTHER A. JOHNSON. Then, Mr. Chairman, I shall have to object to an extension of time for the gentleman from Massachusetts.

Mr. FISH. Mr. Chairman, reserving the right to object, several Members on this side wish to be heard on this amendment.

The CHAIRMAN. Permit the Chair to state that objection has been made to the request of the gentleman from Texas.

Mr. LUTHER A. JOHNSON. Reserving the right to object to the request of the gentleman from Massachusetts, Mr. Chairman, I am seeking to reach an agreement on time for debate on this amendment.

Mr. FISH. Will not the gentleman give us 20 minutes on this side? I find we have five speakers.

Mr. TINKHAM. I think that there should not be any curtailment. This is a most important amendment.

Mr. LUTHER A. JOHNSON. Just let the debate proceed, then. Mr. Chairman, I withdraw my request.

Mr. BATES of Massachusetts. Mr. Chairman, I renew my request that the gentleman from Massachusetts [Mr. TINKHAM] be allowed to proceed for 5 additional minutes.

Mr. LUTHER A. JOHNSON. Mr. Chairman, if we cannot get a limitation on debate on the amendment, I shall have to object to any further extension of time.

Mr. BATES of Massachusetts. It is but fair that the gentleman's time be extended, in view of the many interruptions he had.

Mr. Chairman, I move that the time of the gentleman from Massachusetts [Mr. TINKHAM] be extended 5 minutes.

The CHAIRMAN. The gentleman's motion is out of order.

Mr. McCORMACK. Mr. Chairman, reserving the right to object, I would like to see if an arrangement could not be worked out to grant a little additional time to the distinguished gentleman from Massachusetts. Can we not have an agreement that debate on this amendment shall close in 15 minutes, of which the gentleman from Massachusetts shall have 5, of which 5 shall be under the



control of the Chair, and of which 5 shall be reserved to the committee?

I submit this request.

Mr. ROBSION of Kentucky. Reserving the right to object, Mr. Chairman—

Mr. McCORMACK. If there is going to be a reservation of objection, I shall withdraw the request. I am trying to work out an arrangement under which the gentleman from Massachusetts, whom we all respect, may be given 5 additional minutes.

Mr. ROBSION of Kentucky. Mr. Chairman, reserving the right to object—

Mr. EBERHARTER. Mr. Chairman, I demand the regular order.

The CHAIRMAN. The regular order is, Is there objection to the request of the gentleman from Massachusetts that debate on this amendment close in 15 minutes, of which 5 shall be given to the gentleman from Massachusetts, 5 to be under the control of the Chair, and 5 reserved for the Committee on Foreign Affairs?

There was no objection.

The CHAIRMAN. The gentleman from Massachusetts [Mr. TINKHAM] is recognized for 5 additional minutes.

Mr. TINKHAM. Mr. Chairman, any association by the United States with homicidal, communistic Soviet Russia in the present wars means that the United States is engaging in power politics, with certain disaster ahead for the American people. It means that the United States is undertaking to do the very thing that Hitler is alleged to be attempting—world control. World control can be obtained by no man and no country.

Russia is opposed to all civilization as we have understood it and lived it. We believe in certain fundamental principles, including the rights and liberty of the individual, that men are free to worship God as they choose, that the government is the servant of the people and not their master, and that men should be protected in the property which they have honestly acquired. Homicidal, communistic Soviet Russia is opposed to all these principles and seeks to destroy them. And yet this bill would make it possible to have Russia assisted with all the resources of the United States if the President should see fit to do so.

Homicidal, communistic Soviet Russia is opposed to all civilized society, particularly that which we enjoy in the United States. Yet this bill would allow unlimited assistance to this enemy.

The declared intention of homicidal, communistic Soviet Russia is to establish communism all over the world. That is her aggressive mission. If you refuse to adopt the amendment I propose, you are aiding homicidal, communistic Soviet Russia to pursue that mission.

Mr. Chairman, communism destroys civilization by burrowing from within. This burrowing from within here in the United States is our chief peril at this time.

Do the Members of this Committee desire to greet homicidal, communistic Soviet Russia as "our noble ally," and that is what may happen in the event that we become active participants in the present wars?

You can have no unity in the United States if you affiliate the country with communistic Russia and with Stalin.

As a matter of fact, if homicidal, communistic Soviet Russia is not excluded from the provisions of this bill, then substance is given to the charge which has been made that the present administration favors communism and collectivism and that the membership of the House, or a majority of the membership of the House, favor communism and collectivism.

[Here the gavel fell.]

Mr. ROBSION of Kentucky. I arise in support of the amendment offered by the gentleman from Massachusetts [Mr. TINKHAM], which says in substance that the President cannot turn over any of the defense articles mentioned in this bill to Russia. Mr. Chairman, ladies and gentlemen, I can see no good reason why the amendment should not be agreed to. It is certainly not the purpose of this Congress to include Russia within the provisions of this bill.

Section III of this bill provides for the manufacture in our arsenals, factories, and shipyards, or otherwise procure any defense articles for the government of any country whose defense the President deems vital to the defense of the United States.

It was admitted under the definition of this bill that defense article means any vessel, boat, gun, plane, tank, or other munitions or implements of war or any other materials for the construction in whole or in part of any defense article. This bill gives the President the right to turn over any of these defense articles to any government. This, of course, would include all or any part of our Navy, any part or all of the equipment for our Army and air forces.

When Russia was overrunning Finland the hearts of the people throughout the world bled in sympathy for that unfortunate country and her people. Our Government then and there placed a moral embargo against Russia. She could not buy or otherwise procure any defense articles, any munitions of war, or equipment in this country. Russia prosecuted that barbarous and aggressive war until she subdued little Finland, took a large part of her territory, and caused the death of hundreds of thousands of her men, women, and children. She continued in her aggressive and barbarous warfare until she had overthrown and taken over Lithuania, Estonia, and Latvia, and had taken away from Roumania and Poland a large part of their territories and killed or starved hundreds of thousands of innocent and defenseless men, women, and children, and took away from them their countries, their freedom and liberties, and made them a part of great Red Russia.

Now, for some strange reason, a week or two ago Mr. Roosevelt and his administration removed this embargo against Russia and she was given a certificate of good character to continue her diplomatic and commercial relations with the United States. Today the Russian Government is gorged with the loot of these helpless and defenseless nations. She participated with Germany in the loot and destruction of Poland and the

destruction of millions of her people—her hands made gory in the blood of these innocent men, women, and children. Are we willing today to extend a hand across the sea to that God-hating, democracy-hating "red" Russian Government, and again give her the right to acquire defense articles and other war materials in this country? Is Stalin any less a dictator than Hitler? Does he not hate democracy more than Hitler or Mussolini? Why should we not exclude any aid provided in this bill to Russia? [Applause.]

We read in the press 2 or 3 weeks ago where Germany and Russia had concluded another trade treaty. The press reported it was the biggest trade in farm commodities in all the history of the world. Russia was to furnish to Germany more than \$100,000,000 worth or more of wheat and other food supplies, and Germany was to pay her in manufactured articles. Did you not also observe a short time thereafter the report in the press that a Russian mission was traveling by ship to Buenos Aires, the capital of the Argentine Republic in South America, to conclude one of the biggest wheat and grain deals in the history of the world? Does anyone doubt that all of this wheat and grain obtained from the Argentine by Russia was to be sent through Russia to Germany? Stalin and Hitler have been working hand in hand since before the beginning of this war, and Russia already has received about one-half of Poland as her part of the loot of this war. There is no doubt but what Russia is the funnel through which war materials and food supplies are being transferred to Germany to help Germany and Italy in their dastardly war of aggression against free peoples.

Mr. FISH. Will the gentleman yield?

Mr. ROBSION of Kentucky. I yield to the gentleman from New York.

Mr. FISH. Does the gentleman remember that our distinguished majority leader, the gentleman from Massachusetts [Mr. McCormack], only about a year or so ago, made a motion in this House to cut off the appropriation for the American Ambassador to Soviet Russia?

Mr. ROBSION of Kentucky. Certainly I remember such an amendment offered by the Democrat leader the gentleman from Massachusetts [Mr. McCormack]. I voted for the amendment. I then believed, as I believed in 1933, that nothing but sorrow could come to this country when the Roosevelt administration recognized Russia and restored diplomatic relations between this country and Russia, and by that act permitted Russian Communists to overrun our Nation. Russia has done more to undermine this Nation than any other nation. It has been proved that there are millions of Communists in this Nation who owe allegiance to Russia. They have entered every activity of the people of the United States. They have bored into our schools, our churches, labor groups, farm groups, our colored people, teaching their doctrines of hate for this country, for religion, and for democracy.

According to the report of the Dies committee, hundreds of them have secured and are now holding key positions with this Government. Russian Com-



munists are the greatest menace we have in this country today.

Now, is this House unwilling to adopt this amendment so that we may know for a certainty that none of these defense articles or materials paid for by our loyal taxpayers is going to Russia? Russia will not become the ally of the United States or Great Britain in this struggle. Great Britain and the United States claim they are going to restore the democracies that have been overrun by Russia and Germany. Russia has taken absolute control of more countries and territories than has Germany. How could she join with us in this fight?

I am very much for this amendment, and I sincerely trust it will be adopted. I am sure no one on our side of the House will vote against it.

Mrs. ROGERS of Massachusetts. Will the gentleman yield?

Mr. ROBSION of Kentucky. I yield to the gentleman from Massachusetts.

Mrs. ROGERS of Massachusetts. Is it not true if the nations now fighting in Europe, the so-called democracies, are prostrated that Russia will still remain strong?

Mr. ROBSION of Kentucky. Yes; Russia is sitting back, encouraging Germany and at the same time flirting with Great Britain and the United States and some other countries. Stalin wants all of the nations of the world who are opposed to communism to exhaust themselves in this world-wide struggle, destroying their populations, their cities, and their resources. With the duplicity peculiar to him, he refused to put Russia in as an active belligerent. He has commitments from Hitler that neither Germany nor Italy will attack Russia. He is preserving the population, the cities, and the financial and economic resources of Russia.

Is he not planning to be ready, after the noncommunistic nations have destroyed each other and brought about bankruptcy and chaos, to erect on the ruins a great and mighty world empire of God-hating and liberty-hating communism? [Applause.]

The CHAIRMAN. The Chair recognizes the gentleman from Texas [Mr. LUTHER A. JOHNSON].

Mr. LUTHER A. JOHNSON. Mr. Chairman, this amendment ought to be defeated. The amendment reflects the sentiments of its author, for whom we all have a very high regard but who, as we know, is a man who is very strong in his likes and dislikes.

This is not the place and this is not the hour in passing legislation affecting the peace of the world and the security of the United States to write into any bill an amendment which is merely a gratuitous slap at a country which at this time is doing nothing against us. The Axis Powers of Germany, Italy, and Japan are the only powers that have banded themselves together and made threats against us and the other democracies of the world, and I think we would be foolish to brand Russia as an enemy when she is holding herself aloof from our declared enemies.

The amendment relates to subsection 1 of section 3, reading as follows:

To manufacture in arsenals, factories, and shipyards under their jurisdiction, or otherwise procure, any defense article for the government of any country whose defense the President deems vital to the defense of the United States.

No one contemplates that at this time or within the life of this bill, which is limited to 2 years and maybe to a shorter time under the Dirksen amendment, we will be called upon to grant any aid to Russia. But because that is true, is it wise, is it prudent, is it statesmanlike to slap Russia in the face when at this time she is not a part of the Axis Powers that have threatened us? They are Germany, Italy, and Japan. Do we want to slap Russia when Germany and Japan are trying to get it to go in with them? Do we want to give them a kick and put them in the enemy's camp?

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. LUTHER A. JOHNSON. I yield to my leader.

Mr. McCORMACK. The important thing to remember at this time is that what we are doing is for the defense of the United States.

Mr. LUTHER A. JOHNSON. Absolutely.

Mr. MAGNUSON. Mr. Chairman, will the gentleman yield?

Mr. LUTHER A. JOHNSON. I yield to the gentleman from Washington.

Mr. MAGNUSON. I am glad the gentleman brought that point out. Let us be practical about it. Russia is our only buffer in the Orient against Japanese aggression.

Mr. LUTHER A. JOHNSON. Absolutely.

Mr. CURTIS. Mr. Chairman, will the gentleman yield?

Mr. LUTHER A. JOHNSON. I yield to the gentleman from Nebraska.

Mr. CURTIS. Does the gentleman favor the financing of the military establishment of Russia by the United States?

Mr. LUTHER A. JOHNSON. No; and I do not believe it will be necessary to do so, but I do not favor putting in here a gratuitous slap at Russia at this time, when Russia is making no menacing gestures against us. Russia has not aligned itself with the Axis Powers; why should we by this amendment encourage her to do so?

Mr. CASEY of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. LUTHER A. JOHNSON. I yield to the gentleman from Massachusetts.

Mr. CASEY of Massachusetts. Does the gentleman know that at the present time, since Sir Stafford Cripps has been made the British Ambassador to Russia for the purpose of enlisting Russian aid against Germany, this sort of action would seriously cripple his efforts in that direction?

Mr. LUTHER A. JOHNSON. Yes; it would certainly have that effect.

Mr. FISH. Mr. Chairman, will the gentleman yield?

Mr. LUTHER A. JOHNSON. I yield to the gentleman from New York.

Mr. FISH. Does the gentleman make any distinction between aggressor nations?

[Here the gavel fell.]

Mr. KERR. Mr. Chairman, I ask unanimous consent to extend my own remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. KERR. Mr. Chairman, I am satisfied that a large majority of this House would gladly consent to give every possible aid to Great Britain in that nation's war with the Axis Powers. I am also satisfied that no Member of Congress would wish to join the British Empire and engage in the international war raging on any continent, not even our own, unless we were attacked. I have supreme confidence in President Roosevelt's attitude in regard to the present war being waged between the Axis Powers of Europe and Asia and the British Empire. I do not think that he wishes his country to be a party to bloodshed and destruction which are incidents of war. I cannot understand why even a bitter partisan should doubt this in light of what he has endeavored to do to keep our Nation in the pathway of peace.

Insofar as the United States is concerned at the present time the European war involves no economic feature. It is yet wholly a political question and concerns us now as such. It unquestionably involves the matter of which philosophy of government should control the destiny of civilization, namely, that philosophy entertained by the totalitarian governments or that philosophy cherished by the democracies of the world. The question simply is, Shall the right of man to govern himself within the rules vouchsafed by law be denied; shall the freedom which men and nations cherish and which they have maintained many hundred years, and coordinated into that philosophy of government termed, democracy; shall these rights and these liberties of mankind be destroyed by an ambitious dictator who tramples underfoot the principles of self-government, and in place thereof enslaves humanity and chains man to the chariot of destruction where human rights and ideals are merged into hate and sunk into a pit of desolation?

The present war in Europe, Asia, and Africa is a world menace greater than ever existed before on this earth. No free man can be indifferent as to the outcome of this war. If he is, he deserves to lose his freedom. We cannot be unmindful of the consequence of Nazi success in the pending conflict. It means the enthronement of totalitarianism throughout the world; it means the subjugation and enslavement of every self-governing nation on this earth. Totalitarianism and democracy cannot exist together in this world. I do not want to see this Nation go to war. I think that H. R. 1776, which is now before this House for consideration, has for its purpose to give that aid to the British Empire which will in all probability keep us out of war and make it unnecessary for



us to make those sacrifices always incident to international warfare. This surely is the purpose of the President, and to impeach his sincerity of purpose to me appears to be a political effort unworthy of the fine citizens of this Nation who enjoy the freedom of this great democracy and who cherish it as a heritage dearer than all other things. I cannot help but wonder if those who say they want to help Britain but oppose the material aid provided in this bill are not resting their opposition largely upon their hostility to the President. This feeling should not exist in this Nation at this time.

It is possible that the various countries which constitute the Axis may destroy the British Empire and still not war against us, but the economic strain and readjustment by reason of the success of the totalitarian governments would completely change the life and the career of the United States. Our trade would vanish, our industries would largely quit their business, and our farmers would become bankrupt. No free country can compete with a nation which reduces its citizens to the status of slaves. To live in a world dominated by totalitarianism would require a military equipment on the part of this Nation which would place a burden upon the people insurmountable. In my opinion, the people of this country are willing to give the President the power to aid Britain as proposed in this bill. They fully understand what this bill is intended for, and as for my part I shall follow that one whom the people have designated leader. I shall follow the advice of the greatest international statesman of modern times, Secretary Hull, and I shall be guided by the sentiment of those people in this Nation who laid the foundation for our achievement and who will ever be ready to sacrifice whatever is necessary in order to vouchsafe to its citizens freedom of life, freedom of religion, and freedom of speech.

If it is true, as once said by Disraeli, a great English statesman, that "Man is not the creature of circumstances but that circumstances are the creatures of men"—and I think this historic statement is true—I thank God that, if circumstances in Germany are the creatures of Hitler, then this country has a man, our President, who is equal to the task of creating circumstances here which will prevent the German dictator from trampling under his feet those small nations which cannot resist his domination and make secure that philosophy of government our fathers ordained and which many of us hope shall not perish from this earth.

The CHAIRMAN. All time on the pending amendment has expired.

The question is on the amendment offered by the gentleman from Massachusetts [Mr. TINKHAM].

The question was taken; and on a division (demanded by Mr. TINKHAM) there were—ayes 76, noes 116.

Mr. TINKHAM. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. TINKHAM and Mr. LUTHER A. JOHNSON.

The Committee again divided; and the tellers reported that there were—ayes 94, noes 185.

So the amendment was rejected.

Mr. TREADWAY. Mr. Chairman, I move to strike out the last word, and ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. TREADWAY. Mr. Chairman, it was not my intention to speak on this measure, but in order not to be accused of being the only Member of the House not to raise his voice on one side or the other I want to take this opportunity of stating my position on the bill.

Mr. Chairman, there are two points upon which the people of America are pretty well agreed:

First. They want to avoid war.

Second. They are anxious to give Britain and the other democracies all possible aid short of war, in their efforts to defend themselves against aggression.

I have approached consideration of the pending bill with these thoughts uppermost in my mind, because they reflect my own feeling in the matter. Months ago I publicly stated that I favored giving all possible aid to the defenders of democracy which did not involve this country in war, weaken or imperil our own defenses, or result in sending American boys abroad. I adhere to that position today.

The bill has aroused great interest throughout the country, and, I daresay, throughout the world. Extensive hearings were held, at which outstanding men and women—both in and out of official life—presented their views. The debate on the measure in this body has been one of the most momentous in my service here. It has been so ably and so fully discussed that no new arguments can be advanced either pro or con. Neither will any votes be changed by anything I might say. Therefore, I shall not attempt to debate the bill but will simply state my position for the benefit of those whom I have the honor to represent.

Recently I requested all of my constituents who cared to do so to write me their views regarding the bill. The response which I received was very gratifying and evidenced a keen interest in, and understanding of, the grave questions which we must decide here. It has been helpful to have the benefit of the judgment of my constituents regarding the various aspects of the legislation now before us. In the final analysis, however, I must necessarily make my own decision as to how I should vote on the bill; and in coming to the conclusion at which I have arrived, I have been motivated by what I conceive to be their best interest and that of the people generally.

Our first duty as legislators is to our own country. While I am in general sympathy with the aims and purposes of H. R. 1776, there are three features of the bill as reported which I regard as objectionable. These are:

First. The broad delegation of powers to the President.

Second. The provision permitting belligerent vessels to use our ports for repair bases.

Third. The failure to specifically prohibit the convoying of merchant ships by American naval vessels.

The two latter features to which I have referred might result in our direct involvement in the war. If we permit belligerent vessels to be reconditioned in our ports, they become fair game for enemy submarines and bombers, thus inviting war at our very doorstep, with possible loss of life to American citizens and destruction of American property. Likewise, the convoying of merchant ships by American naval vessels would invite similar attacks, and we all know that the moment a drop of American blood is spilled there will be a war hysteria which will be impossible to stop. The best way to avoid war is not to invite it. The pending bill provides that nothing therein shall be construed to authorize naval convoys, but this infers that convoys may be permitted under some other provision of law.

With regard to the delegation of powers to the President, many serious objections arise. Under the terms of the bill there is no limitation whatever on the financial commitments he may make in supplying the democracies with arms and fighting equipment. In other words, a "blank check" authority is granted which may involve untold billions of obligations upon our Government in addition to the already staggering burdens we must bear in our own behalf. Some reasonable financial limitation should be imposed. It can always be increased, if necessary, at the will of the Congress. Under our constitutional system the elected representatives of the people are duty bound to retain control of the purse strings, but under the bill now drafted the Congress surrenders its authority in that regard.

While the bill presumes to limit to 2 years the time within which the President may exercise the authority granted under the bill, this same limitation does not apply to the commitments which the President may make under such authority. This was pointed out the other day by the gentleman from New York [Mr. WADSWORTH], one of the leading proponents of the bill. As I understand, the Foreign Affairs Committee has agreed to an amendment which would prevent the President from making commitments covering a longer period than July 1, 1946. This, it seems to me, is too long a time.

Under the bill the President is given the power to manufacture or otherwise procure all kinds of military equipment for the benefit of any country whose defense he deems vital to the defense of the United States, and sell, transfer, exchange, lease, lend, or otherwise dispose of it to any such government under such terms and conditions as he sees fit. There is a so-called limitation that no defense article not manufactured or procured under such authority shall not be disposed of in this manner "except after consultation with" the Chief of Staff of the Army or Navy, or both. In my opinion, this is no limitation at all, and would



permit the President to give any part of our present defense equipment to Britain or the other democracies. Even should the Chief of Staff of the Army or Navy oppose such disposition on the ground that it imperiled our own defenses, their objections would not be controlling, because the President is not bound by their decision. He is only required to "consult" with them about it. Moreover, he is their Commander in Chief, and they would naturally have to obey his orders. This is a very broad and dangerous delegation of power.

I am unable to see the need of granting such extensive authority to the President. The bill practically transfers the war-making power of Congress to the Executive. We are not at war, and there is no valid reason for centralizing any such authority in one man. It is contrary to our form of government.

At the present time the United States is furnishing all possible aid to Britain. The only difficulty of which we hear is that the British will soon exhaust their financial resources in this country and be unable to pay cash for war materials, as required by the Neutrality Act. If that is the difficulty, it can easily be cured by granting to Great Britain such loans or credits as she may need to buy war materials from us. We do not need to go to the extremes of the pending bill and virtually set up a war dictatorship in order to save democracy abroad. Such methods as I have suggested would not involve us any further in the possibility of war than we already find ourselves, nor would they risk depletion of our own military and naval equipment, which even now is pitifully inadequate.

I favor the amendments which the minority members of the Foreign Affairs Committee have recommended. These include:

First. A \$2,000,000,000 credit to Britain.

Second. Sale of our arms to Britain only when our highest Army and Navy officers certify they are not necessary for our own defense.

Third. A 1-year time limit on all extraordinary powers, which can be extended at any time if Congress finds our interests require it.

Fourth. Provide that no naval vessels shall be disposed of without the consent of Congress.

Fifth. Prohibit the use of American ports for repair bases for belligerent ships.

Sixth. Prohibit the use of American vessels to transport goods to belligerents.

Seventh. Prohibit the conveying of merchant ships by American naval vessels.

Some of these questions have already been decided by an adverse vote, and indications are that the rest will suffer the same fate.

Unless the bill be amended before final passage to remove the objections to which I have referred, I shall vote against it, as I feel that in its present form it will bring us closer to war, if not actual involvement.

There is no difference between the opponents and proponents of the pending bill regarding the general question of giving all possible aid to Britain. I be-

lieve we can grant all necessary aid without incurring the risks and dangers to which H. R. 1776, in its present form, exposes our country.

Last Tuesday the gentleman from New York [Mr. WADSWORTH] made an impressive appeal for unity. We all recall the saying that "in unity there is strength." The gentleman from New York pointed out that by amending the present bill in several respects, it might be possible to bring about some greater degree of unity on the part of the Congress and the people of the United States, which would not only be a healthy thing for us but would show the whole world that we stand together. I would like to see the bill so amended that we could all support it, but unless those in charge of the measure show more of a cooperative spirit in this regard there does not seem to be any possibility of getting together. Each side must be willing to give and take.

In conclusion, Mr. Chairman, let me repeat that our first duty is to America. Give Great Britain and the democracies all the help we can, but do not involve our own country in war in so doing. I am convinced that unless the changes I have indicated are made in H. R. 1776, we are not doing our duty to our own country, but are placing aid to Great Britain above the safety of America.

Mr. MOTT. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MOTT: On page 4, after line 5, following the Bloom amendment, insert a new subsection:

"SUBSEC. (f). Nothing in this act shall be construed to repeal or suspend any of the provisions of sections 2 or 3 of the Neutrality Act approved November 4, 1939, and all of said provisions shall remain in full force and effect until repealed or modified by act of Congress. Neither the President nor any governmental agency under authority of this act shall send or cause to be sent any American merchant ship to any belligerent nation or into or through any combat area unless the President by proclamation shall have declared that such nation has in fact ceased to be a belligerent or that such area has in fact ceased to be a combat area."

Mr. LUTHER A. JOHNSON. Mr. Chairman, I reserve a point of order against the amendment.

Mr. MOTT. Mr. Chairman, since the discussion of this amendment must necessarily be somewhat technical, I hope I may have the attention of the membership.

You have just passed the Bloom amendment by unanimous consent. There were no votes against it. This, in the circumstances, it seems to me, was the most natural thing in the world, because, whether we are for this particular bill, H. R. 1776, in its present form, or against it, it is the desire of all and the unanimous desire of the American people to keep out of this war, if we can, and one of the things which we have all agreed may lead us into the war is the convoy of American ships into combat zones or to belligerent nations.

The distinguished gentleman from Pennsylvania, in arguing upon the Bloom amendment, took occasion to state that it was not only meaningless but that it

was a magnificent piece of demagoguery. I disagree with the gentleman from Pennsylvania as to the demagoguery. In my opinion there is not much meaning to it, any more than there is to subsection (d), but it is certainly not a piece of demagoguery. I happen to know that it was offered in good faith, both by the majority members of the committee and the minority members of the committee, but I think it cannot be effective as it is written, and the purpose of my amendment is simply to make it effective.

My amendment, Mr. Chairman, covers both section 2 and section 3 of the Neutrality Act. The prohibitions in those sections are directed not against Government-owned ships or property, they are directed against individuals, and the penalty for going into belligerent waters or carrying products to belligerent nations is a penalty fixed upon the private owner of those ships, whether it be an individual or a corporation. Under the provisions of H. R. 1776, the President will be permitted to transfer the defense articles, which includes ships and their cargoes, to belligerent nations and into combat zones, and he may do this notwithstanding any of the provisions of any act, including the Neutrality Act.

I have made particular reference to these two sections, and my amendment would prevent the sending of any American merchant ship to a belligerent nation or into a combat zone, whether that ship was privately owned or whether it belonged to the Government. Under the provisions of H. R. 1776 the President, through these agencies named, may purchase any ship or any other defense article and may send it into the war zone if, in his opinion, that is necessary and desirable to promote the defense of the United States or the defense of any other nation, the defense of which is necessary to the defense of our country.

This amendment simply secures and guarantees to us that under no circumstances will an American merchant ship be sent to a belligerent nation or into a combat zone declared by the President to be such, unless the President, by proclamation, shall declare that such belligerent nation has ceased to be, in fact, a belligerent, or that such zone is no longer a zone of combat. I believe that this amendment will render effective the amendment offered by the gentleman from New York [Mr. BLOOM], which in my opinion is not now effective, and I do not see how, in the circumstances, there can be any objection on the part of anyone to adopting this amendment.

I have never approached the consideration of this bill from a partisan standpoint, and I know none of you think that I have, and I am not now approaching it from the standpoint of partisanship.

[Here the gavel fell.]

Mr. MOTT. Mr. Chairman, I ask unanimous consent to proceed for 2 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Oregon?

There was no objection.

Mr. MOTT. My only point in saying this is to assure you, if that be necessary, that I am offering this perfecting



amendment in entire good faith, and I hope it will be agreed to by gentlemen on the majority side of the House, and by the Committee, as a means of effectively preventing the entrance of American merchant vessels into combat zones and the convoy of such vessels by American warships. I am convinced this amendment will do that, and that without it the amendment of the gentleman from New York [Mr. Bloom] will not accomplish that purpose.

Mr. KEE. Mr. Chairman, will the gentleman yield?

Mr. MOTT. I yield.

Mr. KEE. I understand the gentleman to say that his interpretation of this bill is that it authorizes the President to direct the transportation of these materials to foreign governments?

Mr. MOTT. I did not understand the gentleman's question.

Mr. KEE. Did I understand the gentleman to say that it is his understanding that this bill authorizes the President to direct the transportation of war materials to foreign or belligerent nations?

Mr. MOTT. The bill H. R. 1776?

Mr. KEE. Yes.

Mr. MOTT. There is no doubt about it, in my opinion. That is the reason the chairman of your committee, the gentleman from New York [Mr. Bloom], offered his amendment—to make sure that H. R. 1776 would not authorize it.

Mr. KEE. I would like the gentleman to point out any provision in the bill that authorizes the transportation of war materials to belligerent nations. The bill does not cover the question of transportation at all.

Mr. MOTT. That may be the gentleman's opinion. It is not mine. In my opinion, the bill does give the President that power, because it permits him, through any of the agencies named in the bill, to purchase any defense article, which includes ships, and to transfer them to belligerent nations; it permits him not merely to transfer the title but to transfer the article itself. It permits him to do this without regard to any other law, which includes the Neutrality Act, and therefore there would be nothing in the Neutrality Act which would prevent the President from doing that.

Mr. KEE. That is the gentleman's interpretation of the measure?

Mr. MOTT. Why, yes; that is the interpretation of everybody, including the chairman of your committee. Otherwise he would not have offered his amendment.

Mr. KEE. And the gentleman's remarks are based upon that interpretation?

[Here the gavel fell.]

Mr. LUTHER A. JOHNSON. Mr. Chairman, this amendment ought to be voted down because it is a duplication of what has been put in this bill with an amendment confined to 2 or 3 lines, where this takes 20 lines to accomplish the same purpose.

Mr. VORYS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. LUTHER A. JOHNSON. Yes.

Mr. VORYS of Ohio. Is it not true that the sole purpose which the committee had in mind on both sides was to

make sure that this bill did not affect the shipping provisions in the Neutrality Act, and that combat areas in section 3 is broader in its effect on shipping than any other part of the Neutrality Act?

Mr. LUTHER A. JOHNSON. The gentleman is exactly right, and those of us who framed the neutrality law, I think, are familiar enough with its terms to know that the amendment as written, confining it to section 3, meets all of the suitation, and it would be foolish in a bill like this to write another and independent paragraph on the same subject. The House has that right, but I think it would be unwise and unjustified. I ask the House to vote down this amendment.

Mr. MOTT. Mr. Chairman, will the gentleman yield?

Mr. LUTHER A. JOHNSON. I decline to yield.

The CHAIRMAN. Does the gentleman withdraw his reservation of the point of order?

Mr. LUTHER A. JOHNSON. I do.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Oregon [Mr. Mott].

The question was taken; and on a division (demanded by Mr. Mott) there were—ayes 57, noes 91.

So the amendment was rejected.

Mr. COSTELLO. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. COSTELLO: Page 3, line 20, after the word "property", insert: "or by transfer of sovereignty over territorial possessions in the Western Hemisphere, or by purchase for present or future delivery of strategic material."

Mr. LUTHER A. JOHNSON. Mr. Chairman, on that I reserve the point of order.

Mr. COSTELLO. Mr. Chairman, the language of this amendment is taken from the bill H. R. 2248, which I introduced as a modification of the bill now before the House. The language of the amendment is permissive, it is not mandatory, but it does call the attention not only of the Secretary of State, but also of the governing powers of Great Britain, to the fact that this Congress, as well as the American people, are interested in seeing to it that Great Britain should herself make some sacrifice in return for the tremendous war efforts this Nation is making in behalf of Great Britain. The estimated cost of this aid to Britain runs into billions of dollars. That is money which has to be taken from the American taxpayers. It is perfectly proper for us, in the defense of this Nation, to appropriate funds as we see fit to promote the defense of the United States. But when we begin to appropriate money which only indirectly may be considered to be used for the defense of this Nation, and give it to some foreign nation, then we have no right of our own free will to give that money away. It belongs to the American people, and we certainly have some obligation to see to it that a proper effort is made to obtain something of material value in exchange for what we are giving to Great Britain. Great Britain has a large number of

possessions in the Western Hemisphere. They have no great intrinsic, commercial value to Great Britain. I know that Great Britain is not holding those possessions because she hopes to wage war against this country or any country in the Western Hemisphere, but I do know that there is not one thing that the British Empire could do to solicit the good will and guarantee the mutual understanding and cooperation that exists between these two great nations than to offer to exchange the islands of the West Indies, or other territory or possessions in this hemisphere, for the defense materials that we are sending to Great Britain.

Mr. RICHARDS. Mr. Chairman, will the gentleman yield?

Mr. COSTELLO. Yes.

Mr. RICHARDS. Does not the gentleman think that his amendment is entirely unnecessary in view of the fact that on line 20 there appears the words "payment or repayment in kind or property"?

Mr. COSTELLO. I state to the gentleman that he is quite correct. The language of this bill is so generic that I do not believe there is a single thing that could not be done under it. My purpose in writing in this amendment is to call to the attention of the Secretary of State and those who are going to have charge of the handling of this legislation that it is the desire of this Congress, that it is the wish of the American people that some effort should be made to receive something in exchange for the defense materials that we are about to send to Great Britain. It is for that reason that I include not only territorial possessions, but also provide for the purchase of strategic materials over which England has monopolistic control.

We might greatly strengthen our own defenses if we were to increase our supplies of tin, rubber, manganese, and such materials by piling them up in this country or by making contracts to receive from Great Britain future deliveries of such materials at periodic intervals. There can be no objection to the language of this amendment. It is not mandatory. It is permissive. It is a direction to the Secretary of State that it is our desire that an effort should be made in this direction.

I trust the committee will accept the amendment and that the members of the committee will vote in its favor.

Mr. MURDOCK. Mr. Chairman, will the gentleman yield?

Mr. COSTELLO. I yield.

Mr. MURDOCK. Viewing it further in keeping with our point of view, is it not true that these very island possessions, as long as they are in the hands of England, will be but another reason for our need of going to Britain's aid in future years every time she may be in danger?

Mr. COSTELLO. I believe the gentleman is correct. I further believe that as long as they are there they might be an inducement for Great Britain at some future date, under some altered set of world circumstances, to use them as a means of attempting to wage war against some other nation in this hemisphere. If they do not have those possessions they



will not have that temptation. There is nothing which Great Britain could offer to this country that would aid us more in providing for the defense of this hemisphere than to give us those Atlantic outposts which guard the portals of the Panama Canal. They are vital to our defense. They are meaningless to the defense of Great Britain. They have no great intrinsic value except possibly for commercial aviation. [Applause.]

[Here the gavel fell.]

Mr. EBERHARTER. Mr. Chairman, I rise in opposition to the amendment.

The gentleman from California [Mr. COSTELLO] in speaking on his amendment admitted very freely that everything he sought to have done by his amendment has already been covered by language in the bill under section 3 (b). The only proposition the gentleman has in mind in offering this amendment is to suggest to the Secretary of State or the President of the United States that they take into consideration the taking over of different sovereignties in the Western Hemisphere. I see no real benefit in putting into this act any suggestions to the President of the United States or to the Secretary of State. The language says that the benefit to the United States may be payment or repayment in kind or property or any other direct or indirect benefit which the President deems satisfactory. That language is so broad that it certainly takes in every contemplated suggestion offered by the gentleman from California, and it would seem to be redundant to add that language to the bill.

I think, Mr. Chairman, that the House does not want to put into the bill suggestions which are entirely redundant. I ask that the amendment be voted down.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, I rise in support of the amendment.

The CHAIRMAN. All debate on the amendment has been exhausted.

Mr. AUGUST H. ANDRESEN. I move to strike out the last two words, Mr. Chairman.

The CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, I am supporting the amendment offered by the gentleman from California [Mr. COSTELLO]. The gentleman refers to the cost of the war being placed upon the American taxpayer. As a matter of fact, the American taxpayers have been paying the cost of this war ever since it began. One of the reasons for this legislation, as we are told, is due to the fact that Great Britain will run out of money and the means with which to buy war materials after the end of this year, and, therefore, the cost of the war must be saddled upon the American taxpayers. I know that the American people are generally susceptible to propaganda.

Mr. LUTHER A. JOHNSON. Mr. Chairman, I make the point of order that the gentleman is not speaking to the amendment.

Mr. AUGUST H. ANDRESEN. I moved to strike out the last two words. I am speaking to the amendment to the bill.

The CHAIRMAN. The gentleman must proceed in order. When a point of

order is made, the gentleman must confine his remarks to the pending amendment.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. AUGUST H. ANDRESEN. As I understood it, the Chair stated that no other remarks could be made on this amendment. So I moved to strike out the last two words, and I am talking on the bill.

The CHAIRMAN. That means that the gentleman would have to confine his remarks to the pending amendment.

Mr. LUTHER A. JOHNSON. That is the last two words.

Mr. AUGUST H. ANDRESEN. I thank the gentleman from Texas for his very courteous parliamentary maneuver.

Mr. COX. Will the gentleman yield to me?

Mr. AUGUST H. ANDRESEN. I am sorry I cannot yield. I only have 2 or 3 minutes.

Mr. COX. I think the gentleman would be interested in the suggestion I have to make.

Mr. AUGUST H. ANDRESEN. I will be glad to hear the gentleman's suggestion. [Laughter.]

Mr. COX. I desire to commend the gentlemen in control of this bill for the liberal manner in which it has been conducted thus far. I think it was a serious blunder that the gentleman has just made in raising a point of order, and I hope he will withdraw it. In other words, it is not in keeping with the behavior of the committee thus far.

Mr. AUGUST H. ANDRESEN. As long as the gentleman from Texas insists that I talk about the amendment offered by the gentleman from California I will do so. The amendment offered by the gentleman deals with financing the cost of this war. He has offered an amendment that Great Britain turn over the West Indies possessions to the United States as security for payment for advances made by American taxpayers.

This legislation—H. R. 1776—is predicated upon the assumption that Great Britain will be without funds to purchase war materials in this country after January 1, 1942. When Secretary Morgenthau appeared before the Committee on Foreign Affairs, he gave the above information, and quoted as his authority a financial statement from the British treasury.

The British Treasury statement, upon which the committee relied, did not take into consideration the assets of Great Britain and its nationals which had been transferred to other parts of the Empire and the United States since the beginning of the war. To illustrate, from the reports of the United States Department of Commerce, it has now been ascertained that during the first 11 months of 1940 Great Britain sent to the United States, through Canada, \$2,542,111,175 in gold, whereas during the entire year of 1939 Canada sent into this country only \$304,388,037 in gold. During the same 11-month period in 1940, the Union of South Africa sent gold to this country valued at \$182,103,882; Australia, \$88,-

782,755, as against \$67,777,337 in 1939. It is significant to note that during the 1940 period the United Kingdom sent to the United States \$633,000,659 in gold, as against \$1,816,042,455 in 1939. It will be noted that the British treasury, after 1939, shipped the larger portion of its gold supply to the United States through Canada, which provided dollar credit here, but such credit is not shown on the British treasury statement submitted by the Secretary of the United States Treasury.

According to a statement of the Federal Reserve, we find that at the end of August 1939 the total dollar resources of the British Empire in the United States amounted to \$7,115,000,000. Adding the British Empire gold imports of \$3,487,000,000 only for the first 11 months of 1940, we have a grand total of \$10,602,000,000 in dollar resources in the United States.

Secretary Morgenthau stated to the committee that during the first 16 months of the war and up to January 1, 1941, the British Purchasing Commission has paid and taken delivery of \$1,337,000,000 in war material. He also said that the dollar resources of the British Treasury would now be approximately \$1,775,000,000 with which to meet dollar requirements for all transactions in all parts of the world for 1941 amounting to \$3,019,000,000.

Assuming the correctness of the British Treasury statement as to dollars paid up to January 1, plus obligations for the year 1941, we can account for \$4,356,000,000 in dollar resources. Deducting this item from the \$10,602,000,000 dollar resources above given, the British Empire will still have \$6,246,000,000 in dollar resources to its credit in the United States. This figure does not take into consideration British Empire gold shipments to the United States during the last 4 months of 1939 and from December 1, 1940, to the end of the present year.

The above figures do not include United Kingdom investments outside the United States, which are estimated to be worth more than \$19,000,000,000.

In my opinion, the British Empire and its nationals now have between \$7,000,000,000 and \$10,000,000,000 in dollar resources in the United States.

The plea of poverty on the part of the British treasury and the plea for help from the United States has aroused the sympathy of a large majority of American citizens. Therefore we now have H. R. 1776 before us, which provides that the future cost of the European war shall be saddled upon 131,000,000 American citizens.

I am satisfied that very few Americans realize that they have already paid a very substantial sum to aid Britain in the European war. I will give you a few facts. President Roosevelt increased the price on foreign gold in 1934 from \$20.67 an ounce to \$35 an ounce. Since that time the United States Treasury has purchased approximately \$12,000,000,000 in gold from the British Empire. The premium paid on this gold amounted to nearly \$5,000,000,000—a gift from the American people. Our generosity in



foreign gold buying has also magnificently helped Japan, Russia, Italy, and other countries of the Old World. Yes, the American people have been very generous during a period of domestic distress and unemployment.

I recognize the difficulty of verifying the accuracy of the British Treasury statement. It seems to me that it is the duty of the officials now in control of the United States Government to investigate all of the facts before they compel the American people to pay for the future cost of the war. In particular, all Members of Congress should receive full and complete information based upon honest facts in order to reach a conclusion in the consideration of the important legislation before us.

Administration leaders refuse to furnish Members of Congress with facts upon which they base their conclusion for the demand to enact H. R. 1776. We secure our information from the propaganda published in the newspapers and broadcast over the air. A Member cannot legislate intelligently with this kind of information.

A large majority of the American people, including Members of Congress, appear anxious to aid the war-torn democracies of the world, but before taking such action they are entitled to honest information as to the real situation in the place of an overabundance of propaganda which has been given out to develop fear and war hysteria in our country.

We are living in critical times, and what we do now will affect the entire future of our country and its citizens. We should be calm and act with deliberate judgment and refuse to be swept into the maelstrom of war by a wave of hysteria and fear. Give us honest facts, Mr. President, for we all desire to give constructive assistance to the democracies of the Old World. As a people, we are determined to stay out of the European war and to preserve our American democracy. We have no room for a dictator in this country, and therefore I urge upon my colleagues to remove the unlimited executive power sought in the various provisions of this legislation and legislate for America first. [Applause.]

Under leave granted to me in the House on February 6, I am including as a part of my remarks a splendid editorial by Mr. Merle Thorpe, in the February issue of Nation's Business. The editorial appears as follows:

#### NATIONAL DEFENSE—FOR WAR? FOR PEACE?

Only Congress can declare war. Only the people can demand peace. It is a soul-searching responsibility to do the one, a glorious restraint upon emotion to do the other.

For the second time in one generation, America stands at the crossroads, torn in mind, harried in spirit, debating the thought, "Shall we declare war again on a philosophy?" There have been no warlike acts committed against our sovereignty, no insults or assaults upon our citizenry, no destruction of American lives or property. There are no Von Bernstorffs, Boy-eds, Lusitanias around which a battle cry may swell.

Those who shout for war or, with tongue in cheek, for measures "short of war," have only one call—"We cannot live in a world if—"

If? If what? If the leaders of Germany are not defeated is what is usually meant.

They may be right. Many fear they may be right, but, before, 131,000,000 people give up their right to peace, they have a right to proof—proof that "if" is more than if; proof so utterly convincing that men will go into battle, not half-hearted and skeptical, but inspired with patriotic zeal.

Let us, then, have an answer from our leaders. Do they indeed think that America is in danger of foreign invasion? Do they see the Luftwaffe and the Panzer divisions running over Boston, Cleveland, Memphis, and Minneapolis? We cannot go to war today because bombing planes of 1960 may be able to cross the ocean in 6 hours. Planes can fly in more than one direction.

Do they fear that a partially victorious Germany in Europe can put a new Europe in order overnight and then invade the most powerful nation on earth, America? A generation will pass before even the Nazi police force in new Europe can take a holiday, to say nothing of when its army or its navy, still to be rebuilt, may look abroad.

No; there is nothing in our fears of invasion that calls for war today. On the contrary, such fears call for no war, for above all we need time to prepare for our own defense.

What, then, is our most immediate threat in case of a German victory? A threat of a trade war—the flooding of the world with self-made products produced under a standard of living so low that America's goods will be driven from the seas, and America's tariff walls will tumble like the Belgian forts last spring.

Is the fear well-grounded? We have faced that type of competition many times before. Given the same freedoms and rewards, we can do it again.

But when has America gone to war for trade? When has war helped a nation's trade in the long run? And, even if it would help for a while, is that what our leaders urge us to meet now with death and destruction—a battle for trade? If so, let's have done with our high-sounding phrases about ways of life, liberty, the clash of philosophies by which men live.

Let us not add to the world's list of dishonest phrases which on other tongues we recognize and label as hypocrisy. Let us have candor and blunt facts from those who would disturb the people's peace.

There is both sadness and satisfaction in setting forth this expression of the point of view of American business. There is sadness because of the necessity to challenge the popular fallacy that America's wars have been fomented by businessmen. There is satisfaction because, come what may, business is on record that, if national disillusion comes again after another war for democracy, as it did in the twenties, it will not be for want of plain speaking by business.

MERLE THORPE.

[Here the gavel fell.]

Mr. LUTHER A. JOHNSON. Mr. Chairman, I rise in opposition to the pro forma amendment.

The gentleman from Georgia [Mr. Cox] criticized the committee for raising the point of order that debate should be confined to the amendment. I do not know whether the gentleman was present earlier in the afternoon when I made the statement that although we had been most liberal in the matter of time on this bill, the Republicans having consumed 11½ hours against 9½ for this side of the aisle in general debate, that the time had come, if we were to finish the bill by evening, when I should have to insist that debate be pertinent to the amendment under consideration.

In making my objection to the argument of the gentleman from Minnesota, I did not have any reference to him personally, but did so out of consideration for the membership of the House in view of the notice I had previously given.

Mr. COX. Mr. Chairman, will the gentleman yield?

Mr. LUTHER A. JOHNSON. I yield.

Mr. COX. Having heard the gentleman's explanation, I may say I was unaware of that situation, and I withdraw my statement.

Mr. LUTHER A. JOHNSON. Again I want to give notice that it is not any personal reflection upon any Member, but I shall have to insist hereafter upon all discussion being germane to the amendment pending at the time.

Mr. HINSHAW. Mr. Chairman, I move to strike out the last three words.

Mr. Chairman, I do not believe I have any pearls of wisdom, matters of important interest, or instruction to offer to the Members that would affect or alter a single vote, but I want to call attention to this fact: During the hysteria and the hurrah, and so forth, of a time like this we are likely to forget what happens at the close of a war. The amendment offered by the gentleman from California calls this to everyone's attention; calls the attention of the State Department, let us say, and the President that certain islands might now be taken in exchange for war materials.

Let us not forget that when this war is over there will be a council table at which will be seated the dignitaries of several nations, and there will be a division of lands and territories, a redrawing of maps, among those who sit at that table. I for one should like to see the United States at that time not have to worry over who keeps or gets the West Indies or any other British, French, Dutch, or other possession in the Western Hemisphere, or have it said that we, after having aided very materially, are not entitled to any consideration. In fact, should Germany win, then we, having aided Britain, will no doubt be called upon to help pay indemnities.

While we are perfectly willing now to support these British people for various reasons, nevertheless this is the time to think about what may come after the war.

Mr. CRAWFORD. Mr. Chairman, will the gentleman yield?

Mr. HINSHAW. I yield.

Mr. CRAWFORD. Does the gentleman know any more effective way on earth to facilitate the enforcement of the Monroe Doctrine, to carry out hemispheric defense, to prepare for the defense of the United States, than to see that we acquire further control in the territory south of Florida and south of the Rio Grande Valley?

Mr. HINSHAW. I think the gentleman is absolutely correct, and I think it is rather like painting the lily in the dark when gentlemen in the Parliament of England say that not one square inch of Britain's territory will ever be transferred to the United States.

[Here the gavel fell.]



The CHAIRMAN. The question is on the amendment offered by the gentleman from California [Mr. COSTELLO].

The question was taken; and on a division (demanded by Mr. COSTELLO) there were—ayes 86, noes 104.

Mr. COSTELLO. Mr. Chairman, I ask for tellers.

Tellers were ordered, and the Chair appointed Mr. RICHARDS and Mr. COSTELLO to act as tellers.

The Committee again divided; and the tellers reported there were—ayes 125 and noes 150.

So the amendment was rejected.

Mr. FISH. Mr. Chairman, I offer an amendment which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. FISH: Page 3, line 6, after the word "both," insert a semicolon and the following: "Provided, That no vessels of the United States Navy shall be disposed of to any belligerent nation without the consent of the Congress."

Mr. FISH. Mr. Chairman, this is one of the more-important amendments and I ask unanimous consent to proceed for an additional 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from New York [Mr. FISH]?

There was no objection.

Mr. FISH. Mr. Chairman, the opposition to this bill is divided into two categories. Both of them believe that the delegation of power in this particular bill is excessive, dangerous, and unprecedented in peace or war. People back home who are opposing this bill believe that it turns over to the President the powers of the Congress to control the purse and the sword. So far we have largely discussed in the last day and a half amendments that had to do with the control of the purse.

The amendment that I have just offered has a direct bearing on our own war-making powers and the power of the Congress to declare war. If we leave in the bill the provision that the President can sell, transfer, exchange, lease, lend, or otherwise dispose of our Navy, and if that power is made use of, of course it will be an act of war and we will have delegated away our war-making powers granted to us specifically by the Constitution of the United States.

I do not ask you to take my views on this matter, but I propose to read to you what A. Lawrence Lowell, former president of Harvard College, chairman of the executive committee of the League to Enforce Peace, one of the great supporters of the League of Nations, and I believe a member of the William Allen White Committee, who is in favor of the general purposes of the bill, has to say about the pending bill:

The lend-lease bill authorizes any President of the United States, if he deems it in the interest of national defense, to lend—practically to give away—our whole Navy and air force to any foreign nation; and turn over to it the whole military manufacturing power of the United States at his discretion.

The administration may well draw such a bill for Congress to circumscribe, but to pass it in that form could only be the result of hysteria; and the conditions do not justify

hysteria here. Those of us who desire to help England to the utmost, whether it unfortunately leads to war or not, can do it best if we do not lose our heads.

You cannot find a single international lawyer who does not contend that this bill delegates away the war powers of the Congress. John Bassett Moore, probably the best-known authority on international law, and almost as great an authority on constitutional law, said this:

There can be no doubt that, under the guise of certain phraseology the pending bill assumes to transfer the war-making power from the Congress, in which the Constitution lodges it, to the Executive.

Then I quote from the chamber of commerce, certainly a nonpartisan organization, that has this to say:

This bill, if enacted into law, by the very power it proposes to grant, creates the possibility of this Nation entering into this war without further action by the Congress.

There are numerous editorials I could quote from. No newspaper in the United States has been more consistent in advocating this type of legislation, this international, interventionist type of legislation, than the New York Times. The New York Times has this to say:

The two great traditional and fundamental powers of Congress in the field of foreign policy are its power to make war and its control of the purse strings. By authorizing the President single handedly to determine, as time passes, and as more nations become involved in war, which nations are our friends and which our enemies, which nations must be aided to make war, and which resisted at all costs, the bill takes out of the hands of Congress decisions which are equivalent to war making. By enabling the President to transfer to other nations an unlimited amount of our own war material, as rapidly as it becomes available, the bill might make it unnecessary for the President to ask Congress for the direct appropriation of a single dollar for the purpose of such foreign aid, and to this extent and in this manner it would take control of the purse strings out of the hands of Congress.

It is not necessary to abandon traditional democratic safeguards at home in order to provide effective aid for Britain. It is not necessary to take out of the hands of Congress decisions of major policy in which Congress is entitled to participate. It is entirely possible to amend the bill in such a way as to assure Congress of such participation.

I could go on almost indefinitely reading you articles from newspapers that are friendly to this bill, pointing out the danger of turning over the war-making powers to any one man. I say to you, why in the name of Heaven should the Congress leave in this bill the power and grant the power to the President to dispose of or otherwise give away any part of the Navy when all of his spokesmen who appeared before our committee said he would not use such power?

The former Ambassador to France, Mr. Bullitt, said he would rather give away his own eyes than give away any part of the Navy. Yet that is exactly what is done in this bill. Some people fear that having this power to give away any part of the greatest navy in the world, something may happen, and he alone may choose to give away some part of the Navy. Our first line of defense is

our Navy. If the President should turn over a part of our Navy, he might thereby take us directly into the war without the consent of the people or without any action or declaration of war by the Congress. There is not an international lawyer who does not claim that giving away warships to a belligerent nation is an act of war. Nobody can deny that.

Let us assume that the President does give it way, or part of it, which he is empowered to do under section 3 of this bill. Is there anyone here who can say that that same part of our Navy may not be used against us? I do not know what will happen to the British Navy. I certainly hope the British Navy will win and will survive. But suppose the German air bombers destroyed it, and we have turned over some more destroyers to the British Navy, perhaps some cruisers or battleships, and then the British are beaten and there is a change of government in England. Then our own warships that might be lent or leased or given away or exchanged might be used against us.

Today I fear no attack from any foreign source, because we have the greatest Navy in the world. We all know that any foreign navy would lose one-third of its efficiency if it tried to come over here to attack us.

I am opposed to turning over this power for two reasons: One is because it deprives Congress of the power to declare war and places that power in the hands of one man. This is permanent law. No matter how good the man may be, it places in the hands of one man the power to take us into war without an act of Congress. Nobody will even contend that giving away a part of our Navy is not an act of war.

The administration has exchanged 50 destroyers for some bases off our eastern coast and that may have been a good bargain, but for the future, in order to preserve our great Navy that has been built up and maintained by the Congress, I submit that no part of the Navy, not even one mosquito boat, should be given away to any belligerent nation without the consent of the Congress. [Applause.] That is the simple issue, and I hope the Members of Congress will vote upon it on the basis of our own national defense and what is best for America. [Applause.]

[Here the gavel fell.]

Mr. McCORMACK. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, the amendment offered by the gentleman from New York must be construed in addition to the language of the amendment itself in the light of the position taken by the gentleman from New York on the bill. We all know the gentleman is saying he is for all possible aid to England. When he says that, he recognizes there is an emergency confronting our country. The reason we are considering this legislation now is that we recognize that something must be done as a part of our national defense. "But," he says—he always has that "but" in there—"I am for a \$2,000,000,000 aid. Yes; our country is imperiled; the interests of 132,000,000 people are involved;



our shores may be invaded in the future, our people and our institutions attacked, but all I want my country to do is give a limited aid of \$2,000,000,000."

That is a rather ridiculous position for anyone to take who recognizes the danger, and everyone who says he is for aid recognizes the danger; by the use of that very language he admits that he recognizes the danger. If one is opposed to this or similar legislation and honestly disagrees with it, that is an entirely different proposition from what it is for those who say, "I am for aid," and then talk about \$2,000,000,000 and about the tremendous delegation of powers. This is particularly so in view of the fact that my good friend introduced a few days ago, on January 22, a bill that specifically stated that appointed officials shall have the broadest powers possible, up to \$2,000,000,000, it is true, but just the same it is a delegation of the broadest powers possible to an appointed official, yet he condemns delegating power to an elected official, that elected official being the President of the United States.

The bill specifically provides that the Commander in Chief of our Army and Navy—that is the President—in peace as well as in war, must consult the proper officer of the Navy and the proper officer of the Army. Under this amendment you could not transfer mosquito boats if it were necessary. [Applause.] You could not transfer a 25-ton vessel.

Oh, yes; we get applause from the Republican side. Last year they tried to eliminate Canada from the \$500,000,000 bill to carry out the Canadian agreement, which was for our benefit, and the Habana Conference. They are losing tens of thousands of votes constantly by these picayune tactics. The people back home are concerned with the welfare of this country, not with the picayune tactics that are being engaged in.

This amendment comes from a source that is hostile to the bill.

Mr. H. CARL ANDERSEN. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. Not even a boat of 5 tons could be transferred under this amendment.

Mr. H. CARL ANDERSEN. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. H. CARL ANDERSEN. The gentleman is not speaking on the amendment as objected to by his colleague from Texas.

Mr. McCORMACK. The gentleman has a lot to learn yet.

Not even one boat of 5 tons could be transferred.

Anyone knows that the President of the United States is the first real navy-minded President that we have had in the history of our country. If there is one thing he loves, it is the Navy. The Navy has been built up under his leadership from 1933 until the present time. In 1933 our Navy ranked fifth among the most powerful nations of the world, but today we have the most powerful Navy this country has ever had in its entire history. This is not due to the assistance of the votes of those on the other

side of the aisle, who were constantly trying to cut down appropriations, it is due to the leadership of President Roosevelt.

[Here the gavel fell.]

Mr. BLOOM. Mr. Chairman, I ask unanimous consent that the gentleman may proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. McCORMACK. We have in the White House in this grave danger, when our Navy plays such an important part, the first President who is essentially a navy-minded President. All Presidents, without regard to party, have had a regard for the welfare of our country. When I say we have an essentially navy-minded President I mean that we have a man whose love for the Navy is well known to all. It is fortunate for our country at this time that we have such a President.

The gentleman talks about the possibility of war. Why, the war-making powers of the President are unlimited, if he wants to exercise them. The late President McKinley sent the *Maine* to Habana before the start of the Spanish-American War. The *Maine* was sunk there. He had a right to do it. There was need for him to do it. It was unfortunate the *Maine* was sunk, but he did his duty when he sent the *Maine* down there. Why, before the Mexican War was declared by the Congress there were two battles fought in Mexico by American troops that had been sent in there under Presidential order, all in accordance with constitutional powers of the President. Presidents have sent troops to Nicaragua, they have sent them to China, all under the constitutional power that they possess, and they have engaged in armed conflict. Any President has all the power he may ever want to bring about an incident that might lead to war, all under the Constitution. The fact is that President Roosevelt has never brought about such an incident. As a matter of fact, the Monroe Doctrine represents Presidential action. Congress never officially confirmed it as a Government policy until last year, and the Monroe Doctrine commits us to war in the event any foreign government invades any country in the Western Hemisphere—a definite commitment to war—and that was entered into by Executive action. The Monroe Doctrine was promulgated by President Monroe and he did it for the best interests of our country, criticized as he was at that time; and the first time it was officially adopted by the Congress of the United States as a policy of the United States through legislative action was last year. So the powers of the President are tremendous and it is about time we heard less of this war-mongering talk. The President can create an incident any time.

Mr. VORYS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Ohio.

Mr. VORYS of Ohio. To bring the gentleman's thought back to this amend-

ment, this House on May 23, 1940, adopted section 7 of what is now Public, No. 757, which provides:

No vessel, ship, or boat (except ships' boats) now in the United States Navy or being built or hereafter built therefor shall be disposed of by sale or otherwise, or be chartered or scrapped, except as now provided by law.

This was adopted in this House 401 to 1, and no one has had the temerity to offer a resolution to repeal that act specifically.

Mr. McCORMACK. Oh, the gentleman is still living in yesterday.

Mr. VORYS of Ohio. Is last May yesterday?

Mr. McCORMACK. In asking that question the gentleman overlooks the fact that since that happened there have been many things that have occurred in this world. The gentleman has overlooked the fact that countries have been vanquished. The gentleman overlooks the fact that hordes bent on destruction of religion and civilization are running rampant. The gentleman overlooks the fact that with defeat of Britain we are next on the list and the gentleman has the responsibility under his oath of office to preserve the Union, to preserve our shores and to preserve our people against attack. This amendment should be defeated. [Applause.]

Mr. VORYS of Ohio. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I am not going to take the 5 minutes. I simply want to point this out to the 401 who voted last May for section 7 in H. R. 10100, forbidding disposal of our Navy. Exactly the same provision is offered here by my colleague, the gentleman from New York [Mr. FISH]. Nearly everyone of us here voted at that time that we would not permit anybody to give away any part of the Navy or dispose of it unless Congress said so.

I also want to point out that our vote was not before all these things had happened. It was approved July 19, 1940, after France had fallen, after we knew what the present situation would be, and I want to point out that we have been almost constantly in session since then and no one has had the temerity to offer anything to this House other than we are not going to let the Navy, or any part of it, be disposed of without our consent.

I want to point out that on the destroyer deal the one criticism that was Nation-wide was that it was not submitted to the Congress. I also want to point out that our Secretary of the Navy has said that he would not dispose of the Navy, and our President has said he would not dispose of the Navy. We have all of us voted that we are not going to dispose of the Navy, and to refuse to write that determination which the Executive and the Congress have repeatedly affirmed, not long ago, but in recent days, is simply to say that our President and our executives do not mean what they say and that we did not know what we were doing when we adopted this national-defense policy that was going to leave disposition of the American Navy in the control of the Congress. [Applause.]



Mr. SHANLEY. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, I rise with some diffidence because this is probably the greatest question of constitutional law we are going to have in this session. I heartily agree with the purposes of the amendment. I wish it were possible for us to limit the President of the United States in the use of public vessels, but for the life of me, I submit, I know of no way to do it because I am confronted with certain decisions of the Supreme Court. I am not dogmatic about it. I think I have studied this question as much as anybody. I recall distinctly after the imbroglio over in the Senate when it was discovered that the mosquito fleet was being sold down the river, so to speak, Senator WALSH brought in an amendment and the amendment was in the same words and contained the same implications that the gentleman from New York [Mr. FISH] has in his amendment. For some reason I cannot find a reason for it, after some inquiry and study. Senator WALSH dropped that amendment, and Senator WALSH is just as belligerent as I and just as anxious as Mr. FISH and I to limit the power of the President. But he dropped it, and we must assume that he did so either because it is unconstitutional, or he thought so, or because he considered it unwise at that time. He then accepted this innocuous amendment, and it is innocuous, as I said, to expect a subordinate official of the President to certify that such and such a weapon is unnecessary to defense. I submit, and I say this as one who is going to follow the debates in the other body with a great deal of constitutional interest, looking at the Curtiss-Wright case, a serious situation confronts us. That case causes me some worry and concern. I have read it before, but listen to this paragraph:

When the President is to be authorized by legislation to act in respect of a matter intended to affect a situation in foreign territory, the legislator properly bears in mind the important consideration that the form of the President's action—or, indeed, whether he shall act at all—may well depend, among other things, upon the nature of the confidential information which he has or may thereafter receive, or upon the effect which his action may have upon our foreign relations.

In other words, when you permit him to project himself out into what the Supreme Court calls "that vast external realm" of foreign affairs, of which the Supreme Court also says the "problems are manifold, delicate, and important, as well as vast," you give him power and you cannot limit him. I have here what is probably the last word on the matter, and nobody has a better discussion on both sides, the American Journal of International Law of October 1940, by a man I follow almost implicitly in international law, Professor Borchard. For the life of me I cannot project myself into attempting to handicap or hamstring the President, and I think you all know that I am against this bill. I have not been convinced, and I do not pose as a constitutional lawyer, and it is with reluctance that I take the floor. Some Members of the majority asked me if I could not stir

up this discussion, and I have undertaken to stir it up. I cannot, as I say, for the life of me see at this time how we can put any shackles on the President of the United States, and I would put them there if I could, because I am against the philosophy of this bill. Perhaps I have not given you any information, but I just say that I cannot see it in my interpretation.

Mr. JENKINS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. SHANLEY. Yes.

Mr. JENKINS of Ohio. Mr. Chairman, I consider the gentleman from Connecticut one of the profound students of international law in the House. Am I to conclude that the gentleman takes the position that the President of the United States can, without restriction, sell a battleship at any time that he wants to do so?

Mr. SHANLEY. I say that, and I say it advisedly, because in the Eighth Senate Report, Foreign Relations Committee, which they got out, they said that in problems like this the President of the United States is responsible only to the Constitution, and that the only power we have over him is impeachment. If he dare do that, that is the power that we have, and the Supreme Court, in the Wright-Curtiss case, said they think that is the only shackle there is on the President, that is, his oath and the Constitution of the United States. I wish we had something else.

The CHAIRMAN. The time of the gentleman from Connecticut has expired.

Mr. CASE of South Dakota. Mr. Chairman, I rise in opposition to the pro forma amendment. I do not pose as a constitutional lawyer. I am not even a country lawyer. I am not going to argue this question on constitutional grounds.

I do not plead for neutrality. We abandoned neutrality when we revised the Neutrality Act. I opposed that repeal because, as I said at the time, our decision then would chart our course. It has. That was a step short of war, but an irrevocable step in that direction. It has led us to where we now are.

I do not even say that we are in a position, as a Congress, now to discuss the delegation of powers in the ordinary sense of that term. We face fundamental questions of self-defense which supersede ordinary law, which supersede international law, so-called. I agree that under his power as Commander in Chief of the Army and the Navy there are many things that the President, any President, can do that would project us into war, and probably he does have the power now that would put us in a situation where war would be inevitable; but, Mr. Chairman, I am unwilling by my vote or act to commission the President to engage in war anywhere in any part of the world with everything except men, and that is exactly what H. R. 1776 does as it now stands.

The amendment by the gentleman from New York [Mr. FISH] is designed to say to him that we are not in favor of commissioning the President to engage in war with the Navy. The amendment and this whole discussion illustrate the

futility of the so-called Dirksen amendment adopted yesterday. If you take such steps, such as this amendment seeks to prevent, and engage in war with everything except men, how will you ever recover a freedom of choice, a freedom of decision for this body by any concurrent resolution? Once transferred, how will you ever recover the Navy, or any part of it, by a concurrent resolution?

The section now under consideration would give a blanket approval for the President to transfer any defense vessel, weapon, article, or commodity on hand or on order and all that he may manufacture or procure to any belligerent. I am not afraid that he is going to give things away right and left, but I do not want to give any man the choice of peace or war.

My question is not the delegation of the power; it is the question of commissioning the President to take on the war. That is an impersonal issue, regardless of who is President. When you have given that commission to a man, how will you retrace your steps when he has acted? You cannot take a partnership in a war and quit when the going gets tough.

That is the fundamental issue in our decision on the bill as it stands; it is not a matter of legislative or partisan jealousy over presidential powers. It is the fundamental question of sitting in on this war. It is not a question of doing this or doing nothing for we can aid England on a strictly quid pro quo basis, with the transaction cleared at the time, with a covenant openly arrived at.

I remember the days when the Commander in Chief called upon the young men of this country to go to war. He was my Commander in Chief at that time. I followed him with the loyalty, with the spirit which accepted sincerely the pledges of a war to end war. I read his writings to this day.

When I hear men ridicule the idea of a negotiated peace, ridicule of any attempt to end the war, I wish they would read Wilson's peace without victory speech in which he said:

Only a peace between equals can last.

Last night for 3 hours I read the addresses of Woodrow Wilson. I hold in my hand the volume. I read those addresses where he reviewed the causes and situations leading up to the message in which he asked the Congress to declare war. I wish I had time to read more than I will, but here is the paragraph in which he told Congress what was involved in the decision he was asking the Congress to make. He said:

This will involve the utmost practicable cooperation in counsel and action with the governments now at war with Germany, and, as incident to that, the extension to those governments of the most liberal financial credits, in order that our resources may so far as possible be added to theirs. It will involve the organization and mobilization of all the material resources of the country to supply the materials of war and serve the incidental needs of the Nation in the most abundant and yet the most economical and efficient way possible. It will involve the immediate full equipment of the Navy in all respects, but particularly in supplying it with the best means of dealing with the enemy's submarines. It will involve the



immediate addition to the armed forces of the United States already provided for by law in case of war at least 500,000 men.

Five hundred thousand men—and we have already taken steps to place three times that many under arms. Then he said it would involve also the furnishing of credits to the Government. You can read word for word everything that he said would be involved in the declaration of war, and the only thing he said would be involved that is not proposed in "1776" as it now stands or under powers already existing was the equipping of the Navy especially for dealing with the enemy's submarines. And that was only because the record of the famous 14 points called for upholding the freedom of the seas, a position waived this time. So, in effect, now it is proposed to do all the war Congress was told was intended in the war message of 1917.

No men. Your memories are short if you do not recall that in 1917 we were not going to send any men. Then we would send 25,000 men as a token force to give morale. We finally sent 1,950,513 men; sent over 307,000 men in a single month, the President told the Congress in December 1918. And we had 2,000,000 more in training.

The gentleman from Georgia [Mr. Cox], I understood, has said he thought this resolution, 1776, should be considered as a war resolution. And so it should. If we pass this bill as it now is, we will be taking a step from which there can be no retreat, after which there will be no free choice. Let no man console himself, if he votes to pass this resolution without additional amendments, that there is a saving provision in it that we can recall these powers by some concurrent resolution. You may recall the powers, but you can never recall the commission given or the steps taken under it.

Last night I read again the address of Woodrow Wilson when he spoke on Memorial Day at an American cemetery in France—how he had sent these men to die, how they had sealed their compact with their lives, and how he now felt himself bound under bonds of eternal fidelity to the promises made to them that there should never be a war like this again. I ask each of you today, as you vote upon this resolution, to recall the vows you have made to yourselves and to your people—the promises given when you placed yourselves under bonds of eternal fidelity. [Applause.]

[Here the gavel fell.]

Mr. RICHARDS. Mr. Chairman, I move to strike out the last four words.

Mr. Chairman, in view of the statement just made by the distinguished member of the committee, the gentleman from Connecticut [Mr. SHANLEY], whom I consider to be one of the best constitutional lawyers in this House, I want to make a few observations in connection with the apparent similarity of his position and the position taken by those on the other side of the aisle. Some people may not understand that. I want to say in justice to the gentleman from Connecticut [Mr. SHANLEY] that I can readily understand and appreciate his position. I cannot appreciate the position that the gentlemen on the other side of the aisle take.

As an illustration, the gentleman from Connecticut is against this bill on the ground that it is an unneutral act. He is sincere in his belief. He is a great student of international law. But my friends on the left side of the aisle do not make any such contention. They do not say it is an unneutral act, because even the distinguished gentleman from New York [Mr. FISH] says he is willing to give to Great Britain \$2,000,000,000. The objection he has to the act is that it places discretionary power in the hands of the President.

My opinion of the amendment just offered is this: I think it is a gratuitous insult to the President of the United States. Are we going to sit here this afternoon and vote for that amendment when Thomas Jefferson, George Washington, Morris, and our forefathers, who sat down to perfect that memorable document called the Constitution of the United States, gave the President of the United States the authority in the Constitution itself to send any ship of the American Navy anywhere at any time?

Mr. ENGEL. Mr. Chairman, will the gentleman yield?

Mr. RICHARDS. In just a moment I will yield.

Now, if the President is going to betray the American people, he can get rid of our ships without trading or leasing them or anything else. He can order them to any British port tomorrow, and the British can take them over, if he is going to betray the American people. But so far he has not betrayed the American people. The gentlemen on the left side of the aisle may not believe in the present President of the United States, but he is the President of the United States under the Constitution of the United States, and you cannot rob him of the powers that were given him as the President of the United States, whether you like Franklin D. Roosevelt or not.

Mr. ENGEL. Mr. Chairman, will the gentleman yield now?

Mr. RICHARDS. In just a moment.

They say he cannot dispose even of a mosquito boat, yet the Constitution of the United States says he has absolute control of every boat in the Navy. That is just absolutely ridiculous.

Mr. ENGEL. Mr. Chairman, will the gentleman yield?

Mr. RICHARDS. In just a moment.

The gentleman from Ohio [Mr. VOYSE] talked about some restriction placed in some bill along the line of this amendment about a year ago. There have been many different votes to come up in this House in the past. I have not always understood how and why Democrats and Republicans have taken such and such a position. One of the contradictory positions I do not understand now is why the Republicans, 95 percent of them, say that today they are in favor of aid to Great Britain and the other democracies; but about a year ago, when it was sought to repeal the arms embargo in order that aid might be given to those democracies, they voted against that very thing 140 to 19, and they cannot deny it. So now when you are talking about con-

sistency it ill behooves these gentlemen to come here and talk about some question that has been decided already.

It boils down to this: If you want to insult the President of the United States by insinuating that he is going to try to dispose of any important part of the American Navy to Great Britain or any other country, then write it into the bill, because it does not mean anything except that it is an insult to the President of the United States.

Mr. ENGEL. Mr. Chairman, will the gentleman yield?

Mr. RICHARDS. I yield.

[Here the gavel fell.]

Mr. JENKINS of Ohio. Mr. Chairman, I move to strike out the last five words.

Mr. Chairman, I should like to have the attention of the House, because I think we are now considering a very important matter. It is not a matter of whether we want to insult the President of the United States; I am sure I do not want to do so. It is of much more importance. It is a matter of the rights of the people as against the claims that the President can do as he pleases with our Navy. Let us go back to the speech of the gentleman from Connecticut [Mr. SHANLEY]. The gentleman from Connecticut is a learned man and has given much thought to this bill. In answer to an interrogatory propounded by me a few minutes ago, he said, in effect, that it was his opinion that under the Constitution the President of the United States might give away the United States Navy. There are good lawyers who believe that, yet are not in favor of it. I do not think that under the Constitution, nor under the law, nor in good conscience the President has any right to give away the United States Navy.

Upon what ground does the gentleman from Connecticut base that viewpoint? He bases that viewpoint upon that provision of the Constitution which provides that the President is the Commander in Chief of the Army and the Navy. Here is the exact language:

The President shall be the Commander in Chief of the Army and Navy.

In another section the Constitution provides as follows:

The Congress shall have power to raise and support armies.

Again it says:

The Congress shall have power to provide and maintain a navy.

And again it says:

The Congress shall have power to make rules for the government and regulation of the land and naval forces.

Mr. Chairman, I should like to ask my colleagues this one question: Does the Constitution transcend the power and the rights of the people? No; the rights of the people come first. The people are the creators of the Constitution. It was adopted presumably by them and for them. The people made the Constitution, and the Constitution has no more power and effect than the people intended it should have. The people never intended that the President of the United States should have power to give away the Navy. You know that you do not intend that he shall have this power.



They intended he should have power to be the Commander in Chief of the Navy. He is and was never intended to be anything but the servant of the people, with the right to direct the activities of the Navy under laws that the people might make. He can do what a commander in chief would reasonably be expected to do. To command does not mean to sell or to give away. I employ a general manager. He can manage, but he cannot sell or give away my business. It is not sensible to conclude that the President can give away the Navy under such an interpretation of the Constitution.

Another provision of the Constitution, however, states that we, the Congress of the United States, can provide rules for the regulation of the Navy. What do we mean by regulation? Would it not be wiser, safer, and more fair and sincere to say that because of this provision of the Constitution we have the right and power to control the movement of every naval vessel? If Congress can control and regulate the Navy, can we not today amend this bill to provide that naval vessels shall not be given away under this bill and that naval vessels shall not be engaged in convoying or transporting the munitions to be provided under this law? We are not trying to insult the President of the United States. We are simply regulating the Navy, as we have a right to do. I do not believe that the President will sell the Navy; I do not believe he will give it away, but that is not the proposition. The proposition now before us is whether the President has without any law the power to give away a battleship, if he chooses to do so. He does not have that right today; but if you pass this bill you will be telling the President that he has the power to give away a battleship, and he may try to do so. Have we not that right under this provision of the Constitution, the language of which I read, to manage and control and regulate the Navy, to say what shall be done? Is not that more transcendent, is that not more efficacious, is that not more sensible and reasonable than to say that the President can give away the Navy?

As I view it, it ought not to be difficult to interpret the powers of the President as Commander in Chief of the Navy under the Constitution. What can he do in the exercise of that power? He can do only those things that are reasonably necessary for him to do to make the Navy effective as a navy. He can legally send a battleship anywhere it may be necessary to preserve and protect the rights of the people. He cannot legally send a battleship any place and on any duty that is not reasonably within the duties of the Navy. I will admit that he can do almost as he pleases with the Navy if he wishes to usurp power and to disregard the rights of the people, and that just because there is no court procedure to prevent him except impeachment. This is as the gentleman from Connecticut said a few minutes ago. Impeachment is the only remedy by which we can stop him. We should, however, pass legislation defining clearly what we want done, and I am sure that even this President will follow it.

At the expense of repetition, again I say he can send our battleships rightfully any place where anybody is doing anything that infringes upon the rights of the people; but where he cannot send them rightfully he should not send them.

Mr. SHANLEY. Mr. Chairman, will the gentleman yield?

Mr. JENKINS of Ohio. I yield.

Mr. SHANLEY. I know how the gentleman is worried about this problem, just as much as I am, and I have a high regard for his ability. I call the gentleman's attention to the fact, however, that the President in addition to being Commander in Chief of our armed forces is also the eyes and ears of America in her foreign relations. When we tie him up inextricably as we do in this legislation if all these amendments are adopted, we handicap him and hinder him in the other part of his dual relationship—it is more correctly a multilateral relationship. We cannot divorce our thoughts from the position we would put him in those multilateral relationships, because we, the people, have projected him into those relationships. We cannot hamper him. I think the gentleman and I are arguing on different forks of the same road.

Mr. JENKINS of Ohio. I appreciate fully what the gentleman says. Here is my answer to the gentleman. When the President is acting as Commander in Chief of the Navy we have a right to expect that he will act as he is supposed to act. He should do with the Navy what is reasonable. Have the people built up a navy for him to give away? No. That is not reasonable, and he should not do it. The Constitution says that the Congress shall lay down rules for the government and regulation of the naval forces. He can use the Navy to protect the interests of the people. That is all he can do. As the Commander in Chief of the Navy that is all he should want to do.

Mr. SHANLEY. I agree with the gentleman heartily, but he is talking about naval powers that are derivative. In talking about Presidential powers, however, we must remember that when we tie him up to foreign relations we find the relationships multilateral. That is my point.

Mr. JENKINS of Ohio. I am not at all concerned about the powers of the President to act for the United States in matters with foreign countries. That is a matter entirely apart. It has no place in this discussion. The question here is, Does the President by virtue of the fact that the Constitution makes him the Commander in Chief of the Navy, give him power to give away a battleship, and is this power so strong that Congress cannot prevent it? Again I say, the President does not have the power to give away a battleship just because the Constitution makes him Commander in Chief of the Navy. All the power he has by virtue of this designation is to do what is reasonably intended for a Commander in Chief to do to make the Navy effective. He may abuse that power, and because he is a part of sovereignty it would be difficult to control his actions by legis-

lation. But if he abuses those powers, then he is a violator of the rights of the people and of his oath and is amenable to impeachment. While Congress for the above reasons may not effectively prevent a President from giving away the Navy, it can, under its constitutional powers to make regulations for the Navy, set out what the President can do and cannot do; and then if he violates those regulations, it can do nothing but impeach. Therefore there is no reason why we should not provide in this bill specific instructions to the President that he must not give away a battleship and that he must not order a battleship to participate in transporting the materials provided in this bill. Congress has already provided that no American ships shall go into certain war zones. That applies to battleships. The President should not want to sell or give away our Navy. This bill seeks to give him that authority. It is not right, and the bill should be defeated. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The gentleman from Michigan [Mr. WOODRUFF] is recognized for 5 minutes.

Mr. WOODRUFF of Michigan. Mr. Chairman, I might remind the Members of the Committee that the Fish amendment proposes that none of our naval vessels shall be disposed of. May I remind you also it was not so long ago that 50 of our Navy destroyers were disposed of by the President, so it is idle to argue he would not repeat such action if it pleased him to do so. May I say further that no man, whether he be the Chief of Staff of the Army or Chief of Operations of the Navy, would dare state unequivocally that Britain is going to win this war whether or not we do everything we can for her short of war, or even though we go further than that.

Those who argue against this amendment and for the bill before us argue that the British Navy is our first line of defense. In the event that Great Britain loses, I wonder how many members of the committee will then argue that the British Navy would be our first line of defense? [Applause.] Our first line of defense would then be our own Navy, would it not?

Mr. Chairman, I look with great apprehension upon the disposal of those 50 destroyers. I look with still greater apprehension upon our disposing of more of our naval vessels, because as they are disposed of the critical condition of our national defense increases in the exact proportion. Some of that apprehension comes from information I have relative to the tragic condition of the equipment of our Army.

I ask the Members of the Committee interested in this particular phase of the subject to turn to page 627 of Wednesday's RECORD. On that page you will find a table of the modern equipment of our Army as of May 1, 1940. I inserted that table in the RECORD in connection with my remarks. This table is taken from the hearings before the Senate Subcommittee on Appropriations for the Army and was on May 17, 1940, offered by General Marshall, Chief of Staff.

Look at the first item in that table. It discloses that the American Army, on



that date, had only 448 anti-aircraft guns of 3-inch caliber. Of the 90-millimeter anti-aircraft guns, they had gone. Not enough of these weapons to properly defend the cities of New York and Philadelphia.

Mr. STEFAN. Will the gentleman yield?

Mr. WOODRUFF of Michigan. I prefer not to yield at this time.

Mr. STEFAN. I want to say something about what General Marshall said regarding the amount of stores we have on hand.

Mr. WOODRUFF of Michigan. I will get to that later. I am not going to cover all of the items in this table because they are available to the membership of this committee, but I ask you to check them, so that you may say "see how pitifully small was and is today the modern equipment of our Army." I call attention to these things at this time for the reason that it may eventuate that our Navy becomes our first line of defense, and in the event that that has been disposed of in any degree it certainly jeopardizes the future safety of this country. Our Army today is practically without modern equipment. It is impossible to put one division in the field completely equipped with the most modern mechanized equipment.

[Here the gavel fell.]

Mr. WOODRUFF of Michigan. Mr. Chairman, I ask unanimous consent to proceed for 3 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan [Mr. WOODRUFF]?

There was no objection.

Mr. WOODRUFF of Michigan. Mr. Chairman, I will ask the Members to turn to the tables on pages 62 and 63, which it will be noted are taken from the November issue of the Department of Commerce Summary of Our Foreign Trade.

Everyone here recognizes, of course, the value of scrap iron and scrap steel. They will remember the protests that have been registered against its export. It will amaze the membership of the committee to know that in November we exported 73,809 tons of this metal, much of it going to Japan and Russia. For the first 11 months of 1940 we exported 2,725,583 tons of this product. We exported \$23,000,000 worth of aluminum during that time. We exported 829,000,000 pounds of copper, and last week you probably noticed from the newspapers that we released from our reserve supplies an additional 2,000 tons for the use of our domestic industries, largely because of the exports I mention.

One of the great bottlenecks in our armament program is the lack of proper machines and machine tooling. I find at the top of page 663 that during the first 11 months of 1940 we exported \$270,788,776 worth of this equipment, and all of this has been exported notwithstanding the desperate condition we find ourselves in in this country on account of lack of that particular thing.

I find also that we have sent abroad during those 11 months 92,585 pistols, 932,639 rifles, and 29,546 shotguns. Of especial significance is the item of 143,059 machine guns and heavy ordnance

and carriages, and of 1-pound explosive shells we exported 29,485,632 in the first 11 months of 1940. Now, does anybody believe that those shells and those rifles, and machine guns and heavy ordnance guns and that other equipment itemized in the tables were manufactured in this country during that period? Of course, they were not.

As a matter of fact, Mr. Chairman, we have stripped our armed forces of practically all our up-to-date equipment. It is common knowledge that today we have in our air services few, if any, up-to-the-minute fighting or bombing machines completely equipped and properly armed to take their place on the front lines in Europe. We are forwarding to Great Britain, properly equipped and armed, our airships as rapidly as they are produced, and we have on hand 200 less than we had some months ago. We have exported materials, machines, and equipment that we desperately need for our own production.

Mr. Chairman, this administration is carrying all our eggs in one basket. In view of what may possibly happen in Europe, I say we are gambling with the future safety of this Nation when we close our eyes to the needs of our own defense, as we have been doing at least since January 1940.

It is no wonder that General Marshall said:

Stores? We have no stores. It will be a happy day when we can speak of stores of Army equipment.

[Applause.]

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Illinois [Mr. DIRKSEN].

Mr. MARCANTONIO. Will the gentleman yield?

Mr. DIRKSEN. I yield to the gentleman from New York.

Mr. MARCANTONIO. The contention which has been made against the amendment is that the President has the power conferred on him by that section of the Constitution which makes him Commander of the armed forces. It seems to me that there is a distinction between "command" and "transfer"; and certainly the power to command, or rather the constitutional right to command, does not confer the power to transfer possession.

Mr. DIRKSEN. I recognize the force of the gentleman's observation.

Mr. Chairman, I never quite expected to hear the amazing and rather whimsical contentions that have been made here this afternoon, and I am moved into a rather deep and intense curiosity whether the American Navy belongs to the American people or to the President of the United States. If it belongs to the American people, the duly empowered representatives of the American people can deal with it, in spite of the implications that are expected to be here read into the Constitution of the United States this afternoon.

The President recognizes the force of that fact. On the 18th of June 1940 the Assistant Secretary of the Navy undertook to give away 20 uncompleted motor torpedo boats. Six days later the Presi-

dent rescinded that action. The reason he rescinded it was that, as he said, it could not be done, according to the Attorney General, under the Act of 1917. There was some fine-spun and rather twisted logic about the state of incompleteness that made it impossible to give them away.

I say to you, if there is any force to your argument this afternoon that the President can dispose of these vessels, he can dispose of an uncompleted vessel as well as a completed vessel. If there is any force to your argument he can sell a vessel to a belligerent as well as to a neutral power. Do you mean to say to us that that sort of power inures in the President because he is the Commander in Chief with authority to employ and to dispose of the Navy if the Congress, which has authority over the purse, says nay? Do not come to us with that kind of tenuous logic, because, in common sense, there can be no force in it.

You say to us that this proposal to prohibit the sale of our Navy is advanced because we do not trust the President. You are the people who put some limitations on trust. If we frankly express a desire for caution you come along and say, "We trust the President, but we trust him only for 2 years." That is the limitation the committee wrote in the bill. We ask for caution, and you say, "We trust the President so long as he makes a report every 90 days." You say, "We trust the President in the amendments which the majority wrote into this bill before it came on the floor."

You trust him provided he consults with the Chief of Staff and the Chief of Naval Operations. Then do not say to us that we distrust him. We are simply expressing caution this afternoon, but you are putting a limitation on your trust. You say, "For 730 days we will trust him, but beyond that, well, we may have to take back the power." I say to you this afternoon, if there is anything in the sovereignty of the people in this country, then we, speaking as their representatives, have a right to interdict the sale of the American Navy.

Mr. FISH. Mr. Chairman, will the gentleman yield right there to stress what the gentleman says about belligerent nations? That is the point.

Mr. DIRKSEN. That is right.

I am frankly disturbed this afternoon. It begins to look to me now as if the whole picture and the whole pattern is taking form. As the majority leader himself resists this amendment this afternoon, must we now believe that the administration is marching down the road that will lead into Armageddon, that will lead into blood and disaster and bankruptcy, and that will ultimately involve the disposition of the American Navy if one man determines that it should be sold or leased or loaned?

You say to us he will not exercise that power, and that he will not give the Navy away. The President made a remark to the effect that it was like talking about jumping over the moon when the effect of some of these powers were pointed out, yet could the Assistant Secretary of the Navy have undertaken to give Great Britain in June of 1940 the



only 20 motor torpedo boats we had, then incomplete, if the Commander in Chief had not expressed approval?

Gentlemen, this amendment should be adopted today. [Applause.]

[Here the gavel fell.]

Mr. LUTHER A. JOHNSON. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, let us consider what the amendment is and let us apply it to the conditions as they exist, and we can then, I believe, discover why the amendment was offered and what its purpose is. The amendment reads:

*Provided, That no vessels of the United States Navy shall be disposed of to any belligerent nation without the consent of Congress.*

I call your attention to the broad, sweeping language, "no vessel of the United States." This applies not only to obsolete vessels, it applies also to the smallest skiff that may be in the United States Navy.

This amendment would repeal existing law that the President has the authority to transfer vessels that are obsolete and that are not used and that are unnecessary in our own defense when certified so to be by the Chief of Naval Operations.

Mr. FISH. Mr. Chairman, will the gentleman yield?

Mr. LUTHER A. JOHNSON. Not now.

Mr. FISH. To a belligerent nation.

Mr. LUTHER A. JOHNSON. I understand, to belligerent nations. The present law states that the President may transfer to belligerent and nonbelligerent nations vessels that are obsolete. If the amendment which the gentleman now seeks to write into this bill had been the law, the 50 destroyers the President of the United States transferred for those air and naval bases, a transfer which all experts agree was one of the most wonderful and advantageous trades ever made in behalf of our Government at this time, could not have been made.

This amendment would tie the hands of the President and its purpose is to tie the hands of the President. Its purpose is not only to tie his hands but to forbid him to act, it is to embarrass and reflect on the President, to cast aspersions on him and to create doubt as to his fidelity to the United States. Beyond that, it is to cripple the President and to cripple the United States in the giving of the aid we are trying to give to England at this time.

They say they are for aid to England. My distinguished friend from New York in every speech he has made has said, "I am for aid to England," but as the majority leader so well said, every time he makes that statement he closes with the word "but." "I am for aid to England, but." "I am for \$2,000,000,000, but I am not for this." "But I am not for transferring any of these destroyers or vessels of the United States Navy." "But I doubt the sincerity of the President of the United States." "But I believe he is liable to give our Navy away."

I believe if it is time to legislate on this question it is time to cut out the "buts" and get down to the legislation itself. [Applause.]

This amendment seeks to emasculate the bill and it seeks to embarrass the President of the United States. I challenge anyone to take the testimony of Admiral Stark and the other naval officials who appeared before our committee, when they were asked with reference to the necessity of such an amendment, and they refuted it as unnecessary and useless. The Navy is the apple of the eye of the President, as declared by Secretary of the Navy Knox, and he would not give it away or jeopardize our defense in so doing, and everyone who knows the President knows this to be true.

I am not going to detain you longer. If you want to embarrass the President, if you want to tie the hands of the President, if you want to handicap aid to England, if you want to write an unconstitutional act, as was pointed out by the gentleman from Connecticut [Mr. SHANLEY], then vote for this amendment. If you do not, vote it down. [Applause.]

[Here the gavel fell.]

Mr. BLOOM. Mr. Chairman, I move that all debate on this amendment and all amendments thereto do now close.

The question was taken; and on a division (demanded by Mr. REED of New York) there were—ayes 153, noes 103.

So the motion was agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. FISH].

The question was taken; and on a division (demanded by Mr. FISH) there were—ayes 97, noes 161.

Mr. FISH. Mr. Chairman, I demand tellers.

Tellers were ordered and the Chair appointed as tellers Mr. LUTHER A. JOHNSON and Mr. FISH.

The Committee again divided, and the tellers reported that there were—ayes 123, noes 183.

So the amendment was rejected.

Mr. HOPE. Mr. Chairman, I offer an amendment which I have sent to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. HOPE: Page 3, line 20, after the word "property", strike out the comma, insert a semicolon, and add the following: "trade concessions and preferences including agreements to resume and continue normal imports of agricultural products from the United States."

Mr. BLOOM. Mr. Chairman, I make the point of order against the amendment that it is not germane to the section or to the bill.

The CHAIRMAN. Does the gentleman from Kansas desire to be heard on the point of order?

Mr. HOPE. Mr. Chairman, I hardly think it is necessary to point out that this amendment—

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. HOPE. Yes.

Mr. McCORMACK. Mr. Chairman, I ask unanimous consent that the amendment may be again reported.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The Clerk again read the amendment.

Mr. BLOOM. Mr. Chairman, I withdraw the point of order.

Mr. HOPE. Mr. Chairman, on Wednesday of this week, in the course of general debate on this bill, the gentleman from Missouri [Mr. CANNON] called the attention of the Committee to the plight of agriculture at this time and pointed out specifically that while other industries were prospering as a result of the defense program, agriculture is losing out in many respects. One of the reasons that agriculture is in the critical situation it is today is because our export markets for agricultural products have almost disappeared. These markets have been lost in some cases because of the blockade of continental Europe. However, I call the attention of the Committee to the fact that our exports to the United Kingdom since this war began have steadily declined, and this decline is going on at an accelerated rate at the present time.

I want to bring to your attention the fact that our normal or average exports to the United Kingdom over the period of 10 years previous to 1939 amounted to \$264,000,000 per year. During the first year of the war these exports dropped to \$207,000,000, but that does not tell the story. They dropped progressively; in the first quarter they were \$70,000,000, the second quarter \$75,000,000, the third quarter \$35,500,000, and the fourth quarter they amounted to \$27,000,000, and in the quarter since last September they have amounted to only \$21,000,000, or at the rate of \$84,000,000 per year. Now, England has not been starving during this time. England has been consuming tobacco and wheat and cotton and beef and fresh fruits and vegetables and other products that she formerly imported from this country, but she is getting them now from other countries. She is getting tobacco from Turkey. She is getting her meats from the Argentine, her wheat from Canada, her apples from Canada, and our trade had been steadily and consistently declining. As you all know, Britain gives the countries in the Empire a preference in the case of a great many agricultural products. We are undertaking in this legislation to underwrite and finance a large part of the cost of this war. If that is the case, is it asking too much to put in this bill a permissive amendment—and it is purely permissive—which authorizes the President of the United States to make agreements or secure concessions or preferences from the British Empire which would put our products on the same basis as the component parts of the British Empire with respect to their products?

Mr. EBERHARTER. Mr. Chairman, will the gentleman yield?

Mr. HOPE. Is it asking too much for us to give the President permissive authority in this bill to secure from Great Britain, if possible, an agreement to continue to receive the normal exports that she has been getting from this country during recent years? This is all the amendment does.

Now, it may be contended that the amendment is not necessary, and possibly this is what the gentleman from Pennsylvania [Mr. EBERHARTER] has in mind. I think, as the gentleman from California [Mr. COSTELLO] said earlier in



the afternoon, this bill is broad enough that probably this authority does exist, but I think, in view of the conditions that exist at this time, we can well be specific in pointing out to the President and to Great Britain, if you please, that one way we can be compensated for the contribution we are making is to receive trade concessions and a resumption of the market that our agricultural products formerly had in Great Britain.

[Here the gavel fell.]

Mr. HOPE. Mr. Chairman, I ask unanimous consent to proceed for 1 additional minute.

The CHAIRMAN. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. HOPE. This is all the amendment does, and I appeal to the friends of agriculture on both sides of the aisle to do that which it is possible to do for agriculture by supporting this amendment.

Mr. COFFEE of Nebraska. Mr. Chairman, will the gentleman yield?

Mr. HOPE. I yield to the gentleman from Nebraska.

Mr. COFFEE of Nebraska. Is it not the gentleman's amendment that Chester Davis, a member of the Federal Reserve Board and former Administrator of the A. A. A., has advocated in connection with this measure?

Mr. HOPE. I understand he has made a speech recently in St. Louis in which he suggested something of this kind.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. HOPE. I yield.

Mr. McCORMACK. Is the gentleman going to vote in favor of the passage of this bill?

Mr. HOPE. I have made my position clear on this bill in a statement which I made when the bill was under discussion. I cannot vote for the bill in its present form. I might vote for it if certain amendments were adopted.

Mr. McCORMACK. Would the gentleman vote for the bill if the amendment is adopted?

Mr. HOPE. No; this amendment will not change my fundamental position on the bill.

Mr. CARLSON. If the amendment is adopted, Great Britain would be only required to take the normal exports; and if it was necessary for Great Britain to take more than that, we will be able to supply it.

Mr. HOPE. The normal exports would be the minimum exports, of course.

The CHAIRMAN. The time of the gentleman from Kansas has again expired.

Mr. KEE. Mr. Chairman, the section of the bill affected by the gentleman's amendment is that section stating the consideration the President may receive for the materials that we furnish to the belligerent governments. It reads as follows:

The terms and conditions upon which any such foreign government receives any aid authorized under subsection (a) shall be those which the President deems satisfactory, and the benefit to the United States may be payment or repayment in kind or property, or any other direct or indirect benefit which the President deems satisfactory.

I submit that that last sentence covers any possible or imaginable consideration that the President can receive for what he gives, lends, or provides of the materials named in the bill. The amendment does not mean anything. It simply adds one additional consideration and we could go ahead and continue to amend the bill and name a hundred or half a hundred other considerations; but the last section of the bill says that the President can receive in consideration any direct or indirect benefit which the President deems satisfactory. The gentleman who offers the amendment admits himself that the words I have read cover the proposition and that his amendment is unnecessary. He further admits that he will not vote for the bill even though his amendment is agreed to. I submit that the amendment should be rejected.

Mr. CARLSON rose.

Mr. BLOOM. Mr. Chairman, I move that all debate upon this amendment and all amendments thereto close in 5 minutes.

The motion was agreed to.

Mr. CARLSON. Mr. Chairman, I rise in support of the amendment offered by the gentleman from Kansas [Mr. HOPE].

We are advised by the chairman of the Foreign Affairs Committee that they interpret the language of the bill as written to include agricultural products, although they are not specifically named. The pending amendment insures consideration of agricultural products. American farmers are directly interested in the effect of this bill on their economy. Great Britain is the only remaining European country that we can look to for an outlet for cotton, wheat, and other farm products. We should make provision in this bill to provide that the United Kingdom be required to take the normal proportion of agricultural products. During the past few months our farm exports to Great Britain have dwindled to about one-twentieth of normal. Up until 2 years ago she was buying from one-eighth to one-tenth of her agricultural imports from the United States. No one can criticize England for this. She was spending her own money and credit. It was only natural that she should buy wheat in Canada, cotton in Egypt, and beef in the Argentine. Under the proposed bill it will not be England's money that is spent. It will be our money that she is spending, our taxpayers' money. Enormous quantities of cotton, wheat, and other farm products must be bought by England. If we are to furnish them the cash, let us insist that American cotton and other farm crops be given the same status as manufactured goods.

The loss of world markets for farm products is going to force drastic internal adjustments and therefore every protection possible should be given the farmer at this time. During the past few months Congress has enacted legislation which guarantees industrial protection against any possible loss in defense construction. It has written provisions in every contract for the protection of labor and insuring the payment of the highest wages under most favorable conditions. It is now time that the farmer be as-

sured of parity prices. The following table gives the parity prices for farm products and their average farm price in December 1940:

#### Parity prices of farm products

[Estimates of average prices received by farmers at local farm markets based on reports to the Agricultural Marketing Service. Average of reports covering the United States weighted according to relative importance of district and States]

Product	5-year average, August 1909-July 1914	December 1940	Parity price, December 1940
Cotton, pound.....cents..	12.4	9.33	15.87
Corn, bushel.....do....	64.2	54.5	82.2
Wheat, bushel.....do....	88.4	71.5	113.2
Hay, ton.....dollars..	11.87	7.53	15.19
Potatoes, bushel.....cents..	69.7	54.9	386.5
Oats, bushel.....do....	39.9	32.3	51.1
Soybeans, bushels 2.....dollars..	( <sup>3</sup> )	.81	1.73
Peanuts, pound.....cents..	4.8	3.22	6.1
Rice, bushel.....do....	81.3	76.3	104.1
Tobacco:			
Flue-cured, types 11-14, pound.....cents..	22.9	12.1	122.4
Burley, type 31, pound.....cents..	22.2	17.3	121.8
Apples, bushel.....dollars..	.96	.86	1.23
Beef cattle, hundredweight.....dollars..	5.21	7.56	6.67
Hogs, hundredweight.....do....	7.22	5.59	9.24
Chickens, pound.....cents..	11.4	13.0	14.6
Eggs, dozen.....do....	21.5	26.8	437.0
Butterfat, pound.....do....	26.3	34.8	36.8
Wool, pound.....cents..	18.3	31.2	23.4
Veal calves, hundredweight.....dollars..	6.75	9.01	8.64
Lamb, hundredweight.....do....	5.87	7.88	7.51
Horses, each.....do....	136.60	69.10	174.80

<sup>1</sup> Post-war base.

<sup>2</sup> Soybeans for seed.

<sup>3</sup> Prices not available.

<sup>4</sup> Adjusted for seasonality.

Mr. Chester Davis, agriculture's representative on the National Defense Advisory Commission, speaking before the twenty-fifth anniversary meeting of the Illinois Agricultural Association on January 31, 1941, stated in part:

Provision should be made, either as a part of the pending lend-lease bill or by negotiations accompanying it, whereby the United Kingdom will take from the United States the normal proportion of agricultural commodities which she must import. That England has not done so in recent months is understandable in view of the pressure on the dollar exchange available as means of payment in this country, but pending legislation should relieve that. I would like to see provision made that will give American cotton and food the same status under the proposed plan as manufactured goods, and I don't see how it can possibly be to England's disadvantage, under the new arrangement, to insist that she buy from the United States in approximately the relative proportion she did before this war started. Up to 2 years ago the United Kingdom bought from an eighth to a tenth of her agricultural imports from this country. By the end of 1940 our British farm exports had dwindled to about one-twentieth. I am afraid that if this continues it will be increasingly hard to get those markets back.

No matter what the outcome of this struggle may be, it will be a long time, if ever, before uncontrolled world trade among individuals is possible. Nations will be compelled to direct and control international trade in the interest of their own economies. When that time comes farmers must insist that the Government of the United States recognize the peculiar conditions of their industry. Some forms of exports are infinitely more important, dollar for dollar, than others. Years ago I said that under conditions where



dollar exchange to pay for exports from the United States is limited sound national policy made it more profitable for us as a nation to export cotton than automobiles. I mentioned automobiles merely as an illustration, and some of the manufacturers took sharp exception to it. I repeat that assertion now. The revived purchasing power throughout the South that would follow restored export outlets would mean an infinitely wider market for the automobile manufacturers right here at home than they would lose abroad if their exports were restricted in favor of cotton. That condition needs thinking about and acting upon, and right now is not too soon to start it.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. CARLSON. Yes.

Mr. McCORMACK. Mr. Chairman, I am sympathetic to the gentleman's viewpoint, and I think my votes have shown that, but I call attention of those who come from agricultural districts that the amendment proposed would limit the power of the President to help agriculture. The amendment provides:

Trade concessions and preferences, including agreements to resume and continue normal imports of agricultural products from the United States.

That might well be considered as a direction by the Congress to limit his activities to that language, whereas under the bill, as the gentleman from West Virginia has pointed out, the President may receive payment or repayment in kind or property or any other direct or indirect benefit which the President deems satisfactory.

Mr. CARLSON. And I say to the gentleman from Massachusetts that we will be satisfied if we get the normal exports to Great Britain and those countries. I want the gentleman to realize that during the past year we have received only one-twentieth of the amount that we usually receive.

Mr. McCORMACK. And I want the gentleman's interests to get more than normal if I can, but he would confine it.

Mr. HOPE. Mr. Chairman, will the gentleman yield to me to submit a suggestion to the gentleman from Massachusetts?

Mr. CARLSON. Yes.

Mr. HOPE. The gentleman from Massachusetts does not mean to say surely that there is any limitation in the term "trade concessions and preferences"? That is as broad as it could possibly be, and the additional language includes those.

Mr. McCORMACK. The gentleman uses the language "normal imports" which is a limitation on the powers the President has in the bill, and if we adopt this amendment, that might well be construed as an expression of the intent of Congress to limit the broader powers the President has. I understand the intent in offering the amendment, but I believe it would be adverse to the best interest of the farmers rather than beneficial.

Mr. HOPE. Does the gentleman think there is any possible chance of our getting more than normal exports to Great Britain of agricultural products?

Mr. McCORMACK. I do not know; but I do not want to have an expression of Congress that the President, in carry-

ing out the provisions of this bill, may be confined to normal if he can get more than normal.

Mr. HOPE. I will say that I am perfectly satisfied that the gentleman has placed the wrong interpretation on the bill, and the term "trade concessions and preferences" is just as broad as the language can be possibly made.

Mr. CARLSON. I trust the gentleman from Massachusetts and all others interested in agriculture will aid us to get normal exports, and we will be very happy to have more than normal.

Mr. MICHENER. Will the gentleman yield?

Mr. CARLSON. I yield.

Mr. MICHENER. As I understand the situation, it is this: The President has unlimited authority under the bill as drawn to do as he sees fit. The gentleman's amendment will assure something to the farmers.

Mr. CARLSON. As I have said, I feel positive that the farmers of this Nation will be very happy to get normal exports.

Mr. GORE. Will the gentleman yield right there?

Mr. CARLSON. I yield.

Mr. GORE. The language of the amendment does not assure the farmers anything. It adds nothing to the bill. The language in the bill is as broad as it could possibly be made.

Mr. CARLSON. We trust it is broad enough to get exports.

Mr. MICHENER. But it gives the President all the discretion and eliminates Congress.

The CHAIRMAN. The time of the gentleman from Kansas has expired.

The question is on the amendment offered by the gentleman from Kansas [Mr. HOPE].

The question was taken; and on a division (demanded by Mr. HOPE) there were ayes 78 and noes 118.

Mr. HOPE. Mr. Chairman, I ask for tellers.

Tellers were ordered, and the Chair appointed Mr. HOPE and Mr. ARNOLD to act as tellers.

The Committee again divided; and the tellers reported there were—ayes 106, noes 158.

So the amendment was rejected.

Mr. COOLEY. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I ask for this time for the purpose of asking the chairman of the committee a question in regard to a certain provision of this bill. In line 5, on page 2, in defining "defense articles," we find the following language:

Any other commodity or article for defense.

In an analysis of the bill in the report I note this language:

In the definition of the words, "defense articles and defense information" it should be noted that the term "defense article" includes not only all arms, munitions, and implements of war, but also other articles or commodities, such as cotton and wheat and all other agricultural products which may be necessary for defense purposes.

My question is, Did the committee by the expression "cotton and wheat" intend to exclude any other agricultural product?

Mr. BLOOM. No.

Mr. COOLEY. Did the committee intend to include commodities such as tobacco and other agricultural products?

Mr. BLOOM. It is all-embracing. It is supposed to include tobacco also.

Mr. AUGUST H. ANDRESEN. Will the gentleman yield?

Mr. COOLEY. Yes; I yield.

Mr. AUGUST H. ANDRESEN. Does the gentleman think it includes peanuts?

Mr. COOLEY. I assume it likewise includes peanuts, and I can assure my friend the gentleman from Georgia [Mr. FACE] that he need not have any worries. [Laughter.]

[Here the gavel fell.]

Mr. WOLCOTT. Mr. Chairman, I offer an amendment which I have sent to the desk.

The Clerk read as follows:

Amendment offered by Mr. WOLCOTT: On page 2, lines 14 and 15, strike out the words "notwithstanding the provisions of any other law."

Mr. WOLCOTT. Mr. Chairman, I think we will have to admit that the language which I seek to strike out by my amendment raises a rather fundamental question. Much of the criticism of this bill is due to the uncertainty in respect to what the President expects to do with the power we delegate to him under this bill.

There should not be any misunderstanding that this is rather unusual language to be used in a bill of this kind. It is quite true that those same words have been used occasionally, but always to emphasize that the act in which they are used is to be considered as an exception to the general law. In most instances they are merely surplusage, in that under the decisions a special act must be construed as interpreting inconsistent provisions of a general law. But in this act they are used as all-embracing, to authorize the modification, amendment, or repeal of not only the provisions in the general law, but specific prohibitions contained in acts which we have fought over for years, and interpreting or modifying or limiting Executive power. It gives authority to repeal existing and future laws. So that hereafter every act which we pass, every bill which we have to consider, will have to be considered in the light of section 3 of this bill. Otherwise the President will be empowered, under the terms of this bill, to repeal or modify any of the provisions of future laws, as well as existing laws which affect this bill.

There is delegated to the President by these words the most unusual powers to modify or amend or repeal, which I believe is the constitutional prerogative of the legislative branch of the Government. He can do this either directly or by implication. For example: This provision makes possible the repeal of section 3709 of the Revised Statutes. Do you know what section 3709 of the Revised Statutes provides? It provides that no contract shall be let unless bids are received and the contract must be let to the lowest responsible bidder. So this language will authorize the letting of contracts without bids.

Mr. BUCK. Mr. Chairman, will the gentleman yield?



Mr. WOLCOTT. I prefer not to at this moment. Please wait until I complete my statement.

It authorizes the repeal of certain very important provisions of the neutrality law many of which have been discussed here on the floor; for instance, the transportation of arms, munitions, and implements of war to belligerents in ships of American registry through and into combat areas.

Mr. BLOOM. Mr. Chairman, will the gentleman yield?

Mr. WOLCOTT. I prefer not to.

Mr. BLOOM. For just one question?

Mr. WOLCOTT. It suspends or authorizes the suspension of prohibitions in the neutrality law in respect to the making of loans and the extension of credit by private persons and Government agencies under section 7 of the neutrality law. The President may modify or repeal provisions of the Johnson Act; and it makes possible in addition to any authorization under this act, the use of untold millions which we have placed at the President's disposal in the Reconstruction Finance Corporation Act, the Commodity Credit Corporation Act, and other lending agencies.

[Here the gavel fell.]

Mr. WOLCOTT. Mr. Chairman, I ask unanimous consent to proceed for 5 additional minutes.

Mr. BLOOM. Mr. Chairman, I object. I am sorry, but we have been wasting a lot of time here on teller votes and such things; and after the next Member is recognized I intend to move to close debate on this amendment in 5 minutes.

Mr. DAVIS of Ohio. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. The gentleman from Ohio is recognized for 5 minutes.

Mr. BLOOM. Mr. Chairman, I move that all debate on this amendment and all amendments thereto close in 5 minutes.

The CHAIRMAN. The question is on the motion of the gentleman from New York.

The question was taken; and on a division (demanded by Mr. DIRKSEN) there were—ayes 117, noes 77.

Mr. DIRKSEN. Mr. Chairman, I ask for tellers.

Tellers were ordered; and the Chair appointed as tellers Mr. ARNOLD and Mr. DIRKSEN.

The Committee again divided; and the tellers reported that there were—ayes 153, noes 86.

So the motion was agreed to.

Mr. DAVIS of Ohio. Mr. Chairman, I do not know whether I should feel flattered or insulted by the action of the chairman of our committee in moving to close debate after I had been recognized. He might have had in mind—I do not think he did—that no answer could be made to my argument; and, too, he might have had in mind that my argument would be so full of holes that the entire remainder of the membership could very well answer it. So I shall proceed with caution.

First of all, the very distinguished gentleman from Michigan stated, in support of his amendment, that this provision,

"notwithstanding the provisions of any other law," would give the President the power not only to disregard all existing law but to disregard all future law. Certainly the gentleman did not mean to say that. This cannot in any way affect or supersede any law that is not now existing, and surely it cannot affect in any way the future acts of this Congress.

The phrase, "notwithstanding the provisions of any other law," is not an unusual one. The committee report points out very clearly that it has been used on innumerable occasions. Its meaning is clear. I will read two sentences from page 4 of the report:

The only effect of the phrase, "notwithstanding the provisions of any other law," is to suspend the application of such inconsistent laws in order to make possible the effective carrying out of the provisions of section 3 (a). Such laws remain in full force and effect with respect to all other matters to which they now apply.

That is what the expression means, and it is not only an usual, but a very good legislative policy to provide for the specific repeal or the temporary suspension of inconsistent and conflicting laws. Sometimes it is done with such a provision as this, and in other cases by using at the end of the legislation language similar to the following:

All laws or parts of laws inconsistent or in conflict with the terms and provisions of this act are hereby suspended, superseded, or repealed, as the case may be, to the extent and for the period necessary for the effective carrying out of this act—a very usual legislative procedure, and a very proper one.

Had this language never been inserted in this bill the effect of leaving it out entirely would likely have been nil. This act without this language, would supersede and suspend for the purposes of carrying out its provisions all existing law which is inconsistent or in conflict with it. But it is important now that the language "Notwithstanding the provisions of any other law" is in this bill, that it remain. If the House were to strike it out now it might give rise to and provide cause for a judicial interpretation later that it was the intention of this Congress to leave all inconsistent and conflicting statutes now existent in the law not suspended or superseded by this act. So, although if it had been left out in the first place it would have made no difference in most of the cases of conflicts and inconsistencies, now that it is in, I submit it must stay in or our action in striking it will permit a judicial interpretation that will defeat the very purposes and present intention of this act and produce great confusion and many legal complications which this language, if allowed to stand, will avoid.

The military and naval experts who testified before our committee said that existing statutes, many of them technical in nature, make it necessary for them to have legal experts by their sides at all times to advise them whether or not they can do this little act or that little act. Many of those statutes are on the border line; that is, it is not easy to determine in some cases if there is a conflict or an inconsistency with another law, as this

bill will be. Without the phrase the gentleman asks stricken, difficulty, legal red tape, and resulting delay would be occasioned in these instances; with the phrase as is, the full meaning and interpretation in every case will be clear. Consequently, this language should remain in the bill.

[Here the gavel fell.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan [Mr. WOLCOTT].

The question was taken; and on a division (demanded by Mr. WOLCOTT) there were—ayes 71, noes 114.

So the amendment was rejected.

Mr. DIRKSEN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I trust there was no disposition on the part of the committee to believe that we on this side were indulging in any dilatory tactics [laughter]; yet the fact of the matter is that on one of the most important amendments to this bill the discussion should be limited to 10 minutes called for some remonstrance on my part. When it is pointed out that there were 11 hours of debate on this bill, may I admonish you gentlemen that if boys ever have to go to war they will be dead a long time, and the 11 hours will be but a circumstance on every conscience.

The gentleman from Michigan offered an amendment to strike out the words "notwithstanding the provisions of any other law." If I had to choose the most important phrase in the pending bill, it would be that phrase. Today we give testimony to legislative laziness and legislative sloppiness in having drafted a piece of legislation like that. Instead of going to the trouble to go back through the statutes that would be affected, we come in with a blanket provision and say, "notwithstanding the provisions of any other law." Thus all the compounded legislative wisdom of the Republic for a long time stands repealed, superseded, modified, changed, or amended, if it is in conflict with the bill before us today. The act of 1883, the act of 1917, the Defense Act of 1940, and other laws that are in conflict will be superseded in respect to that conflict.

May I say to you gentlemen who have been so interested in conserving the social gains that have been made in the last 8 years that it is my considered and reasoned judgment that the Walsh-Healey Act, the Bacon-Davis Act, the Fair Labor Standards Act, and the National Labor Relations Act, if they come in conflict, will be superseded and modified by the provisions of H. R. 1776. The committee report rather naively and blithely states that those acts will not be affected by this blanket provision.

It reminds me of the observation once made by Abraham Lincoln when he was talking to a friend. He propounded this inquiry: "If you call a sheep's tail a leg, how many legs will the sheep have?" Without reticence his friend said, "Five." Lincoln said, "Oh, no. Calling a sheep's tail a leg does not make it a leg."

Reciting in the majority report in connection with this bill that these acts will not be affected by that provision which



says "notwithstanding the provisions of any other law" does not cure the situation. Mark you, if the Walsh-Healey Act or any of these other acts relating to hours, working conditions, wages, and so forth, stand in the way, they will have to make way and be superseded thereby. I should like to ask the coauthor of the Walsh-Healey Act that question to see whether or not the act of which he is coauthor would be affected thereby. In my considered judgment it will be affected, notwithstanding the language that the committee recites in its report.

So I admonish you and I emphasize once more that the most important language in the act we are considering this afternoon is "notwithstanding the provision of any other law." We can go back to the very First Congress, which convened in New York on the 4th of March 1789, take every statute from then on and if it is in conflict with this legislation then it must give way.

Reasoning obversely for a moment, they do not operate that way at the other end of the Avenue. When the Attorney General was charged with the responsibility of finding a way around the statutes so as to place the sanction of approval upon the destroyer deal, he went back to the act of 1883; he went back to the act of 1917; he went back to the act of 1940, and he worked out a very twisted opinion so as to get around it and place approval upon the act of the President in bartering away 50 of our over-age destroyers. There is such good precedent for being rather careful about this thing, and in confessing to the whole country that because of inertia, because of laziness, because of a sloppy attitude toward legislation, we should now by a blanket provision and single phrase make it possible to throw away and disdain the wisdom of all the Congresses that have met under the flag and contributed to the life of the Republic. [Applause.]

[Here the gavel fell.]

Mr. McCORMACK. Mr. Chairman, I rise in opposition to the amendment.

I rise for a moment so that the RECORD will not remain unanswered with reference to the only pertinent observation he made during his remarks in relation to the social legislation of the past 8 years which the present Democratic administration put into law. His references in that respect are without foundation. Remarks of that kind are made in good faith, I assume, and oftentimes erroneous, as in this case, with the resultant effect that some people become alarmed.

Organized labor need not have any fear of this provision relating to them. The President has specifically stated his position in that respect. This bill was thoroughly investigated to see whether that language would suspend any of that legislation, and the unanimous opinion of all consulted, as well as my own opinion and the opinion of all members of the committee on the majority side at least, is that this language in no way suspends the operation of the National Labor Relations Act, the Wages and Hours Act, or any of the other legislation to which the gentleman has referred.

The committee also specifically stated that in the report of the committee, and the report is very important on the question of the intent of Congress.

Mr. SACKS. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Pennsylvania.

Mr. SACKS. If this language were not in the bill, and any statute conflicted with the provisions of the bill itself, would it not under the decisions already established be repealed?

Mr. McCORMACK. Our beloved Speaker asked that a survey be made by some of his associates to find out how many times in past bills language of this kind had been used. After searching for about 2 hours they had about 4 pages full of past legislation where this same language was used. They finally did not continue any longer because they had gone back only about a decade and a half. [Applause.]

[Here the gavel fell.]

Mr. FISH. Mr. Chairman, I offer an amendment, and I offer it in view of the policy of the leader of the majority.

The Clerk read as follows:

Amendment offered by Mr. FISH: On page 4, after line 5, insert "Provided, That nothing in this section shall be construed to authorize the suspension of the Eight Hour Act, the Wage and Hour Act, or any other similar legislation affecting the rights of labor."

Mr. FISH. Now we are going to find out. We are going to have a little test in the House of the sincerity of those who claim to support the rights of labor and want to make sure that by their votes that the benefits that labor has secured in a long struggle are maintained under the provisions of this bill.

This is the amendment proposed by Mr. William Green, president of the American Federation of Labor, who voluntarily came before the Committee on Foreign Affairs during its hearings and suggested this amendment and several others. I have talked with him over the telephone, within the last 24 hours, regarding this particular amendment. He endorsed it and wanted me to introduce it. Mr. Green believes, talking at least for his organization and for many millions of wage earners, that it is needed in order to protect labor's rights and the gains obtained under this administration and prior administrations, and wants this amendment incorporated in the bill.

This amendment was not considered in the Committee on Foreign Affairs at any time in spite of the fact that Mr. Green, head of the great American Federation of Labor and spokesman for millions of loyal American wage earners, appeared before the committee in open session and urged us to act favorably upon it. I stated at that time I thought Mr. Green's proposals were fair and proper. I am glad to take this opportunity to offer this amendment in behalf of labor. I voted for the Eight Hour Act and I voted for the Wages and Hours Act which has just been held to be constitutional by a unanimous vote of the Supreme Court. I voted for most of the social reforms inaugurated by the New Deal; in fact, I voted for every social and humanitarian

reform that I thought was sound and for the benefit of labor, that was within the Constitution, and that did not delegate excessive power to the President.

I want to safeguard the social and industrial progress that has been won after years of bitter struggle and to uphold for future generations of free labor the legislative gains under the Constitution. I believe the way to do it is to place this amendment in the bill. I offer it to you in good faith and hope for some support on the majority side beyond mere lip service. [Applause.]

[Here the gavel fell.]

Mr. McCORMACK. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, the position I take on this amendment is the same that I take on other amendments similarly offered—that the amendment is unnecessary. Of course, we can understand the motives of the proposer of the amendment. It will be rather interesting, in view of past legislative history, to see if the Republican side unanimously vote for it.

Mr. MICHENER. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I am always glad to yield to the gentleman, although I do so with the greatest of trepidation.

Mr. MICHENER. I should think the gentleman would, in view of the statement he made a moment ago. We all know the gentleman is a good lawyer.

Mr. McCORMACK. I thank the gentleman. I am glad somebody admits that.

Mr. MICHENER. The gentleman knows the purpose of this bill is to give power to the President.

Mr. McCORMACK. No; the purpose of this bill is to defend the United States. [Applause.]

Mr. MICHENER. Yes; I will modify my statement by saying that the purpose of this bill, as stated in the bill, is to give better defense to the United States by giving certain discretion to the President.

Mr. McCORMACK. That is true; that is a fair statement.

Mr. MICHENER. So far as the repeal, the suspension, or the waiving of the labor laws by this bill is concerned, they stand in exactly the same position as the other provisions of law; is not that true?

Mr. McCORMACK. I cannot agree with my distinguished friend, because this bill does not affect any of the labor legislation that has been enacted during the past 8 years.

Mr. MICHENER. If the President so decides.

Mr. McCORMACK. No. The President cannot do it under this bill within the meaning of the language used there. It relates to the delegated powers in section 3 (a) and has no effect on and no application at all to the legislation that is referred to. Of course, the amendment is offered thinking that someone on the Democratic side will not have the courage to expose it for what it is.

Mr. ARNOLD. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Illinois.

Mr. ARNOLD. May I say that neither this amendment or amendments similar



to the one just offered were offered by any member of the committee.

Mr. McCORMACK. Certainly. I took a position in opposition to the amendment offered by the gentleman from Kansas [Mr. HOPE], a very fine man, and took it sincerely. Why should I take a position in opposition to his amendment when I believe the bill already covers what he had in mind, and then let this go by when I know that the bill does not at all relate to labor legislation?

Mr. STARNES of Alabama. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Alabama.

Mr. STARNES of Alabama. Does not the gentleman think it rather significant at this late hour that the gentleman from New York should want to defend and does defend what he terms to be the social and industrial gains of the New Deal?

Mr. McCORMACK. It will be very edifying if his state of mind is carried into actual operation in the future to see the progress the gentleman has made.

Mr. SCHULTE. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Indiana.

Mr. SCHULTE. The gentleman from New York just made the statement that this would be the real test to see who the friends of labor are. I state that the real test will come when a bill is presented to this House as to whether we shall deny the right of labor to strike. Then the friends of labor will know just where they stand.

Mr. McCORMACK. Yes; and offering unnecessary amendments like this as an invitation for other amendments against labor is the one thing of which labor should be watchful. This bill does not affect any labor legislation in any way. The best interests of organized labor would be served by keeping any such amendments out of this measure, because once the bill is opened up for amendment of this kind, what is to stop some other amendment, which is more likely to come from the left side of the House than the right, from being introduced which will be adverse to labor? I hope the amendment will be defeated. [Here the gavel fell.]

Mr. BLOOM. Mr. Chairman, I move that all debate on this amendment and all amendments thereto do now close.

The motion was agreed to.

The CHAIRMAN. The question is on the motion offered by the gentleman from New York [Mr. FISH].

Mr. KOPPLEMANN and Mr. FISH demanded a division.

The Committee divided; and there were—ayes 89, noes 137.

Mr. FISH. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chair appointed as tellers Mr. ARNOLD and Mr. FISH.

The Committee again divided; and the tellers reported that there were—ayes 98, noes 153.

So the amendment was rejected.

Mr. TABER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. TABER: On page 3, after line 6, after the committee amendment, insert "The total original cost price of all defense articles not manufactured or procured under paragraph (1) and disposed of in any way under this paragraph, shall not exceed \$500,000,000."

Mr. TABER. Mr. Chairman, this amendment I have offered in order that there may be a ceiling upon the things that may be sold or traded or given away that belong to the Army, the Navy, and the Marine Corps. This means the vessels of the fleet; it means the airplanes; it means the guns, the ammunition, and perhaps other things. The situation now is that all of these things that are now the property of the Army, the Navy, and the Marine Corps, or that may come to the Army, the Navy, or the Marine Corps, could be sold or transferred under paragraph (b).

I have followed very closely the speeches of the gentleman from New York [Mr. BLOOM]; the majority leader the gentleman from Pennsylvania [Mr. McCORMACK]; the gentleman from Texas [Mr. LUTHER A. JOHNSON], and many others who have spoken representing the majority on this bill. It seems to me, as I look the thing over that this ceiling I have proposed is much larger than would be required to cover the things that these gentlemen intimated might be turned over to any other country under this authority. Now, mind you, in no way do I attempt to limit the things that might be turned over to any other country which are procured hereafter out of funds appropriated under the authority of this bill.

Mr. MUNDT. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield to the gentleman from South Dakota.

Mr. MUNDT. I would like to say to the gentleman that I am heartily in favor of his amendment. It closely parallels one which I introduced in the committee and supported during our executive session, and I have one to introduce here today; but I think the gentleman's amendment covers the subject and I believe it will stop this present bill from being an appropriation bill of \$40,000,000,000 and limit it specifically in terms of material to the amount the gentleman has indicated.

Mr. TABER. I thank the gentleman.

Mr. BLOOM. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. BLOOM. I have a substitute that I am going to offer for the gentleman's amendment and I would like to read it to the gentleman and see if it would be satisfactory.

Mr. TABER. I will be very glad to hear the gentleman read the amendment.

Mr. BLOOM. On page 3, line 6, at the end of the line insert a new sentence to read as follows:

The value of defense articles disposed of in any way under authority of this paragraph and procured from funds heretofore appropriated shall not exceed 10 percent of

the total amount appropriated for defense articles for the fiscal year ending June 30, 1941.

Mr. SMITH of Ohio. Mr. Chairman, will the gentleman from New York yield?

Mr. TABER. Yes.

Mr. SMITH of Ohio. What would be the amount under the gentleman's proposal? It would be \$800,000,000 in addition, would it not?

Mr. TABER. I think I might be able to answer that question of the gentleman from Ohio. As near as I can figure, the total appropriations for the fiscal year 1941, so far, run somewhere around \$12,000,000,000 or \$13,000,000,000 or maybe not quite that amount because there were some of those appropriations that provided for the fiscal year 1940 in the last Congress, and, of course, I cannot figure that exactly, but I know it was somewhere around that figure. The gentlemen upon the military subcommittee of the Appropriations Committee might know even better than I would.

Mr. THOM. Mr. Chairman, will the gentleman yield?

Mr. TABER. Yes.

Mr. THOM. I can give the gentleman the exact figures. For 1941 the appropriations for the Army are \$5,613,000,000 and the contract authorization \$2,900,000,000.

Mr. TABER. The contract authorizations would have no bearing.

Mr. THOM. In 1941 the appropriations for the Navy were \$2,213,000,000 with contract authorizations of \$800,000,000. This would make a total of \$11,826,000,000, including authorizations.

Mr. TABER. I think that is a mistake.

Mr. THOM. I got those figures from the clerk of the committee, Mr. Sheild.

Mr. TABER. Then Mr. Sheild could not have understood what was wanted, because I know of one bill that was brought in, in the way of a deficiency, which provided for \$2,700,000,000 for the Army, and a very considerable sum for the Navy. I am sure my recollection is correct.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. BLOOM. Mr. Chairman, I ask unanimous consent that the time of the gentleman from New York be extended for 5 minutes.

The CHAIRMAN. Is there objection? There was no objection.

Mr. RAYBURN. Mr. Chairman, will the gentleman yield?

Mr. TABER. Yes.

Mr. RAYBURN. I had this matter looked into myself, and with all the explanation that I thought was necessary. I arrived at the same figure that the gentleman from New York [Mr. TABER] has, and that is somewhere between twelve and one-half billion and thirteen billion dollars.

Mr. TABER. It is somewhere around that. I would not want to attempt to keep it to a dollar. I would say to the gentleman that my object in offering this amendment is to provide a limitation so that we could not say that we had authorized the whole Army and Navy to be given away. I feel that when a man



asks you for authority and tells you what he wants authority for, you are all right if you let them have the authority to do the thing that he has in mind and not something more. I think that is something more that the Congress might consider, if that question should arise. I would be willing to accept the limitation that the gentleman from New York [Mr. BLOOM] suggests in his amendment. I am willing to go along with it, it will be satisfactory to me, but I do want to say something else if I may, with reference to the authorization for appropriations. I say this so that everyone will understand just the meaning of the word "authorization" and will not be deceived by it.

Any authorization for an appropriation is simply authority to the President to submit to the Congress Budget estimates for specific amounts for specific things, and all of those authorizations must be, and have to be, reviewed very carefully by the Committee on Appropriations. Perhaps gentlemen will think I am bragging when I say that I am hard-boiled, but I frankly go through every one of those things with a fine-toothed comb. Any Member who has served with me on the committee knows that. I say to you that any request for an appropriation that is made to that committee, so long as I am on it, will be reviewed entirely on its merits, regardless of what it is for, and nothing will be brought here with my approval unless I believe it is necessary. If I do not believe it is necessary, I shall oppose it. [Applause.]

Mr. SMITH of Ohio. I would like to know what the figure is that the gentleman has arrived at on the basis of the 10 percent.

Mr. TABER. This substitute amendment will amount to \$1,300,000,000, approximately. While that is not as low a figure as I believe will be used, I am satisfied to go along with it, because it does not permit havoc to be played with these things that we have and will have in our Army and Navy, and does not destroy our own capacity to defend the United States of America. [Applause.] That is why I am prepared to accept it. I think it would be very desirable if it is adopted. I think I have said enough. I merely wanted to explain my position thoroughly on these contract authorizations so that we may know what that situation is when it comes up.

Mr. BLOOM. Mr. Chairman, I offer the following substitute amendment which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. BLOOM as a substitute for the amendment offered by Mr. TABER: Page 3, line 6, at the end of the line, insert a new sentence to read as follows: "The value of defense articles disposed of in any way under authority of this paragraph, and procured from funds heretofore appropriated, shall not exceed 10 percent of the total amount appropriated for defense articles for the fiscal year ending June 30, 1941."

The CHAIRMAN. The question is on agreeing to the amendment to the amendment in the nature of a substitute offered by the gentleman from New York [Mr. BLOOM].

The amendment to the amendment was agreed to.

The CHAIRMAN. The question now is on agreeing to the amendment as amended.

The amendment was agreed to.

Mr. BLOOM. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. COOPER, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill H. R. 1776, had come to no resolution thereon.

#### Hour of Meeting

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at 11 o'clock tomorrow.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

#### Extension of Remarks

Mr. FENTON, Mr. CROSBY, Mr. BROOKS, and Mr. DIRKSEN, by unanimous consent, were granted permission to revise and extend their own remarks.

Mr. YOUNGDAHL. Mr. Speaker, I ask unanimous consent to extend my remarks and include an editorial from the Washington Times.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include therein the statement before our Foreign Affairs Committee by Mr. Green, of the American Federation of Labor, as to how trade could be assisted in this country after the war, and also three other suggestions as to how the bill should be clarified and perfected. I shall introduce an amendment to that effect tomorrow.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. SHERIDAN. Mr. Speaker, I ask unanimous consent to extend my remarks and to include an address by my colleague the gentleman from Pennsylvania [Mr. BOLAND] made over the Mutual Broadcasting System.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent to extend my own remarks.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. VOORHIS of California. Mr. Speaker, I renew my request to extend my remarks and include the proceedings before the Committee on World War Veterans' Legislation honoring the chairman, Hon. JOHN E. RANKIN. I have the printer's estimate of the cost, and I renew my request.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

#### Leave of Absence

By unanimous consent, leave of absence was granted as follows:

To Mr. JARRETT, for the remainder of this week, on account of death in his immediate family.

To Mr. CLASON, indefinitely, on account of illness.

#### Senate Bills Referred

Bills and a concurrent resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 350. An act providing additional pay for aides to the President of the United States, and for other purposes; to the Committee on Military Affairs.

S. 376. An act providing for the advancement on the retired list of certain officers of the line of the United States Navy; to the Committee on Naval Affairs.

S. Con. Res. 4. Concurrent resolution authorizing the printing of additional copies of Senate Document No. 8, current session, of the report of the committee appointed by the Attorney General to investigate the need for procedural reform in various administrative tribunals; to the Committee on Printing.

#### Adjournment

Mr. BLOOM. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 10 minutes p. m.) the House, pursuant to its previous order, adjourned until tomorrow, Saturday, February 8, 1941, at 11 o'clock a. m.

#### Committee Hearings

##### Committee on Agriculture

The Committee on Agriculture will hold a hearing on Tuesday, February 11, 1941, at 10 a. m., on House Joint Resolution 15, in room 1324, New House Office Building.

##### Committee on the Merchant Marine and Fisheries

The Committee on the Merchant Marine and Fisheries will hold public hearings at 10 a. m. on the following dates on the matters named:

Thursday, February 20, 1941:

H. R. 554, to exempt sail vessels from the provisions of section 13 of the act of March 4, 1915, as amended, requiring the manning of certain merchant vessels by able seamen, and for other purposes. (Manning requirements for sail vessels.)

H. R. 2520, to amend the act entitled "An act to except yachts, tugs, towboats, and unrigged vessels from certain provisions of the act of June 25, 1936, as amended," approved June 16, 1938. (Manning requirements for seagoing barges.)

Friday, February 21, 1941:

H. R. 2074, to amend section 353 (b) of the Communications Act of 1934, as amended. (Experience requirements, radio operators on cargo ships.)

#### Reports of Committees on Public Bills and Resolutions

Under clause 2 of rule XIII,

Mr. KEOGH: Committee on Revision of Laws. H. R. 2765. A bill to repeal an obsolete section of the District of Columbia Code;



without amendment (Rept. No. 44). Referred to the Committee of the Whole House on the state of the Union.

Mr. McLAUGHLIN: Committee on the Judiciary. H. R. 139. A bill to permit appeals by the United States to the circuit courts of appeals in certain cases; without amendment (Rept. No. 45). Referred to the House Calendar.

Mr. WALTER: Committee on the Judiciary. H. R. 138. A bill to limit the authority of circuit judges to hold district courts and of district judges to sit in circuit courts of appeals; without amendment (Rept. No. 46). Referred to the House Calendar.

Mr. WALTER: Committee on the Judiciary. H. R. 142. A bill to amend an act approved April 26, 1926, entitled "An act fixing the fees of jurors and witnesses in the United States courts, including the District Court of Hawaii, the District Court of Puerto Rico, and the Supreme Court of the District of Columbia"; without amendment (Rept. No. 47). Referred to the House Calendar.

Mr. RAMSPECK: Committee on the Merchant Marine and Fisheries. H. R. 527. A bill to amend the Canal Zone Code with respect to the trial of joint defendants, the removal of fugitives from justice, and the regulation of criminal procedure in the Canal Zone; with amendment (Rept. No. 48). Referred to the Committee of the Whole House on the state of the Union.

Mr. BLAND: Committee on the Merchant Marine and Fisheries. H. R. 528. A bill to incorporate the Union Church of the Canal Zone; with amendment (Rept. No. 49). Referred to the Committee of the Whole House on the state of the Union.

Mr. HART: Committee on the Merchant Marine and Fisheries. H. R. 529. A bill to amend the Canal Zone Code; without amendment (Rept. No. 50). Referred to the Committee of the Whole House on the state of the Union.

Mr. PETERSON of Florida: Committee on the Merchant Marine and Fisheries. H. R. 531. A bill to amend the act of April 6, 1938 (52 Stat. 201), entitled "An act authorizing the Secretary of the Treasury to exchange sites at Miami Beach, Dade County, Fla., for Coast Guard purposes"; without amendment (Rept. No. 51). Referred to the Committee of the Whole House on the state of the Union.

Mr. O'LEARY: Committee on the Merchant Marine and Fisheries. H. R. 533. A bill to amend section 4 (f) of the Communications Act of 1934, as amended, to provide for extra compensation for overtime of inspectors in charge and radio inspectors of the Field Division of the Engineering Department of the Federal Communications Commission; without amendment (Rept. No. 52). Referred to the Committee of the Whole House on the state of the Union.

Mr. MANSFIELD: Committee on the Merchant Marine and Fisheries. H. R. 538. A bill authorizing the Secretary of the Treasury to convey a portion of the lighthouse reservation, Biloxi, Miss., to the city of Biloxi; without amendment (Rept. No. 53). Referred to the Committee of the Whole House on the state of the Union.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. MAAS:

H. R. 3147. A bill to provide for the commissioning of officers of the Navy from civil life, to abolish the United States Naval Academy as an institution for the training of midshipmen, and for other purposes; to the Committee on Naval Affairs.

H. R. 3148. A bill to provide for the retirement of enlisted men of the United States

Navy and Marine Corps for physical disability incurred in line of duty, and for other purposes; to the Committee on Naval Affairs.

H. R. 3149. A bill providing for the pay and allowances of retired officers of the Navy and Marine Corps on active duty; to the Committee on Naval Affairs.

H. R. 3150. A bill to repeal section 1617 of the Revised Statutes; to the Committee on Naval Affairs.

H. R. 3151. A bill to create a national-defense staff corps, and for other purposes; to the Committee on Military Affairs.

H. R. 3152. A bill to remove restrictions upon the service of certain officers of the Marine Corps in the Marine Corps headquarters, Washington, D. C.; to the Committee on Naval Affairs.

H. R. 3153. A bill to create a National Defense Commission on Inventions, and for other purposes; to the Committee on Military Affairs.

By Mr. ROLPH:

H. R. 3154. A bill to authorize the erection of additional facilities at the existing Veterans' Administration Facility, Fort Miley, San Francisco, Calif.; to the Committee on World War Veterans' Legislation.

By Mr. VINSON of Georgia:

H. R. 3155. A bill to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes; to the Committee on Naval Affairs.

By Mr. DOWNS:

H. R. 3156. A bill to provide military training for members of the Civilian Conservation Corps; to the Committee on Labor.

H. R. 3157. A bill to provide for universal fingerprinting; to the Committee on the Judiciary.

By Mr. WHITE:

H. R. 3158. A bill to increase the period for which leases may be made of public lands granted to the State of Idaho for educational purposes by the act of July 3, 1890; to the Committee on the Territories.

By Mr. DARDEN of Virginia:

H. R. 3159. A bill to remove certain limitations on the amount of retired pay of regular or emergency officers who are veterans of the War with Spain, the Philippine Insurrection, the China Relief Expedition, or the World War; to the Committee on World War Veterans' Legislation.

By Mr. McGEHEE:

H. R. 3160. A bill to provide an additional sum for the payment of claims under the act entitled "An act to provide for the reimbursement of certain personnel or former personnel of the United States Navy and United States Marine Corps for the value of personal effects destroyed as a result of a fire at the Marine Barracks, Quantico, Va., on October 27, 1938," approved June 19, 1939; to the Committee on Claims.

By Mr. STARNES of Alabama:

H. R. 3161. A bill to give honorably discharged veterans, their widows, and the wives of disabled veterans, who themselves are not qualified, preference in employment where Federal funds are disbursed; to the Committee on the Civil Service.

By Mr. STEAGALL:

H. R. 3162. A bill to amend the National Housing Act, and for other purposes; to the Committee on Banking and Currency.

By Mr. PACE:

H. R. 3163 (by request). A bill to deny admittance into the United States to all immigrants while the number of unemployed persons within the United States is 1,000,000 or more; to the Committee on Immigration and Naturalization.

By Mr. COFFEE of Nebraska:

H. R. 3164. A bill to increase the sugar quotas of mainland beet and cane and to reduce the Cuban sugar quotas; to the Committee on Agriculture.

By Mr. RANDOLPH:

H. R. 3165. A bill authorizing the installation of parking meters or other devices on the streets of the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

H. R. 3166. A bill to amend the District of Columbia Revenue Act of 1939, and for other purposes; to the Committee on the District of Columbia.

H. R. 3167. A bill to consolidate the municipal court and the police court of the District of Columbia; to the Committee on the District of Columbia.

By Mr. MAAS:

H. J. Res. 108. Joint resolution creating a special joint congressional committee to be known as the Joint Committee on National Defense; to the Committee on Rules.

H. J. Res. 109. Joint resolution providing for display of the United States flag on days of national thanksgiving; to the Committee on the Judiciary.

By Mr. DOWNS:

H. Res. 99. Resolution to investigate the cause for the recent numerous fatal accidents in the military flying forces of the United States; to the Committee on Rules.

By Mr. MAAS:

H. Res. 100. Resolution to amend rules X and XI of the House of Representatives; to the Committee on Rules.

## PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BLOOM:

H. R. 3168. A bill for the relief of Hans Oppenheimer and his wife, Marga; to the Committee on Immigration and Naturalization.

By Mr. BROWN of Ohio:

H. R. 3169. A bill for the relief of W. H. Backenstoe; to the Committee on Claims.

By Mr. COFFEE of Washington:

H. R. 3170. A bill for the relief of Harry J. Tucker; to the Committee on the Civil Service.

By Mr. COLMER:

H. R. 3171. A bill for the relief of certain employees of the Corps of Engineers; to the Committee on Claims.

H. R. 3172. A bill for the relief of J. M. Swinney; to the Committee on Claims.

By Mr. DARDEN:

H. R. 3173. A bill to extend the benefits of the Employees' Compensation Act of September 7, 1916, to Mrs. Charles O. DeFord; to the Committee on Claims.

By Mr. HOUSTON:

H. R. 3174. A bill for the relief of H. L. Reppart, E. J. Terrill, Lloyd M. Blanchard, E. J. Gorman, Hazel Ann Clark, O. E. Henkle, Alva E. Home, Robert F. Mason, Paul E. Jackson, W. F. Tannahill, Alton A. Register, Walter E. Crabb, Guy A. Murray, Wilson E. Stroup, Lorraine Giesy, and Katherine M. Holt; to the Committee on Claims.

By Mr. JENNINGS:

H. R. 3175. A bill granting a pension to Horace V. White; to the Committee on Invalid Pensions.

By Mr. KNUTSON:

H. R. 3176. A bill for the relief of Agnes Brodahl; to the Committee on War Claims.

By Mr. McGEHEE:

H. R. 3177. A bill for the relief of Mrs. Addie Myers; to the Committee on Claims.

By Mr. McCORMACK:

H. R. 3178. A bill for the relief of Sabino Cataldo; to the Committee on Immigration and Naturalization.

By Mr. MAAS:

H. R. 3179. A bill granting the Distinguished Service Cross to John E. Soper, Carpenter F. Buck, and Anton R. Anderson; to the Committee on Military Affairs.



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Mr. HOFFMAN. Mr. Speaker, Congress may be glad to learn that, after Col. Donald Armstrong told management and strikers of the Allis-Chalmers plant that the strike was endangering the safety of the country, the C. I. O. finally consented, provided it could select the men for the work, to release equipment vitally needed by the Army and the Navy.

Should we not be thankful that the C. I. O. is willing to let us get this defense material into the hands of the War and Navy Departments?

Perhaps, after awhile, it will even be so generous as to permit the factory to continue production on the \$40,000,000 order for defense material.

[Laughter and applause.]

#### PROMOTION OF DEFENSE OF THE UNITED STATES

Mr. BLOOM. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 1776) further to promote the defense of the United States, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 1776, with Mr. COOPER in the chair.

The Clerk read the title of the bill.

Mr. BLOOM. Mr. Chairman, I ask unanimous consent that the amendment offered by the gentleman from New York [Mr. TABER], on page 3, line 6, as amended by the substitute, be modified as follows: Strike out all after the word "exceed" and insert "\$1,300,000,000", so that the amendment will read as follows:

The value of defense articles disposed of in any way under authority of this paragraph and procured from funds heretofore appropriated shall not exceed \$1,300,000,000.

Mr. SMITH of Ohio. I object, Mr. Chairman.

Mr. HOFFMAN. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. HOFFMAN. When Members rise on the floor and say, "Mr. Chairman," do they have to wait, under the rules, until the Chair recognizes them?

The CHAIRMAN. The gentleman is correct.

Mr. DEWEY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DEWEY: On page 4, at the end of subsection (d), insert the following subsection:

"(e) To protect the economic welfare of the United States and to provide for the common defense of the Western Hemisphere, the President is authorized to negotiate the transfer to the custodianship of the United States, for the duration of the wars abroad and such time thereafter as he may deem necessary, the stocks, bonds, shares, land titles, contracts, or agreements representing any rights or interests in or ownership of any national or private enterprise located within what is geographically known as the Western Hemisphere, which are owned or controlled by or subject to the disposition of any such foreign government or any of its nationals."

Mr. BLOOM. Mr. Chairman, I reserve a point of order against the amendment.

Mr. DEWEY. Mr. Chairman, I am a new Member here and I would not have presumed to have offered an amendment to this important bill had it not been that I have had certain experiences and dealings with the Alien Property Custodian and the Mixed Claims Commission set up by Congress after the last war, at the time I was Assistant Secretary of the Treasury.

Mr. Morgenthau, when he appeared before the Foreign Affairs Committee, presented certain figures as to the holdings of certain British nationals in enterprises in South and Central America. To recall those figures as a whole, they represent over \$4,000,000,000 of nominal value, and if they are broken down somewhat it will be seen that over 65 percent of the railroads in the Argentine are owned in Great Britain. During the past months the Treasury Department of Great Britain has been sequestering or commandeering from their nationals these stocks and bonds that represent enterprise in South and Central America; and there, in the British Treasury, these securities lay today. I can assure you that if a catastrophe came to Great Britain Mr. Schacht would be over there on the first plane demanding a delivery of these securities. Without firing a gun the economic battle of the Western Hemisphere would be won, and the totalitarian system and their ideology would have penetrated among our good neighbors to the south. Mr. Chairman, it is time to act now to safeguard ourselves and our neighbors' free enterprises against any such possibility. In fact, Mr. Morgenthau, in his testimony before the Foreign Affairs Committee, made a statement to the gentleman from Massachusetts [Mr. TINKHAM], who questioned him as to whether it would be advisable for these securities to be segregated. Mr. Morgenthau stated in part:

I feel that I have discharged my duty as an American citizen and as Secretary of the Treasury when I lay all the facts before you. Then, as to how we proceed from that point, I feel it is up to Congress which has this bill.

Mr. Chairman, I think consideration should be given to this matter. This is entirely nonpartisan. It is my intent to be constructive. It affects the future of our free labor and our free industry in the United States and in South and Central America. [Applause.]

[Here the gavel fell.]

Mr. LUTHER A. JOHNSON. Mr. Chairman, I make the point of order against the amendment on the ground that it seeks to confer authority upon our Government to take jurisdiction over property of private individuals who are subject to another government. That government may have that authority, but I doubt very seriously whether, by legislation, we can give our Government the power to take over that property. Further, I do not think the amendment is germane to the particular section or to the bill.

The CHAIRMAN. Does the gentleman from Illinois desire to be heard upon the point of order?

Mr. DEWEY. Mr. Chairman, as to this amendment being germane to the bill, I direct the attention of the Chair to lines 20, 21, and 22 of the bill, page 3, and to the language "or any other direct or indirect benefit which the President

deems satisfactory." I cannot help but believe that it is to the benefit of the defense system of the United States that the economic welfare of our good neighbors, the democracies of Central and South America, should be protected. I have no thought in this amendment that these securities should be taken over either as collateral or to offset debts. We would take them purely as a custodian, as trustee, to safeguard them, to act as a safe-deposit box for them during the period of the emergency. I believe that that is a definite part of the defense system of this country.

The CHAIRMAN. Will the gentleman permit the Chair to make an inquiry of him? What benefit would accrue to this Government by simply taking over the bonds or securities as trustee? The Chair can see that if they were taken over in fee and owned by the Government, an entirely different matter would be presented from that proposed in the amendment, which is to take them over as trustee and hold them in trust. The Chair will be pleased to hear the gentleman on that point.

Mr. DEWEY. Mr. Chairman, I have always believed that possession is nine points of the law, and that you can always give something back that does not belong to you. In the determination of the peace terms and treaty negotiations that come after a period such as this, the very fact that we hold these securities in our hands would give us a better position at the peace table. We too well know that we did not have much influence at the last peace table. We may have taken an important position in the limelight at the last peace, but the other nations got the gate receipts. I would like to have us take a more important position, and have a trading advantage at that time. I think that as we are the givers of protection and helpers of Great Britain and the democratic powers, we should have trading values in our hands. I also believe that the countries aided would be willing to deliver them, if we ask to take them over as the trustee. They would be delivering them to us for their own protection.

The CHAIRMAN. The mere fact of possession does not mean ownership. The Chair is endeavoring to secure information from the gentleman as to what benefit would accrue to this Government by simply holding possession of certain securities as a trustee, in view of the fact that the amendment provides that the securities may be taken from private enterprise and from nationals of other governments. The fact that this Government may have possession of them as trustee for the benefit of the owner does not mean that title would pass to this Government, and that any benefit would accrue to this Government by reason of the possession of the security. The Chair will be pleased to hear the gentleman on that point.

Mr. DEWEY. Authorization is given to negotiate the transfer to the custodianship of the United States. In those negotiations I think the United States might take the position of a bailee, and if I understand what a bailee is, he may set up certain liens against the bailment for services rendered. Moreover, a



trustee is, as I understand it, a holder of title. He holds title on certain conditions and for certain purposes.

I am not a lawyer. I apologize to the lawyers for attempting to become one. But in the negotiations proposed by this amendment I think that our future title and what should become of the articles of bailment or the securities of the trust should be considered. Otherwise, the securities might fall into the hands of the German Government. It must be kept in mind that they have been sequestered by the British Treasury for value, from the nationals of Great Britain. In my amendment I do not prescribe the precise legal formula but merely authorize negotiations for the transfer on a legal formula then to be determined.

Mr. LUTHER A. JOHNSON. Mr. Chairman, as I understand the gentleman's answer to the question asked by the Chair, in effect it is that his amendment would set up a trusteeship here of funds, that the United States would become trustee of funds of citizens of another government over which our Government has no control whatever.

Mr. DEWEY. Oh, no; I do not agree to that interpretation. Perhaps I have badly stated my position.

Mr. DARDEN of Virginia. Mr. Chairman, will the gentleman yield?

Mr. DEWEY. Yes.

Mr. DARDEN of Virginia. Is not the gentleman's amendment open to this objection? Great Britain has sequestered credit in this country and they are now being liquidated and purchases made here.

Mr. DEWEY. Yes.

Mr. DARDEN of Virginia. She is drawing heavily on the Argentine for food and she has sequestered and liquidated securities in the Argentine and is using those for the purchase of food there.

Mr. DEWEY. Yes.

Mr. DARDEN of Virginia. Now, the object of this bill is to help in this struggle. Will not your amendment cut off from Great Britain credits that she desperately needs for the purchase of food in South America?

Mr. DEWEY. Not at all, sir, for the simple reason that while we are holding title to these, we do not take control from the British Government completely. If, for instance, there was a shipment of grain from the Argentine to Great Britain to be paid for by the cancelation of Argentine securities, they could be lifted from this trust and canceled.

Mr. DARDEN of Virginia. That may be true, theoretically, but you would add to the difficulty of trading with the Argentine, the doubt in the minds of the sellers there that the securities might not be released by this Government. You would also add this difficulty: You would cause some misunderstanding between this Government and the Government of the Argentine at the present time when I think it is particularly necessary that everything be done to increase the friendly relations existing between the United States and the Government of the Argentine. If we come into possession of enormous British balances which are secured

by property in the Argentine, we are undoubtedly, sooner or later, going to get into difficulty with the Government of the Argentine with reference to the payment for goods sold there, particularly since we are in competition in agricultural products with England in the Argentine.

Mr. DEWEY. Does the gentleman agree with me that probably Argentina would prefer to have those securities in the hands of a friendly republic in the Western Hemisphere, with the understanding that they would be returned in due course to their original holders, the British Government, and be released for these trades that are being made, rather than to have them possibly fall into the hands of the Nazi government should catastrophe come to Great Britain?

Mr. VORYS of Ohio. Mr. Chairman, I ask to be heard on the point of order.

Mr. GIFFORD. Will the gentleman yield to me?

Mr. DEWEY. I yield.

Mr. GIFFORD. Perhaps the amendment may be unfortunate, because you use the word "custodianship." Would not the gentleman agree to have his amendment read "for the custodianship of the United States," or "for collateral"? That would overcome the objection of the Chair, seemingly, and make it in order.

Mr. DEWEY. I would be more than glad to make such a change. The only thing I seek to do is to have these securities put into a safe place during the emergency.

Mr. GIFFORD. Exactly, but I suggest to the gentleman that if he is ruled out of order, he offer that little amendment for custodianship or for collateral for value received, and he will then find his amendment in order.

Mr. DEWEY. I thank the gentleman, but I wish to say that I make a very important distinction between custodianship, as I propose it, and a holder of collateral.

[Here the gavel fell.]

The CHAIRMAN. The gentleman from Ohio [Mr. VORYS] is recognized on the point of order.

Mr. VORYS of Ohio. Mr. Chairman, on the point of order I call the attention of the Chair to the fact that this amendment is permissive and not mandatory, as it merely authorizes or, in a sense, suggests this procedure to the President. It does not purport to require or force him to do it, but is, in essence, a suggestion by the Congress that he do it. Now, what is he asked to do? To assume custody. For what purpose? What is the beneficiary of the trust or bailment? I quote:

To protect the economic welfare of the United States and to provide for the common defense of the Western Hemisphere.

As I understand it, the one question to be decided on the point of order is whether the provision that this is also to provide for the common defense of the Western Hemisphere would be germane under this resolution. On that point I wish to call the attention of the Chair to the fact that the resolution is entitled "To promote the defense of the United

States," and in section 3 and throughout the bill the defense of the United States is to be promoted by permitting the President from time to time to do things for other countries whose defense the President deems necessary to our defense. Last year the Congress, by a resolution duly enacted, established that the defense of the Western Hemisphere was a part of our defense, and therefore anything having to do with the defense of the Western Hemisphere comes squarely under the provisions of this resolution, which is exclusively devoted to the subject of the defense of other nations whose defense is essential to our defense.

Therefore it seems to me that this amendment being permissive only, being a suggestion, if you please, to the President with reference to our defense and to the defense of the Western Hemisphere, being a suggestion clearly under section 3 (b) as to the terms and conditions upon which the negotiations shall be carried on under this resolution, therefore the amendment is clearly in order and germane.

Mr. CASE of South Dakota. Mr. Chairman, I desire to be heard on the point of order.

The CHAIRMAN. The Chair will be pleased to hear the gentleman. It is very important for the Chair to have the benefit of the arguments presented on the point of order.

Mr. CASE of South Dakota. Mr. Chairman, the point I wish to draw to the attention of the Chair is in response to the inquiry which the Chair addressed to the author of the amendment. The Chair asked the author of the amendment what particular defense benefit might accrue from the proposals in the amendment. There is a direct analogy, and it certainly must occur to the Chair upon reflection, and every member of the committee. That is in the action which the Congress took last year to authorize the blocking or freezing of foreign deposits and foreign exchange held in this country. It seems to me that that is directly analogous. It comes to my mind because recently I had occasion to try to get some funds transferred to an American citizen who happened to be in Paris, and I learned a little bit about the procedure in connection with the releasing of blocked funds.

Those funds did not belong to the United States. Some of the funds belonged to France, to the Bank of France, or to foreign nationals, very much the same as these securities in the Argentine Republic belong to foreign nationals; and yet, as a measure of national defense at the present time the Congress on the recommendation of either the Foreign Affairs Committee or the Committee on Banking and Currency, whichever committee reported the resolution, took action last year to tie up these funds. I am advised it is Public Resolution No. 69 of the Seventy-sixth Congress. The amendment offered by the gentleman from Illinois, it seems to me, to freeze the ownership of securities is analogous to that resolution passed as a matter of national defense last year blocking or



freezing funds to prevent the possibility of their falling into the hands of an unfriendly government.

Miss SUMNER of Illinois. Mr. Chairman—

The CHAIRMAN. Does the gentleman from Illinois seek recognition on a point of order?

Miss SUMNER of Illinois. The point I wanted to make was the same as that made by the gentleman from South Dakota. The interest of any trustee in a bank is obvious, and he usually gets a fee. In this case the fee to this country would be defense of the United States.

I was going to point out that the bill reported by the Banking and Currency Committee, as indicated by the gentleman from South Dakota, applies the role to the United States. Under the amendment suggested by the gentleman from Illinois this interest will be extended to the same territory as that covered by the Monroe Doctrine.

Mr. DIRKSEN. Mr. Chairman—

The CHAIRMAN. Does the gentleman from Illinois desire to be heard on the point of order?

Mr. DIRKSEN. Yes.

The CHAIRMAN. The Chair will be pleased to hear the gentleman briefly.

Mr. DIRKSEN. As I understood the point of order, it was based upon two grounds; first, that the amendment was not germane to the section where offered; and, second, that it was not germane to the bill. May I ask the Chair, in ruling upon the point of order, so to divide the ruling as to indicate whether if the amendment is not germane to the section it is germane to the bill, or vice versa? In which event the gentleman from Illinois could offer this amendment as a separate section. Both questions, of course, have been raised in the point of order.

The CHAIRMAN. The Chair passes on the matter as it is presented to the Chair.

Mr. DIRKSEN. I am asking only, Mr. Chairman, that the ruling be so stated as to indicate whether the amendment is not germane both to the section and to the bill.

The CHAIRMAN. It is within the province of the Chair to state the Chair's ruling as the Chair deems proper under the circumstances that present themselves.

Mr. GIFFORD. Mr. Chairman—

The CHAIRMAN. Does the gentleman from Massachusetts desire to be heard on the point of order?

Mr. GIFFORD. If the Chair pleases.

The CHAIRMAN. The Chair will be pleased to hear the gentleman from Massachusetts briefly.

Mr. GIFFORD. Mr. Chairman, I wish to extend my sympathy to the Chair upon the matter of the decision he is about to make. Already great criticism is brought upon us because we are obliged to hold so many things to be not germane, as the Chair well knows.

Under section (b) the terms and condition upon which any such foreign government receives aid may be payment or repayment in any kind of property or any other direct or indirect benefit which the President may deem to be of benefit. The pending amendment provides only

for negotiation anyway, negotiation with nationals who may seek a haven under our custodianship for their holdings. I am not so much interested in them as I am in the application of the terms of this amendment to a government which has forced its nationals to turn over to their government their securities, so that such governments may obtain credits in the United States. Is there not a distinct direct or indirect benefit if the United States should demand or negotiate with Great Britain, for instance, that she would send those securities she already holds, that we may hold them for her if the President deems that to be wise? It is a direct or indirect benefit. Surely it is in order under section (b) if the President sees even an indirect benefit.

The CHAIRMAN. Does the gentleman from Texas desire to be heard further on the point of order?

Mr. LUTHER A. JOHNSON. I do not, Mr. Chairman.

The CHAIRMAN. The Chair is prepared to rule.

The gentleman from Illinois offers an amendment which the Clerk has reported. The gentleman from New York [Mr. BLOOM], and the gentleman from Texas [Mr. LUTHER A. JOHNSON], make a point of order against the amendment on the ground that it is not germane to the section to which it is offered, or to the bill. The Chair has examined the amendment offered with some care and invites attention to the provisions of the amendment which, of course, is the question presented to the Chair. Many arguments might be made, many observations might be presented as to what might happen under certain contingencies and certain conditions, yet, after all, the responsibility and the duty of the Chair is to take the amendment as presented and analyze it with the terms of the bill under consideration.

It is the understanding of the Chair that the bill under consideration authorizes the President to negotiate with foreign governments. The amendment presented by the gentleman from Illinois provides as follows:

To protect the economic welfare of the United States and to provide for the common defense of the Western Hemisphere the President is authorized to negotiate the transfer to the custodianship of the United States for the duration of the wars abroad and such time thereafter as he may deem necessary the stocks, bonds, shares, land titles, contracts, or agreements respecting any right or interest in or ownership of any national or private enterprise located within what is geographically known as the Western Hemisphere which are owned or controlled by or subject to the disposition of any such government or any of its nationals.

The Chair is of opinion that the amendment is too broad, and in response to the inquiries of the Chair the impression was very clearly conveyed by the author of the amendment that the real purpose of the amendment is to protect the interests of private enterprise and nationals of foreign countries by providing for these securities or this property owned by them, to be held by the United States as trustee for their benefit.

The Chair does not see that any benefit necessarily would accrue to the Government of the United States by simply holding in possession or in trust as trustee certain property belonging to private enterprise and nationals of foreign governments. The Chair is therefore of the opinion that the amendment is not germane and sustains the point of order.

Mr. McCORMACK. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. McCORMACK: Page 2, beginning with line 24, strike out the entire subsection (2) as amended and insert in lieu thereof the following:

"(2) To sell, transfer, exchange, lease, lend, or otherwise dispose of to any such government any defense article, whether manufactured or procured under paragraph (1) or otherwise acquired, but no defense article not manufactured or procured under paragraph (1) shall in any way be disposed of under this paragraph, except after consultation with the Chief of Staff of the Army or the Chief of Naval Operations of the Navy, or both. The value of defense articles disposed of in any way under authority of this paragraph, and procured from funds heretofore appropriated, shall not exceed \$1,800,000,000."

Mr. McCORMACK. Before speaking on my amendment I want to call the attention of the House to the ruling just made by the Chair, not the ruling on the subject matter in the amendment itself, but the fact that an amendment was offered to this bill under the rules of the House, to which a Member made a point of order. The Chair patiently listened to those speaking on both sides and made his decision.

I refer to this in view of an editorial appearing yesterday in a Washington paper, in which the present incumbent of the Chair made a ruling the other day, and the editorial proceeded upon the theory that whoever was in the chair—in this case the distinguished gentleman from Tennessee [Mr. COOPER]—by simply sustaining a point of order gagged the House of Representatives.

I know that whoever wrote the editorial, which was a rather strong, erroneous editorial, expressed his honest views, but I think it is only fair for all of us, in the protection of whoever might be in the chair, whether the Democrats be in power or the Republicans are in power, to let others know that the occupant of the chair occupies a trust and he calls decisions as he honestly sees them. Furthermore, everything that is done is done under the rules of the House. This House has rules to govern itself just the same as any other agency, whether governmental or private.

I also want to call attention to another matter for the benefit of the gentleman who wrote the editorial. If he is honest, I know he wants to be informed. The decision of the Chair is never final. Any Member could rise and appeal from the decision of the Chair, at which time the question comes before this body, "Shall the decision of the Chair remain the judgment of the Committee?" Or, in the case of the House, if a similar point of order is made, an appeal may be made by any Member and the question would



be, "Shall the decision of the Chair remain the judgment of the House?" Debate can be engaged in. A majority of the Members can overrule the decision of the Chair, if they desire to.

In all fairness to the occupant of the chair, I think it is the duty of some Member to call attention to whoever wrote this editorial that the action of the Chair is not final, that any Member could have risen in his place and appealed, then the matter automatically would come before the Committee on the appeal; also, that the writer, if he is intellectually honest with himself, has made a grave mistake, which an honorable man will quickly attempt to remedy. I know each and every one of us would feel greatly pleased if whoever wrote that editorial would offer an editorial of apology for the editorial he wrote yesterday against the distinguished gentleman from Tennessee [Mr. COOPER].

Mr. CHAIRMAN, what I say is in no sense critical, but a firm statement, because we have to protect the integrity of the House against misinformed attack; and whoever wrote the editorial should know that it is predicated on a wrong premise; and if he is the man I think he is, he will do the manly thing.

Now, Mr. CHAIRMAN, may I say a word or two about the amendment.

Mr. TABER. Mr. CHAIRMAN, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from New York [Mr. TABER].

Mr. TABER. I may say that the language which the gentleman has offered was submitted to me by the legislative council before it was offered. When he submitted it to me I did not grasp the penciled language and the effect of it. I call the attention of the gentleman to the fact that the penciled language results in a complete limitation on all aid to Britain of \$1,300,000,000 and I doubt if that was his intention.

Mr. McCORMACK. Of course, that was not the intention.

Mr. TABER. I would not feel as if I were fair to the gentleman if I did not call his attention to that fact. May I suggest to the gentleman that instead of the penciled language that you leave out the word "whether" and say "manufactured or procured otherwise than under paragraph 1."

Mr. RAYBURN. Mr. CHAIRMAN, I offer an amendment to the amendment, since the matter is now properly before the House, to strike out that penciled language.

The CHAIRMAN. Does the gentleman from Massachusetts yield for that purpose?

Mr. McCORMACK. I accept the amendment.

Mr. TABER. That is all right.

Mr. MARTIN of Massachusetts. May we have the amendment read?

The Clerk read as follows:

Amendment offered by Mr. RAYBURN to the amendment proposed by Mr. McCORMACK: Strike out of the amendment the language "whether manufactured or procured under paragraph (1) or otherwise acquired."

Mr. McCORMACK. I accept that amendment, Mr. CHAIRMAN.

The CHAIRMAN. Without objection, the amendment to the amendment is agreed to.

There was no objection.

Mr. McCORMACK. That will leave the amendment I have offered exactly in the language as contained in the bill, except that instead of the 10-percent authority to transfer under this paragraph, we substitute the specific amount of \$1,300,000,000.

Mr. TABER. Mr. CHAIRMAN, will the gentleman yield for a statement?

Mr. McCORMACK. Certainly.

Mr. TABER. There is a very considerable confusion in the minds of all of us who have gone into the question of the amount of the appropriations for the year 1941.

Mr. MARTIN of Massachusetts. Mr. CHAIRMAN, a parliamentary inquiry, in the interest of orderly procedure.

The CHAIRMAN. Will the gentleman from Massachusetts yield for a parliamentary inquiry?

Mr. McCORMACK. I always yield to the gentleman from Massachusetts.

Mr. MARTIN of Massachusetts. I should like to know how the time is running? The gentleman from Massachusetts was recognized for 5 minutes some time ago.

Mr. McCORMACK. Mr. CHAIRMAN, I ask unanimous consent to proceed for 3 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. TABER. There is considerable confusion in the minds of all of us who have gone into the question of the amount of the appropriations for the year 1941, which was the basis of the 10-percent provision contained in the substitute offered to my amendment. I made a statement on the floor as to what I thought it was, and the Speaker made a statement. Some people agree with us and some do not as to the meaning of that language, but he did say that the intention of this substitute that was offered by the gentleman from New York [Mr. BLOOM] was to permit a ceiling of only \$1,300,000,000 upon these articles, and that was the understanding with which the Committee of the Whole adopted that substitute.

Mr. McCORMACK. The purpose of this amendment is to carry out that understanding.

Mr. JENKINS of Ohio. Mr. CHAIRMAN, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Ohio.

Mr. JENKINS of Ohio. I am afraid there may be many Members of the House as dumb as I am about what we propose to do here, and I am asking in their behalf. I do not understand what this amendment does. To what does this \$1,300,000,000 apply?

Mr. McCORMACK. This applies to appropriations heretofore made, and relates to the transfer of any articles produced as a result of those appropriations under the provisions of this paragraph. It limits the transfer of boats, for example, or any other defense articles that

exist as a result of appropriations heretofore made, in that the total of the transfers shall not exceed the sum of \$1,300,000,000. In other words, that is to meet the argument that the whole Navy might be transferred, or anything of that kind. [Here the gavel fell.]

Mr. MUNDT. Mr. CHAIRMAN, I move to strike out the last word.

First, if I may, I should like to submit a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MUNDT. Am I now barred from offering an amendment to the amendment? Would that be out of order? I have an amendment to propose to the amendment offered by the gentleman from Massachusetts [Mr. McCORMACK], and I am not sure just by what process the Speaker's suggestion was written into the amendment, whether it was accepted by the gentleman from Massachusetts or voted upon, or how it was done.

The CHAIRMAN. In reply to the parliamentary inquiry, the Chair will state that the amendment offered by the gentlemen from Texas, the Speaker of the House, to the amendment has already been adopted; therefore, the amendment now pending is subject to further amendment.

Mr. MUNDT. Then I offer an amendment to the amendment.

The Clerk read as follows:

Amendment offered by Mr. MUNDT to the amendment offered by Mr. McCORMACK: Strike out the word "value" and insert "The total original cost price."

Mr. MUNDT. Because this is an important amendment and there has been considerable confusion, I ask unanimous consent that, not coming out of my time, the amendment may be read in its entirety as it would appear if the language suggested were written into it.

The CHAIRMAN. Without objection, the amendment offered by the gentleman from Massachusetts, as modified by the amendment offered by the gentleman from South Dakota, will be read for information.

There was no objection.

The Clerk read as follows:

Page 2, beginning in line 24, strike out the entire subparagraph (2) as amended and insert in lieu thereof:

"(2) To sell, transfer, exchange, lease, lend, or otherwise dispose of, to any such government any defense article, but no defense article not manufactured or procured under paragraph (1) shall in any way be disposed of under this paragraph, except after consultation with the Chief of Staff of the Army or the Chief of Operations of the Navy, or both. The total original cost price of defense articles disposed of in any way under authority of this paragraph, and procured from funds heretofore appropriated, shall not exceed \$1,300,000,000."

Mr. MUNDT. Mr. CHAIRMAN, I believe it is important that we all understand this amendment. It has been badly confused, as you know, because we discussed it briefly yesterday and passed it in haste, and today it has been caught in a parliamentary web. I believe we should get it clearly in our minds before we vote. Let me call your attention to the evolution of this amendment.



Mr. LUTHER A. JOHNSON. Mr. Chairman, will the gentleman yield for a question?

Mr. MUNDT. Briefly.

Mr. LUTHER A. JOHNSON. As I understand the amendment the gentleman has offered, its effect would be to make the determination of the value of the articles we let these governments have dependent on the original cost price. That is the key word in the gentleman's amendment.

Mr. MUNDT. It would write in that criterion for determining value.

Mr. LUTHER A. JOHNSON. In other words, if an average destroyer we let them have cost, say, \$1,000,000, we would charge it up at \$1,000,000, although it would be worth only \$100,000 now.

Mr. MUNDT. By the same token, if an old battleship, the original cost of which might have been \$60,000,000, has been recently reconditioned, we would simply charge them for the \$60,000,000, so that it averages itself out both ways. But it provides a definite and workable yardstick for defining the term "value" which is a perfectly elastic and vague limitation as the proposal now stands.

I want to make the point very clear that the original amendment of the gentleman from New York [Mr. TABER] used the language that "the original cost price" of all the defense articles disposed of should not be in excess of \$500,000,000. We are now about to triple that limit from \$500,000,000 to almost \$1,500,000,000, or precisely \$1,300,000,000. This is quite a lift of the limitation on that basis; but let me point out that, without this language which the gentleman from New York [Mr. TABER] had in his original amendment specifying a criterion to use for determining the value, we then have no basis whatsoever for determining the value that is going to be attached to these items which will accumulate to the total of \$1,300,000,000.

I submit there is considerable difference between a stipulated contractual value, such as suggested by the gentleman from New York [Mr. TABER], and a synthetic, conjectural value placed upon it by an unnamed authority, such as would be the case under the present language. I agree with what the gentleman from Massachusetts [Mr. McCORMACK] said, that this House has a responsibility to maintain its integrity against such misinformation as he alleges was recently written in an editorial, and if misinformation was the source of unfair criticism of our Chairman, I certainly would be the first to resent it. However, I believe this House also has a responsibility to maintain its integrity by refusing to be a party to conveying misinformation to the public. The rule of insistence upon frankness and upon accurate information should work both ways. So if we propose to write in a limitation of \$1,300,000,000, we should also write in a criterion for determining how values are arrived at, so that the limitation can really mean something worth while. This should be a limitation in fact and not simply a limitation in theory, and if we keep in the language written by the gen-

tleman from New York [Mr. TABER] in his original amendment, then we have specifically made a \$1,300,000,000 limitation.

If we delete that language and supplement it with the very elastic word "value," determined by a process unknown to any of us and by an individual not stipulated in the bill, we then have not placed a \$1,300,000,000 limitation on the bill. It may be \$4,000,000,000, it may be \$2,000,000,000, or it may be \$10,000,000,000, it all depends on what value is placed on something supposedly obsolete from the World War. You cannot place a value on a pail of water to a man who is dying of thirst. To him it has an intense value, but to a man with a bountiful supply of water it has no value whatever. You cannot place a realistic value, either, on obsolete materials. Until this country is equipped to defend itself that obsolete material may be almost invaluable. Once we have modern defense equipment it loses its significance, and if we are going to protect the defense establishments of America through this amendment, let us make it workable by putting in the original language which specified how values were to be determined. If we are not going to protect the defense of America, why put it in at all? Let us either do this thing right or skip the idea altogether. Let us not be a party to trying to fool the people. [Applause.]

[Here the gavel fell.]

Mr. LUTHER A. JOHNSON. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, this amendment offered by the gentleman from South Dakota [Mr. MUNDT] is in line with the other amendments that have been offered by this group in the House who want to give aid to England—but. They want to cripple the way in which we will do it. In this amendment which has been adopted we have met the objection that there is no ceiling upon the amount that the President might let them have under the appropriations already made. Upon the material we let them have we place now a ceiling in answer to one of the objections to the bill, and, as to the future, of course, all appropriations will have to be made before anything could be spent.

Now, the gentleman from South Dakota [Mr. MUNDT], who is so anxious to give aid to Britain, and to do it now, conceives the idea that when we go to let them have this material, which we have limited to \$1,300,000,000, in order to keep that aid down as much as he can, he wants to charge them up with the original cost price of the articles that we let them have regardless of their age or their present value.

Mr. MUNDT. Mr. Chairman, will the gentleman yield?

Mr. LUTHER A. JOHNSON. No; I do not yield.

Mr. MUNDT. The gentleman is referring to my speech, and I think he should yield.

Mr. LUTHER A. JOHNSON. I thought it was someone else. I yield to my friend.

Mr. MUNDT. I know that the gentleman wants to be fair and courteous, and

the gentleman has misrepresented my position, and I want to straighten him out in the matter.

Mr. LUTHER A. JOHNSON. Of course, if I have done that I yield.

Mr. MUNDT. This is not intended to limit aid in any sense, and my amendment, incidentally, was conceived by the gentleman from New York [Mr. TABER]. I am reintroducing the language that he introduced which was stricken out, and it is reintroduced by me for the purpose of defining the amount so that we may keep a proper accounting system.

Mr. LUTHER A. JOHNSON. Do not take all of my time.

Mr. MUNDT. Let me point out to the gentleman very briefly that these old battleships have recently been reconditioned, and my amendment does not charge that up against England, but it simply gives us a measuring yardstick.

Mr. LUTHER A. JOHNSON. I do not attribute any improper motives to the gentleman, but I say that the result of this amendment, whether he intended it so or not, is to restrict and limit and reduce the aid we give to England, because what we are going to have in the way of materials, in the main, is going to be largely old material, and its present value would not be as large as its original cost price, and therefore I ask you, if you want to give aid to England, to vote down this amendment.

Mr. SMITH of Ohio. Mr. Chairman, I move to strike out the last word. I objected to the unanimous-consent request of the gentleman from New York [Mr. Bloom], and I am objecting to the pending amendment because in my opinion, instead of this proposal being a limitation on the amount of the defense articles that may be given away by the President, it is a direct authorization to give away at least \$1,300,000,000 worth of defense articles. This would permit the President to give away the greater part of our naval vessels. That, in my opinion, cannot, by the wildest stretch of rational imagination, be regarded as a limitation. When the President is authorized to give away more than half of our warships, that is not a limitation on anything. That is a resolve by the Congress to commit national suicide. [Applause]

Mr. CRAWFORD. Mr. Chairman, I move to strike out the last three words.

Mr. LUTHER A. JOHNSON. Mr. Chairman, I ask unanimous consent that all debate upon this amendment and all amendments thereto close in 10 minutes, 5 minutes being reserved here, if we desire to use them.

The CHAIRMAN. Is there objection?

Mr. COSTELLO. Mr. Chairman, I reserve the right to object. I have an amendment that I desire to offer as soon as this is disposed of, and for that reason I shall have to object.

Mr. LUTHER A. JOHNSON. Mr. Chairman, I move that all debate on this amendment and all amendments thereto close in 10 minutes.

The motion was agreed to.

The CHAIRMAN. The gentleman from Michigan is recognized for 5 minutes.



Mr. CRAWFORD. Mr. Chairman, I assume that the Government in keeping its accounts carries cost sheets on individual jobs, such as battleships, destroyers, and so forth. If that is the case, I am in favor of the amendment to the amendment offered by the gentleman from South Dakota [Mr. MUNDT]. It seems to me we might use a little common sense in dealing with the figures involved in this general approach, which has to do with the giving away and lending and leasing of billions of dollars and of property. But even if that amendment of the gentleman from South Dakota [Mr. MUNDT] is adopted to the amendment offered by the gentleman from Massachusetts [Mr. McCORMACK] I would still be opposed to the original amendment. As a matter of fact, I would be opposed to the amendment offered by the gentleman from New York [Mr. TABER] for \$500,000,000, and my primary reason for being opposed to that was pointed out by the gentleman from Ohio [Mr. SMITH], in which he said it is a direction to give away, we will say, \$500,000,000 worth of property, or \$1,300,000,000 worth of property. I simply will not go along with a bill that gives our assets away to a country that is able to pay for it as well as are the taxpayers in my eighth district of Michigan. I still have a little respect for their economic burdens, and I hope the House—it may be a futile hope—will vote down the whole proposition of giving any of these things away.

Mr. JENKINS of Ohio. As I understand it, the gentleman takes the position that it is his judgment, if this amendment is adopted, that the ultimate result will be the United States giving away a billion three hundred million dollars worth of material.

Mr. CRAWFORD. It seems to me that the President and his assistants would immediately proceed to look up \$1,300,000,000 worth of equipment and give it away as quickly as possible, because the Congress has directed that \$1,300,000,000 should be given away in haste.

Mr. JENKINS of Ohio. Furthermore, if the amendment proposed by the gentleman from Massachusetts [Mr. McCORMACK] is adopted, who fixes the value?

Mr. CRAWFORD. The group in charge of these negotiations, of course, will do that. Congress has nothing to do with it.

Mr. JENKINS of Ohio. And it would stand to reason that if the President is in a giving mood he would be ready to give away \$1,300,000,000 worth of material.

Mr. CRAWFORD. Why, by reason of the original cost and the replacement of major items put into these battleships, it might be \$4,500,000,000, or a far greater sum based on the original cost. Any man who has handled big improvement items knows that.

Mr. ARNOLD. And because of the gentleman's lack of confidence in the administration, is it not better to have this ceiling than no ceiling at all?

Mr. CRAWFORD. It is not a question of faith in the President. The people who sent me here did not send me here

to give away assets to a foreign country that is able to pay for them.

Mr. MUNDT. And is not the amendment as now written more of an order to give it away?

Mr. CRAWFORD. Yes, of course, it is an encouragement to do so. Why should not they give the whole kit and kaboodle away?

Mr. MUNDT. There is no yardstick to determine the value.

Mr. CRAWFORD. Of course, there is not.

The CHAIRMAN. The question is on the amendment offered by the gentleman from South Dakota [Mr. MUNDT], to the amendment offered by the gentleman from Massachusetts [Mr. McCORMACK].

The question was taken; and on a division (demanded by Mr. MUNDT) there were—ayes, 68, noes 97.

So the amendment to the amendment was rejected.

Mr. COSTELLO. Mr. Chairman, I offer an amendment to the amendment.

The Clerk read as follows:

Amendment offered by Mr. COSTELLO to the pending amendment: At the end of the amendment insert "Provided, That not more than one-third of each of the tactical types and models of aircraft now in service, under construction, or on order for the War or Navy Departments may be so disposed of under the provisions of this section."

Mr. COSTELLO. Mr. Chairman, my purpose in offering this amendment is to carry out still further the effort that has just been made by the committee itself to restrict the amount of aid that may be given to Great Britain out of the appropriations that have just been made during the past few years for our War and Navy Departments.

Under the terms of the restriction which they have themselves offered to be placed upon this bill, approximately only 10 percent of the materials heretofore appropriated for may be so disposed of, but the entire \$1,300,000,000 worth of materials may be exclusively airplanes or aircraft. The purpose of my amendment is to see to it that not more than one-third of each of the tactical types or models of aircraft may be so disposed of. Under this amendment it would not be possible to dispose of more than one-third of the Boeing bombers or one-third of the Lockheed interceptors. Without this amendment it would be possible to dispose of all the bombers that are now in service, under construction, or on order, thereby leaving our own air forces without the proper types of tactical planes.

I have been prompted to offer this amendment for this reason: We seem to be more alarmed about this war than is Great Britain. We are striving to make greater efforts to provide defense equipment for Great Britain than is that country itself. [Applause.] Today in England they are still producing commercial aircraft. Today in England they are still producing commercial aircraft for export, and yet we in this country are at the point of stopping all commercial production. We are attempting to limit our every manufacturing effort exclusively to defense needs. We are utilizing every aircraft-production facility

which this country possesses for military production; yet in England they are still producing aircraft for the use, not only of their existing commercial air lines throughout the Empire, but also for the expansion of those air lines as well as for export and sale to foreign countries outside the Empire.

Let me quote to you from an article which appeared in the British aviation magazine *Flight*, in the issue for November 28, 1940. The article reads:

One of the surprising features of the war is, not that British aircraft export should have dwindled but that it should exist at all. In spite of all the difficulties arising out of priority claims of materials for military aircraft, of obtaining export licenses, and last, but not least, of finding the time and the men, General Aircraft, Ltd., has persistently pursued the policy that export must, come what may, be kept alive if the country is to remain in a healthy financial condition.

It is evident from this article that Great Britain is more concerned with their commercial welfare after the war than they are with the present emergency. They are more afraid of losing their post-war commerce than they are concerned with the possibility of losing the present war. The article goes on further to mention that they are not only producing one type of light aircraft but have designed and built quite recently another model "which is suitable not only for export but for work at home."

In the December issue of 1940 of the magazine *Aeronautics* appears the following statement under the caption "Flamingos for abroad."

For some time British Airways have been awaiting delivery of eight De Havilland Flamingo machines which they had ordered. The first, named *King Arthur*, has now been handed over to them. This aircraft, with the other Flamingos, is to be used abroad on services already in existence and on new routes that have been planned in various parts of the Empire.

The De Havilland Flamingo is a large transport ship seating 20 passengers, and you will observe that after the first year of this crucial war for the very life of Britain, they are still producing these ships, not just for the purpose of making replacements to existing air lines but for the purpose of continuing the expansion of those lines wherever possible. Yet the magazine *Flight* in its issue for December 5, 1940, comments at some length regarding the proposal to prevent the expansion of the commercial air lines in the United States of America and has this to say:

The march of events has made this inevitable and if the number of new aircraft required by the air lines in United States of America is such that it might interfere appreciably with defense needs of the United States and Britain, the air lines will have to be curtailed.

In a word, we must curtail our commercial air lines if it interferes with the aid to Britain, but it is not necessary for Britain to curtail her existing lines, nor even her program of expansion.

The great bottleneck of aircraft production in this country is the production of engines. Yet in England the small-engine manufacturers are still producing



for sale small horsepower engines, advertising that the engines "are available at short notice and your inquiries are invited." If nothing else, it would seem to me that Great Britain should not be using available supplies of aircraft materials for production of pleasure aircraft and commercial ships, as well as the tools and equipment and the manpower so essential to the production of an air force now vitally needed for the defense of that country.

We have been told that this legislation is proposed for the defense of this Nation. We have likewise been told that aiding Britain will give us time to prepare against attack which is imminent. If time is fleeting and the hour is already so late, then we would do well to protect at least a portion of the planes which are to become available to our own defense forces by placing the limitation which I have proposed into this bill. We now have some 21,000 planes under contract, while Great Britain has 16,000. Under the terms of my amendment, one-third of our planes could be disposed of, namely, 7,000 planes. This would make it possible for Great Britain to obtain 23,000 planes, but it would also guarantee that our own forces would at least receive 14,000 planes. This Congress is charged with the obligation of providing for the defense of this Nation. Under this proposed act it would be possible to dispossess this Nation of its entire defense equipment. Such authority should not be granted to anyone regardless of whether there be any intention to use that power or not. I, for one, believe that this Congress will be exceedingly remiss in its duty to the Nation if it does not restrict the power which it is granting by accepting this amendment and protecting our air forces against depletion of their equipment. Especially is this true when Great Britain is not making the supreme effort to save herself, but is wasting much of her available production facilities in protecting her commercial markets for the future.

Mr. HARTER. Mr. Chairman, I rise in opposition to the amendment.

Mr. FISH. Will the gentleman yield for me to make a unanimous-consent request?

Mr. HARTER. Not if it comes out of my time.

Mr. Chairman, I rise in opposition to the amendment to the amendment offered by the gentleman from California [Mr. COSTELLO]. As a matter of fact, under the provisions of this bill we have provided that the President cannot dispose of any defense article except after consultation with the Chief of Staff of the Army or the Chief of Naval Operations of the Navy, or both. In their judgment it may be unwise to lend or lease any of certain items and desirable to make available far more than one-third of others. We destroy the entire purpose of this act if we put on this limitation as suggested by the amendment. We might have, for instance, 100 aircraft that we might want to dispose of under the provisions of this bill. If we adopt this hampering amendment we can only dispose of 33 of them. There may be a very good reason why we shall want to

lend all we possibly can of certain kinds of munitions or war supplies that are better adaptable to the needs of those who are fighting Hitler. By giving them the matériel they need we gain for ourselves what we so sorely need—time—within which to build up our own national defense. We should endeavor to see to it that this act is capable of being administered in the light of our own interests in order that we may protect ourselves, make ourselves so strong that we may be kept from being drawn into this conflict abroad.

The amendment offered by the gentleman from California [Mr. COSTELLO] would destroy, very largely, the purpose of this act. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from California [Mr. COSTELLO] to the amendment offered by the gentleman from Massachusetts [Mr. McCORMACK].

The question was taken; and on a division (demanded by Mr. COSTELLO) there were—ayes 73, noes 103.

So the amendment to the amendment was rejected.

The CHAIRMAN. The question recurs on the amendment offered by the gentleman from Massachusetts [Mr. McCORMACK], as amended.

The amendment as amended was agreed to.

Miss RANKIN of Montana. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Miss RANKIN of Montana: Page 4, line 5, after the so-called Bloom amendment, insert a new subsection to read as follows:

"Subsection (f). Nothing in this act shall be construed to authorize or permit the President to order, transfer, exchange, lease, lend, or employ any soldier, sailor, marine, or aircraft pilot outside of the territorial waters of the Western Hemisphere without specific authorization by the Congress of the United States."

Mr. BLOOM. Mr. Chairman, I reserve a point of order against the amendment.

The CHAIRMAN. The gentleman from New York reserves a point of order against the amendment. The gentleman from Montana is recognized for 5 minutes in support of her amendment.

Miss RANKIN of Montana. Mr. Chairman, some of the Members were here when the war vote was taken in 1917; a great many of you were not. I wonder how many of you remember the propaganda that was used at that time? The propaganda then was exactly the same as the propaganda today: We had to aid England or we would be attacked; the Germans would be over here. That was a war for democracy, to make the world safe for democracy. Today we say it is for the democracies.

We were told in 1917 that if we would vote promptly and unanimously for war that would be all that was necessary, that Germany would fall, there would be revolution in Germany—but there was not. We were told that if we would vote for war no soldier would cross the ocean.

The other day I was talking to Mayor LaGuardia. He asked me how many men I thought voted for that war reso-

lution because they thought no men would cross the ocean. It was his opinion that 80 percent who voted for that resolution did so because they thought our men would be safe in this country.

The title of the pending bill is to promote the defense of the United States. There is not a word in the bill that says "aid to England." We all know, of course, that that is the purpose of the bill. If we send our material is it not reasonable to expect that in a very short time we will send the men to use the material? If this bill is for the protection of the United States then we need our men at home.

To me, a vote for this bill will mean giving over power that cannot be recalled.

We can no more trust good intentions to keep us out of war today than we could in 1917.

Each step takes us closer to war, if we go in that direction.

It is our responsibility to protest each step. Our responsibility is to vote our conscience; to vote as if this were a secret vote.

Many, who fallaciously believe that human relations can be adjusted by force and violence, also believe that the threat of violence is effective.

We were told, before the war vote, that a mere declaration of war would be enough to cause revolution in Germany, but it did not follow.

Many of those who believe that the United States should intervene in European affairs, were saying, from 1935 to 1939, that Germany was only bluffing, and that a threat of war—a show of force—would end Hitler's power.

This bill is, to me, a show of force.

When Representatives of the people hand over the power to involve us in a war to another branch of the Government, they are betraying, not only the people they represent, but the ideals of a Government founded on law—a Government of responsible lawmakers.

By the passage of this bill we step up the speed toward war, and only a courageous determination on the part of the people can save us from war.

By defeating this bill, we accept our responsibility to protect the people. I will give you a quotation from Lincoln, made nearly 100 years ago:

Allow the President to invade a neighboring nation whenever he shall deem it necessary to repel an invasion, and you allow him to do so whenever he may choose to say he deems it necessary for such purpose, and you allow him to make war at pleasure. Study to see if you can fix any limit to his power in this respect, after having given him so much as you propose. If, today, he should choose to say he thinks it necessary to invade Canada to prevent the British from invading us, how could you stop him? You may say to him, "I see no probability of the British invading us;" but he will say to you, "Be silent; I see it, if you don't." The provision of the Constitution giving the war-making power to Congress was dictated, as I understand it, by the following reasons: Kings had always been involving and impoverishing their people in wars, pretending generally, if not always, that the good of the people was the object. This, our Convention understood to be the most oppressive of all kingly oppressions, and they resolved to so frame the Constitution that no one man should hold the power of bringing this oppression upon us.



This argument, which I have just quoted, is expressed in a letter by Lincoln to William H. Herndon, under date of February 15, 1848.

Lincoln repeatedly opposed President Polk's policy on the invasion and annexation of Texas (1845-49). At no point did he base his opposition on the problem of slavery in new territories.

His resistance centered entirely upon the fact that, under the Constitution, the power to declare war is vested in Congress and not in the President.

He was defeated for Congress but later became President.

All "aid to Britain" that will not weaken our own defense, Britain can obtain without the passage of this bill.

Some well-considered legislation may be necessary to take care of details.

I have been working for years, as most of you know, for a bill to define our military policy, and to make that definition conform with the will of the people.

You will agree with me, I believe, that the people of this country have been willing and anxious to spend any amount of money to protect our shores from invasion—for adequate national defense—and, by defense, they meant, in the broadest terms, defense of our interests in the Western Hemisphere.

Congress has never refused to legislate or appropriate for whatever the departments asked, although, in the judgment of some, much of it was obsolete.

The people were equally strong in their opposition—and I believe still are—to sending men to Europe to settle the boundary and commercial disputes of the Old World.

I expressed this definition of military policy, when I was asking my friends for votes, by saying: "Prepare to the limit for defense. Keep our men out of Europe."

This bill does two things that are directly contrary to American national interests:

It will disorganize the defense of our shores by taking from here and there to satisfy Britain's needs, and may deplete our own arsenal.

When our material and ships are overseas we have no assurance that we shall not be asked to send the men to man them, and that they will not follow.

Before the Congress votes full grant of power, it should have something more than a political speech, made in the fear of a campaign, as a guaranty for the safety of our most precious possession—our youth. This amendment may help to protect the youth.

The United States is in no danger, regardless of the outcome in Europe.

It takes no special military knowledge, just good common sense, to know that it is difficult to land great quantities of supplies and men, simultaneously, on any shore; that the task becomes increasingly difficult if the people on shore oppose the landing.

If they are backed up with modern military supplies and a sincere desire to prevent the landing the difficulties are practically insurmountable.

It also takes no military knowledge to know that a people cannot be subdued without troops.

Our forefathers were aware of this when they limited the appropriations for the Army to 2 years.

Tom Watson, the agrarian writer of the South, opposed the Army and advocated a Navy for defense, for he said that a Navy could never suppress a people, while an Army could.

These simple military facts, that troops cannot land on an enemy shore, that a people cannot be suppressed without troops, insure great security for America.

If added to these facts are modern air bombers and military equipment in the hands of loyal citizens, our country is impregnable.

If our geographical position and modern science protect our shores, the same conditions protect the shores of Europe. If there be any doubt in anyone's mind about the value of a shore line in defending a country, just take the map of Europe and observe the haste with which Russia and Germany broke the military treaty of Versailles to secure for themselves a shore line.

Do the British plan an invasion of Europe?

Before we vote all power to the Executive, we should know the cost in American men of such an invasion. We should protect ourselves against undue haste.

A military program must be geared to the war aims.

Therefore the war aims must be clearly defined before we can judge what is military aid.

The questions I must have answered are:

What are our war aims? What are Britain's? What terms can we accept as conditions for peace? Are the British and American people aware of these aims and willing to make the sacrifices war demands?

There is only one law in war—to which everything must be sacrificed, national dignity, human lives, everything that conflicts therewith—and that law is the necessity to win.

To win a modern war it must be conducted on the basis of a dictatorship—one commander in chief. Who will be the commander in chief?

When the war vote came, in 1917, I could not understand how we could vote away the lives of men without a frank and open discussion of the Allied aims, and the determining peace factors.

Have we learned nothing in 24 years? If we take this step, what will be the next?

If Britain needs our material today, will she later need our men, and where will they fight?

We must demand answers to these questions.

Our greatest possessions are our human liberties.

The country whose human liberties are on the broadest basis should be the country to preserve them, and seek greater liberties for people everywhere.

Human liberties and war are incompatible.

And, please remember, that people never make war.

It is always governments.

We represent the people in this country, and if we, their Representatives, relinquish our power to protect the people

from war, why should we expect the Executive to have the courage and determination that we lack?

The highest patriotism of a citizen, who loves his country, is to oppose, with all his power, everything that will permanently injure the ideals of this country.

There is an old tradition of America—fundamental to human liberty—which is, that no man should have the power to control the life of another man.

If that is true for the individual, it is equally true for the nation; and I hope I shall always have the courage to oppose, with all my power, my country being placed in the position where she will feel called upon to dominate other nations.

In 1917 we were humble in our attitude toward the world.

We were unaware of our strength and potentialities.

Today we know we are powerful—in men, material, and, I hope, in understanding.

We are conscious of our strength, and it is my prayer that we shall never be arrogant.

Representatives in Congress must guard the human liberties that have been secured through great sacrifice, for we are the agents of the people, and have been given a sacred trust.

Regardless of our high respect for other branches of the Government, we are responsible for our own conduct, and we must not abdicate.

I have spent my life in an effort to increase human liberties, and since I believe that this bill destroys these liberties, I must oppose it.

I hope this amendment will not be ruled out on the technical ground that defense of this country means only materials, not men.

Mr. STEFAN. Mr. Chairman, will the gentlewoman yield?

Miss RANKIN of Montana. I yield to the gentleman from Nebraska.

Mr. STEFAN. The gentlewoman from Montana remembers I had a similar amendment and that I yielded to her that she might introduce her amendment, because it is somewhat similar to mine. I ask the distinguished gentlewoman from Montana, who was in this body when it voted to declare war, if it is not a fact that the fathers and mothers back home want us to put something in this legislation which will assure them we are not going to send their sons to foreign shores for combat purposes? Something should be written in here regarding men. Plenty is said about battleships and war materials.

I do hope that through a technicality the gentlewoman's amendment will not be ruled out, for we need it in this bill in spite of the statements made that there is no language in the bill which would indicate that we will send men to foreign shores for combat purposes. I feel that there is nothing wrong to say in this bill that it is our intent not to do so.

Miss RANKIN of Montana. I thank the gentleman. He is right.

Mr. TALLE. Mr. Chairman, will the gentlewoman yield?

Miss RANKIN of Montana. I yield.

Mr. TALLE. I have listened for many days to the words "short of war." If



these words mean anything, what objection can there be to the purpose of the gentleman's amendment?

Miss RANKIN of Montana. I thank the gentleman for his observation.

Mr. Chairman, if this bill has for its purpose the giving of aid short of war, certainly it seems to me it does not mean the sending of our men to Europe.

I should like to ask how many Members during the campaign, when the President said he was not going to send our men to Europe, talked to their constituents and explained that they really wanted to send men to Europe, that they would not take every precaution whether it was germane or not to carry out the intentions of the people in their districts when they voted for them?

There are some people who do believe it is possible to go to the edge of the precipice and then stop, but it is a most dangerous thing to try to do.

The discussion in the House yesterday centered about the President's peacetime powers, that he had the power even in peacetime to do it and that there was nothing to prevent it. I say there is something more than the Constitution to prevent our going to war, and that is the expressed opinion of the people. This Congress is here merely to carry out the expressed intention of the people at home, and the people at home do not want to send our men abroad. [Applause.]

[Here the gavel fell.]

Mr. O'CONNOR. Mr. Chairman, I ask unanimous consent that the gentleman from Montana may proceed for 3 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. O'CONNOR. Mr. Chairman, will the gentleman yield?

Miss RANKIN of Montana. I yield.

Mr. O'CONNOR. May I not say to my distinguished colleague from Montana that I am in hearty accord with her amendment in substance, though it is too broad. I believe every Member of Congress ran on a platform of stating that they would not vote to send our boys to fight on foreign soils anywhere; the President practically so stated.

Miss RANKIN of Montana. I thank the gentleman for his observation.

Mr. POAGE. Mr. Chairman, will the gentleman yield?

Miss RANKIN of Montana. I yield.

Mr. POAGE. To make the gentleman's amendment clear to me, let me ask. Would the effect of the amendment be that no naval vessel could be sent outside the territorial waters of the Western Hemisphere?

Miss RANKIN of Montana. That is the intention.

Mr. POAGE. That would require the United States to move the Asiatic Fleet back from the Philippines, back from Guam into the Western Hemisphere, and force us to relinquish our position in the Eastern Hemisphere. It would even prevent us from sending replacements for the troops now in the Philippines.

Miss RANKIN of Montana. Not at all; for the amendment contains the provisions for Congress to order such things

done, and we all know Congress can act very quickly when the need requires.

Mr. POAGE. Mr. Chairman, will the gentleman yield further?

Miss RANKIN of Montana. I cannot yield further. I am sure the gentleman realizes my time is limited.

I wish every Member here could have been here when the war vote was taken in 1917 and could have seen the leader of the Democrats, Claude Kitchin, the ablest man in the House at that time, who stood head and shoulders above everyone else. He had the courage to stand up here and talk and vote against war; and Champ Clark, the Speaker of the House of Representatives at that time, would not vote for war. These distinguished men were the leaders of the Democratic majority.

Mr. BRADLEY of Pennsylvania. Mr. Chairman, will the gentleman yield?

Miss RANKIN of Montana. I yield.

Mr. BRADLEY of Pennsylvania. I am in sympathy with the purpose of the gentleman's amendment, but I would like to ask her if she would not so modify it that it would permit the free movement of the United States Navy? Because we cannot hamper the free movement of the United States Navy even though we are in sympathy with the objectives sought by the gentleman from Montana to keep our men out of war.

Miss RANKIN of Montana. Would the gentleman vote to keep the men home, or will he vote later to let them go to war?

Mr. VAN ZANDT. Mr. Chairman, I believe if the gentleman from Montana would delete from her amendment mention of the Navy and give us an opportunity to vote on the Army she would get further with the amendment.

[Here the gavel fell.]

Mr. STEFAN. Mr. Chairman, I ask unanimous consent that the gentleman may proceed for another 2 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Nebraska [Mr. STEFAN]?

Mr. BLOOM. Mr. Chairman, reserving the right to object, I asked the gentleman to yield to me several times and she has refused at all times to yield. I am not going to object and I am not going to ask the gentleman to yield again.

Miss RANKIN of Montana. I will be very happy to yield to the gentleman.

The CHAIRMAN. Is there objection to the request of the gentleman from Nebraska [Mr. STEFAN]?

There was no objection.

Miss RANKIN of Montana. Mr. Chairman, it has been suggested that we take out the words "sailors, marines, and aircraft pilots." I shall not object to that.

The CHAIRMAN. Permit the Chair to understand the gentleman's request. What is her request?

Miss RANKIN of Montana. Mr. Chairman, I ask unanimous consent to delete the words "sailors, marines, and aircraft pilots."

The CHAIRMAN. Is there objection to the request of the gentleman from Montana [Miss RANKIN]?

Mr. POAGE. Mr. Chairman, reserving the right to object, when the gentleman takes those words out, would it be possible to send a contingent of troops to the Philippine Islands, which is required to maintain order there and to maintain our obligations in the Philippines? Would we be able to continue to do that even after she takes those words out?

Miss RANKIN of Montana. No. Those troops are already there, and they may remain there.

Mr. POAGE. How would we change them? How could we send replacements there?

Miss RANKIN of Montana. By an act of Congress.

The CHAIRMAN. Is there objection to the request of the gentleman from Montana, to strike from her amendment the certain words mentioned by her?

Mr. BLOOM. Mr. Chairman, I object, because I really do not understand what the amendment is.

Mr. VORYS of Ohio. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. VORYS of Ohio. I understood, Mr. Chairman, that in the Committee of the Whole the author of an amendment does not have to secure unanimous consent to change the text of an amendment.

The CHAIRMAN. The gentleman is incorrect for two reasons: First, she asked unanimous consent, and the Chair put what she asked, and the second is it would require unanimous consent. Does the gentleman from New York [Mr. BLOOM] withdraw his point of order?

Mr. BLOOM. No, Mr. Chairman. I insist on the point of order.

The CHAIRMAN. If the gentleman insists on the point of order, it would be appropriate to dispose of that first.

Miss RANKIN of Montana. Mr. Chairman, I ask unanimous consent to withdraw the entire amendment at this time.

The CHAIRMAN. Is there objection to the request of the gentleman from Montana [Miss RANKIN]?

There was no objection.

Mr. VAN ZANDT. Mr. Chairman, I offer an amendment which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. VAN ZANDT: Page 4, line 5, after the so-called BLOOM amendment, insert:

"Nothing in this act shall be construed to authorize or permit the President to order, transfer, exchange, lease, lend, or employ any soldier outside of the territorial waters of the Western Hemisphere, except the Philippine Islands, without specific authorization by the Congress of the United States.

Mr. VAN ZANDT. Mr. Chairman, this amendment, in a few words, is designed to prohibit the sending of American troops, unless specifically authorized by Congress, to any part of the world except within the confines of the Western Hemisphere, including the Philippine Islands.

This amendment, while similar in some respects to the amendment offered by the gentleman from Montana [Miss



RANKIN], differs by the fact that no restrictions are applied to the United States Navy nor the United States Marine Corps, nor is it intended to affect United States troops now in territorial possessions, including the Philippine Islands.

The American people are inalterably opposed to sending our troops abroad to take part in this World War No. 2. It is my firm belief they will wholeheartedly support the result of such an amendment as a means of keeping America out of another futile European brawl.

Ladies and gentlemen of the House, the American people in opposing this Nation's entrance into another Old World conflict are not unmindful of the days of 1917-18 as a result of our bitter experience during the first World War. We have 4 American cemeteries in distant France, 87 veterans' hospitals in the United States filled to overflowing with wracked and broken bodies and shadowed minds. In addition we have a huge national debt that generations will never be able to repay. Yes; the American people want to aid Great Britain, and as a Representative of the Twenty-third Congressional District in Pennsylvania I want to aid our valiant English neighbors in their gallant efforts to resist the war-crazed assaults of the despicable Hitler regime. I repeat, this amendment is designed to meet the wishes of the vast majority of American citizens to keep America out of the present European struggle.

Mr. VINSON of Georgia. Mr. Chairman, will the gentleman yield?

Mr. VAN ZANDT. I yield to my distinguished friend the gentleman from Georgia [Mr. VINSON].

Mr. VINSON of Georgia. As I caught the gentleman's amendment, it would have the effect of denying the Government the right to send the marine guard to Peking or anywhere in China where they are already stationed, because the gentleman has limited it to the Philippine Islands. Also, what about Guam and the other possessions in the Pacific?

Mr. VAN ZANDT. By the language of the amendment only soldiers are affected. The Navy is not included; and inasmuch as the marines are a component part of the United States Navy, they are likewise exempted.

Mr. VINSON of Georgia. No; because there are probably troops there also.

Mr. VAN ZANDT. Is it not correct that the marines are a part of the crew of a battleship?

Mr. VINSON of Georgia. Yes; the marines are a part of the Navy; but at the same time it would deny the Government the right to send troops, say, from Manila down to Shanghai. You could not police the International Settlement at Shanghai under this amendment. Not long ago troops were brought from the Philippines down to Shanghai. The amendment is entirely too broad on that ground.

Mr. VAN ZANDT. Since the gentleman from Georgia concurs in my assertion that the marines are part of the United States Navy, and since as before stated both are exempt from the provisions

of my amendment, it naturally follows that their movements are not restricted.

Mr. BLOOM. Mr. Chairman, will the gentleman yield?

Mr. VAN ZANDT. I yield to the gentleman from New York, Chairman Bloom.

Mr. BLOOM. The gentleman's amendment covers the Western Hemisphere; is that right?

Mr. VAN ZANDT. The amendment goes a step further and includes the Philippine Islands.

Mr. BLOOM. How does the gentleman describe the Western Hemisphere? It goes from zero meridian to 180°. Does the gentleman mean by his amendment to take in half the earth?

Mr. VAN ZANDT. The amendment very specifically describes the Western Hemisphere, and that is exactly what we intend it to include.

Mr. BLOOM. The gentleman is taking in half of the earth, from zero meridian over to the other side. He is taking in both oceans. It has to be half of the earth; it has to go from zero meridian over to 180°.

Mr. VAN ZANDT. We now have commitments to protect nations that represent 55 percent of all the area of the world. This amendment gives us a reasonable area to protect within the confines of the Western Hemisphere and removes the anxiety occasioned by efforts to have the United States police the entire globe.

Mr. CRAWFORD. Mr. Chairman, will the gentleman yield?

Mr. VAN ZANDT. I yield to the gentleman from Michigan [Mr. CRAWFORD].

Mr. CRAWFORD. When the gentleman refers to the Western Hemisphere he does not take in an inch of territory not heretofore covered in legislation recently enacted by this Congress.

Mr. VAN ZANDT. The gentleman is correct. The term "Western Hemisphere" is clearly defined in the minds of the American people.

Mr. CRAWFORD. It is in keeping with what has gone before.

Mr. SHANNON. Mr. Chairman, will the gentleman yield?

Mr. VAN ZANDT. I yield to my distinguished friend the gentleman from Missouri [Mr. SHANNON].

Mr. SHANNON. I ask the gentleman to fight, and fight hard. This is the first time the human being has been mentioned in this discussion. I want the American young manhood to be given a chance for its white alley and not be sent to a foreign battlefield without a hearing by this body. Let us praise the gentleman from Montana for forcing some consideration for the human being in this body. [Applause.]

Mr. VAN ZANDT. I heartily agree with the sentiments expressed by the gentleman from Missouri [Mr. SHANNON].

Mr. STEFAN. Mr. Chairman, will the gentleman yield?

Mr. VAN ZANDT. I yield to the gentleman from Nebraska.

Mr. STEFAN. The people back home want something written into this legislation indicating that we are taking the

stand here and now that we are not going to send men to Europe to fight again.

Mr. VAN ZANDT. The gentleman is correct. Public sentiment is emphatic in opposition to any attempt to send another A. E. F. to Europe.

Mr. JARMAN. Mr. Chairman, will the gentleman yield?

Mr. VAN ZANDT. I yield to the gentleman from Alabama.

Mr. JARMAN. I am not sure that I understood the gentleman's amendment, but, as I understand it, it would prevent, for instance, placing military attachés in London or elsewhere in Europe on anywhere in the Western Hemisphere. Does the gentleman agree with that?

Mr. VAN ZANDT. I cannot agree with the gentleman.

Mr. JARMAN. What is the meaning of the word "soldiers"? Will the gentleman tell me that?

Mr. VAN ZANDT. The meaning of the word "soldiers" is exactly what we say, "soldiers." It means the men who are now in the United States Army, which now includes the National Guard as well as the draftees. Officers assigned as military attachés are known to be on detached duty and are in no manner affected by this amendment. These officers may be said to be a part of the personnel of our Diplomatic Corps.

Mr. VINSON of Georgia. The marines are in the armed forces.

Mr. VAN ZANDT. While it is true the marines may be said to be in the armed forces, we do not include in this amendment the words "marine" or "sailor." As previously stated, the Navy, which includes the Marine Corps, are excepted from the provisions of this amendment.

Mr. VINSON of Georgia. The armed forces of the country.

Mr. COX. Mr. Chairman, will the gentleman yield?

Mr. VAN ZANDT. I yield to the gentleman from Georgia [Mr. Cox].

Mr. COX. As I understand the gentleman, he is simply undertaking to take the word of the advocate of this legislation to mean that there is no purpose or intention of employing our men in a foreign war. Does not the gentleman feel, however, whether or not he believes that, whether or not in his judgment there is any intention of doing that again which they say they do not expect to do, that this would amount to embarrassment of the freedom of action of the Commander in Chief of the Army, and for that reason the amendment is unwise?

Mr. VAN ZANDT. There is no intention of embarrassing our Chief Executive as Commander in Chief of the Army and Navy. In my belief, this amendment would be a direct mandate to the President of the United States that the American people are not in favor of sending troops abroad. In short, it may be well for us to constantly remind each other that the American people are vigorously opposed to this Nation becoming involved in Old World conflicts. [Applause.]

[Here the gavel fell.]

Mr. RICHARDS. Mr. Chairman, I rise in opposition to this amendment because it is intended primarily, I believe, as a smoke screen to befuddle the minds of the American people. Everybody knows



that the American people do not want to send men to foreign soil again for foreign wars. I do not believe either the proponents or the opponents of this measure intend to do any such thing. This bill does not provide for any such thing.

The gentlewoman from Montana mentioned a while ago something about propaganda, and suggested that hysteria was running high here and in the minds of the American people, urging us to do something unwise or something that would tend to bring about the sending of our boys again to foreign shores. We all know what propaganda had to do with inflaming the minds of the American people during the last war period, and if the other Members of the House have had the same experience I have had with regard to this bill, they know that practically all propaganda that has come to them on the subject has been from organized groups within our borders who care more for institutions somewhere else than they do about American institutions [applause], and are fighting this bill tooth and nail. Go back to your office and look at the letterheads, look at the names signed there, and you will find that 9 out of 10 letters and telegrams that have come to you against this bill are obviously inspired by organized propaganda agencies. Very seldom does the average American citizen worry himself enough to writ in support of a bill which he wholeheartedly approves. He is oftentimes lead, however, to write in opposition to a bill through false information and propaganda.

Mr. DINGELL. Mr. Chairman, will the gentleman yield to me at this point?

Mr. RICHARDS. I have just 5 minutes, but I will be pleased to yield.

Mr. DINGELL. The gentlewoman from Montana referred to the propaganda in the last war. I wonder if she recalls the source of it, when Count von Bernstorff and Franz von Papen were the senders of so much German propaganda that they were given their walking papers and sent home.

Mr. RICHARDS. That is a very pertinent statement.

Mr. Chairman, let me get right back now to the meat of the amendment offered here. There is nothing in this bill that provides for sending American boys to foreign shores. The amendment of the gentleman from Pennsylvania [Mr. VAN ZANDT] would put the American Government in the position where it cannot send a single soldier of the Army anywhere outside the Western Hemisphere, which would, of course, include Hawaii and the Philippines. He insinuates there is a danger there, but he is willing to sacrifice the members of the Marine Corps and the members of the naval forces; but under his amendment a soldier cannot be sent. And, further, he cannot get away from the fundamental fact that the President of the United States, regardless of whether that provision is placed in this bill or not, is the Commander in Chief of the Army and the Navy, and what is the Navy without men and ships, and what is the Army without men to make up its component parts?

Mr. VINSON of Georgia. Mr. Chairman, will the gentleman yield?

Mr. RICHARDS. I yield.

Mr. VINSON of Georgia. Under a strict construction of the gentleman's amendment, the President or the Secretary of War could not detail military observers who are in the Army to see how this war is being carried on.

Mr. RICHARDS. Under a strict construction of the amendment, the gentleman from Georgia, the distinguished chairman of the Naval Affairs Committee, is correct.

Mr. FISH. Mr. Chairman, will the gentleman yield?

Mr. RICHARDS. I yield.

Mr. FISH. Let me say to the gentleman, Why quibble about that? It would be the easiest thing in the world to amend this bill to permit them to send military attachés, naval attachés, and air attachés, if the main purposes of the amendment were voted upon.

Mr. RICHARDS. I am not going to get off on the attaché question. The gentleman knows that the purpose of this amendment is to cast doubt and to place doubt in the minds of the American people and to insinuate that the proponents of this bill want to send American soldiers to foreign wars, when there is nothing in the bill that suggests this. [Applause.]

Mr. HINSHAW rose.

The CHAIRMAN. For what purpose does the gentleman from California rise?

Mr. HINSHAW. Mr. Chairman, I move to strike out the last word.

Mr. LUTHER A. JOHNSON. Mr. Chairman, I move that all debate on this amendment and all amendments thereto do now close.

Mr. FISH. Mr. Chairman, the gentleman from California had been recognized.

The CHAIRMAN. The gentleman from California had not been recognized. The Chair asked the gentleman for what purpose he rose.

The gentleman from Texas moves that all debate on this amendment and all amendments thereto do now close.

The question was taken; and on a division (demanded by Mr. FISH) there were—ayes 133, noes 82.

Mr. FISH. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chair appointed as tellers Mr. LUTHER A. JOHNSON and Mr. FISH.

The Committee again divided, and the tellers reported that there were—ayes 152, noes 101.

So the motion was agreed to.

Mr. BLOOM. Mr. Chairman, I move that all debate on this section and all amendments thereto close in 1 hour.

The question was taken; and on a division (demanded by Mr. FISH) there were—ayes 137, noes 84.

Mr. FISH. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chair appointed as tellers Mr. LUTHER A. JOHNSON and Mr. FISH.

The Committee again divided, and the tellers reported that there were—ayes 165, noes 102.

So the motion was agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. VAN ZANDT].

Mr. FISH. Mr. Chairman, I ask unanimous consent that we may have the amendment again read.

Mr. ROGERS of Oklahoma. Mr. Chairman, I object.

The question was taken, and the amendment was rejected.

Mr. FISH. Mr. Chairman, I offer a motion which I send to the Clerk's desk.

The Clerk read as follows:

Mr. FISH moves that the Committee do now rise and report the bill back to the House with the recommendation that the enacting clause be stricken out.

The CHAIRMAN. Is the gentleman opposed to the bill?

Mr. FISH. I am, Mr. Chairman.

The CHAIRMAN. The gentleman qualifies and is recognized for 5 minutes.

Mr. FISH. Mr. Chairman and Members of the House on both sides, I believe, up to now, both in Committee and in the House, there has been a fair consideration of this bill, the most important bill that has come before the Congress in our time and, possibly at any time since the beginning of the Republic. There has been no disposition, certainly on my part, at any time, to delay or hinder or obstruct the consideration of the bill.

I have at no time made any dilatory motion. I even wanted to get through if possible last night. I want to get through tonight by 5 o'clock, but this motion to cut off debate to 1 hour on the remainder of section 3 was made without any consultation with the minority members of the Foreign Affairs Committee, and section 3 is the crux of the whole bill. The equivalent of the Republican motion to recommit has not yet been considered. It will be offered by the gentleman from New Jersey [Mr. EATON]. There ought to be an hour at least in the consideration of that proposal. A motion which I have, which I think is one of the most important, is to prohibit the use of our ports as bases for warships of belligerent nations, and that motion comes under this section 3.

There is another important amendment limiting the percent of Army and Navy airplanes to be disposed of to belligerent nations, and several minor amendments to be considered under this section and it ought to take at least 2 hours to finish this section, the crux of the whole bill. Yet the gentleman from New York [Mr. BLOOM], without saying a word to us, moved to end debate in 1 hour. I want to be fair, and up to now I have commended the leadership of the House on the majority side, both in committee and in the House. You have just cut off in 10 minutes' debate the vital question of whether American blood shall be spilled in foreign lands. Now you propose to limit debate on these important amendments to 1 hour. Gentlemen on the majority side, you destroy what you have done up to now. It may be a little inconvenient to you, but it is equally so to me, to stay here until 5 o'clock, but this is the most important and far-reaching bill any Congress has considered. All



of us can afford to wait a few hours longer. When you apply a 1-hour limitation before the Eaton amendment and these others have been presented, you are simply applying a gag rule to this dictator-war bill. I do not like to say that because I prefaced my remarks by saying you have been fair up to now, but without a word to us you made this motion, and if that is not gag rule, then I do not know what a gag rule is. I want to get away as much as anyone else, but this measure is too important to stifle debate on vital amendments.

Mr. RAMSPECK. What about all of the teller votes the gentleman has been calling for?

Mr. FISH. They were only on important issues. If I had wanted to I might have demanded a teller vote far more often. I could have asked for one on the last amendment, the Van Zandt amendment, but that was not my intention nor has it been. I want to get through, but we want to have fair debate on these major amendments. However, if you want to take the responsibility of gagging us of course you have the votes to do it. We could retaliate by using dilatory tactics, but I hope that no Member on this side will on a bill of this character.

Mr. BLOOM. If the amendments which the gentleman says are so important, which he has been keeping over there on his side in cold storage, why were they not brought out before instead of talking about all these minor amendments? Why did you not give us a chance to hear them?

Mr. FISH. The gentleman has asked his question, and I will answer it, because it is a fair question. The reason for that is this. Members of the Foreign Affairs Committee of course have the right to offer these important amendments, but there are some Members of Congress, not members of the committee, who would be completely cut out if that were done. For instance, the gentlewoman from Montana [Miss RANKIN] would not have had an opportunity to offer her amendment. I have been trying to get her opportunity to take the floor for a day and a half. We finally had to get the minority leader to go to the Chairman to have her recognized. If we had not waited, she never would have been given an opportunity at all to present and debate her amendment. I think all Members of the House have as much right to be heard on vital legislation as do members of the committee in charge of the bill. I know that I will have the right in this hour of debate to offer my amendment, but others who are not members of the committee will be shut out and will have no opportunity to get the floor. That is the answer to the gentleman and I deeply regret this unnecessary move to gag the minority and limit debate on such an all-important piece of legislation. [Applause.]

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. McCORMACK. Mr. Chairman, I rise in opposition to the amendment. We have been about 14 hours debating this section. The gentleman from New York [Mr. Fish] who was leading the Republican Party in the policy of opportunism

that is being engaged in in connection with a bill serious to the fate of our country, relating to our national defense—

Mr. HOFFMAN. Mr. Chairman, I demand that the words of the gentleman be taken down.

The CHAIRMAN. The Clerk will report the words taken down.

The Clerk read as follows:

The gentleman from New York who was leading the Republican Party in the policy of opportunism that is being engaged in in connection with a bill serious to the fate of our country relating to our national defense.

The CHAIRMAN. The Committee will rise.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. COOPER, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill H. R. 1776 certain words used in debate were objected to, which on request were taken down and read at the Clerk's desk, and that he reported the same herewith to the House.

The SPEAKER. The Clerk will report the words objected to in Committee of the Whole House on the state of the Union.

The Clerk read as follows:

The gentleman from New York who was leading the Republican Party in the policy of opportunism that is being engaged in in connection with a bill serious to the fate of our country relating to our national defense.

The SPEAKER. The Chair will again read those words attributed to the gentleman from Massachusetts [Mr. McCORMACK]:

The gentleman from New York who was leading the Republican Party in the policy of opportunism that is being engaged in in connection with a bill serious to the fate of our country relating to our national defense.

The Chair is unable to find in those words anything that is a violation of the rules of the House, reflecting upon the integrity of the Members.

The Committee will resume its session. [Applause.]

Accordingly the Committee resumed its session.

The CHAIRMAN. The gentleman from Massachusetts [Mr. McCORMACK] is recognized.

Mr. McCORMACK. Mr. Chairman, I think it is only fair that the remarks of the gentleman from New York [Mr. Fish] should not be left unanswered about a gag rule. Certainly, in my 12 years in Congress, if there has ever been an example of the majority party giving to the minority complete and unlimited time, that has been exhibited on this occasion. I would never have referred to it except that the gentleman from New York [Mr. Fish] said so in debate, but he told me he was anxious to get through last night. I would never have referred to it because I would have considered it to be a conversation between two gentlemen, but the gentleman referred to it himself. I can understand that, and his position in going over today is not inconsistent with that. But I was willing to cooperate in every way, and in view of the fact that he expressed the hope that

we would get through by 5 o'clock today, I was trying to cooperate with the gentleman in that. Certainly the gentleman from New York has placed himself in a very embarrassing position in accusing the Democratic Party of a gag rule when, without consulting other members of his party he had the inward hope and desire, which he publicly expressed, of getting through by 5 o'clock this afternoon.

Mr. EATON. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. Always, if I have time.

Mr. EATON. I want to express my personal regret, my profound regret, that this most tremendous of all issues has become such a partisan affair in this House at the present time. [Applause.]

Mr. McCORMACK. I agree with the gentleman and I am not going to say any more, because probably on this occasion "the less said the easiest mended."

Mr. EATON. Amen! [Applause.]

The CHAIRMAN. The question is on the motion of the gentleman from New York [Mr. Fish].

The question was taken; and on a division (demanded by Mr. PATMAN) there were—ayes none, noes 163.

So the motion was rejected.

The CHAIRMAN. Does the gentleman from New York [Mr. Fish] desire recognition now on his amendment?

Mr. FISH. I would rather wait until later.

The CHAIRMAN. Does the gentleman from New Jersey, Dr. EATON, desire recognition on his amendment at this time?

Mr. MICHENER. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MICHENER. How much time was decided upon for debate on this section?

The CHAIRMAN. By action of the Committee, debate on this section and all amendments thereto has been limited to 1 hour.

Mr. MICHENER. Mr. Chairman, my parliamentary inquiry is this: I regret, and I think we all do, that we have gotten into this unfortunate tangle. There are still some very important amendments to this section to be offered, which should have due consideration. Can we not, by unanimous consent, increase the time to 1½ hours?

I shall make that request, Mr. Chairman, if it is agreeable to the majority leader.

Mr. BLOOM. Will the gentleman reserve his request and let us go along? Why do you not offer your important amendments now?

Mr. HOFFMAN. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. HOFFMAN. The gentleman from New York [Mr. Bloom], chairman of the Committee on Foreign Affairs, has not been recognized; the gentleman is speaking without recognition.

The CHAIRMAN. The gentleman from Michigan is probably technically correct.

Does the gentleman from New York [Mr. Fish] desire recognition to offer an amendment at this time?



Mr. FISH. Yes. Mr. Chairman, I offer an amendment and ask to be heard for 1 minute.

The Clerk read as follows:

Amendment offered by Mr. FISH: On page 2, line 15, strike out the word "other" and insert the word "existing."

The CHAIRMAN. The gentleman from New York is recognized, as he requested, for 1 minute.

Mr. FISH. Mr. Chairman, section 3 now reads: "Notwithstanding any other law." This may mean that a future act of this or of some succeeding Congress could not amend this particular bill.

Mine is a perfecting amendment. I hope the committee will accept it. It merely perfects or clarifies the bill by striking out the word "other" and substituting therefor the word "existing," so that it will read: "Notwithstanding any existing law," the President can do this.

If this change is not made it may mean that any future law we enact may be disregarded, and I do not believe that was the purpose of the framers of the bill.

[Here the gavel fell.]

Mr. LUTHER A. JOHNSON. Mr. Chairman, I rise in opposition to the amendment to take just long enough to say that the amendment is entirely unnecessary and has no meaning whatever so far as carrying out the purposes of the bill are concerned. Certainly the gentleman does not mean that the word "other" would nullify some future act of this Congress.

I hope the amendment will be voted down.

Mr. COX. Mr. Chairman, I move to strike out the last word for the purpose of propounding a unanimous-consent request.

The CHAIRMAN. The gentleman from Georgia is recognized.

Mr. COX. Mr. Chairman, I ask unanimous consent to insert in the Record at this point a discussion of the question of the powers of the Chief Executive as Commander in Chief of the Army and Navy.

The CHAIRMAN. Was this discussion prepared by the gentleman himself?

Mr. COX. No. It has been furnished by the Congressional Library, under my direction, however.

The CHAIRMAN. If the gentleman embraces it as his own remarks it will be in order; otherwise such permission would have to be secured in the House, not in the Committee of the Whole.

Without objection, it is so ordered.

There was no objection.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. FISH].

The amendment was rejected.

Mr. FISH. Mr. Chairman, I offer another amendment upon which I would like to be recognized for 1 minute.

The Clerk read as follows:

Amendment offered by Mr. FISH: On page 4, line 25, after the word "Act", insert "including all agencies of the Government utilized by the President in the administration of this act to report to Congress—"

Mr. LUTHER A. JOHNSON (interrupting the reading of the amendment). Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. LUTHER A. JOHNSON. We are on section 3. The amendment relates to section 5.

The CHAIRMAN. The point of order will have to be sustained. That part of the bill has not yet been reached.

Mr. FISH. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. FISH: On page 3, line 9, after the word "government", insert a comma in parentheses and the following: "but permission shall not be granted for the use of any port or ports of the United States or of any of its possessions as a base or bases to repair, outfit, and recondition beyond the time limit accepted by international law as applied by the United States for the warships of a belligerent nation."

Mr. FISH. Mr. Chairman, this is one of the major amendments.

Mr. Chairman, under this section of the bill belligerent warships may come into our harbors for repair work, to be outfitted and reconditioned, and to use them as bases. If this amendment is not adopted foreign warships could bring the war over to America in defiance of international law, in defiance of the established safety zone, in defiance of our treaties with pan-American nations, and in defiance of all our traditions since the days of George Washington. Let me read you a part of the Democratic platform of 1940 dealing with foreign affairs:

The American people are determined that the war raging in Europe, Asia, and Africa shall not come to America.

By this amendment you invite the war to come over here. Certainly no one will deny that if belligerent warships come into our harbors and use our ports as bases that enemy ships will follow, German submarines, maybe German cruisers, or battleships will come over here after British warships that are based on our harbors. This is an utter negation, denial, and repudiation of everything America has stood for in international law since the foundation of the Republic.

In 1870 we almost went to war with Great Britain because she permitted certain Confederate ships to be outfitted in her ports and harbors during the War between the States. The celebrated *Alabama*, *Georgia*, *Shenandoah*, and *Florida*, all Confederate ships, were outfitted in England or her colonies and then proceeded to attack the commerce of the United States with the result that several thousand American ships were captured or sunk. Five or six years after the war, because of the bitterness between Great Britain and the United States as a result of this, both Nations entered into the Treaty of Washington in 1870.

That treaty provided for the settlement of the *Alabama* claims under which England apologized for permitting Confederate raiders to be outfitted in England, not only apologized but paid us what in those days was a very large sum of money, \$15,500,000 for the damages inflicted against our commerce. We now propose, however, to repudiate not only international law, our own law, our own traditions, and our own treaties with

South American countries, but even the safety zone, and open our bases to belligerent warships of certain nations. This amendment has to do with warships, not merchant ships, that come and go or may be built here legally.

There is one thing the American people do not want, and that is to bring the war to America. This, however, is exactly what you are proposing in this bill. No one can raise a question of international law or even constitutional law against this amendment as did the gentleman from Connecticut [Mr. SHANLEY] yesterday on prohibiting the President to give away any part of the Navy. Every international lawyer would favor this amendment. If the amendment is not placed in the bill in the House it will be in the Senate. If you want to remain silent and by your votes endorse this proposal to bring the war to America, that is your affair, but in doing so you will violate American treaties, laws, traditions, and what remains of international law. I am sorry that on such a vital issue debate has been so limited.

Mr. Chairman, I hope this amendment will prevail. [Applause.]

Mr. LUTHER A. JOHNSON. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, this amendment ought to be defeated. I have heard the gentleman's amendment discussed. We had it before the committee and discussed it there I guess as much as any other amendment that was offered in the committee. The gentleman is obsessed with the idea that if this amendment is not put into the bill we are going to violate some provision of international law because in the Hague Convention something was said about a subject of this kind; but, as has been so well pointed out by the Secretary of State when he was asked a question about this particular amendment by the gentleman from New York, Mr. Hull pointed out that article XXVIII of the Hague Convention also provided that it shall not be binding unless all signatories were party to the agreement. Some of the parties now involved were not signatories to that agreement. Furthermore, as pointed out by Secretary Hull, violation by Germany, Japan, and Italy of the Pact of Paris, sometimes called the Kellogg-Briand Pact, does not require us to adhere to that treaty since they have violated it.

Mr. Chairman, without going beyond the question of international law, as pointed out by Secretary Hull and also by Secretary Stimson, it is not necessary to conform to international law under any such provision.

May I say that this provision will not tend to involve us in war because it will not violate international law, and, furthermore, what objection can there be to repairing a ship if we are going to build a battleship for these powers? This bill gives the express authority in subsection 1 of section 3 to manufacture and build ships in our own arsenals, in our own navy yards. Some of them will probably be battleships. Others will be other kinds of ships that may be used in war. We will build bombers, we will build planes, we will build warships of various



kinds, and the gentleman from New York does not object to that, but when we have a provision in here about repairing ships he wants us to say we cannot repair a ship, while reserving to ourselves the authority to build ships. He says to repair ships will involve us in war. He says if we permit one of those ships to be repaired here after it has been built, then we violate international law and we will get ourselves into trouble. It is foolish. His objections are not tenable. They are not founded upon a violation of international law, as I pointed out. They are not founded upon logic, because if we have the right to build the ships we certainly ought to have the right to repair the ships.

Mr. Chairman, I hope the amendment will be voted down.

Mr. GIFFORD. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I spoke on this matter last Tuesday and since noted a headline stating that I said "international law has gone by the board." International law has not gone entirely by the board as far as Guatemala and other friendly nations are concerned, but it has gone by the board as far as Hitler and the Axis Powers are concerned. There can be no doubt about that.

I wish to rehearse a little. We are trying to give aid to England. The Axis Powers, including Japan, seem quite ready to move at the right moment against us. Does anybody doubt that? They perhaps will not declare war, but they will make real trouble for us. If our ships are in the ocean in order to protect the Philippines or for any other reason, and need repairs, would it not be unfortunate if we were not allowed the facilities of Singapore? Suppose England would say that she must obey the laws of neutrality? We are setting a fine example here by refusing aid to this nation in the matter of repairing their ships. We will be paving the way for possible and serious trouble in the future. [Applause.]

The CHAIRMAN (Mr. WHITTINGTON). The question is on the amendment offered by the gentleman from New York [Mr. Fish].

The question was taken; and on a division (demanded by Mr. Fish) there were—ayes 70, noes 147.

So the amendment was rejected.

Mr. COSTELLO. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. COSTELLO: Page 3, line 6, at the end of the line insert "Provided, That until the requirements of the United States for our own air defense and protection are adequately provided for, not more than 50 percent of our aircraft in service, under construction, or on order shall be disposed of to foreign nations."

Mr. LUTHER A. JOHNSON. Mr. Chairman, I make a point of order against the amendment. A substitute has already been agreed to and this amendment cannot be offered now.

Mr. COSTELLO. Mr. Chairman, this amendment is not a substitute.

Mr. LUTHER A. JOHNSON. The McCormack substitute has been offered and agreed to.

Mr. COSTELLO. It is not offered as a part of the substitute, but is offered as

an amendment to be added at the end of the paragraph.

Mr. LUTHER A. JOHNSON. But the paragraph has been agreed to.

The CHAIRMAN. The Clerk will report the amendment for the information of the Committee.

The Clerk reread the Costello amendment.

The CHAIRMAN. The gentleman from Texas makes the point of order that the Committee has already disposed of paragraph (2), which includes the language through line 6. Technically under those circumstances it is too late to undertake further to amend or add to that paragraph; so that the Chair is constrained to sustain the point of order.

Mr. COSTELLO. Mr. Chairman, does the Chair rule that no amendment may be offered to that paragraph at this time?

The CHAIRMAN. To subparagraph (2). That has already been disposed of by the Committee. In other words, the time for offering amendments to subparagraph (2) was while it was being perfected. It was perfected and a substitute was offered, and that substitute was amended. No further amendments were offered, and that was the order of the Committee. So the Chair is constrained to sustain the point of order.

Mr. EATON. Mr. Chairman, I offer a substitute amendment.

The CHAIRMAN. Are there any other perfecting amendments? If not, the Clerk will report the amendment offered by the gentleman from New Jersey.

The Clerk read as follows:

Amendment offered by Mr. EATON: On page 2, line 14, strike out all of section 3 and insert the following: "The President is authorized to grant credits to Great Britain in a total amount not to exceed \$2,000,000,000, to be used for the purchase in the United States of defense articles, requiring collateral security if available."

Mr. MARTIN of Massachusetts. Mr. Chairman, will the gentleman from New Jersey yield?

Mr. EATON. I yield to the gentleman from Massachusetts.

Mr. MARTIN of Massachusetts. Mr. Chairman, I ask unanimous consent that the gentleman from New Jersey may proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. EATON. Mr. Chairman, when this bill was first announced, in common with millions of our fellow citizens, I was conscious that it met a mixed response. First, we were overwhelmingly in favor of aiding Britain in every possible way consistent with our own safety, and secondly—and we may as well face the fact without any refuge in charges of partisanship—a great number of our people were averse to conferring this unlimited power upon the President of the United States, no matter who he might be, having the feeling, as outlined to me by a very distinguished Democrat, that we did not want to fight dictatorship abroad by creating it here at home.

With this mixed reception in public opinion, the bill was presented to the House. It seemed to me at the time

that if it had been just a simple bill, such as I have outlined here, and which, judging by their votes today, I have no doubt the brethren on the right side of the aisle will accept without any hesitation; if we had just announced a simple bill granting credit to Great Britain for \$2,000,000,000 or \$4,000,000,000—I do not know whether or not \$2,000,000,000 is enough; it probably is not in these days, but whatever the amount—and then let the British spend that money here in the way they wished to their own advantage the bill would have passed at once. And that would relieve our President from assuming control of the sources of supply of the British campaign, and he would then have opportunity to give more attention to the tremendous issues that are developing in our country at this time.

For that reason, I am offering this substitute at this late date, when we are in no condition to legislate with much intelligence—that will be "taken down," probably, although it is probably true—nor with much good judgment, because we are tired, discouraged, and stirred up; and here we are handling one of the most tremendous issues that ever confronted this Nation or the world as if it were some little petty New Deal job on which we could put the steam roller in the old, well-worn groove, and so put the Republicans over here out of business and carry on to a glorious consummation.

No matter what we do here today, we are just trifling with what in my judgment is the greatest issue that has confronted us or the world for 400 years. In the few minutes that remain to me, would you allow me to philosophize a little as to the background of this legislation and the issues that have called it forth.

In the history of civilization, which is a story of progress, we have great periods called ages. Four hundred years ago the world was wrapped in a gloom and shadow known as the Dark Ages. Out of the regenerative energies which are resident in the spirit of man, no matter what his fortunes may be, there emerged two great movements, one known as the Renaissance, the other as the Reformation. The essence of these two movements was a new vision of the value and dignity and importance of the common man. That value and dignity of the common man was due to the fact that he was made in the image of the divine God, a spiritual being with an eternal destiny, and because he was so great in his origin and in his endowments he must be free.

So there emerged 400 years ago a period of freedom among the sons of men, a period in which were liberated great liberalizing forces that had their expression in the freedom to vote, the freedom to think, the freedom to worship, and, at last, in our age, because of the application of science to the resources of men for their service, the freedom for the masses of men to have a worth while share in the economic resources of the world.

At this point this freedom, this economic freedom, has assumed two forms. One is the form resting upon liberty, freedom; the other is the form resting upon slavery, tyranny, and oppression. These two great philosophies of life are



locked in deadly combat at this moment, and the umpire in the game, whether willing or not, is the United States of America. If we fail and falter at this moment, then this world will enter upon a dark age of slavery. If we succeed in standing strong as the main line for defense, then the world will enter upon a new period of hope and promise, perhaps the greatest the world has ever known.

In other words, this bill of ours, with all its complexities and trivialities, stands here as a landmark, marking the twilight zone between two of the greatest ages the world has ever seen.

I want my people, who have lived and pioneered and poured out their blood in this new world for more than 300 years, and I want my country, the greatest in the world, not to shrink back from the tremendous task and challenge that God has placed upon us, but to take our predestined place among the sons of men, and have the authority of power behind us to see to it that justice is done, and that liberty has an opportunity.

This country of ours is the Mount McKinley in the range. We are in the last glow of the sunset hour of the age that is dying. I hope that we will catch the first gleam of the sunrise of the new age of liberty.

With that hope in my mind, I regret with all my heart that this legislation has assumed a smallness, a lack of vision, a littleness that is unworthy of us, and of the great Nation we represent in the tragedy of this cosmic hour. [Applause.]

Mr. RICHARDS. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I want to concur in the beautiful sentiments just expressed by my very dear friend from the State of New Jersey, for whom I have not only a profound respect, but real affection. To bring about the ideal state of existence he speaks about, a Utopia, so to speak, should be the real desire and purpose of all of us, but while I agree as to the ideals, I must reluctantly disagree with him concerning the amendment he has just offered, because I believe it will defeat his own purpose, and mine.

My friend the gentleman from New Jersey said something about a steam roller or steam-roller tactics here. I just want to call to the attention of this House that when this bill was first introduced we thought we had a bill that would satisfy both the majority and the minority, but after a while some murmurs arose from the minority, so we wrote into the bill four provisions in an effort to be absolutely fair and to satisfy the members of the minority. One of them was to provide consultation by the President with the Chief of Staff of the Army and the head of the Bureau of Navigation of the Navy; the second was the limitation on the exercise of the Presidential powers under this bill for 2 years; then we wrote in a convoy amendment, prohibiting convoys; and then we wrote into the bill that the President had to report to the Congress every 3 months. We thought this would satisfy the opposition, but it did not satisfy them. So we agreed, since the committee has been hearing this bill, to two more amendments. One of those amendments prohibits the binding of the

United States by contracts through Presidential powers granted herein beyond July 1, 1946. Then we agreed to another amendment, an amendment first proposed by the gentleman from Mississippi [Mr. COLMER], and at first most of the members of the committee were opposed to it, but we agreed to that amendment, which prohibits the shipment of defense articles in American vessels. This morning we leaned backward and agreed to another amendment proposed by some of the minority which places a limitation on the dollar value of war materials that can be disposed of under this bill.

There has been only one amendment written into this bill since we have been considering it, over the opposition of the majority side, and that is the Dirksen amendment, and that amendment, though unnecessary, provides that the powers granted in the bill may be ended by concurrent resolution here.

Now, the gentleman from New Jersey, Dr. EATON, in his admiration for Great Britain, proposes here, "Do not give the powers to the President to give this help to all the democracies; give him the power to help only Great Britain."

Now, we all know that the gentleman from New Jersey is a great admirer of Great Britain, but we cannot admit that the welfare of the world is wrapped up in the continued existence of Great Britain alone. What this bill seeks to do is to provide certain aid for England and the other democracies. We should not designate particular nations as recipients of these benefits. Tomorrow's events abroad may change any decision we may make here today in that regard. Likewise, I think it would be a mistake to place a \$2,000,000,000 limitation in the bill. This suggests to Great Britain that that is all we will appropriate, and it may suggest to Germany that that is all the further we will go to help her victims.

[Here the gavel fell.]

Mr. KEE. Mr. Chairman, I ask unanimous consent that the gentleman may proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. RICHARDS. I think, personally, Mr. Chairman, it would be a great mistake to put an amount this small in the bill. I take the position also that it would be a mistake to place a higher ceiling, say, \$6,000,000,000 or \$8,000,000,000, or \$10,000,000,000, or \$15,000,000,000. I think that would be a mistake, because it would create an inference that we are going that high. I am afraid, Mr. Chairman, it would be considered by the Appropriations Committee of the House as a suggestion and mandate that they should go that far later on.

Present restrictions in the bill on spending and authority to spend are sufficient. The bill now provides that no moneys can be expended for the purposes mentioned here beyond 2 years, and the President cannot by contract bind us beyond 1946; and the Dirksen amendment provides that Congress still reserves its right to withdraw all of these powers by concurrent resolution. Then, too, it

must be remembered that Congress still has the power and the duty to decide the amount of appropriations to carry out this act.

Now, to return to the provision of the Eaton amendment that only England should be aided—suppose tomorrow Ireland gets mixed up in this thing, or suppose tomorrow some South American republic gets mixed up in this thing; do you mean by this amendment, Dr. EATON, that you want to exclude aid to these democracies, to exclude aid to Greece or some other country over there fighting for the same democratic ideals England is fighting for?

After all, Mr. Chairman, the amendment of the gentleman from New Jersey [Mr. EATON] will defeat his real purpose to aid Great Britain. First of all, we in the United States should consider this bill from an American standpoint. If it is to operate to our best interest, the powers provided herein should be operative through the United States itself. Give Great Britain \$2,000,000,000 and you surrender the right of the United States to any manner of control over the purchasing power of that fund. That \$2,000,000,000 will immediately come into competition with American buying on our markets and thus cause untold confusion.

Mr. CASEY of Massachusetts. Does not the gentleman think if this amendment is adopted, it will look as if the purpose of this bill is to protect English democracy and the British Empire? I am interested only incidentally in them.

Mr. RICHARDS. There is no doubt about that. The minority has been saying all along that this is an English bill. If this amendment is put into the bill there will be some grounds for the assertion.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. RICHARDS. Yes, to the distinguished majority leader.

Mr. McCORMACK. We are vitally concerned in the defense of our country by aiding countries that are attacked by aggressors. That is the theory. What about China? We are interested in China. What about Greece and other countries that might get into the war—that are attacked?

Mr. RICHARDS. The suggestion in this amendment is that we are interested only in the British Empire and in democracy there, when as a matter of fact we are interested in democracies everywhere.

Mr. WHITE. Mr. Chairman, will the gentleman yield?

Mr. RICHARDS. Yes.

Mr. WHITE. Is there not a possibility that the gentleman from New Jersey [Mr. EATON] might have been thinking of the burden of interest that the American people have to pay, if this bill is unlimited?

Mr. RICHARDS. That is entirely possible; yes.

The CHAIRMAN. The time of the gentleman from South Carolina has again expired.

AN ANALYSIS OF SEVEN AMENDMENTS ADDED TO ORIGINAL TEXT OF LEND-LEASE BILL

Mr. MUNDT. Mr. Chairman, I rise in support of the amendment.



Mr. VORYS of Ohio. Mr. Chairman, will the gentleman yield to me?

Mr. MUNDT. Yes.

Mr. VORYS of Ohio. Is it not true that the only democracy that needs help now is Britain, because we are already furnishing China money and furnishing Greece money, and those countries are not subject to the Neutrality Act or the Johnson law? So that the only country that needs a change in our law is Britain, and aid to Britain is uppermost.

Mr. MUNDT. I believe that is correct. Aid to Britain is aid to all the democracies, because Britain is helping them in their struggles. The gentleman who preceded me used much time in stating that the Democratic majority of the Committee on Foreign Affairs had accepted some important amendments, and so he tried to disparage the importance of the Eaton amendment. I think the record ought to be straightened out in that particular. I think the public is entitled to a clear explanation of the manner in which these amendments use so many words to say so very little. It seems to me as we examine these amendments there is a fundamental weakness in all of the amendments accepted thus far. In other words, the amendments that have been accepted have been amendments that in no way effectively decrease any of the vast powers it is proposed to delegate to the President and deny to Congress. They are amendments that do not adequately protect the coordinate position of this Congress, and, primarily, the amendments which have been offered that would reduce the war-provoking and war-making powers of the President have not been accepted.

First, let me refer to the matter of the consultation with the Chiefs of Staffs to which the alternative amendment was suggested that the Chiefs of Staffs should certify in writing that materials were not needed for our national defense before they could be given away by the President. That suggested amendment was defeated, and no progress was made upon that point.

Next, take the limit of time. Instead of being a year or a year and a half so the Congress that granted the power would have the right to renew it this alternative amendment was also defeated, and the time was made 2 years and 4 months, with an amendment that contractual commitments could be continued for as much as 5 years.

The third amendment is the most truly innocuous of all. That one has to do with the matter of convoys. An amendment which I offered to make the convoy amendment effective by keeping those convoys out of belligerent waters was successfully resisted. As it is now written in the bill it is purely meaningless and is a nonentity in nomenclature if there ever was one.

The fourth amendment is one which says that the President shall be required to make reports to Congress every 90 days on such matters as he deems wise to report to Congress. It is beautiful verbiage and I have no objection to it except that it seeks to fool the people into thinking Congress is to be kept fully advised of what takes place. Obviously to anybody who thinks, however, it means absolutely

nothing from the standpoint of protecting the powers of the Congress, as the President is the sole judge of what he should or should not tell Congress. Congress would get just as much information with the amendment out as with it in. It is a waste of words.

The fifth amendment is an amendment stating that section 3 of the Neutrality Act shall continue in effect unless the President modifies it. Charming language again but utterly meaningless. I have no objection to its being there except I simply object to any attitude that this Congress takes in telling the people that they have put a restraining and corrective amendment into the bill, when such is not actually the case. Since the President is empowered to modify section 3 of the Neutrality Act at his discretion it logically follows that nothing therein protects our place if it conflicts with the purposes of H. R. 1776.

A sixth amendment says that the President can give away or dispose of only \$1,300,000,000 worth of our existing defense articles, leaving the estimate of their value entirely up to him. Consequently without a yardstick, we have no correction from the standpoint of how much can be given away and the only restraint we have is the President's judgment which was, of course, the case before the amendment was added.

The only remaining amendment is the Dirksen amendment, which says that a concurrent resolution by the Congress can repeal the powers granted in this act.

#### THE DIRKSEN AMENDMENT DESCRIBED

There are several difficulties with this so-called Dirksen amendment insofar as its being a protection for the people is concerned. In the first place, I have heard Democrats say that they believe it is unconstitutional. They believe it will not successfully empower Congress to recapture this power which it is now proposed we give away. It has been indicated that the Attorney General and the Supreme Court, those two obliging and sturdy interpreters of modern democracy and the Constitution, might hold that a concurrent resolution could not repeal an act of Congress. Certainly a concurrent resolution cannot repeal war if this so-called lend-lease act of Congress carries us into war.

At best, all the Dirksen amendment can do is to enable us to lock the door after the horse has been stolen. It might enable us to retain the salvage rights of Congress, so that we can reclaim the wreck, but it does not enable the Congress to direct the pilot how he can avoid a catastrophe. No, my friends; these seven amendments have not altered the great war-making powers H. R. 1776 would take from Congress and delegate to the President. They may deceive the credulous and the unwary for a time, but they do not protect the people you are elected to protect and represent. Let us adopt the Eaton amendment and thus aid Britain in an American way which will give her rapid aid without necessitating the abdication of Congress and without involving this country in the war. [Applause.]

Mr. WHITE. Mr. Chairman, I rise in opposition to the amendment. To use a common expression, "We have got to

hand it to England" when it comes to getting the things she wants by working the people of the rest of the world. The up-building of the mighty British Empire is the world's greatest example of what can be accomplished by strategy, intrigue, and propaganda, commonly called "British diplomacy." The English have taken what they wanted where they found it, from the days of Sir Francis Drake and the English buccaneers that pillaged the treasures of the New World on the high seas from the Spanish galleons, and then reaching out to seize the treasures of the East by overrunning India and conquering its teeming millions. Later they turned their attention farther east and used their Navy to batter down the Chinese ports and force its unfortunate people to open the country to the deadly opium traffic that British merchants might wax fat and grow rich on the nefarious opium trade. In our time they followed Oom Paul and the hapless Boers from the Cape Colony to the Transvaal where, unfortunately for these persevering people, they had settled on the world's greatest storehouse of gold and diamonds, and in a bloody war the English divested the Boers of their land and its treasures to round out their campaign of world conquest whereby they possessed themselves in their far-flung dominions of a monopoly on diamonds and practically a monopoly on tin and rubber, a conquest that secured to themselves a source of supply of 70 percent of that magical metal—gold—with which they proceeded to control the world's finances and the world's policies.

It is extremely interesting to follow the history of British maneuvering in building up their financial and political control, always intriguing, always manipulating, always achieving. They have learned "to divide and to rule."

When their control was threatened by the German Nation, they brought France, Italy, and Russia into the conflict and, when the outcome hung in the balance, they pulled the mighty forces of America into the war on their side. Many artifices were invented and proved their effectiveness in the last war, artifices which are being used by these master manipulators with greater effectiveness in the present conflict than ever before.

Propaganda and financial manipulation are obtaining results never dreamed of in the last war. Price manipulations here in the United States are forcing our producers of raw materials to involuntarily make heavy contributions in supplying the essentials used by the English in prosecuting the present war. And now, after paving the way with one of the most effective propaganda campaigns ever waged, a bold move is being made to manipulate the American people into digging down into their pockets and financing this war. No matter what it takes or how great a sacrifice we must make under this plan, we are not to ask much in the way of repayment, just the return of the things we furnish or "repayment in kind or property."

Of course, we remember our experience at the close of the last war. We realized then we must avoid upsetting our national economy by dumping vast quantities of war supplies on the domestic



market; such a huge assortment of planes, trucks, automobiles, barbwire, lumber, and millions of other articles would glut the American market, with disastrous consequences.

We will have to decide in the future, as we did then, to sell what we could for as low as 10 cents on the dollar and to destroy the rest. Congress is rushing through this wonderful program, and "British diplomacy" is being vindicated.

Mr. Chairman, you certainly have got to hand it to England. [Applause.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Jersey [Mr. EATON].

Mr. BENDER. Mr. Chairman, I rise in support of the amendment.

The CHAIRMAN. All debate on the amendment has been exhausted.

Mr. O'CONNOR. Mr. Chairman, I move to strike out the last three words.

The CHAIRMAN. The gentleman from Montana is recognized.

Mr. O'CONNOR. Mr. Chairman, I am not going to take 5 minutes, because I have expressed my views on the pending bill. I find in today's issue of the Washington Daily News a very informative editorial that I think should be called to the attention of the Committee. It reads as follows:

One thing very hard to understand, in connection with the pressure for quick passage of the lend-lease bill, is Canada's attitude.

Canada is in the war and has been from the start. The United States is out of the war and wants to stay out. Yet this bill proposes the United States do things Canada has not done to aid England.

Canada has not passed a lend-lease bill, although Canada, like the United States, is selling great amounts of warstuffs to England. Certain sentimentalists are bursting into voice and print with the cry it is ignoble for us to require England to convert her investments in this country into dollars with which to buy American armaments. But Canada, a member of the British Commonwealth of Nations, is selling armaments to England on exactly this basis.

British investments in Canada exceed \$2,000,000,000. Canada is simply using the proceeds of her sales to England to buy up and "repatriate" large quantities of these British holdings. A recent report stated Canadian purchases of this sort since the war began have run to some \$200,000,000 and are continuing.

Canadian officials are now said to be discussing adoption of a lend-lease plan—not because they consider it a duty or because England asks it, but because, if the United States adopts such a plan, they foresee England will prefer to take war supplies from the United States on lend-lease terms rather than from Canada on her present terms.

We would not belittle the magnificent contributions Canada is making in men and money to help her mother country. And we're not suggesting we would oppose lending, leasing, or even giving war materials to England—when she has run out of American dollars and investments convertible into dollars.

But Canada owes England an allegiance which we do not. Canada is fighting for what she believes to be her national interest, while we know our national interest is to keep out of the fight if we can. If Canada finds nothing irregular, mean, or grasping in requiring England to cash in her Canadian investments, why, so long as England has investments in this country, should we adopt a more altruistic—and, for us, a more dangerous—policy?

Why shouldn't we ask England to cash her investments in the form of colonies in this hemisphere—investments that are economic liabilities to her and would be great national-defense assets to us? Why should we rush to adopt a policy Canada has not adopted, and so force the Canadians to follow our example in order that they may compete with us?

The foregoing practically states the views that I have stated heretofore on the floor of this House. I simply want to add, Mr. Chairman, that in the passage of this bill we are taking a position that Canada has not deemed necessary. We are substituting the American taxpayer for the British taxpayer. I am willing to help her when she shows she has to have help in a financial way, but as long as she has money and property and her subjects have, I claim her taxpayers should be made to pay and not ours. This is England's war, and not ours.

Mr. CRAWFORD. Mr. Chairman, will the gentleman yield?

Mr. O'CONNOR. I yield.

Mr. CRAWFORD. I wish to thank the gentleman for adding argument to my position on this bill.

Mr. O'CONNOR. I thank the gentleman.

[Here the gavel fell.]

Mr. BENDER. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. BENDER. The Chair stated that time had expired on this particular amendment. I was not aware that the time had been fixed.

The CHAIRMAN. That is correct. Under the rules of the House, 5 minutes for the amendment and 5 minutes against the amendment is in order.

Mr. BENDER. I move to strike out the last word.

The CHAIRMAN. The Chair wishes to make a statement. The Chair will state, in fairness, that there are only 16 minutes remaining of the time fixed, and quite a number of amendments to section 3 are still on the Clerk's desk. In fairness to Members offering those amendments it does occur to the Chair that Members who want to speak generally on the bill should refrain from taking up all of the time when amendments are pending on the Clerk's desk. [Applause.]

Does the gentlewoman from Massachusetts desire recognition?

Mrs. ROGERS of Massachusetts. I do, Mr. Chairman. I desire to speak upon an amendment which I have sent to the desk. I shall introduce it as a substitute amendment after the amendment offered by the gentleman from New Jersey [Mr. EATON] is voted upon. It has relation to that section, and I suggest that the Clerk read it.

The CHAIRMAN. Will the gentlewoman indulge the Chair? The Chair wants to be as fair as possible. Does the gentleman from Ohio [Mr. BENDER] have an amendment to the pending amendment?

Mr. BENDER. No. I have another amendment.

Mr. TABER. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. TABER. In view of the fact several amendments are pending at the desk which Members will want to debate, I make the point of order at this time against any further amendments striking out the last word.

The CHAIRMAN. The Chair, of course, would have to overrule the point of order. The Chair was just making an observation in the interest of what seemed to the Chair to be eminent fairness to Members having amendments on the desk.

The gentlewoman from Massachusetts [Mrs. ROGERS] is recognized for 5 minutes.

Mrs. ROGERS of Massachusetts. Mr. Chairman, I ask unanimous consent that the Clerk may read my amendment.

The CHAIRMAN. Without objection, the Clerk will read for information the amendment to be offered by the gentlewoman from Massachusetts.

There was no objection.

The Clerk read as follows:

Amendment to be offered by Mrs. ROGERS of Massachusetts: Page 4, after line 6, insert a new section as follows:

"SEC. 4. The President shall, in return for effective aid we furnish other nations, demand that these nations, through a solemn covenant, pledge themselves to a cooperative arrangement which would assure an outlet for American goods in the peacetime world markets."

Mr. LUTHER A. JOHNSON. Mr. Chairman, I reserve a point of order against the proposed amendment.

The CHAIRMAN. The gentleman from Texas reserves a point of order against the amendment.

Mrs. ROGERS of Massachusetts. Mr. Chairman, this amendment is in line with one of four suggestions made by President William Green, of the American Federation of Labor, and is offered with a view to clarifying and perfecting this bill. It is a most constructive amendment. I quote the following from a statement Mr. Green made before our Foreign Affairs Committee during the course of the hearings on the bill regarding his suggested amendment:

The aftermath of the present struggle will be a crucial test of our economic system and even of our institutions themselves. I cannot think of a fairer and yet more imperative safeguard against utter chaos and collapse at the end of this war that is now raging throughout the world than a clear-cut formula of the full economic participation by the United States in the period of post-war reconstruction.

It seems only fair that the Nation should insist, Mr. Chairman, to reciprocal trade after the war is over. I think the gentleman from Florida [Mr. GREEN] is absolutely correct. Can you picture, for instance, our being content to see in England workers manufacturing products—war materials, if you will, as has been suggested by the proponents of this bill, as replacements for guns, airplanes, tanks, loaned by the United States—while our own workers in our own country remain idle? And the same may be said of other commodities, other materials the different nations make.

Many letters have come to me, Mr. Chairman, stating that during the World War President Wilson, and I know it to be true—I was in Washington at the



time—had plans for the aftermath of the war, plans for the employment of people during that period when we were straightening out our economic conditions, plans that would put this Nation on a much better financial basis.

One of the reasons so many people dread the passage of this bill is because at the end of hostilities, at the end of what may well be our actual participation in the war, there will be resulting collapse in the economic world, the commercial and agricultural world.

I earnestly hope, Mr. Chairman, this amendment may be adopted. It has the wholehearted support of labor. I do not see how any person could object to the provisions of the amendment.

Mr. BEITER. Mr. Chairman, will the gentlewoman yield?

Mrs. ROGERS of Massachusetts. I yield.

Mr. BEITER. Could not the purpose sought to be accomplished by the gentlewoman be better accomplished through a separate bill such as the one that set up the Public Works Administration a number of years ago?

Mrs. ROGERS of Massachusetts. No; I think we should do it today, here and now. Frankly, I think there would be very much more support for the pending bill if there were some indication that labor, our workers, and our industry would be protected before and after hostilities are over.

Mr. Chairman, I greatly deplore the limitation of time on this, the most important section of the entire bill, the crux of the whole bill. No amendments of any kind that really improve the bill have been accepted. I would remind the Members of the House very seriously that while we may be spending some hours here today, if we enter this awful holocaust the war may continue for 20 or 30 years and our men be horribly mutilated or killed in that war, and our country may be bankrupt.

[Here the gavel fell.]

Mr. TABER. Mr. Chairman, I move to strike out the last three words.

Mr. Chairman, I deplore the attempt on the part of Members on both sides of the aisle to bring partisanship into the consideration of this bill. I feel that this is a matter of so great moment that we should consider it entirely on its merits. I have felt that there is a great responsibility on all of us. I do not take much stock in the argument that this thing or that thing can keep us out of war. I feel with the situation in the world such as it is today that we shall be in the war the minute Mr. Hitler feels it is to his advantage to strike at us. [Applause.] When that will be and why it will be will be beyond us to understand, but he will feel that it is to his advantage to do it.

I do not want to be a party to any move that is going to draw us nearer to the war. I feel with the situation in the world as it is today we should take every precaution we can to avoid affirmative, definite, positive acts that would involve us in war. I feel with the situation as it stands we must provide as much aid as we can to Britain. On the other hand, there are some things this bill does that

are absolutely impossible from the standpoint of anyone who does not want deliberately to get into hostilities, or delegate to the President power to get us into hostilities. I seek to strike at two of these things in the amendment I shall propose as soon as I get an opportunity, an amendment in the nature of a substitute. I propose to strike out of section 3 the words "lease" and "lend."

Just think of the enormity of our attempting to own a gun, an airplane, or a warship and letting somebody else, a party to a war in which we are not a combatant, fight with it. I cannot go along with such a thing as that. I do not see how any American who has any idea that we should keep out of war can do it.

Taking these words "lease" and "lend" out of the bill would still leave to the President power to sell, exchange, transfer, or otherwise dispose of those articles. It would give him the opportunity to turn over to those who are fighting the Hitler outfit anything he should turn over to them, but it would leave it so those things must be absolutely disposed of and the title to them passed before they were used in combat. I regard this as a very important amendment and one that should receive the support of the membership of this Committee when it is offered.

Mr. PLUMLEY. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. PLUMLEY. I might be in line with everything the gentleman says, but to strike out the words "lease" and "lend" and to leave in the bill the words "or otherwise dispose of" seems at first sight to be a distinction without a difference. How does the gentleman differentiate between them?

Mr. TABER. I explained that once before. "Otherwise disposed of" means absolute disposition. It can mean nothing else and that would leave us clear where we would not be absolutely sticking our necks out and getting into the mess.

[Here the gavel fell.]

Mr. ARNOLD. Mr. Chairman, I rise in opposition to the amendment proposed to be offered by the gentlewoman from Massachusetts.

Mr. Chairman, the question with respect to labor was thoroughly threshed out yesterday on this floor; therefore this amendment is not needed and the Committee on Foreign Affairs asks that it be voted down.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Jersey [Mr. EATON].

The question was taken, and on a division (demanded by Mr. MARTIN of Massachusetts) there were—ayes 87, noes 123.

Mr. MARTIN of Massachusetts. Mr. Chairman, I ask for tellers.

Tellers were ordered, and the Chair appointed Mr. ARNOLD and Mr. EATON to act as tellers.

The Committee again divided; and the tellers reported there were—ayes 120, noes 177.

So the amendment was rejected.

Mr. TABER. Mr. Chairman, I offer an amendment in the nature of a substitute.

Mr. LUTHER A. JOHNSON. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. LUTHER A. JOHNSON. Has the time limit for debate expired on section 3?

The CHAIRMAN. Five minutes remain.

Mr. LUTHER A. JOHNSON. If there are to be any other amendments offered I think it would be fair to divide the 5 minutes. I do not know what is going to be offered.

Mr. TABER. Mr. Chairman, I expect to use but 1 minute.

Mr. RABAUT. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. RABAUT. How many amendments are there on the desk?

The CHAIRMAN. The Chair is not advised of that. Apparently there are several.

The Clerk will report the amendment offered by the gentleman from New York [Mr. TABER].

The Clerk read as follows:

Amendment offered by Mr. TABER: Page 2, beginning in line 14, strike out all of section 3 and insert a substitute as follows:

"Sec. 3. (a) The President may, from time to time, when he deems it in the interest of national defense, authorize the Secretary of War, the Secretary of the Navy, or the head of any other department or agency of the Government—

"(1) To manufacture in arsenals, factories, and shipyards under their jurisdiction, or otherwise procure, any defense article for the government of any country whose defense the President deems vital to the defense of the United States.

"(2) To sell, transfer, exchange, or otherwise dispose of, to any such government any defense article, but no defense article not manufactured or procured under paragraph (1) shall in any way be disposed of under this paragraph, except after consultation with the Chief of Staff of the Army or the Chief of Naval Operations of the Navy, or both. The value of defense articles disposed of in any way under authority of this paragraph, and procured from funds heretofore appropriated, shall not exceed \$1,300,000,000.

"(3) To test, inspect, prove, repair, outfit, recondition, or otherwise to place in good working order any defense article for any such government.

"(4) To communicate to any such government any defense information, pertaining to any defense article furnished to such government under paragraph (2) of this subsection.

"(5) To release for export any defense article to any such government.

"(b) The terms and conditions upon which any such foreign government receives any aid authorized under subsection (a) shall be those which the President deems satisfactory, and the benefit to the United States may be payment or repayment in kind or property, or any other direct or indirect benefit which the President deems satisfactory.

"(c) Neither the President nor the head of any department or agency shall, after June 30, 1943, exercise any of the powers conferred by or pursuant to subsection (a), nor shall such powers be exercised if terminated by a concurrent resolution by both Houses of the Congress except to carry out a contract or agreement with such a government made before July 1, 1943.



"(d) Nothing in this act shall be construed to authorize or to permit the authorization of conveying vessels by naval vessels of the United States."

Mr. TABER. Mr. Chairman, as I stated a few moments ago, this amendment is designed to strike out the words "lease-lend." I cannot conceive how anyone can vote to have some other country, the belligerent in a war in which we are not engaged, fight with things that we have title to. I feel that when those things are turned over to another country they should be turned over and absolutely disposed of.

Mr. WHITTINGTON. Will the gentleman yield?

Mr. TABER. I yield to the gentleman from Mississippi.

Mr. WHITTINGTON. Is it not true that the gentleman's amendment is a substitute for the entire section 3? And that, in addition to striking out the words "lease" and "lend," the gentleman strikes out the words "notwithstanding the provisions of any other law"?

Mr. TABER. I do.

Mr. WHITTINGTON. Rendering absolutely nugatory the very heart of the bill.

Mr. TABER. It does not render anything nugatory. Any subsequent act governs.

Mr. EBERHARTER. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, the amendment offered by the gentleman from New York, as stated by the gentleman from Mississippi, would attempt to have the House reverse itself on something that it has already decided on. It would also take away from the President some discretion as to whether he can lease or lend, for instance, vessels or boats or equipment or other material, not necessarily arms or ammunition.

Mr. Chairman, I hope the amendment will be defeated.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. TABER].

The question was taken; and on a division (demanded by Mr. TABER) there were—ayes 82, noes 132.

So the amendment was rejected.

Mrs. ROGERS of Massachusetts. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mrs. ROGERS of Massachusetts: Page 4, after line 6, insert a new section, as follows:

"Sec. 4. The President shall, in return for effective aid we furnish other nations, demand that these nations through a solemn covenant pledge themselves to a cooperative arrangement which would assure an outlet for American goods in a peacetime world market."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts.

The question was taken; and on a division (demanded by Mrs. ROGERS) there were—ayes 71, noes 127.

So the amendment was rejected.

Mr. HARRINGTON. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HARRINGTON: On page 3, line 22, after the period, insert the

following: "As a further condition upon which any such foreign government receives any aid authorized under this act such country shall agree to purchase from the United States each year an amount of lard, pork products, vegetable oils, cotton, wheat, wheat flour, and tobacco equal to the average of United States exports of such commodities to such country for the 4 fiscal years preceding July 1, 1940."

Mr. HARRINGTON. Mr. Chairman, is any time left for debate on this section?

The CHAIRMAN. Debate has been exhausted on this section.

Mr. HARRINGTON. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the Record.

The CHAIRMAN. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. HARRINGTON. Mr. Chairman, the purpose of this amendment is to make it mandatory that the defense items we have the most of, as well as the defense items we have the least of, shall be included in this magnificent gesture of all-out aid to England.

We have it on no less authority than Napoleon that food is a primary necessity of war, equally important as guns and ammunition. In fact, starvation is the hoped-for means of achieving victory on both sides in Europe.

At this moment the industrial machine of the United States is struggling and straining in a tremendous effort to produce more and more war goods. We face an acute shortage of tanks and planes and guns and armament.

At the same time the granaries and warehouses and cold-storage plants of America are literally overflowing with our surpluses of food and fabric raw materials. Of these items we have the greatest excess in the history of our country.

Everyone knows that the producers of corn, cotton, wheat, and tobacco are

suffering from surplus. The war complicated an already existent problem by cutting off world markets. These farmers stand to suffer more. The war is bringing more hardship to them by increasing the price of practically everything they buy and depressing the price of everything they sell. And the situation is steadily getting worse.

Therefore I urge my colleagues from the cotton South, the corn and wheat country, and the tobacco regions, to join in insisting that as long as we are going to share our shortages with England we share our surpluses, too.

All of you from agricultural districts know that the minute the arms embargo was lifted England tapered off her purchases of food and fabric in this country and started spending the money for munitions. The point has been reached where almost every English dollar spent in this country is spent for munitions and nothing for food. And our granaries are glutted.

Somebody may raise the objection that there is a shortage of bottoms in which to ship food to England. I do not accept this excuse. Surely England is importing food from somewhere, as she does not and cannot feed herself. And as long as we are going to finance the war for her, let us insist that she buy some of her food and cotton here as well as her guns.

Roughly, this amendment means only about \$200,000,000 a year to the corn, cotton, wheat, and tobacco growers of the United States. It is a small item, comparatively. Yet it means much to the farmers burdened by surpluses and low prices. And it means something to our own Treasury, which is holding the bag for loans made on some of these surpluses.

To repeat, my friends, as long as we are going to be the arsenal for the democracies, let us be the granary, too, and thereby do ourselves a good turn.

United States exports to United Kingdom by fiscal years, July 1 to June 30

	1930-37	1937-38	1938-39	Average
Lard.....pounds..	53,852,000	119,355,000	143,253,000	105,486,666
Pork products.....do....				
Hams and shoulders.....do....				
Bacon and sides.....do....				
Fresh pork.....do....	44,189,000	56,119,000	72,606,000	57,368,000
Canned pork.....do....				
Pickled pork.....do....				
Cotton.....bales of 500 pounds..	1,293,000	1,721,000	525,000	1,179,666
Wheat.....bushels.....	199,000	22,623,000	29,195,000	17,339,000
Tobacco (unmanufactured).....pounds..	176,478,000	241,664,000	232,098,000	216,746,666
Wheat—flour.....196-pound barrels..	45,000	193,000	66,000	101,333

United States exports to United Kingdom for calendar years 1937, 1938, and 1939

	1937	1938	1939
Pork products:			
Pounds.....	43,162,000	59,063,000	63,129,000
Value.....	\$9,544,000	\$12,128,000	\$12,041,000
Lard, including neutral lard:			
Pounds.....	75,302,000	124,810,000	151,221,000
Value.....	\$8,795,000	\$11,265,000	\$10,779,000
Cotton (raw):			
Bales.....	1,514,000	808,000	1,111,000
Value.....	\$90,436,000	\$41,150,000	\$57,505,000
Wheat:			
Bushels.....	6,662,000	24,892,000	22,876,000
Value.....	\$6,939,000	\$23,904,000	\$14,301,000
Tobacco (unmanufactured):			
Pounds.....	203,345,000	262,418,000	113,010,000
Value.....	\$87,416,000	\$111,317,000	\$35,107,000



The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa [Mr. HARRINGTON].

The amendment was rejected.

The CHAIRMAN. There being no further amendments to section 3, the Clerk will read.

The Clerk read as follows:

SEC. 4. All contracts or agreements made for the disposition of any defense article or defense information pursuant to section 3 shall contain a clause by which the foreign government undertakes that it will not, without the consent of the President, transfer title to or possession of such defense article or defense information by gift, sale, or otherwise, or permit its use by anyone not an officer, employee, or agent of such foreign government.

SEC. 5. The Secretary of War, the Secretary of the Navy, or the head of any other department or agency of the Government involved shall, when any such defense article or defense information is exported, immediately inform the department or agency designated by the President to administer section 6 of the act of July 2, 1940 (54 Stat. 714), of the quantities, character, value, terms of disposition, and destination of the article and information so exported.

With the following committee amendment:

Page 4, line 14, after the figure "5", insert "(a)."

The committee amendment was agreed to.

The Clerk read as follows:

Committee amendment: Page 4, after line 22, insert the following:

"(b) The President from time to time, but not less frequently than once every 90 days, shall transmit to the Congress a report of operations under this act except such information as he deems incompatible with the public interest to disclose. Reports provided for under this subsection shall be transmitted to the Secretary of the Senate or the Clerk of the House of Representatives, as the case may be, if the Senate or the House of Representatives, as the case may be, is not in session."

Mr. FISH. Mr. Chairman, I offer an amendment to the committee amendment.

The Clerk read as follows:

Amendment offered by Mr. FISH to the committee amendment: On page 4, line 25, after the word "act", insert "including all agencies of the Government utilized by the President in the administration of this act to report to Congress in detail on the manner in which the tasks assigned to such agencies are being executed, also to report the progress of the entire program as well as its effect upon employment, wage, and price trends."

Mr. FISH. Mr. Chairman, I do not propose to take more than a few minutes upon this amendment. This is an amendment that was proposed by Mr. William Green before our committee. It is another labor amendment. I thought possibly those on the majority side might have thought this matter over last night and have reconsidered their opposition to the last labor amendment. We now give them a chance to vote right. I am submitting now the second proposal offered by Mr. Green to safeguard labor's rights. If the Democratic majority want to defeat it as they did yesterday, that is their responsibility. I have kept my word to Mr. Green by introducing it. I

believe it is a good amendment. That is all I want to say, Mr. Chairman.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. FISH] to the committee amendment.

The amendment to the committee amendment was rejected.

The CHAIRMAN. The question is on the committee amendment.

The committee amendment was agreed to.

The CHAIRMAN. There being no further amendments to section 5, the Clerk will read.

The Clerk read as follows:

SEC. 6. (a) There is hereby authorized to be appropriated from time to time, out of any money in the Treasury not otherwise appropriated, such amounts as may be necessary to carry out the provisions and accomplish the purposes of this act.

Mrs. ROGERS of Massachusetts. Mr. Chairman, will the Chair tell me where we are in the bill? I had an amendment on page 5 to section 5. The amendment was on the desk. I did not realize the Clerk was going on. I sent the amendment up yesterday and it has been at the Clerk's desk for 2 days.

The CHAIRMAN. The gentlewoman from Massachusetts offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mrs. ROGERS: On page 4, line 25, after the word "act", insert a period and strike out the rest of the sentence.

Mrs. ROGERS of Massachusetts. Mr. Chairman, I ask that the Members refrain from calling "vote." I rise to tell the majority that they lost a vote, and more than one vote, this afternoon by their high-handed procedure. It is obvious they regard the bill as sinister. I claimed in the hearings, and I ask everyone of you to read the hearings, that a gag rule was applied in the hearings. If you read them you will agree with me. I claim there has been gag action by the majority this afternoon. There has been steamroller methods in voting down perfecting amendments.

After the refusal of the Members to debate, even for more than 15 minutes the intensely human amendment regarding the not sending of our men to fight in Europe I detected the probability in the minds of many that this bill would lead to our men going to war. Otherwise they would be willing to discuss at least a modified amendment to the so-called Rankin amendment.

I also ask the minority leader, I should have said the majority leader, if he does not wish to withdraw the accusation he made earlier in the debate against the sincere people who wrote us against this bill. I should like to show the minority leader—I know he is a World War veteran and has a very distinguished record himself—the letters I have from men who suffered terribly, who gave their arms and their legs during the war. Surely they are not so soon forgotten and they have certainly a right to be heard. I should like to show him letters from the rank and file, letters from lawyers and judges, from merchants, from the Amer-

ican Legion, men who are perfectly sincere in feeling that this bill as now written is a further step toward war and a very dangerous bill. I would like to show him letters written by the mothers of men. Mr. Chairman, I represent the largest district in the Commonwealth of Massachusetts. Hundreds of letters have come from there and from all over the country.

Mr. Chairman, by striking out those words, "not incompatible with the public interest" the House would receive the information to which it is entitled. Leaving those words in this section gives an excuse not to give the Congress complete information.

Mr. McCORMACK. Mr. Chairman, will the gentlewoman yield?

Mrs. ROGERS of Massachusetts. I am sorry I cannot yield. The gentleman has shut us off this afternoon while we were discussing I believe the most important and far-reaching bill in our history. The gentleman can speak himself.

I repeat, Mr. Chairman, the House is certainly entitled to information that is to be given to foreign countries as provided in this bill. I bitterly resent, Mr. Chairman, the implication that you and you and everyone in this Chamber here today are not so worthy of receiving information as are the people of foreign countries. I claim that it is a direct insult to Members of Congress who, in taking our oath of office, have sworn to uphold the Constitution and protect the United States. Are we to be trusted less than foreigners?

There is nothing in this bill that makes sure England will receive any aid.

Mr. Chairman, no one wants to help England more than I do. A liberal and specified sum would assist her and would leave our own defenses stronger. As a result of the action here today in refusing to accept improving and perfecting amendments, I believe this bill is neither in the interest of Great Britain nor in the interest of the United States. Therefore I shall vote against it. [Applause.]

Mr. McCORMACK. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, my purpose is to call to the attention of the gentlewoman from Massachusetts that she has made some very confusing statements that are rather hard to understand. She was referring to the minority leader. I am sure she must have been very confused, because on two occasions she mentioned the minority leader. I at least wanted to protect my good friend from Massachusetts; otherwise I would not have risen, because I wanted to correct the gentlewoman.

Mr. MARTIN of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I always yield to the gentleman from Massachusetts.

Mr. MARTIN of Massachusetts. I appreciate the gentleman's consideration, but he need not try to protect me.

Mr. McCORMACK. Sometimes we have to protect ourselves from our friends.

I just want to make this terse observation: The gentlewoman from Massachusetts has made one of the most startling



statements that has ever been made in the history of this Government, in my opinion. Recognizing the grave danger, recognizing the dangerous situation that confronts our country, she has just said that she is going to vote against the bill because she does not like something that happened in this Chamber this afternoon. I think that is amazing. [Applause.]

Mr. FORAND. Mr. Chairman, while we here in America are today enjoying all the freedom and liberty guaranteed to us by our Constitution, there is raging in Europe and Asia a bloody battle against our form of government. It is a battle between the forces of totalitarianism and democracy.

For several days now we have been debating what to do and how to do it; whether the passage of the bill H. R. 1776, commonly known as the lease-lend bill, will render adequate aid to the oppressed nations, or whether passage of that legislation will bring us to war with the aggressor nations.

I have studied the bill, read the hearings held by the House Committee on Foreign Affairs, listened to the speeches on the subject over the radio, read newspapers and magazines, and also the reams of circulars and pamphlets on the subject that have come to my desk.

From all this I have come to the definite conclusion that the people of this great country of ours are united in keeping out of war and keeping war out of America. No one, insofar as I can ascertain, wants war. I am sure that I do not want war.

We did not want war in 1917. We do not want war now, nor in the future; and if it was for us to make the decision, I am sure we would not have war now or later.

Unfortunately, however, we have very little to say in the matter, if we are to judge the future by the actions of Hitler and his cohorts during the past year and a half.

Poland, Norway, Holland, Belgium, and the other countries that have been taken over by Germany did not want war. Norway had had no wars in 102 years; Holland had been 147 years without an armed conflict. War was not their choice but it came to them.

In view of what has happened to others, and despite our great desire for peace, we cannot just sit idly by and hope that we may be spared the same fate that has been visited on the peace-loving peoples of Europe. We must prepare for any eventuality that may come to us. What are we going to do? Let us face the facts. Let us decide right now that we are going to do everything we can to keep war out of America. Having reached that decision, we must now decide how best that can be done.

Would it be wise for us to be satisfied to prepare our defense, and hope that it will be ready in time to repulse Hitler and his allies when he decides to attack us? Or would it be wiser for us to help those nations that are now giving all that is in them to not only stop Hitler's march but also to annihilate him and his totalitarian order, which he has proclaimed will bring on a new order throughout the world.

Let us not fool ourselves, Mr. Chairman. If Hitler is successful in his attack on England, as he has been in his attacks upon other countries, this country will be his next objective. When he thinks the time is ripe for him to act against us he will not tell us so in so many words—because that is not his way of doing things—but he will sneak up on us, if he can, as he has done upon other countries.

Oh, Mr. Chairman, I do not fear an invasion of our soil next week, next month, nor even next year. But I do feel certain that Hitler will attempt to impose his rule upon America at the first opportunity. Even if it is not by force of arms, Mr. Chairman, there are many other ways that Hitler can use in his attempt to subject us to his wishes. It may be economically, politically, or through some other means. He is not divulging his plans.

I need not relate here the hardships and persecutions suffered by those unfortunate peoples over which Hitler now has control. That is too well known to everybody. But I will say, God help us and save us from such a fate.

Britain is waging a valiant fight to preserve democracy. We are interested to a great degree in seeing that democracy is not destroyed. We are interested in the preservation of democracy because it means everything to us here in America.

It is our duty therefore to help to preserve it. We can best do that by helping Britain in this fight. We can, and we have already, to some extent, rendered aid by furnishing arms, ammunition, airplanes, and destroyers which we considered obsolete. We should continue; yes, and increase this type of aid, always making sure that we are not jeopardizing our own defense by stripping our Army, Navy, or airforce of adequate material and equipment.

Britain does not need our men. Only a few days ago there appeared in the newspapers an article announcing that boys of 19 and 20, and young men of 36 years of age were just being called up for service, indicating that up until now Britain has mobilized only those classes between the ages of 21 and 35 years. There is a great reservoir of men available now right in England. This article confirmed the information I obtained in a private conversation I had about 9 months ago with one of the leaders in the British Parliament. This man informed me then that England had about 3,000,000 men that she could muster into the service if only uniforms and equipment were available. No, Mr. Speaker, Britain does not need men; she needs material assistance and in furnishing her that aid we are keeping war out of America and we are keeping America out of war.

If we fail to render adequate assistance, and England falls, it will be necessary for us to furnish not only war material, but we will find it necessary to place our boys on the firing line. If Hitler forces war upon us we will sacrifice not only our materials of war and our fighting men, but we will also subject our women and children to all sorts of hardships, hardships that cannot be fully understood by anyone who has not been

in a war, either in the military service or in an invaded country.

Because I want to keep war out of America and America out of war, Mr. Chairman, I shall vote for H. R. 1776, a bill further to promote our national defense.

[Applause.]

Mr. GRANGER. Mr. Chairman, for the past several thousand years men have struggled to free themselves in one way or another from the tyranny of various forms of dictatorship. Through these heroic efforts of men of the past, this great country has become the perfection of what we now call democracy. Is it our contention that America owes nothing to the past and that it can, by declaring its own self-sufficiency and own satisfaction, maintain that it should have no part in shaping the destiny of a future world?

Our whole argument has been waged around the theory of self-preservation. I contend that many of these countries that are now fighting for their lives and have lost their independence and liberty as free men have contributed materially to the advancement of our own country. It is true that we should not engage in the quarrels of any foreign country from the fact that we had no part in the creating of things that brought about these quarrels, and, particularly, had nothing to do with the beginning of this terrible conflict. But I do think America owes to those forces that are fighting for their lives, directly or indirectly, or fighting to preserve the heritage which is ours, our entire moral support and everything we can possibly spare of our material substance in this time of world peril.

I believe that it is possible to gain our objectives without even thinking of or consenting to the sending of a single solitary soldier across the sea. In conflicts of this kind you cannot determine the outcome by measuring the relative strength of armaments.

There are other very important considerations, namely, the justice of the cause for which men struggle, the inability for any military organization to comprehend and understand what the future might bring. For example, the Italian who looked upon himself as the Napoleon incarnate, who used all the skill and intelligence that he had in order to enter the conflict when he saw the victim almost within the grasp of its pursuer. He bided his time and chose a time when he should join the chase in order to be there to get his part of the hide. Yet, where is he today? The great Napoleon has now lost his African possessions, and all the dream of the expansion of his empire has vanished and he is now under the control of the Nazi dictator—not Napoleon—he is not even playing a good second fiddle.

These are the fortunes of war and no man can tell what the fortunes of war will be tomorrow. So I say, in answer to those who say the democracies cannot win because they are weak, forget these events of past history. If our great country will, in unity, mobilize through its ingenuity, through its combination of labor and industry it can provide the



means whereby the democracies can become supreme in the air and rule the waves; and when that day comes this war will be over. It was true in the last war, there was not a shot fired on German soil, but the German Empire fell, and it can and will do it again. It is my opinion that when these oppressed people who have known what liberty was and understand the blessings that come to free men, are aware that this country has thrown its whole moral and part of its economic support on the side of right, there will again be rekindled in the hearts of these men who love liberty the desire for freedom, and a firmer grasp will be taken upon the torch of liberty.

This is not a question of whether or not we like Great Britain, or any other country. It so happens that the struggle now being made by the democracies is expedient, for the preservation of our ideals and in the interest of our own national defense. [Applause.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts [Mrs. ROGERS].

The amendment was rejected.

The Clerk read as follows:

SEC. 6. (a) There is hereby authorized to be appropriated from time to time, out of any money in the Treasury not otherwise appropriated, such amounts as may be necessary to carry out the provisions and accomplish the purposes of this act.

(b) All money and all property which is converted into money received under section 3 from any government shall, with the approval of the Director of the Budget, revert to the respective appropriation or appropriations out of which funds were expended with respect to the defense article or defense information for which such consideration is received, and shall be available for expenditure for the purpose for which such expended funds were appropriated by law, during the fiscal year in which such funds are received and the ensuing fiscal year.

Mr. WADSWORTH. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WADSWORTH: On page 5, after line 21, insert a new paragraph reading as follows:

"The gross expense to the United States of the exercise of the authority in this act with respect to defense articles and defense information shall not exceed in the aggregate the sum of \$7,000,000,000: *Provided*, That the elements of such expense and the amounts comprising such aggregate shall be determined, respectively, by the head of each department and agency concerned, under regulations to be approved by the President, which shall be uniform so far as practicable for all departments and agencies."

Mr. WADSWORTH. Mr. Chairman, a few days ago I urged upon the consideration of the managers of this bill, and it may be recollected that I did so as a friend of the measure, the suggestion that an over-all limitation be placed upon the funds authorized to be appropriated for the carrying out of the purposes of this act. The amendment which I have just offered is intended, if it meets the approval of the Committee, to establish such a limitation.

I may say at the beginning that the establishment of such a limitation is very frequently done. Time after time the

Congress has passed acts authorizing the performance of certain functions by Government, the performance of which must depend upon the expenditure of money and in the passage of those acts has stated a maximum amount to be authorized. Under such authorizations the Director of the Budget or the department involved submits estimates for the appropriations thereafter to be made and defends them before the Committee on Appropriations of the House in the first instance. This procedure is known to every Member of the House. There is nothing unusual, in fact, it is the customary procedure and it is the more customary the more important the bill. I think I am justified in making that assertion.

Mr. TABER. Mr. Chairman, will the gentleman yield for a question?

Mr. WADSWORTH. Very briefly; yes.

Mr. TABER. The gentleman does not in any way mean to imply that by fixing the gross limit as he has that the Congress should appropriate anything unless thoroughly justified.

Mr. WADSWORTH. Nothing of the sort. Of course, it is well known to all of us that under a limited authorization the Chief Executive must defend the estimates made to the Congress for the appropriations to come thereafter although those estimates may be smaller in the aggregate than the total of the authorization, and the Committee on Appropriations may decide to appropriate a sum of money smaller than the authorized limit fixed in the original act.

It will be noted, Mr. Chairman, I have used in this amendment the phrase "gross expense to the United States of the exercise of the authority of this act." By the use of that expression it will be seen that this coverage, we will say, of \$7,000,000,000, this ceiling, so called, will include in the first instance the value of the goods which have been manufactured already or are now being manufactured as the result of appropriations heretofore made by the Congress.

In other words, it will include in the \$7,000,000,000 the \$1,300,000,000 limitation already set in that limited field through the amendment originally offered by the gentleman from New York [Mr. TABER], and for which a substitute was adopted. It will include also all expenditures to be made as the result of appropriations hereafter to be made under this act. Goods now in process will be covered, and goods hereafter to be made will be covered. Moreover, it will include expenditures which may result from commitments and obligations entered into by the President prior to the expiration of our 2-year period but which cannot be filed or matured at that time. So when we use the phrase "gross expense" we cover the entire program, starting with the enactment of this bill, retroactive to some extent, and continuing on to the end of the authorized period of expenditure and the maturing of obligations; in other words, until 1946. I may only express a judgment upon this matter, but in all probability the expenditures will be much the heavier in the first 2½ years and at the end of 2½ years we shall have a chance under the terms of this act—

[Here the gavel fell.]

Mr. McCORMACK. Mr. Chairman, I ask unanimous consent that the time of the gentleman from New York may be extended for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. WADSWORTH. At the end of the 2 years or 2 years and 3 or 4 months' period already provided for in the act the Congress will have an opportunity to review this whole situation.

The sum of \$7,000,000,000 may seem overgenerous. I think it is not. I think it is within the bounds of reason; I think it is practically certain to cover all the necessities and to meet the emergencies which we may not at this moment be able to anticipate. At any rate, within 2 years and 3 or 4 months we shall have a chance to review this whole situation under the terms of this act and decide then whether we shall continue this act in operation for an additional period, and under what conditions and considerations. As I tried to say the other day, I am a great believer in the Congress maintaining its control of the purse strings. I think it is a vital function.

Mr. BULWINKLE. Mr. Chairman, will the gentleman yield?

Mr. WADSWORTH. Yes.

Mr. BULWINKLE. I am very much interested in the gentleman's statement. How did he arrive at the sum of \$7,000,000,000?

Mr. WADSWORTH. I shall have to confess that I arrived at it after somewhat rough calculation. So far as I understand the testimony thus far taken, it indicates that the British Government has expended about \$1,300,000,000 in the last year for purchases in this country. In all probability those purchases would have been heavier had our factories been able to meet the orders, and additional orders that would have been placed. So it might be said that \$1,300,000,000 would be the minimum of British orders under existing conditions. Hereafter the orders placed through the hands of the President of the United States will probably be larger, considerably larger. No one can tell what they will amount to, and at the same time orders will be placed for our own equipment, equipment which is not to be transferred to any of these other governments. Basing it on a two and a half or three year period of actual expenditure, I figure that something like two or two and a quarter billion dollars per year would cover the gross expenditure under this bill, a total of \$7,000,000,000. I think none of the friends of aid to Great Britain can criticize this suggestion on the ground that it is inadequate. I think it will be accepted as adequate the world over, especially as it is known the world over and must be known the world over that within 2 years or more we are going to reconsider this whole thing.

Mr. JONKMAN. Mr. Chairman, will the gentleman yield?

Mr. WADSWORTH. Yes.

Mr. JONKMAN. Did I understand the gentleman to say that this \$7,000,000,000 will be used by both governments—our Government and by Great Britain?

Mr. WADSWORTH. Solely by our Government.



Mr. JONKMAN. For the use of our Government?

Mr. WADSWORTH. For the use of our Government.

Mr. JONKMAN. Then it is an appropriation for \$7,000,000,000 without reference to England?

Mr. WADSWORTH. Oh, no. It is no appropriation at all. This is a limitation suggested to be placed upon the gross expense incurred by the Government of the United States under this bill. When I used the expression a moment ago perhaps I was to blame for this misunderstanding. I used the expression British orders. I think I was in error, because in the future, under the terms of this bill, the needs of Britain will be reflected in orders of our Government.

Mr. MARCANTONIO. Mr. Chairman, will the gentleman yield?

Mr. WADSWORTH. Yes.

Mr. MARCANTONIO. Cannot the gentleman's suggestion be described as the sky is the limit?

Mr. WADSWORTH. I think not.

Mr. COFFEE of Nebraska. Mr. Chairman, will the gentleman yield?

Mr. WADSWORTH. Yes.

Mr. COFFEE of Nebraska. Can the amendment be interpreted by the British as an authorization of that much money, and would not that country possibly feel that Congress is willing to expend \$7,000,000,000?

Mr. WADSWORTH. In respect to the first part of the gentleman's question, the answer is in the negative. If we are to engage in this great enterprise and assist them, I assume that the British Government and its leaders and its press will inform themselves as to our legislative and executive processes. It is their duty to inform their people that time after time the Congress of the United States has exercised and will continue to exercise in the future the control of the purse strings.

The CHAIRMAN. The time of the gentleman from New York has again expired.

Mr. BLOOM. Mr. Chairman, I ask unanimous consent that the gentleman's time be extended for 5 minutes.

The CHAIRMAN. Is there objection? There was no objection.

Mr. WADSWORTH. May I make an observation or two and then I shall be glad to yield? At the danger of repetition, I remind the members of the committee, as I endeavored to do the other day, that grave apprehensions fill the minds and hearts of a great many people in this country about this bill. It has been called a blank check, it has been called a bill leading us down the road to dictatorship in the United States. It strikes me that any limitation which is reasonable and consistent with our custom might well be inserted in this bill, in order, as I said the other day, to achieve a greater degree of unity. I cannot conceive how a limitation of this sort can do any harm whatsoever to our program, and if it makes a good many people feel a little better about it, then it helps our program. That is the thought I have had in mind.

I now yield to the gentleman from Ohio.

Mr. VORYS of Ohio. I wonder whether, in arriving at his estimate, the gentleman had considered the statement of Secretary Morgenthau during the past week that he did not see how American industry could absorb and produce the approximately \$28,000,000,000 that we were expected to appropriate under amounts already budgeted up to July, 1942. That statement, I will confess, has made me feel that setting any very large limit may be an encouragement that our industry simply cannot fulfill.

Mr. WADSWORTH. According to the gentleman's statement just made, the Secretary of the Treasury limited his prophecy to 1942. This bill goes far beyond 1942.

Mr. CRAWFORD. Mr. Chairman, will the gentleman yield?

Mr. WADSWORTH. I yield to the gentleman from Michigan.

Mr. CRAWFORD. I think the gentleman's figures are quite in order when we take into consideration the reports put out by the Industrial Conference Report with reference to available productive capacity over the period which you extended it. I want to ask this question, because I would like to support the amendment: Would it be reasonable to assume that this \$7,000,000,000 is all that we could possibly hope England would perhaps spend in this country in defending the British Isles versus invasion of the continent? It seems to me that this \$7,000,000,000 will be adequate for defending the British Isles and carrying on the auxiliary program in connection therewith.

Mr. WADSWORTH. Of course, the British are spending untold sums in their own country.

Mr. CRAWFORD. Yes.

Mrs. ROGERS of Massachusetts. Will the gentleman yield?

Mr. WADSWORTH. I yield to the gentleman.

Mrs. ROGERS of Massachusetts. Does the gentleman know that only yesterday 68 members of the faculty of Harvard University came out against this bill, feeling that it would be dangerous?

Mr. WADSWORTH. I respect the faculty of Harvard University, but I remind the lady that I am a graduate of Yale [laughter and applause], and rapidly becoming the oldest living graduate.

Mrs. ROGERS of Massachusetts. And I may say a very distinguished and able one. [Applause.]

Mr. JENKINS of Ohio. Will the gentleman yield?

Mr. WADSWORTH. I yield.

Mr. JENKINS of Ohio. I understood the gentleman to say that this \$7,000,000,000 would probably be available for a longer time than 2 or 3 years. Is it not true that the converse of that might apply and that all might be spent in 1 year?

Mr. WADSWORTH. If the Committee on Appropriations so decrees. Its members are the masters of the detail of this thing. [Applause.]

[Here the gavel fell.]

Mr. WHITTINGTON. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, like the gentleman from New York [Mr. WADSWORTH], I speak as a friend of this measure. Generally, my

views have been similar to his with respect to the foreign policy of the United States and with respect to foreign affairs. My views have also been the same as those of him and others who believe in limitations, generally, upon authorizations. As I stated 2 days ago, I have given a great deal of thought to this matter. The lease-lend bill is unusual legislation and in the unusual circumstances it is my view that a limitation would be unwise.

I am reminded that when we are called upon to make appropriations ordinarily the Committee on Appropriations makes the statement that limitations should have been put in the authorization. Anticipating that statement the committee in charge of this bill and those favoring it during the debate have repeatedly stated that the Congress retained full control of the purse strings of the Treasury and that 95 percent of the defense articles would be the result of appropriations, and that Congress at the appropriated time would be the sole judge of the amount of the appropriation.

It is also fair to say that in all measures where there is a limit to an authorization, that limit is based upon some facts. We have an idea what it will cost to support the Army, to build a battleship, to improve or repair a harbor—estimates are furnished—but there is not any testimony in the hearings, nor has it been shown in this debate, what amount will be sufficient to enable the United States to provide the articles of war that will effectively aid Great Britain. It may take a billion; it may take two billion. Nobody has approximated or estimated the amount, no estimates of the costs have been made, nor can any at present reasonably be made; but I recall that in 1917 and 1918, in order to defend the ideals for which America has stood since the establishment of the Government, we gave not only seven billion but almost seven times seven billion, and we supplemented that by the blood of the flower of our young manhood.

As a supporter of this measure, regretting exceedingly that I must differ with the gentleman from New York, I believe that a limitation now, when no one knows the answer, would hinder and would not help. I do not believe the limitation would satisfy the critics. No opponent has said that if a limitation is inserted he will support the bill. Certainly no suggestion of \$7,000,000,000 has been made. On the contrary, the opponents limit their loan to \$2,000,000,000. I recall the very eloquent and able argument of the gentleman from New York [Mr. WADSWORTH] with respect to limitations, made during general debate, but I also remember that other and more effective argument submitted by him to the effect that the passage of this measure would do more than anything else to stimulate and sustain the morale of Great Britain, fighting as she is this very hour for the very life of that brave and courageous people. If the passage of this bill will strengthen their morale and bring victory to Britain, neither seven billion nor any other reasonable number of billions will be too much for this country to expend.

[Here the gavel fell.]



Mr. WHITTINGTON. Mr. Chairman, I ask unanimous consent to proceed for 4 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. WHITTINGTON. I believe, as has been suggested, a limitation would be misunderstood by England. If we place a limitation of \$7,000,000,000 in the bill England might expect the appropriation and expenditure of this amount. I trust this amount will not be needed. If we place a limitation of \$7,000,000,000 Germany may say that if America spent \$36,000,000,000 in 1917 and 1918 the job cannot be done on \$7,000,000,000 in 1941. Misunderstood, misinterpreted by both our friends and our probable enemy, it may therefore do infinite harm; it may defeat the very purposes of the bill.

Above all and in all, the hope of this legislation is to provide this aid in sufficient quantities and in sufficient amounts that will really contribute to a victory by England and if possible save the United States from sacrificing the lives of Americans. I say, Mr. Chairman, in all the circumstances, as has been so well said by the gentleman from New York: We shall know more 2 years from now, we shall know more 1 year from now than we do now; and if it appears there should be a limitation at that time there will be ample opportunity to fix a limitation.

One thing more, we have given to the President of the United States, the Commander in Chief of the Armies, from the days of Washington to the days of Franklin D. Roosevelt, supreme power in war and in preparations for war. Abraham Lincoln, to provide for enlistments, suspended the writ of habeas corpus. He called for volunteers. But after all it was the Congress that provided the appropriations for the prosecution of the War between the States.

In this bill we retain, because we did not know how much to authorize, the power over the purse strings of the Nation, but by the passage of this bill we are saying to Great Britain and the Axis Powers alike that we have put our hand to the plow, and that we mean to aid England to the limit. England may fight with other nations, occasionally America and England may quarrel or fight, but when America has been attacked by another power England has always come to the aid of America. England and the United States speak the same language and stand for the same freedom. The passage of the pending bill is the best way to keep the present European war in Europe. We are saying by the passage of this bill when our very safety and our very freedom are involved that victory, if we can aid, shall come to Great Britain. I believe that by spending money in aiding Britain we can save lives in defending America. I believe, I repeat, the adoption of this amendment, no matter what may be the intention of its author, will contribute to defeat the very purpose of this bill. I trust the amendment will be voted down. [Applause.]

[Here the gavel fell.]

Mr. BLOOM. Mr. Chairman, I move that all debate on this amendment and

all amendments thereto close in 20 minutes.

The motion was agreed to.

Mr. POWERS. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. POWERS. How will the time be divided?

The CHAIRMAN. It will have to be in the control of the Chair, no other arrangements having been made.

Mrs. ROGERS of Massachusetts. Mr. Chairman—

The CHAIRMAN. For what purpose does the gentlewoman from Massachusetts rise?

Mrs. ROGERS of Massachusetts. I desire to be heard on the amendment.

The CHAIRMAN. The gentlewoman from Massachusetts is recognized for 5 minutes.

Mrs. ROGERS of Massachusetts. Mr. Chairman, I trust this amendment will be adopted. I believe it will help in making this a better bill. It will help to protect our own national defense. It will safeguard somewhat our own economic security.

Mr. Chairman, I should like to draw the attention of the membership to the action taken by 68 Members of the staff of Harvard University, a college of extremely high standing and great honor, that throughout the history of our country has educated her young men. The signers of this statement of opposition to the lease-lend bill contend national defense could be achieved without any such abdication of popular government as the measures of this bill effect. They also argue that the bill gives the President the power to make decisions of foreign policy without adequate public discussion and without democratic controls, and makes possible irrevocable military collaboration with foreign powers but evades consideration of the ultimate aims of such collaboration.

Among the signers of this statement of opposition are Edward Ballantine, Bart J. Bok, Charles F. Brooks, Wendell H. Furry, Kirtley F. Mather—one of my constituents—F. O. Matthiessen, Donald H. Menzel, Frederick Merk, and Hassler Whitney, certainly a group of very fine, loyal patriots.

Mr. EBERHARTER. Mr. Chairman, will the gentlewoman from Massachusetts yield?

Mrs. ROGERS of Massachusetts. I yield to my distinguished colleague.

Mr. EBERHARTER. The gentlewoman from Massachusetts calls attention to the action of 68 professors of Harvard. I ask her, What is the position of the 2,000 other professors of Harvard? It is my understanding Harvard has about 2,100 teachers and professors.

Mrs. ROGERS of Massachusetts. I am very sure they have not endorsed this measure as it now stands.

As the gentleman knows, I voted to report this bill out of the committee. I wanted to help Great Britain and in helping her help the United States; but as the gentleman knows I felt that certain protective amendments should go into the bill. These amendments are not in it. I believe however that this amend-

ment offered by the gentleman from New York [Mr. WADSWORTH] improves the bill. I hope it will be accepted.

Mr. Chairman, I yield back the balance of my time.

Mr. LUTHER A. JOHNSON. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. The gentleman from Texas, a member of the committee, is recognized for 5 minutes.

Mr. LUTHER A. JOHNSON. Mr. Chairman, on behalf of the majority members of the Committee on Foreign Affairs I am authorized to say it is the unanimous judgment of the members of that committee that this amendment should be defeated, not because we do not appreciate the fine spirit which prompts the distinguished gentleman from New York in offering it, not because we are not in sympathy with what the gentleman seeks to accomplish by his amendment, but because after very careful and earnest consideration of this matter from the very inception of the introduction of the bill itself we have reached the deliberate judgment and conclusion that it would be unwise to adopt any amendment placing what is known as a limit upon the authorization of appropriations.

Mr. HARE. Mr. Chairman, will the gentleman yield?

Mr. LUTHER A. JOHNSON. I yield.

Mr. HARE. In view of the statement of the gentleman from New York that the responsibility would be left with the Committee on Appropriations to determine the amount, is it not possible that the Committee on Appropriations might find it would be able to meet all of the obligations called for for less than \$7,000,000,000?

Mr. LUTHER A. JOHNSON. Yes.

Mr. HARE. If there was a limitation to that effect, the Appropriations Committee would then be bound to appropriate \$7,000,000,000?

Mr. LUTHER A. JOHNSON. Not necessarily bound to appropriate the full amount, but it would be a commitment which might mislead England in thinking we would do so.

Mr. TABER. Will the gentleman yield?

Mr. LUTHER A. JOHNSON. I yield to the gentleman from New York.

Mr. TABER. Does the gentleman figure that this limitation is too high or too low?

Mr. LUTHER A. JOHNSON. I do not know. I have not figured whether it is too high or too low.

Mr. TABER. I think the Foreign Affairs Committee should tell us.

Mr. LUTHER A. JOHNSON. We want to let the Appropriations Committee tell us and that is the reason we have written this bill as it is. The estimate as to what things are needed will not come to our committee. That will go to the gentleman's Committee on Appropriations, where it should go. I think it was all right to place a limitation upon what has already been appropriated. Now, I want to read what the distinguished gentleman from New York [Mr. TABER] said the other day in his speech, and it is one reason why we should not place a



limitation here. He said he was hard-boiled in all of these estimates. The reason it should go to the gentleman's committee rather than ourselves is because the Appropriations Committee is trained in figures. They live figures, they eat figures, they sleep with figures. [Laughter and applause.]

Mr. TABER. The gentleman has been listening to figures for 3 weeks. I am wondering if those figures made any impression?

Mr. LUTHER A. JOHNSON. Mr. Chairman, I am thinking of policy—his committee will deal with figures. This is what the enemies of this bill said from the time it was first introduced. They stated, "You are giving a blank check to the President of the United States," and our answer is, "Yes; we are giving a blank check, but in section 6 we leave the blank to be filled in not by the President of the United States but by the Congress of the United States." If we fill in an amount now in this authorization and say "not to exceed \$7,000,000,000" these same people who have been fighting the bill will then say, "You have given a check for \$7,000,000,000 to the President." So you are not going to get anywhere by that.

We have limited the amount that can be expended under appropriations heretofore made by the Taber amendment, as modified by the Bloom amendment. We have put a limit there, but as to future appropriations it has been demonstrated by this debate and it is the intention of the bill and the administration that no new contracts shall be made involving the expenditure of money until after those estimates have been submitted to the Appropriations Committee of the House and the Congress has passed a bill making appropriation for the specific purpose.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from New Jersey [Mr. POWERS].

Mr. POWERS. I realize that many things have been said this week during the debate which have been very distasteful to me and very distasteful to many other Members of the House. I further realize that the Members of the Committee and the House are in no humor to listen to any long-drawn-out speeches, harangue, or whatever you may wish to call them. I do want to say to the Members this afternoon that you have before you at this moment and will vote very shortly on a very important amendment, an amendment which will do more for national unity than almost any amendment which has been offered to this bill. You have before you now, and I am covering a lot of territory, an amendment offered by one of the greatest Americans who ever sat in an American Congress. [Applause.] You have an amendment which has been well thought out. You have an amendment placing a ceiling of \$7,000,000,000 on this bill, and you Members should realize that this is a ceiling in addition to the usual War Department and Navy Department appropriation bills which come in yearly and it is in addition to all the supplemental and deficiency bills pertaining to the War and Navy Departments.

You must realize that industrial America cannot swallow \$7,000,000,000, plus all the rest of the billions of dollars in our national-defense program, and produce goods in the allotted time.

Mr. CRAWFORD. Will the gentleman yield?

Mr. POWERS. I yield to the gentleman from Michigan.

Mr. CRAWFORD. Does this not also give us the protection of the Appropriations Committee?

Mr. POWERS. Very definitely. The Appropriations Committee must go over every item sent to it by the Budget. It must minutely go through and have justified every item.

Mr. Chairman, I am asking the Members on my right particularly to support an amendment that is decent, that is right, that is fine, one that will create national unity and give to the vast majority of the American people that which they want—a ceiling on this bill. [Applause.]

The CHAIRMAN. The Chair recognizes the gentleman from Massachusetts [Mr. McCORMACK].

Mr. McCORMACK. Mr. Chairman, the remarks of the last gentleman are very interesting and pleasing because we all admire the gentleman from New York, JIM WADSWORTH, but JIM WADSWORTH himself would not want this amendment adopted because of our affection for him.

The distinguished gentleman from New York [Mr. WADSWORTH] made a speech the other day and he couched what he said in careful, very careful, language, as he did today. At no time did he say that he personally advocated his amendment. He advocated the whole proposition on the ground of unity, that there was misunderstanding and uncertainty, and that this might allay that fear. I have listened to every word he said to read his mind, and the impression I have is that so far as he personally is concerned he appreciates that the Congress has reserved to itself in the bill complete jurisdiction over the appropriations thereunder.

This amendment or any limiting amendment is a limitation upon the Appropriations Committee and upon this Congress. That is what it really amounts to. The carrying into effect of this amendment for all practical purposes is not so much aimed at the Chief Executive, and certainly not in the case of the gentleman from New York, although others may support it for that reason, as it constitutes a limitation upon this very body itself.

The Appropriations Committee has complete control over it. If this amendment is adopted, it is a message to the country, as far as the psychological effect is concerned, that we are going to appropriate \$7,000,000,000, when we may not need to appropriate more than two or three or four billion dollars.

Mr. RAYBURN. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Texas.

Mr. RAYBURN. I may say that I have tried, as much as I have ever tried to do anything in a legislative way, to agree

with the position taken by the gentleman from New York, whose patriotism and whose judgment we all admire, and who as a man we love; but just along the line of what the gentleman is talking about now, with a bill written not as a blank check to anybody but with the Congress retaining all the power over every appropriation that may be authorized in this bill that it retains at any time with reference to any other bill, does not the gentleman fear that if we write this amendment into the bill, carrying the tremendous figure of \$7,000,000,000, the critics of the Congress may say, many of them not recognizing the difference between an authorization and an appropriation, that we have written a "blank check" to the President of the United States for \$7,000,000,000?

Mr. McCORMACK. There is no question but that the statement of our distinguished and beloved Speaker is absolutely correct.

Since the gentleman from New York made his speech last Tuesday a number of changes have taken place in this bill. In addition to the Congress retaining complete control over the appropriations, we put in a time limitation on when contracts can be made. This affects appropriations. We put in a time limitation on when contracts can be executed, and this has an effect on appropriations. We put a 10-percent limitation on the transfer of defense articles. This has an indirect relationship to appropriations. But, above all, the Dirksen amendment has been put in the bill, and I can assure the Members of the House there will be no effort made to take the Dirksen amendment out of the bill. The Dirksen amendment states that the Congress by concurrent resolution, and this means a majority vote in both branches, can declare that the emergency does not exist any more.

My Republican friends advocated the adoption of the Dirksen amendment, and the Dirksen amendment has a direct effect upon amendments of limitation of this kind, but the other limitations that the majority members of the Committee on Foreign Affairs have offered voluntarily change the situation from what it was a few days ago so that it does not warrant any amendments of limitation being put into this bill. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. WADSWORTH].

The question was taken; and on a division (demanded by Mr. WADSWORTH) there were—ayes 38, noes 122.

So the amendment was rejected.

Mr. DIRKSEN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I trust there will be no misapprehension in the mind of any member of this Committee as to the effect of the amendment that was written in the bill on Thursday last, which would provide for retrieving the powers by the instrumentality of a concurrent resolution.

It is rather immaterial what I think about the effect of a concurrent resolution, but it is material, indeed, what the



majority leadership of this House may think.

I read from a dispatch of the United Press, dated February 6, as follows:

Both Democratic Leader JOHN W. MCCORMACK and Speaker SAM RAYBURN said they did not believe that a proposed amendment by Representative EVERETT M. DIRKSEN, Republican, Illinois, providing specifically that the President's power under the bill can be terminated by a concurrent resolution of Congress at any time, would be "any limitation at all."

[Applause.]

[Here the gavel fell.]

Mr. CASE of South Dakota. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CASE of South Dakota: On page 5, line 21, strike out the period and insert a colon and the following proviso: "Provided, That funds received more than 2 years after the effective date of this act shall be available for expenditure only after appropriation by the Congress."

Mr. CASE of South Dakota. Mr. Chairman, I am not flattering myself that this amendment will be adopted, because I doubt if the House is in a mood to accept any amendments; yet I fear I would be unfair to the legislative history of the bill if I did not call your attention to the situation that is created by paragraph (b) of section 6, which provides that all money and all property which is converted into money shall revert to the respective appropriation or appropriations out of which funds are expended, and shall be available for expenditure for the purpose for which such expended funds were appropriated by law, during the fiscal year in which such funds are received and the ensuing fiscal year.

I do this because the chairman of the Committee on Foreign Relations has very pointedly called attention in his book on the Story of the Constitution to the 2-year limitation which the Constitution places on appropriations for the support of armies.

I also call your attention to the fact that in section 2 (a) (4) of this bill you define "defense articles" as including "any other commodity or article for defense."

I am aware of the fact that court decisions have held that there is a distinction between appropriations for weapons and appropriations for the support of the Army itself, but by the definition we give here of "defense articles," in which we include food, commodities, and articles of all kinds, certainly it must be clear that we are appropriating here for the support of armies beyond the 2 years permitted by the Constitution.

This language reads that the money shall be available for expenditure in whatever year any returns may be received.

I call attention to this situation also because 20 years from now, if any repayments are made on what is sold or transferred under this bill, such repayments will augment the appropriations or the money available for expenditure in that year by the respective departments, without any act of Congress. In all fairness to the legislative integrity of the War

Department Appropriations Committees of those days, I submit to you that it will be impossible for them to appropriate intelligently if they do not know in advance what funds will be added to what they are appropriating. They will appropriate under the Budget estimates, and then if by chance \$50,000,000 or \$100,000,000 or \$500,000,000 comes in, it will be available for expenditure without appropriation under the language of the bill as it now is.

I am aware of the fact that the committee brought in a rule which waived all points of order and, as I said to the distinguished chairman the other day, the reason we are not making points of order against the appropriations in this bill is that you brought in that kind of a rule.

For the RECORD also I would call your attention to a decision which was rendered by the Chairman of the Committee of the Whole House, a highly respected former Member of this body, the Honorable Lindsay Warren, now Comptroller General. On the 12th day of January 1933, when a bill to aid agriculture was before the Committee, the measure contained this paragraph:

The Secretary of Agriculture is authorized to expend for the payment of administrative expenses under this act not to exceed 2½ percent of the annual receipts from adjustment charges and taxes under this act.

The Chairman of the Committee, Mr. Warren, held that this was an attempt to create a revolving fund, the same as it attempted in the bill before us in the language I have cited, and ruled that it was an appropriation. So he sustained the point of order, in line with many other decisions along this line uttered by such a respected Speaker of the House as the one time Member from Massachusetts, Mr. Gillette, as well as a former distinguished Member of the House, the Honorable Simeon Fess, of Ohio. Other decisions along this line could be cited, and I submit to you in all sincerity that this amendment should be adopted in order to protect the bill from the charge that we are appropriating for more than 2 years and to insure proper consideration for the War Department Appropriations Subcommittee in future years. [Applause.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from South Dakota.

The amendment was rejected.

The Clerk read as follows:

SEC. 7. The Secretary of War, the Secretary of the Navy, and the head of the department or agency shall in all contracts or agreements for the disposition of any defense article or defense information fully protect the rights of all citizens of the United States who have patent rights in and to any such article or information which is hereby authorized to be disposed of and the payments collected for royalties on such patents shall be paid to the owners and holders of such patents.

Mr. LANHAM. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I have asked for this brief time because in a study of the hearings and of the report of the committee on this measure I can find no clear explanation of what this section means. I

think it is an important section, although I can realize that in the consideration of other matters the time of the committee was not taken up very much with it.

The protection of patent rights is a very important matter, and there are many phases of our present patent situation which, in my judgment, do not seem to be covered by this section. I confess I do not quite understand what the section means, and I am hoping that in another body there can be more consideration given to this section in order that the rights of our American citizens may be properly protected.

If I can have the attention of the committee for just a moment, I will call attention to one right of American citizens not protected by this section. I understand that this section is taken verbatim from a law that we passed of a somewhat similar nature with reference to Central and South America.

Mr. BLOOM. The gentleman is right.

Mr. LANHAM. However, the conditions that obtain with reference to the Western Hemisphere and with reference to European nations are not at all similar in many respects.

We passed in the last Congress, Public, No. 700, approved July 1, 1940, a bill which I had introduced in the interest of national defense in order that applications for patents on inventions which are primarily useful in national defense might be kept secret, and I assume, I think advisedly, that some inventions have been kept secret in accordance with the terms of that act. There is quite a distinction between patent rights, as mentioned in this bill, and the rights to patents of those who have invented things useful to us in our national defense and who are withholding them from patent that they may be used solely by the Army and the Navy. There is no protection whatever of the rights of those inventors in this measure because they do not have patent rights, but they do have rights to patents. This section says that royalties on patents shall be held for the owners of patent rights in the United States. There is a provision in Public, No. 700 that these gentlemen who have filed applications for inventions primarily useful for national defense, and which are being kept secret, may be compensated during the time they are kept secret, but that compensation is by agreement with the Army and the Navy and is not a royalty; and if we go no further in this bill than to protect the citizens who have patent rights, then we fail to protect the citizens who have rights that they have voluntarily withheld for the defense of this country.

There are other things that I might mention in this connection, but I do want to call the attention of the committee to the fact that some clear explanation is needed of this section in order to protect American citizens, and not only those who have patent rights but those who, under legislation that we have enacted for citizens who are trying to help this country and our national defense, do not have patent rights, but do have rights to patents.

Mr. BLOOM. Mr. Chairman, will the gentleman yield?



Mr. LANHAM. Gladly.

Mr. BLOOM. I appreciate the fact that the gentleman knows a great deal about patents and rights to patents, and this is the first time it has ever been called to the attention of the committee. I did not think of it at the time, but I can assure the gentleman that now that he has called the attention of the committee to the fact that something should be included in the measure, that something will be written into the bill to protect the rights of the people who have these rights to patents, as the gentleman calls them.

Mr. LANHAM. I appreciate that, and it was for that reason, knowing the committee was engaged primarily with some of the larger features of this measure, that I made these observations.

Mr. BLOOM. I can assure the gentleman that it will be taken care of at the proper time.

[Here the gavel fell.]

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

SEC. 8. The Secretaries of War and of the Navy are hereby authorized to purchase or otherwise acquire arms, ammunition, and implements of war produced within the jurisdiction of any country to which section 3 is applicable, whenever the President deems such purchase or acquisition to be necessary in the interests of the defense of the United States.

Mr. SUMNERS of Texas. Mr. Chairman, I move to strike out the last word. We are approaching the conclusion of what history will probably classify as one of the two or three most important bills passed in the history of the country. I think everybody who realizes what is going on is conscious that we are now possibly approaching a war psychology in America. It may be that we are in its grip now. Certain it is that we are definitely committed to a program which is moving us closer and closer toward the European conflict. We may not become involved in the fighting but that does not change the fact that day by day we move in that direction. There is no use trying to deceive ourselves or anybody else about that. The debate on this bill shows that. The provisions of this bill show that. It is a foregone conclusion that the bill will be passed. There is the theory that its passage may enhearten Great Britain and the aid which may be provided may help them to win.

It is not my purpose to discuss the bill or the attitude or policy out of which it has grown. It is the same as passed now and has been from the day it was formulated, insofar as the possibilities of its defeat are concerned. What I would like to make the country to realize, regardless of who or what is to blame, that we are moving rapidly into deep waters, waters that may be mighty bloody before we get through.

There is no use trying to deceive ourselves about it. As I see it, to try to deceive our people about it would be the highest imaginable crime against the duty incident to our responsibility as their representatives, as their watchmen on the tower. We have got to get ready for any eventuality. That is the point

I am trying to make. This bill is the same as passed. In such a situation it is of the greatest importance that we proceed as a united people as near as we can be united. Whether wisely or unwisely, insofar as we have had to do with it, there are now united against us all of the peoples in the world equipped to fight, if England falls. We must not underestimate or misunderstand the situation. I was here when we went into the other war. The situation now is very different, and there should be no misunderstanding of what possibility is in front of us, and wise people, when so much is at stake, act to meet substantial possibilities as though they were certainties.

Today Germany is in a position to control the resources of most of Europe, and much of Africa and Asia. We are cutting out a real job for ourselves or having it cut out for us, whichever way it may be considered. We have been doing too much talking and threatening and too little preparing to back up what we have been saying. I am told I should not say these things because they might frighten the people. I am not afraid of frightening the people, the people are not jittery. It is my firm conviction, however, that the people must be told these things by those whose business it is to tell them the truth, in order that they may get ready for them or they may be frightened when it is too late. We are watchmen on the tower with the highest duty to those whose watchmen we are, to tell them the truth as we see it.

I presume to give out a formula several months ago in which I said that I was in favor of "using every resource that we have to prepare for every emergency, and in the meantime to do mighty little talking with our mouths." We have not followed that program. We have done a mighty lot of talking. I am not criticizing anybody. I hope it will come sometime in America, and it must come soon, when we can discuss these important things, fundamental things many of them, of governmental policy and not have them considered controversial merely, as we seem disposed to consider them now. We have got to do it. I feel it might be well to remind ourselves. I do not know whether you realize it or not—I think I do—that our American democracy confronts two dangers now. One is from without and one is from within. The democracies of the world that have gone down had largely gone to pieces from within before they were ever overwhelmed from without. There is something mighty important for us in that fact. There is nothing to justify a hope that America can win through the difficulties of these times unless it is strong within.

It is not written in the book of destiny that America has got a chance to win unless it is fit to win, fit to be free. Fundamentally this is the job of the American people. That is why I am passing on to them these views of mine for whatever they may be worth. I am not afraid of frightening the American people by telling them the truth as I see it, but I am afraid not to tell them the truth as I see it. I am convinced that only from the people conscious of their danger and con-

scious of their responsibility, and united by the consciousness of their common danger and responsibility, do we have a chance to develop the will and the strength which will enable us to escape the dangers which beset us, or win through them if we must. I have no doubt about it. The aggregate wisdom of a people is the only safe guide of a republic, and the aggregate strength of the people is its only dependable defense, at least the reservoir.

Another matter may I mention in these few minutes. I was strongly in favor of the Dirksen amendment. Of course, I did not much like to support a Republican amendment, but you cannot take as many amendments as have been offered by the Republican side during the progress of this bill and not find one or two that are fit to vote for. [Laughter.] The law of averages sees to that.

[Here the gavel fell.]

Mr. SUMNERS of Texas. Mr. Chairman, I ask unanimous consent for 5 additional minutes.

The CHAIRMAN. Without objection it is so ordered.

There was no objection.

Mr. SUMNERS of Texas. I hope that the leadership of the House will try to hold that amendment in the bill, for this reason. Aside from all other considerations, it is a democratic arrangement. It is an interesting fact as to why, in the long history of Anglo-Saxon government, we have had so few periods of dictatorship. I speak of Anglo-Saxon government in the governmental rather than in the racial sense. There are a great many reasons, but this is one more important than any of the others; it is of special importance right now. As stated, I use the term "Anglo-Saxon" in the broad sense, which we all understand. In their long governmental history—and this is one of the most fascinating facts to be discovered from its examination—they seem to have been able to sense a situation which requires stronger government and quicker pick-up than is possible with their institutions functioning as they function ordinarily. I want you to follow this now. In such a situation they have been able to concentrate emergency power in the Executive to deal with an emergency situation and—this is important—at the same time they seem to have had the genius while thus concentrating to retain the power to control that exercise and the power to recapture and redistribute it when the emergency is over.

It is historically proven and in line with what our experience and observation teaches that the longer a people operate under the concentrated or emergency powers the more difficult it is to recover it, and by reason of the loss of capacity from nonuse they are less fit to receive it and restore normal democratic functioning.

This is an important fact for American people now as they go into this new venture under additional emergency powers—for how long nobody can judge.

Let us not be childish and forget the lessons of history and disregard the traditions of our Government while we are



confering these new extraordinary powers. The amendment referred to cannot hurt efficiency.

We do not know how far we will travel but we do know the direction in which we are going. Let us not be foolish. Let us be conscious of what we are doing when we do these things or what others are doing and be prepared to meet the consequences if we must. We have got to work out our differences now and try to solidify ourselves as a people. I am making my full share of concessions. I have indicated to the leadership that with this Dirksen and other amendments agreed upon I can go along in presenting as solid a front as possible. This bill is going to be passed. We are all in the same boat. In our solidarity largely depends our security from attack and our chance to win if we are attacked.

I have thought these things over. I was here during the other war. I have been over in the House this week studying this situation. I do not like to vote for this bill. I can vote for this bill if the Congress of the United States retains the power to control the policy of this Government while these emergency powers are being exercised. I do not mean to ignore Executive recommendations and advice or request. [Applause.] It is no reflection upon the Executive. I wish that newspapers would quit doing one thing they are disposed to do. Every time we get up here and stand for what we think is fundamental in government, many of these newspapers say, "He is hitting at the President," or "He is against the President." They do not mean to do it, but that makes it difficult to get these things considered on merit, difficult to get established some accepted standards by which policy and official conduct is adjudged. I deny that in order to show respect for the President of the United States the Congress has to go around and kick itself in the breeches. [Laughter and applause.]

You are a part of the Government, the policy-fixing agency of the Government. You are a coordinate branch of the Government, and whoever is President, in the nature of things, needs the confidence and the counsel and the cooperation of you as an independent, vital organ indispensable to the life of any democracy. And who are you? You are the American people, as nearly as the American people can assemble on this continent. In the days long ago when our ancestors had a governmental matter to attend to they all assembled and attended to it. That was a democracy, but when we have this vast territory all the people cannot come together. They evolved this wonderful system of representative government, this system of sending you and me here to speak the voice of the sovereign people. It is in the nature of popular government that the policy-fixing agency must be a cross section of the people, and you are it. It is no disrespect to the President that we shall do the business for which the people have selected us. I want to help the President. I want to help my country. We are starting in now. Do not make any mistake; we are starting into deep water, and it may get much deeper

before we get through. A divided people cannot win this fight. It will take the best that a great people, a patriotic people, a united people, a sacrificing people can give; I would venture my life on that statement. It will take all that a Congress that gives the best that the Congress can give to this country, to win through and preserve this Government as a democracy. I know we have had a good deal of partisan politics here today on both sides, probably.

The CHAIRMAN. The time of the gentleman from Texas has again expired.

Mr. SUMNERS of Texas. I ask for 1 more minute, Mr. Chairman.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. SUMNERS of Texas. In this last minute, permit me to say, my friends on the Republican side, my friends on the Democratic side—today you are Republicans, today you are Democrats; but tomorrow and tomorrow, through the days that are ahead of us, we will be, I trust, we must be, above everything else, American citizens. We may have differences of opinion about this bill and individuals may have ideas as to what ought to be their policy, their strategy, or their vote on this occasion. The future does not look good for our country. I have never seen as black a cloud hang across the horizon since I have been here, as hangs there today. It would be fatal to deceive either ourselves or our people about what is ahead of us, what our job is. Only a people who are determined that under God, so far as they are concerned, free government shall not disappear from the earth, can maintain free government now.

Oh, we talk about profits, we talk about profits, talk about profits! It is within the range of possibilities that we are not going to be thinking about profits before we get through. They may seem mighty insignificant before we get through. We have to keep our heads on our shoulders and our feet on the ground and dedicate ourselves to the one purpose, the one business—the preservation of our democracy against its dangers, both from within and from without. We are probably not going to think so much about social gains even before we get through. We may all be thinking more about the opportunity to live as a free people before we get through. Guns and ships we must have, but above all else we must have a great people, willing to pay the price, if we are to escape the fate of other democracies, whose people no longer govern. [Applause, the Members rising.]

[Here the gavel fell.]

Mr. EBERHARTER. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, all of us have a great deal of respect for the gentleman from Texas who has just addressed the House, but I find myself compelled to be in disagreement with him on one statement he made, a statement I consider to be a very serious one if I got it correctly. I believe he said the country is in a war psychology. I do not agree with that at

all. I think the people of this country are fully determined not to go into war, and they certainly are not laboring under any war psychology.

Another thing I am afraid of is that if the statement of the gentleman from Texas went unchallenged the country would believe this Congress today and all this week was laboring under a war psychology, and I do not believe that for a minute either. [Applause.]

Mr. SUMNERS of Texas. Mr. Chairman, will the gentleman yield?

Mr. EBERHARTER. I shall be pleased to yield to the gentleman.

Mr. SUMNERS of Texas. I believe the gentleman will find when he examines my remarks that I did not say this country is laboring under a war psychology. My judgment is that we are nearing a war psychology in America. Now, that is what I think.

Mr. EBERHARTER. I am afraid I cannot agree with even that statement.

Mr. SUMNERS of Texas. I cannot help that, but that is what I said.

Mr. EBERHARTER. What I object to is the inference to the country that the work we have done today, and all this week, is under a war psychology. I believe every Member of this Congress acted sincerely and according to his best judgment in his desire to avoid getting this country into war. I firmly believe every Member of this Congress is acting now, and has been this week, in a sincere effort, following his best judgment, to keep this country out of war. [Applause.] I also believe that no matter if the countries of Europe go on fighting, we in America want to retain the social gains we have made under the New Deal in the past 8 years.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. Without objection, the pro forma amendments will be withdrawn.

There was no objection.

The Clerk read as follows:

SEC. 9. The President may, from time to time, promulgate such rules and regulations as may be necessary and proper to carry out any of the provisions of this act; and he may exercise any power or authority conferred on him by this act through such department, agency, or officer as he shall direct.

Mr. MARTIN J. KENNEDY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MARTIN J. KENNEDY: On page 6, line 18, after section 9, insert a new section as follows:

"SEC. 10. This act is not to be effective until 30 days after the Secretary of State of the United States has certified to the President of the Senate and the Speaker of the House of Representatives that he is satisfied, after proper inquiries, that peace conducive to the security of the United States cannot be attained between nations at war either through intercession of the United States or by their own negotiations."

Mr. BLOOM. Mr. Chairman, I move that all debate on this bill do now close.

The CHAIRMAN. A motion to close debate is not in order until some debate has been had on the section. The section has just been read.

Mr. BLOOM. Then I withdraw the motion for the time being.



Mr. MARTIN J. KENNEDY. Mr. Chairman, some time ago this amendment was submitted to the Committee on Foreign Affairs when that committee was holding its public hearing on H. R. 1776. My amendment was not acted upon by the committee, and for that reason I am now presenting it to the House.

H. R. 1776 has been characterized as a peace measure by the majority leader, the Secretary of State and the Secretary of War, but the word "peace" does not appear even once in the bill. Repeatedly these gentlemen have made it a point to emphasize the statement that H. R. 1776 is a peace measure. We are rapidly approaching the minute when we shall vote on the bill, and before we vote I sincerely believe it is important that this Congress should indicate in a positive way, by adopting my amendment, that we wish the Secretary of State to make another effort—a supreme effort—to bring peace among the nations at war.

The gentleman from Pennsylvania [Mr. EBERHARTER] replying to a statement made by the gentleman from Texas [Mr. SUMNERS] insisted that H. R. 1776 is not a war measure and there would be no war psychology in passing this bill. I certainly hope he is right. I also hope that, by your vote here today, you shall give tangible evidence of the fact that we, Members of Congress, believe in peace and want, more than anything else in the world, peace for the people of the United States.

Mr. LUTHER A. JOHNSON. Mr. Chairman, will the gentleman yield?

Mr. MARTIN J. KENNEDY. I shall be delighted to yield.

Mr. LUTHER A. JOHNSON. I believe everyone who favors the bill is agreed that speed is necessary if we are going to give aid to England. The gentleman's amendment would cause delay. We do not know when the body at the other end of the Capitol will get through with the bill, but when they do, if the gentleman's amendment is adopted, it would still be 30 days before it could go into effect. Am I not right in my conclusion?

Mr. MARTIN J. KENNEDY. The gentleman is right in his understanding of my amendment to H. R. 1776. In my opinion, 30 days is not too long a time to reconsider such a serious matter as the provisions of this bill. It has been indicated by the debate and the terms of the bill that these emergency powers and these huge expenditures may continue for many years. If this is so, I would rather delay the effective date of the bill 30 days in an effort to bring about world peace than rush into uncharted seas and make a wrong decision that might cost the lives of thousands of our American boys and billions of dollars of the savings of our citizens.

Mr. NICHOLS. Mr. Chairman, will the gentleman yield?

Mr. MARTIN J. KENNEDY. I yield to the gentleman.

Mr. NICHOLS. As a matter of fact, the statement of the gentleman from Texas is not exactly correct. As I understand the gentleman's amendment, we should have to wait 30 days after the Secretary of State had made up his mind

that he could not get peace in some other way. Is not that correct?

Mr. MARTIN J. KENNEDY. That is correct.

Mr. NICHOLS. I mean it might be any length of time.

Mr. MARTIN J. KENNEDY. I have sufficient confidence in the Secretary of State to believe that he would comply with the requirements of my amendment without delay. The suggestion that the Secretary of State might procrastinate in such a vital matter is similar to the statement that the President might give away our Navy under the broad terms of this bill.

Mr. MAY. Will the gentleman yield?

Mr. MARTIN J. KENNEDY. I yield to the gentleman from Kentucky.

Mr. MAY. How much time does the gentleman think the Secretary of State would require in order to ascertain whether or not peace could be attained in Europe?

Mr. MARTIN J. KENNEDY. Reading the testimony of the Secretary of State before the Committee on Foreign Affairs on H. R. 1776, I learned that he stated that for the past 8 years he has been negotiating for peace among the countries now at war. With his knowledge of world affairs acquired during these 8 years, it should not take the Secretary of State very long to make a finding of fact as required by my pending amendment of this bill. [Applause.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. MARTIN J. KENNEDY].

The amendment was rejected.

Mr. MARCANTONIO. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. MARCANTONIO: Page 6, line 19, add the following language: "Sec. 10. It is the declared policy of the United States that the original Thirteen Colonies are not obsolete or surplus. Any opinion of the Attorney General to the contrary notwithstanding, nothing in this act shall be construed to authorize or to permit the President of the United States to lease, lend, or transfer the original Thirteen Colonies to King George of England."

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. MARCANTONIO].

The question was taken; and on a division (demanded by Mr. FADDIS) there were—ayes 2, noes 180.

So the amendment was rejected.

Miss RANKIN of Montana. Mr. Chairman, I offered an amendment earlier in the day, and I withdrew it. I wish to offer at this time an amendment as a new section after section 9 to be known as section 10.

The Clerk read as follows:

Amendment offered by Miss RANKIN of Montana: Page 6, after line 18, insert a new section to be known as section 10, to read as follows:

"Sec. 10. Nothing in this act shall be construed to authorize or permit the President to order, transfer, exchange, lease, lend, or employ any soldier, sailor, marine, or aircraft pilot outside of the territorial waters of the Western Hemisphere without specific authorization by the Congress of the United States."

Miss RANKIN of Montana. Mr. Chairman, this is the same amendment that I offered this morning but withdrew under a misapprehension. If you are going to vote down the amendment I prefer that it be voted down in an all-inclusive form so that the people of the United States will understand whether the Congress wishes to protect the United States. It is said that this is a bill for national defense. If so, we need our men at home if there is going to be danger of other countries attacking us. If this is a bill to ask for aid to Britain short of war, this amendment will give the people the added assurance that our men will not be sacrificed. Perhaps you think this amendment is too all-inclusive, but we cannot go too far in our attempts to protect the young men of this country. If you want them to go to war, just keep on taking the steps you are taking and you will finally have them in the war; but if you want to protect our men and if you want to follow the speeches made by the President of the United States in his campaign that we are not going to send men to Europe, here are 60 words that will have no effect whatever as long as the President's promises are fulfilled. There are only 60 words, but these 60 words will make it necessary, regardless of what situation arises, to come back to the Congress for authority to send our men out of the country.

My amendment gives the Congress the power to say definitely each time troops are sent to foreign shores. The Congress can take a few moments to pass on the details that will have to be adjusted in sending other than combat forces to other countries.

When it came to the war vote in the last war it did not take us long to pass it. There were only a few hours of debate. We did not have as much debate on that declaration of war as we have had on this bill. This bill, without this amendment may permit combat troops to be taken to Europe, Africa, or anywhere else and die without Congress having had an opportunity to vote on declaring war.

If you want our men to stay at home and protect our country as well as our men, and if this bill is really for national defense, you will vote for this amendment even though you may not believe it is written in just the kind of language you think best.

Mr. COX. Mr. Chairman, I rise in opposition to the amendment offered by the gentlewoman from Montana.

Mr. Chairman, I dislike finding myself in disagreement with the gentlewoman from Montana, but if we were to adopt the amendment which she proposes it would not be binding upon the President because under the Constitution the President as Commander in Chief of the Army and the Navy has complete control of the Army and the Navy, both in time of peace and in time of war.

Miss RANKIN of Montana. Will the gentleman yield?

Mr. COX. With pleasure.

Miss RANKIN of Montana. If we are going to give aid to England, we will have to cooperate with England. No war can be carried on except under one commander in chief. France and England



could not get along together, they could not cooperate in that war. Now, how do we know who is going to be the commander in chief in this war?

Mr. COX. If there are rivals for that high and exalted place, I think we are safe in the presumption that our man will win.

Mr. McCORMACK. Will the gentleman yield?

Mr. COX. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. Under this amendment we could not send any troops to the Philippines, to Hawaii, or even to protect ourselves anywhere.

Mr. COX. That is a very correct observation. The President, having this power under the Constitution, and as President having declared as Commander in Chief he would not exercise it, gives the assurance that our soldiers will not be sent to foreign soil to fight in a foreign war, even if it becomes our war, except upon authorization by the Congress of the United States.

Mr. Chairman, as I have stated, this amendment would constitute an encroachment upon the executive constitutional power, and would be binding upon no one. I respectfully submit that the amendment should be defeated by the Committee. [Applause.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Montana.

The question was taken; and on a division (demanded by Miss RANKIN of Montana) there were—ayes 82, noes 137. So the amendment was rejected.

Mr. DWORSHAK. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DWORSHAK: On page 6, after line 18, insert a new section, as follows:

"Sec. 10. Nothing in this act shall be construed as authorizing or permitting the authorization of any violation of international law."

Mr. DWORSHAK. Mr. Chairman, the gentleman from Pennsylvania a few minutes ago stated that H. R. 1776 was a peace measure. I should like to refer briefly to a statement made by James W. Gerard, American World War Ambassador to Germany, during the hearings being conducted by the Senate Foreign Relations Committee. Mr. Gerard said that he favored a declaration of war, but that it would not be necessary now if the pending bill is passed.

Mr. Chairman, you can use your own judgment as to the proper interpretation of that statement by Mr. Gerard.

I propose to take only a few minutes of time in the closing hour of this debate, because I realize that we have been in session for several days. However, may I briefly call your attention to a statement which appears in the majority report of the committee, and I quote:

It is also the judgment of your committee that the bill provides the most efficient way of supplying all possible material aid to those countries which are resisting aggression. It accomplishes this objective in a manner which is best for our national defense and wholly consistent with the Constitution and international law.

Possibly the Members on the majority side can now ridicule my amendment because it is being predicated upon a statement appearing in the majority report on H. R. 1776.

Let me also quote Secretary Hull, showing his contempt for nations which violate international law:

There have been violations of international law and of nearly every obligation that I can think of as it relates to relations of the German Government.

The proponents of this bill contend that our opposition is based primarily on lack of confidence in the Chief Executive's assuming delegated legislative authority without abusing it. Why not reverse this claim by asking whether support of this measure does not reflect that Congress is unworthy of its trust and that the legislative branch is incapable of functioning properly and discharging its responsibilities?

Under our form of government, there is a distinct division of Federal powers; and I believe that the composite judgment of 531 individuals is likely to be sounder and more infallible than the judgment of 1 person. Therefore, there is little justification for assailing Congress for its reluctance to delegate unconstitutional powers to the executive branch.

A few days ago the majority leader made an appeal that it was our duty to preserve our institutions of government and keep faith with future generations. Surely this can best be accomplished by adhering to international law, because the time may soon come in a dark hour of world history when the United States may necessarily have to command the respect of the civilized nations in order to restore sanity and stability to a chaotic world.

There should be no opposition to my amendment, which provides:

Nothing in this act shall be construed as authorizing or permitting the authorization of any violation of international law.

Our national defense will be strengthened and safeguarded by the adoption of this amendment. Our peace will be jeopardized if we fail to observe that international code for violations of which we condemn other powers. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Idaho.

The question was taken; and on a division (demanded by Mr. DWORSHAK) there were—ayes 94, noes 142.

So the amendment was rejected.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. COOPER, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H. R. 1776) further to promote the defense of the United States, and for other purposes, pursuant to House Resolution 89, he reported the same back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them in gross.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

Mr. FISH. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. FISH. I am, Mr. Speaker.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. FISH moves to recommit the bill to the Committee on Foreign Affairs with instructions to that committee to report the same back forthwith with the following amendment: On page 2, line 14, strike out all of section 3 and insert the following:

"Sec. 3. The President is authorized to grant credit to Great Britain in a total amount not to exceed \$2,000,000,000, to be used for the purchase in the United States of defense articles, requiring collateral security if available."

Mr. BLOOM. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

Mr. FISH. Mr. Speaker, I demand the yeas and nays on the motion to recommit.

The yeas and nays were ordered.

The question was taken; and there were—yeas 160, nays 263, not voting 8, as follows:

[Roll No. 9]  
YEAS—160

Allen, Ill.	Fish	Martin, Mass.
Andersen,	Ford, Leland M.	Mason
H. Carl	Gale	Michener
Anderson, Calif.	Gamble	Mott
Andersen,	Gearhart	Mundt
August H.	Gerlach	Murray
Andrews	Gilchrist	O'Brien, N. Y.
Angeli	Gillie	O'Connor
Arends	Graham	O'Hara
Barry	Grant, Ind.	O'Leary
Baumhart	Guyer, Kans.	Oliver
Bender	Gwynne	Osmer
Bennett	Hall, Edwin A.	Paddock
Bishop	Hall,	Peterson, Ga.
Blackney	Leonard W.	Pheiffer,
Bolton	Halleck	William T.
Bradley, Mich.	Harness	Pittenger
Brown, Ohio	Hartley	Ploeser
Burdick	Heidinger	Powers
Canfield	Hess	Rankin, Mont.
Carlson	Hill, Colo.	Reece, Tenn.
Carter	Hinshaw	Reed, Ill.
Case, S. Dak.	Hope	Reed, N. Y.
Chenoweth	Howell	Rees, Kans.
Chiperfield	Jenkins, Ohio	Rich
Clason	Jenks, N. H.	Rizley
Clevenger	Jennings	Robertson,
Cluett	Jensen	N. Dak.
Coffee, Nebr.	Johns	Rohson, Ky.
Cole, N. Y.	Johnson, Calif.	Rockefeller
Copeland	Johnson, Ill.	Rodgers, Pa.
Crawford	Johnson, Ind.	Rogers, Mass.
Crowther	Jones	Rolph
Culkin	Jonkman	Rutherford
Cunningham	Kean	Scott
Curtis	Keefe	Secrest
Day	Kilburn	Shafer, Mich.
Dewey	Kinzer	Shanley
Dirksen	Knutson	Short
Ditter	Kunkel	Simpson
Dondero	Lambertson	Smith, Ohio
Douglas	Landis	Springer
Dworshak	LeCompte	Stefan
Eaton	Ludlow	Stevenson
Elston	McArdle	Stratton
Engel	McGregor	Sumner, Ill.
Englebright	McLean	Sweeney
Fellows	Maas	Taber
Fenton	Martin, Iowa	Talle



Tenerowicz  
Thill  
Thomas, N. J.  
Tibbott  
Tinkham  
Treadway

Van Zandt  
Vorys, Ohio  
Vreeland  
Welch  
Wheat  
Wigglesworth

NAYS—263

Allen, La.  
Anderson, N. Mex.  
Arnold  
Barden, N. C.  
Barnes  
Bates, Ky.  
Bates, Mass.  
Beam  
Beckworth  
Beiter  
Bell  
Bland  
Bloom  
Boehne  
Boggs  
Boland  
Bonner  
Boren  
Boykin  
Bradley, Pa.  
Brooks  
Brown, Ga.  
Bryson  
Buck  
Buckley, Minn.  
Buckley, N. Y.  
Bulwinkle  
Burch  
Burgin  
Byrne  
Byron  
Camp  
Cannon, Fla.  
Cannon, Mo.  
Capozzoli  
Cartwright  
Chapman  
Clark  
Claypool  
Cochran  
Coffee, Wash.  
Cole, Md.  
Collins  
Colmer  
Connery  
Cooley  
Cooper  
Costello  
Courtney  
Cox  
Cravens  
Creal  
Cresser  
Cullen  
D'Alesandro  
Darden, Va.  
Davis, Ohio  
Davis, Tenn.  
Delaney  
Dickstein  
Dies  
Dingell  
Disney  
Domengeaux  
Doughton  
Downs  
Doxey  
Duncan  
Durham  
Eberhart  
Edelstein  
Edmiston  
Elliot, Mass.  
Elliot, Calif.  
Ellis  
Faddis  
Fitzgerald  
Fitzpatrick  
Flaherty  
Flannagan  
Flannery  
Fogarty  
Folger  
Forand  
Ford, Miss.  
Ford, Thomas F.  
Fulmer  
Gathings

NOT VOTING—8

Bolles  
Casey, Mass.  
Celler

Jacobsen  
Jarrett  
Mansfield

So the motion to recommit was rejected.

Wilson  
Winter  
Wolcott  
Wolfenden, Pa.  
Woodruff, Mich.  
Youngdahl

O'Brien, Mich.  
O'Neal  
O'Toole  
Pace  
Patman  
Patrick  
Patton  
Pearson  
Peterson, Fla.  
Pfeifer  
Joseph L.  
Pierce  
Plauché  
Plumley  
Poage  
Priest  
Rabaut  
Ramsay  
Ramspeck  
Randolph  
Rankin, Miss.  
Richards  
Rivers  
Robertson, Va.  
Robinson, Utah  
Rogers, Okla.  
Romjue  
Russell  
Sabath  
Sacks  
Sanders  
Sasser  
Satterfield  
Izac  
Jackson  
Jarman  
Johnson, Okla.  
Johnson, W. Va.  
Kee  
Kefauver  
Kelley, Pa.  
Kelly, Ill.  
Kennedy  
Martin J.  
Kennedy  
Michael J.  
Keogh  
Kerr  
Kilday  
Kirwan  
Kleberg  
Kocalkowski  
Kopplemann  
Kramer  
Lanham  
Larrabee  
Lea  
Leavy  
Lesinski  
Lewis  
Lynch  
McCormack  
McGehee  
McGranery  
McIntyre  
McKeough  
McLaughlin  
McMillan  
Maciejewski  
Maciora  
Magnuson  
Mahon  
Marcantonio  
May  
Merritt  
Meyer, Md.  
Mills, Ark.  
Mills, La.  
Mitchell  
Monroney  
Murdock  
Myers, Pa.  
Nelson  
Norrell  
Norton

O'Day  
Schaefer, Ill.

Edelstein

The Clerk announced the following pairs:

On this vote:

Mr. Jarrett for, with Mrs. O'Day against.  
Mr. Bolles for, with Mr. Schaefer of Illinois against.

Until further notice:

Mr. Mansfield with Mr. Celler.  
Mr. Casey of Massachusetts with Mr. Jacobson

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the passage of the bill.

Mr. BLOOM. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 260, nays 165, not voting 6, as follows:

[Roll No. 10]

YEAS—260

Allen, La.  
Anderson, N. Mex.  
Andrews  
Arnold  
Barden, N. C.  
Barnes  
Bates, Ky.  
Bates, Mass.  
Beam  
Beckworth  
Beiter  
Bell  
Bland  
Bloom  
Boehne  
Boggs  
Boland  
Bonner  
Boren  
Boykin  
Bradley, Pa.  
Brooks  
Brown, Ga.  
Bryson  
Buck  
Buckley, N. Y.  
Bulwinkle  
Burch  
Burgin  
Byrne  
Byron  
Camp  
Cannon, Fla.  
Cannon, Mo.  
Capozzoli  
Cartwright  
Casey, Mass.  
Chapman  
Clark  
Claypool  
Cluett  
Cochran  
Coie, Md.  
Cole, N. Y.  
Collins  
Colmer  
Connery  
Cooley  
Cooper  
Courtney  
Cox  
Cravens  
Creal  
Cresser  
Cullen  
Cunningham  
D'Alesandro  
Darden, Va.  
Davis, Ohio  
Davis, Tenn.  
Delaney  
Dickstein  
Dies  
Dingell  
Disney  
Domengeaux  
Doughton  
Douglas  
Downs  
Doxey  
Duncan  
Durham  
Eberhart  
Edelstein

Somers, N. Y.  
South  
Sparkman  
Spence  
Starnes, Ala.  
Steagall  
Stearns, N. H.  
Sullivan  
Summers, Tex.  
Sutphin  
Tarver  
Taylor  
Terry

Thom  
Thomas, N. J.  
Thomas, Tex.  
Thomason  
Traynor  
Vincent, Ky.  
Vinson, Ga.  
Voorhis, Calif.  
Wadsworth  
Walter  
Ward  
Wasielewski  
Weaver

NAYS—165

Allen, Ill.  
Andersen, H. Carl  
Anderson, Calif.  
Andresen, August H.  
Angell  
Arends  
Barry  
Baumbart  
Bender  
Bennett  
Bishop  
Blackney  
Bolton  
Bradley, Mich.  
Brown, Ohio  
Buckler, Minn.  
Burdick  
Canfield  
Carlson  
Carter  
Case, S. Dak.  
Chenoweth  
Chipperfield  
Clason  
Clevenger  
Coffee, Nebr.  
Coffee, Wash.  
Copeland  
Costello  
Crawford  
Crowther  
Culkin  
Curtis  
Day  
Dewey  
Dirksen  
Ditter  
Dondero  
Dworshak  
Eaton  
Elston  
Engel  
Englebright  
Fellows  
Fenton  
Fish  
Gale  
Gearhart  
Gehrman  
Gerlach  
Geyer, Calif.  
Gilchrist  
Gillie  
Graham  
Grant, Ind.

Guyer, Kans.  
Gwynne  
Hall, Edwin A.  
Halleck  
Harness  
Harrington  
Hartley  
Heidinger  
Hess  
Hill, Colo.  
Hill, Wash.  
Hinshaw  
Hoffman  
Hope  
Howell  
Hull  
Jackson  
Jacobsen  
Jenkins, Ohio  
Jennings  
Jensen  
Johns  
Johnson, Ill.  
Johnson, Ind.  
Jones  
Jonkman  
Kean  
Keefe  
Kennedy  
Martin J.  
Kinzer  
Knutson  
Lambertson  
Landis  
LeCompte  
Ludlow  
McArdle  
McGregor  
McLean  
Marcantonio  
Martin, Iowa  
Martin, Mass.  
Mason  
Michener  
Moser  
Mott  
Mundt  
Murray  
O'Brien, Mich.  
O'Connor  
O'Hara  
O'Leary  
Oliver  
Osmer  
Paddock

Weiss  
Wene  
West  
Welch  
Whittington  
Williams  
Wolverton, N. J.  
Woodrum, Va.  
Worley  
Wright  
Young  
Zimmerman

Peterson, Ga.  
Pfeiffer, William T.  
Ploeser  
Rabaut  
Rankin, Mont.  
Reece, Tenn.  
Reed, Ill.  
Reed, N. Y.  
Rees, Kans.  
Rich  
Rizley  
Robertson, N. Dak.  
Robison, Ky.  
Rockefeller  
Rodgers, Pa.  
Rogers, Mass.  
Rolph  
Rutherford  
Sauthoff  
Scott  
Secrest  
Shafer, Mich.  
Shanley  
Shannon  
Short  
Simpson  
Smith, Ohio  
Springer  
Stefan  
Stevenson  
Stratton  
Summer, Ill.  
Sweeney  
Taber  
Talle  
Tenerowicz  
Thill  
Tibbott  
Tinkham  
Tolan  
Treadway  
Van Zandt  
Vorys, Ohio  
Vreeland  
Welch  
Wheat  
White  
Wigglesworth  
Wilson  
Winter  
Wolcott  
Wolfenden, Pa.  
Woodruff, Mich.  
Youngdahl

NOT VOTING—6

Bolles  
Celler

Jarrett  
Mansfield

O'Day  
Schaefer, Ill.

So the bill was passed.

The Clerk announced the following pairs:

Mrs. O'Day for, with Mr. Jarrett against.  
Mr. Schaefer of Illinois for, with Mr. Bolles against.

General pairs:

Mr. Mansfield with Mr. Celler.

The result of the vote was announced as above recorded.

A motion to reconsider the vote by which the bill was passed was laid on the table.

GENERAL LEAVE TO PRINT

Mr. BLOOM. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to extend their remarks in the RECORD on this bill.

The SPEAKER. Is there objection?

There was no objection.



# COMMITTEE TO INVESTIGATE UN-AMERICAN ACTIVITIES

Mr. Sabbath, from the Committee on Rules, submitted the following resolution (H. Res. 90, Rept. No. 55), which was referred to the House Calendar and ordered to be printed.

## House Resolution 90

*Resolved*, That the Special Committee to Investigate Un-American Activities is authorized to continue the investigation begun under authority of House Resolution 282 of the Seventy-fifth Congress, and continued under House Resolution 26 of the Seventy-sixth Congress, and continued under House Resolution 321 of the Seventy-sixth Congress, and for such purposes said committee shall have the same power and authority as that conferred upon it by said House Resolution 282 of the Seventy-fifth Congress and shall report to the House as soon as practicable, but not later than April 1, 1942, the results of its investigations, together with its recommendations for necessary legislation.

## APPORTIONMENT OF REPRESENTATIVES IN CONGRESS

Mr. CLARK, from the Committee on Rules, submitted the following House Resolution 101 (Rept. No. 56), which was referred to the House Calendar and ordered printed.

## House Resolution 101

*Resolved*, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of H. R. 2665, a bill to provide for apportioning Representatives in Congress among the several States by the equal-proportions method. That after general debate, which shall be confined to the bill and shall continue not to exceed 2 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on the Census, the bill shall be considered as having been read for amendment. At the conclusion of general debate, the Committee shall rise and report the same to the House, and the previous question shall be considered as ordered on the bill to final passage without intervening motion except one motion to recommit, with or without instructions.

## EXTENSION OF REMARKS

Mr. CANNON of Missouri. Mr. Speaker, I ask unanimous consent to extend my remarks and to include therewith a radio talk by Mr. Chester Davis, in the Farm Bureau program, National Farm and Home Hour, on February 8, 1941.

The SPEAKER. Is there objection?

There was no objection.

Mr. STEARNS of New Hampshire. Mr. Speaker, I ask unanimous consent to extend my remarks and to include an editorial from the Manchester (N. H.) Union.

The SPEAKER. Is there objection?

There was no objection.

Mr. TINKHAM. Mr. Speaker, I ask unanimous consent to extend my remarks and include a statement from the London Times.

The SPEAKER. Is there objection?

There was no objection.

Mr. VAN ZANDT. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix.

The SPEAKER. Is there objection?

There was no objection.

Mr. SCOTT. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix.

The SPEAKER. Is there objection?

There was no objection.

Mr. HOOK. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include a telegram from the chamber of commerce and also some correspondence with the War Department.

The SPEAKER. Is there objection?

There was no objection.

Mrs. NORTON. Mr. Speaker, I ask unanimous consent to extend my remarks and include the opinion of the Supreme Court on the constitutionality of the wage-hour law.

The SPEAKER. Is there objection?

There was no objection.

Mr. CONNERY. Mr. Speaker, I ask unanimous consent to extend my remarks and include a letter on the American merchant marine respecting its service during the World War, 1917-18.

The SPEAKER. Is there objection?

There was no objection.

Mr. DINGELL. Mr. Speaker, I ask unanimous consent to extend my remarks and include a brief editorial from the Boston Traveller.

The SPEAKER. Is there objection?

There was no objection.

## LEAVE TO ADDRESS THE HOUSE

Mr. HOOK. Mr. Speaker, I ask unanimous consent that at the conclusion of business on the Speaker's table and any other special orders on Tuesday next, I be permitted to address the House for 30 minutes.

The SPEAKER. Is there objection?

There was no objection.

## EXTENSION OF REMARKS

Mr. COSTELLO. Mr. Speaker, I ask unanimous consent to revise and extend the remarks I made today in the House, and include certain extracts from a British aviation magazine.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. HILL of Washington. Mr. Speaker, I ask unanimous consent to extend my remarks and include a letter just received on the lend-lease bill.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. ROBSION of Kentucky. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include therein brief extracts from the two political party platforms, brief extracts from two or three letters, and extracts from the bill and the report and the minority report.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. HINSHAW. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include certain excerpts.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. WHITE. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include certain excerpts.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

## STATISTICAL DATA IN RELATION TO THE NAVY DEPARTMENT

The SPEAKER laid before the House the following communication from the Acting Secretary of the Navy:

FEBRUARY 5, 1941.

The SPEAKER,  
House of Representatives,  
Washington, D. C.

MY DEAR MR. SPEAKER: For the information of Members of Congress, the Department has recently established an Office of Budget and Reports, and one division of this office, the Division of Administrative Reports and Statistics, will coordinate requests for statistical data in relation to the Navy Department. It is requested that insofar as practicable all requests be routed to this office for information of this character.

Sincerely yours,

JAMES FORRESTAL,  
Under Secretary of the Navy.

## LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. MANSFIELD (at the request of Mr. LYNDON B. JOHNSON), for 2 days, on account of death in family.

## ADJOURNMENT

Mr. BLOOM. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 55 minutes p. m.) the House adjourned until Monday, February 10, 1941, at 12 o'clock noon.

## COMMITTEE HEARINGS

### COMMITTEE ON AGRICULTURE

The Committee on Agriculture will hold a hearing on Tuesday, February 11, 1941, at 10 a. m., on House Joint Resolution 15, in room 1324, New House Office Building.

### COMMITTEE ON THE MERCHANT MARINE AND FISHERIES

The Committee on the Merchant Marine and Fisheries will hold public hearings at 10 a. m. on the following dates on the matters named:

Thursday February 20, 1941:

H. R. 554, to exempt sail vessels from the provisions of section 13 of the act of March 4, 1915, as amended, requiring the manning of certain merchant vessels by able seamen, and for other purposes. (Manning requirements for sail vessels.)

H. R. 2520, to amend the act entitled "An act to except yachts, tugs, towboats, and unrigged vessels from certain provisions of the act of June 16, 1936, as amended," approved June 16, 1938. (Manning requirements for seagoing barges.)

Friday, February 21, 1941:

H. R. 2074, to amend section 353 (b) of the Communications Act of 1934, as amended. (Experience requirements. radio operators on cargo ships.)

## EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:











77TH CONGRESS  
1ST SESSION

# H. R. 1776

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IN THE SENATE OF THE UNITED STATES

FEBRUARY 10, 1941

Read twice and referred to the Committee on Foreign Relations

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## AN ACT

Further to promote the defense of the United States, and for  
other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*  
3       That this Act may be cited as "An Act to Promote the  
4       Defense of the United States".

5       SEC. 2. As used in this Act—

6       (a) The term "defense article" means—

7               (1) Any weapon, munition, aircraft, vessel, or  
8       boat;

9               (2) Any machinery, facility, tool, material, or  
10       supply necessary for the manufacture, production, proc-



1        essing, repair, servicing, or operation of any article  
2        described in this subsection;

3            (3) Any component material or part of or equip-  
4        ment for any article described in this subsection;

5            (4) Any other commodity or article for defense.

6        Such term "defense article" includes any article described  
7        in this subsection: Manufactured or procured pursuant to  
8        section 3, or to which the United States or any foreign  
9        government has or hereafter acquires title, possession, or  
10       control.

11        (b) The term "defense information" means any plan,  
12       specification, design, prototype, or information pertaining to  
13       any defense article.

14       SEC. 3. (a) Notwithstanding the provisions of any  
15       other law, the President may, from time to time, when he  
16       deems it in the interest of national defense, authorize the  
17       Secretary of War, the Secretary of the Navy, or the head  
18       of any other department or agency of the Government—

19            (1) To manufacture in arsenals, factories, and ship-  
20       yards under their jurisdiction, or otherwise procure, any  
21       defense article for the government of any country whose  
22       defense the President deems vital to the defense of the  
23       United States.

24            (2) To sell, transfer, exchange, lease, lend, or other-  
25       wise dispose of, to any such government any defense



1 article, but no defense article not manufactured or pro-  
2 cured under paragraph (1) shall in any way be dis-  
3 posed of under this paragraph, except after consultation  
4 with the Chief of Staff of the Army or the Chief of Naval  
5 Operations of the Navy, or both. The value of defense  
6 articles disposed of in any way under authority of this  
7 paragraph, and procured from funds heretofore appro-  
8 priated, shall not exceed \$1,300,000,000.

9 (3) To test, inspect, prove, repair, outfit, recondi-  
10 tion, or otherwise to place in good working order any  
11 defense article for any such government.

12 (4) To communicate to any such government any  
13 defense information, pertaining to any defense article  
14 furnished to such government under paragraph (2) of  
15 this subsection.

16 (5) To release for export any defense article to  
17 any such government.

18 (b) The terms and conditions upon which any such  
19 foreign government receives any aid authorized under sub-  
20 section (a) shall be those which the President deems  
21 satisfactory, and the benefit to the United States may be  
22 payment or repayment in kind or property, or any other  
23 direct or indirect benefit which the President deems  
24 satisfactory.

25 (c) Neither the President nor the head of any depart-



1 ment or agency shall, after June 30, 1943, exercise any  
2 of the powers conferred by or pursuant to subsection (a),  
3 nor shall such powers be exercised if terminated by a con-  
4 current resolution by both Houses of the Congress, except  
5 that until July 1, 1946, such powers may be exercised to  
6 the extent necessary to carry out a contract or agreement  
7 with such a government made before July 1, 1943.

8 (d) Nothing in this Act shall be construed to author-  
9 ize or to permit the authorization of convoying vessels by  
10 naval vessels of the United States.

11 (e) Nothing in this Act shall be construed to authorize  
12 or to permit the authorization of the entry of any American  
13 vessel into a combat area in violation of section 3 of the  
14 Neutrality Act of 1939.

15 SEC. 4. All contracts or agreements made for the dis-  
16 position of any defense article or defense information pur-  
17 suant to section 3 shall contain a clause by which the foreign  
18 government undertakes that it will not, without the consent  
19 of the President, transfer title to or possession of such defense  
20 article or defense information by gift, sale, or otherwise,  
21 or permit its use by anyone not an officer, employee, or  
22 agent of such foreign government.

23 SEC. 5. (a) The Secretary of War, the Secretary of the  
24 Navy, or the head of any other department or agency of  
25 the Government involved shall, when any such defense arti-



1 cle or defense information is exported, immediately inform  
2 the department or agency designated by the President to  
3 administer section 6 of the Act of July 2, 1940 (54 Stat.  
4 714), of the quantities, character, value, terms of disposi-  
5 tion, and destination of the article and information so  
6 exported.

7 (b) The President from time to time, but not less fre-  
8 quently than once every ninety days, shall transmit to the  
9 Congress a report of operations under this Act except such  
10 information as he deems incompatible with the public interest  
11 to disclose. Reports provided for under this subsection shall  
12 be transmitted to the Secretary of the Senate or the Clerk  
13 of the House of Representatives, as the case may be, if the  
14 Senate or the House of Representatives, as the case may be,  
15 is not in session.

16 SEC. 6. (a) There is hereby authorized to be appro-  
17 priated from time to time, out of any money in the Treasury  
18 not otherwise appropriated, such amounts as may be neces-  
19 sary to carry out the provisions and accomplish the purposes  
20 of this Act.

21 (b) All money and all property which is converted  
22 into money received under section 3 from any government  
23 shall, with the approval of the Director of the Budget,  
24 revert to the respective appropriation or appropriations out  
25 of which funds were expended with respect to the defense



1 article or defense information for which such consideration  
2 is received, and shall be available for expenditure for the  
3 purpose for which such expended funds were appropriated  
4 by law, during the fiscal year in which such funds are  
5 received and the ensuing fiscal year.

6 SEC. 7. The Secretary of War, the Secretary of the  
7 Navy, and the head of the department or agency shall in all  
8 contracts or agreements for the disposition of any defense  
9 article or defense information fully protect the rights of all  
10 citizens of the United States who have patent rights in and  
11 to any such article or information which is hereby authorized  
12 to be disposed of and the payments collected for royalties on  
13 such patents shall be paid to the owners and holders of such  
14 patents.

15 SEC. 8. The Secretaries of War and of the Navy are  
16 hereby authorized to purchase or otherwise acquire arms,  
17 ammunition, and implements of war produced within the  
18 jurisdiction of any country to which section 3 is applicable,  
19 whenever the President deems such purchase or acquisition  
20 to be necessary in the interests of the defense of the United  
21 States.

22 SEC. 9. The President may, from time to time, promul-  
23 gate such rules and regulations as may be necessary and  
24 proper to carry out any of the provisions of this Act; and he  
25 may exercise any power or authority conferred on him by



- 1 this Act through such department, agency, or officer as he
- 2 shall direct.

Passed the House of Representatives February 8, 1941.

Attest:

SOUTH TRIMBLE,

*Clerk.*

By H. NEWLIN MEGILL.



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## AN ACT

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Further to promote the defense of the United States, and for other purposes.

---

FEBRUARY 10, 1941

Read twice and referred to the Committee on Foreign Relations



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IN THE SENATE OF THE UNITED STATES

FEBRUARY 10, 1941

Referred to the Committee on Foreign Relations and ordered to be printed

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**AMENDMENT**

Intended to be proposed by Mr. MURRAY to the bill (S. 275) further to promote the defense of the United States, and for other purposes, viz: On page 3, between lines 11 and 12, insert the following:

- 1       (6) To procure and sell, transfer, exchange, or other-
- 2   wise dispose of, to any such government, surplus agricultural
- 3   products and surplus forest and mining products.



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## AMENDMENT

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Intended to be proposed by Mr. MURRAY to the bill (S. 275) further to promote the defense of the United States, and for other purposes.

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FEBRUARY 10, 1941

Referred to the Committee on Foreign Relations and  
ordered to be printed











## PROMOTING THE DEFENSE OF THE UNITED STATES

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FEBRUARY 13, 1941.—Ordered to be printed

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Mr. GEORGE, from the Committee on Foreign Relations, submitted the following

## REPORT

[To accompany H. R. 1776]

The Committee on Foreign Relations, to whom was referred the bill (H. R. 1776) further to promote the defense of the United States, and for other purposes, having considered the same, report favorably thereon with amendments and recommend that the bill as amended do pass.

The committee proposes the following amendments:

Page 2, line 16, after "defense," insert "to the extent to which funds are made available or contracts are from time to time authorized by Congress,".

Page 3, starting with line 25, strike out through line 7, on page 4, and insert in lieu thereof the following:

(c) After June 30, 1943, or after the passage of a concurrent resolution by the two Houses before June 30, 1943, which declares that the powers conferred by or pursuant to subsection (a) are no longer necessary to promote the defense of the United States, neither the President nor the head of any department or agency shall exercise any of the powers conferred by or pursuant to subsection (a); except that until July 1, 1946, any of such powers may be exercised to the extent necessary to carry out a contract or agreement with such a foreign government made before July 1, 1943, or before the passage of such concurrent resolution, whichever is the earlier.

Page 6, line 5, before the period, insert a semicolon and the following: "; but in no event shall any funds so received be available for expenditure after June 30, 1946".

## GENERAL STATEMENT

Your committee has been engaged in earnest consideration of the need for enacting legislation of such emergency character as H. R. 1776, and has been pleased to have appear before it to aid it in its deliberations a group of eminent and distinguished witnesses representing most ably the views of the American people concerning the



proposed measure. It is the conviction of your committee, confirmed by the testimony of those witnesses, that the welfare of the United States can best be served by a foreign policy based, as it has always been, upon two fundamental principles. Those principles are:

1. The United States must strive in all ways reasonably possible to stay at peace with all the world; and
2. The United States must, in its own interests, supply effective material aid to those countries whose defense is vital to our defense.

Your committee believes that within the terms of H. R. 1776, as amended, provision is amply, safely, and constitutionally made that the foreign policy of the United States shall continue to be guided by these two principles. To the end that we may have peace the bill authorizes aid to be given promptly to those nations whose defense is vital to ours. To the end that we may have freedom, the bill casts the strength of American industry into the struggle against forces which may be directed against us. Your committee wishes strongly to emphasize its considered conviction that H. R. 1776 is not a war measure but a practical safeguard aimed at keeping us out of war.

#### ANALYSIS OF THE BILL

Section 1 contains the short title, "An act to promote the defense of the United States."

Section 2 (a) defines the term "defense article." Section 2 (b) defines the term "defense information." Both these definitions therefore determine what material resources of the United States may, under other sections of the bill, be provided to nations whose defense is vital to the defense of the United States. The term "defense article" is defined so as to include the usual implements of war, such as guns, airplanes, and tanks, and also the food, clothing, medical supplies, and the like, without which warring nations would be helpless. The bill contains no authority, however, for sending American troops, under any circumstances, to fight on foreign soil or waters.

It should be noted that the term "defense article" includes all such articles as the United States may hereafter acquire, in addition to those already possessed. This fact derives from the wording which provides that "defense article" includes articles "procured pursuant to section 3, or to which the United States or any foreign government has or hereafter acquires title, possession, or control."

No part of H. R. 1776, and, in particular, no meaning which may be attached to the word "facility," as contained in section 2 (a) (2), or the word "procured" in the sentence following section 2 (a) (4), authorizes the United States to commandeer or requisition any property in any manner not now provided by law.

Two limitations upon the powers of the President contained in H. R. 1776 are the prohibitions provided in section 3 (a) (2), against (a) any disposition of any defense article not manufactured or procured especially for the defense of a country whose defense is vital to ours "except after consultation with the Chief of Staff of the Army, or the Chief of Naval Operations of the Navy, or both;" and (b) any disposition of defense articles procured from funds heretofore appropriated



of a value to exceed \$1,300,000,000. These limitations are intended to insure that defense articles shall not be disposed of so as to endanger our Nation by unreasonably weakening our armed forces.

The definition of the term "defense article" as contained in section 2 (a) of the bill is sufficiently broad to empower the President, when he deems it in the interest of our national defense, to authorize the Secretary of War or the Secretary of the Navy, or any governmental agency head, to test, prove, repair, or otherwise place in good working order any defense article, such as an airplane, ship, or gun belonging to any nation to whom aid may be given under the bill, and to use, for such purposes, a defense facility, such as a drydock, of the United States. Nothing contained in section 2 (a), however, enlarges the existing power of the Government to requisition defense articles, such as foreign vessels in our ports. Nor is the repairing of a large flying boat, for a foreign nation, in one of our coastal factories any more of a warlike act than the building of such a flying boat in the self-same factory.

Section 2 (b) defines "defense information," and, when read in connection with other sections of the bill, authorizes the disposition to foreign governments of only such information as would be needed to use defense articles which the United States had already transferred to them. It would be possible, for example, to explain the intricacies of the firing mechanism of guns used on an American vessel transferred to Britain to British naval officers. Nothing in the bill would authorize, however, our disposition to any nation of such information as, for example, plans for the defenses of Pearl Harbor.

Most important of the nine sections contained in the bill is, of course, section 3. Under section 3 (a), the President may authorize the Secretary of War or the Secretary of the Navy or the head of any Government department or agency to manufacture or procure any defense article for any country whose defense the President deems vital to ours; to dispose of such articles to such governments (with limitations previously referred to); to repair the defense articles of nations whom we aid under the bill; and to communicate defense information to or for the benefit of those nations.

The committee amended section 3 (a) so as to prohibit the exercise of the authority contained in paragraphs (1) and (3) thereof until funds are made available by subsequent appropriation. The amendment also prevents the making of contracts under the authority contained in such paragraphs until such contracts are subsequently authorized by Congress. However, this amendment is not intended to, and does not, affect in any way the powers contained in paragraph (2) of such subsection, nor does it impose any limitations upon the disposition of defense articles under that paragraph other than those contained in the bill as it passed the House. Thus, by this amendment, the power of the Congress over the purse strings is retained.

The powers authorized under section 3 (a) may be exercised "notwithstanding the provisions of any other law". The reason for the inclusion of that phrase in the bill is to insure that statutes inconsistent with or partially dealing with the subject matter covered by the provisions of section 3 (a) of the bill be not construed so as to prohibit the effective carrying out of the terms of that section. The operation of such statutes, in the field covered by section 3 (a), is



only temporarily suspended; such laws are not, however, repealed, or in any way affected, insofar as they do not conflict with or overlap section 3 (a).

No existing laws in any field not affected by section 3 (a), therefore, are in any way modified, or suspended. Such legislation as the Walsh-Healey Act, the wage-hour law, the Wagner Act, or the eight-hour law, remains untouched by the proposed measure, since such laws in no way conflict with the proposed bill. Accordingly, no such domestic legislation may be waived by the Secretary of War or the Secretary of the Navy or the head of any agency engaged in administering the bill in their execution of Presidential authorizations to manufacture or procure defense articles under section 3 (a) (1).

Section 3 (a) (1) of the bill, in providing for the manufacture or procurement by the United States Government of defense articles for those nations whose defense is deemed vital to ours, contains no violation of international law. As is the way with individuals, nations may, under international law, take such measures to defend themselves as seem just and needful in relation to the peril they face. Nor must a nation remain idle while others plot her harm. The doctrine of mutuality prevails in international law as in equity and clearly proscribes the attempt by any sovereign to sin with the one hand and admonish with the other. In line with that doctrine, the Kellogg-Briand Pact is recognized by eminent scholars of international law to give any signatory the power, where the pact's provisions are violated by another nation, to cease to abide by the neutrality laws which govern in normal times, and to "Supply the State attacked with financial or material assistance, including munitions of war; \* \* \*." Italy, Japan, and Germany are signatories of the pact, as are Austria, Czechoslovakia, Poland, Denmark, Norway, Ethiopia, the Netherlands, Belgium, China, Albania, and Greece. So, also, is the United States.

Hague Convention No. XIII of 1907 furnishes no obstacle to the giving of aid to nations fighting a cause which we favor. According to article XXVIII of the Hague Convention, the Convention shall be inapplicable unless "all the belligerents are parties to the convention." In the present world crisis two active participants, Italy and Great Britain are not parties to the Hague Convention.

Paragraph 2 of section 3 (a) permits the President, when he deems it in the interest of national defense, to authorize the Secretary of War, the Secretary of the Navy, or the head of any other department or agency of the Government "To sell, transfer, exchange, lease, lend, or otherwise dispose of, to any such government any defense article, but no defense article not manufactured or procured under paragraph (1) shall in any way be disposed of under this paragraph, except after consultation with the Chief of Staff of the Army or the Chief of Naval Operations of the Navy, or both. The value of defense articles disposed of in any way under authority of this paragraph, and procured from funds heretofore appropriated, shall not exceed \$1,300,000,000." The committee amendment to section 3 (a) does not affect this paragraph.

Your committee believes that our national defense is provided, by the terms of this vital paragraph (2), with a wholly desirable and constitutional adaptability to rapidly changing and unpredictable



world conditions. In the President, the Chief Executive and Commander-in-Chief of our armed forces, there is reposed a power to negotiate, and to dispose, within limits, of certain of our material resources where they will best serve our defense.

It is appropriate to state at this point that your committee has given serious consideration to the advisability of amending the bill so as to name specifically all those countries to or for whom defense articles and defense information may be supplied or procured. It is the conviction of your committee that such amendment would be unwise. No one today, in our own best interests, can determine definitively whether, for example, Ireland, Brazil, or what parts of North Africa should have our material aid tomorrow. Though today it might seem clear, for example, that the defense of Great Britain, China, and Greece is vital to our defense, the scene could change in the near future so that the defense of the Argentine or Turkey might also become vital to our defense. Too few of us know the course which wars like those now in progress may take. In times so unpredictable, under a Constitution which authorizes it, a President should be trusted to use the responsibility imposed upon him adequately and swiftly to safeguard the best interests of this Nation against dangers of which he, better than most, can be aware.

Under the authority contained in paragraph (3) of section 3 (a), treated under another aspect above, the President might authorize the Secretary of War or of the Navy or other appropriate agency or Department head, if it were in the interests of our national defense to do so, to repair, for example, the H. M. S. *George V* in the Norfolk Navy Yard, or to test bombers for Britain at the Glenn L. Martin aircraft factory.

Paragraph (4) of section 3 (a), also discussed above in this report, empowers the President, through an appropriate department or agency head, "To communicate to any such government any defense information, pertaining to any defense article furnished to such government under paragraph (2) of this subsection." That subsection should be read in connection with section 7, and, so read, it will be seen to require the Secretary of War or of the Navy, for example, to release the Sperry bomb sight for export only upon terms by which the patent rights of its inventor will be protected.

Paragraph (5) of section 3 (a) empowers the President to authorize the Secretary of War, the Secretary of the Navy, or the head of any other Department or agency of the Government "To release for export any defense article to any such government." That paragraph should be read in connection with subsection (d) of section 3, which states that "Nothing in this act shall be construed to authorize or to permit the authorization of conveying vessels by naval vessels of the United States," and also with subsection (e), providing that "Nothing in this act shall be construed to authorize or to permit the authorization of the entry of any American vessel into a combat area in violation of section 3 of the Neutrality Act of 1939."

It is clear, in the light of these latter two sections, that nothing in the bill contemplates the carrying, in American bottoms, of goods to England or any other place located within a combat area under the 1939 Neutrality Act.

The purpose of paragraph (5) of section 3 (a) is primarily twofold: (a) it temporarily suspends existing laws proscribing the sending out



of war vessels built for a belligerent's use and (b) it suspends the requirement, contained in section 6 of the act of July 2, 1940 (Public, No. 703, 76th Cong.), that the Secretary of War, for example, obtain a license from the Administrator of Export Control before releasing any defense article for export. Section 5 (b) of the bill, however, requires the President, not less frequently than once every 90 days, to transmit to the Congress a report of all such operations under the bill as are not incompatible with the public interest to divulge.

Section 3 (b) provides that the terms and conditions upon which aid may be furnished to other nations "shall be those which the President deems satisfactory, and the benefit to the United States may be payment or repayment in kind or property, or any other direct or indirect benefit which the President deems satisfactory."

Secretary of the Treasury Morgenthau has testified that Great Britain has only sufficient assets convertible into dollars both here and abroad to pay for orders already placed. The bill accordingly permits payments to be made by other means. Britain might thus be required to repay the United States for the aid we should give under the bill in raw materials, such as tin and rubber. Or the President could require any of a thousand other direct or indirect benefits to the United States for the transfer of defense articles to a nation whose defense is vital to ours.

Section 3 (c), as amended by your committee, is intended to provide, in unambiguous terms, the substance of what was already intended by the House of Representatives' version of that subsection. The committee amendment provides that after June 30, 1943, or after the passage of a concurrent resolution by the two Houses before that date which declares that the powers conferred by or pursuant to section 3 (a) are no longer necessary to promote the defense of the United States, neither the President nor the head of any department or agency shall exercise any of such powers; except that until July 1, 1946, any of such powers may be exercised to the extent necessary to carry out a contract or agreement made before July 1, 1943, or made before the passage of the concurrent resolution, with a foreign government whose defense is vital to our defense.

Sections 4 through 8 of H. R. 1776 are derived in substantially unchanged form from sections 3 through 7 of the Aid-to-American Republics Joint Resolution of June 15, 1940 (Public Res. No. 83, 76th Cong.). The bill here reported, however, contains, in section 5 (b), a provision for reports to the Congress from the President, discussed above, which finds no counterpart in the Joint Resolution.

Section 4 provides that defense articles and defense information supplied to other nations shall not be transferred by them to another nation without first obtaining the consent of the President.

Section 5 provides for the keeping of detailed records of defense articles and defense information supplied to other governments, and the submission of reports thereon to the Congress and to the Administrator of Export Control.

Section 6 merely authorizes appropriations to be made of such amounts as may be needed to carry out the provisions of the bill. It does not appropriate any funds or permit the making of any contract to carry out any of the provisions of the bill.



Section 6 (b), which, in effect, sets up a revolving fund, provides that any moneys collected from the disposition of defense articles under the bill may be used for 2 years to manufacture or procure other defense articles under the bill. The committee amendment terminates the use of the revolving fund on June 30, 1946.

There is no prohibition in the Constitution against such a revolving fund. Article I, section 8, clause 12 of the Constitution confers power upon the Congress—

To raise and support Armies, but no Appropriation of Money to that Use shall be for a longer Term than two years.

That constitutional provision was intended to make impossible the maintenance of a large standing Army except under the recurring surveillance of the Congress (The Federalist, No. XXVI). It does not apply, by its terms or interpretation, to the procurement of defense articles, which alone is contemplated by the bill here reported ((1904) 25 Op. Atty. Gen. 105). Prior instances of provisions for such revolving funds are many. See, for example, the Requisitioning Act, of October 10, 1940 (Public Res. No. 829, 76th Cong.); The Aid-to-American-Republics Joint Resolution of June 15, 1940 (Public Res. No. 83, 76th Cong.).

Section 7 has already been discussed.

Section 8 authorizes the Secretary of War and the Secretary of the Navy "to purchase or otherwise acquire arms, ammunition, and implements of war produced within the jurisdiction of any country to which section 3 is applicable, whenever the President deems such purchase or acquisition to be necessary in the interests of the defense of the United States."

Section 9 authorizes the President to make such rules and regulations as may be necessary and proper to carry out any of the provisions of the bill, and to act through various Government agencies. Such rules and regulations as the President might issue under the bill could be only such as were consistent with its terms and purposes. Section 9 cannot, therefore, be construed as a grant to the President of dictatorial power. An example of a regulation inconsistent with the bill and therefore invalid would be afforded should the President ordain that American airplanes be transferred to Nazi Germany. Such an order would clearly involve so flagrant an abuse of Presidential discretion under the bill as to be patently beyond the President's authority. An order, on the other hand, delegating to some appropriate agency of the Government the duty of facilitating the production of airplanes for Britain in conformity with standard specifications approved by the War Department would clearly be contemplated and authorized by section 9.







Calendar No. 51

77<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 1776

[Report No. 45]

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IN THE SENATE OF THE UNITED STATES

FEBRUARY 10, 1941

Read twice and referred to the Committee on Foreign Relations

FEBRUARY 13, 1941

Reported by Mr. GEORGE, with amendments

[Omit the part struck through and insert the part printed in italic]

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## AN ACT

Further to promote the defense of the United States, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*  
3       That this Act may be cited as "An Act to Promote the  
4       Defense of the United States".

5       SEC. 2. As used in this Act—

6       (a) The term "defense article" means—

7               (1) Any weapon, munition, aircraft, vessel, or  
8       boat;

9               (2) Any machinery, facility, tool, material, or  
10       supply necessary for the manufacture, production, proc-



1        essing, repair, servicing, or operation of any article  
2        described in this subsection;

3            (3) Any component material or part of or equip-  
4        ment for any article described in this subsection;

5            (4) Any other commodity or article for defense.

6        Such term "defense article" includes any article described  
7        in this subsection: Manufactured or procured pursuant to  
8        section 3, or to which the United States or any foreign  
9        government has or hereafter acquires title, possession, or  
10       control.

11        (b) The term "defense information" means any plan,  
12       specification, design, prototype, or information pertaining to  
13       any defense article.

14        SEC. 3. (a) Notwithstanding the provisions of any  
15       other law, the President may, from time to time, when he  
16       deems it in the interest of national defense, *to the extent*  
17       *to which funds are made available or contracts are from*  
18       *time to time authorized by Congress*, authorize the Secre-  
19       tary of War, the Secretary of the Navy, or the head  
20       of any other department or agency of the Government—

21            (1) To manufacture in arsenals, factories, and ship-  
22       yards under their jurisdiction, or otherwise procure, any  
23       defense article for the government of any country whose  
24       defense the President deems vital to the defense of the  
25       United States.



1           (2) To sell, transfer, exchange, lease, lend, or other-  
2       wise dispose of, to any such government any defense  
3       article, but no defense article not manufactured or pro-  
4       cured under paragraph (1) shall in any way be dis-  
5       posed of under this paragraph, except after consultation  
6       with the Chief of Staff of the Army or the Chief of Naval  
7       Operations of the Navy, or both. The value of defense  
8       articles disposed of in any way under authority of this  
9       paragraph, and procured from funds heretofore appro-  
10      priated, shall not exceed \$1,300,000,000.

11          (3) To test, inspect, prove, repair, outfit, recondi-  
12      tion, or otherwise to place in good working order any  
13      defense article for any such government.

14          (4) To communicate to any such government any  
15      defense information, pertaining to any defense article  
16      furnished to such government under paragraph (2) of  
17      this subsection.

18          (5) To release for export any defense article to  
19      any such government.

20          (b) The terms and conditions upon which any such  
21      foreign government receives any aid authorized under sub-  
22      section (a) shall be those which the President deems  
23      satisfactory, and the benefit to the United States may be  
24      payment or repayment in kind or property, or any other



1 direct or indirect benefit which the President deems  
2 satisfactory.

3       ~~(e) Neither the President nor the head of any depart-~~  
4 ~~ment or agency shall, after June 30, 1943, exercise any~~  
5 ~~of the powers conferred by or pursuant to subsection (a);~~  
6 ~~nor shall such powers be exercised if terminated by a con-~~  
7 ~~current resolution by both Houses of the Congress, except~~  
8 ~~that until July 1, 1946, such powers may be exercised to~~  
9 ~~the extent necessary to carry out a contract or agreement~~  
10 ~~with such a government made before July 1, 1943.~~

11       *(c) After June 30, 1943, or after the passage of a con-*  
12 *current resolution by the two Houses before June 30, 1943,*  
13 *which declares that the powers conferred by or pursuant to*  
14 *subsection (a) are no longer necessary to promote the defense*  
15 *of the United States, neither the President nor the head of any*  
16 *department or agency shall exercise any of the powers con-*  
17 *ferred by or pursuant to subsection (a); except that until*  
18 *July 1, 1946, any of such powers may be exercised to the*  
19 *extent necessary to carry out a contract or agreement with*  
20 *such a foreign government made before July 1, 1943, or*  
21 *before the passage of such concurrent resolution, whichever is*  
22 *the earlier.*

23       (d) Nothing in this Act shall be construed to author-  
24 ize or to permit the authorization of convoying vessels by  
25 naval vessels of the United States.



1       (e) Nothing in this Act shall be construed to authorize  
2 or to permit the authorization of the entry of any American  
3 vessel into a combat area in violation of section 3 of the  
4 Neutrality Act of 1939.

5       SEC. 4. All contracts or agreements made for the dis-  
6 position of any defense article or defense information pur-  
7 suant to section 3 shall contain a clause by which the foreign  
8 government undertakes that it will not, without the consent  
9 of the President, transfer title to or possession of such defense  
10 article or defense information by gift, sale, or otherwise,  
11 or permit its use by anyone not an officer, employee, or  
12 agent of such foreign government.

13       SEC. 5. (a) The Secretary of War, the Secretary of the  
14 Navy, or the head of any other department or agency of  
15 the Government involved shall, when any such defense arti-  
16 cle or defense information is exported, immediately inform  
17 the department or agency designated by the President to  
18 administer section 6 of the Act of July 2, 1940 (54 Stat.  
19 714), of the quantities, character, value, terms of disposi-  
20 tion, and destination of the article and information so  
21 exported.

22       (b) The President from time to time, but not less fre-  
23 quently than once every ninety days, shall transmit to the  
24 Congress a report of operations under this Act except such  
25 information as he deems incompatible with the public interest



1 to disclose. Reports provided for under this subsection shall  
2 be transmitted to the Secretary of the Senate or the Clerk  
3 of the House of Representatives, as the case may be, if the  
4 Senate or the House of Representatives, as the case may be,  
5 is not in session.

6 SEC. 6. (a) There is hereby authorized to be appro-  
7 priated from time to time, out of any money in the Treasury  
8 not otherwise appropriated, such amounts as may be neces-  
9 sary to carry out the provisions and accomplish the purposes  
10 of this Act.

11 (b) All money and all property which is converted  
12 into money received under section 3 from any government  
13 shall, with the approval of the Director of the Budget,  
14 revert to the respective appropriation or appropriations out  
15 of which funds were expended with respect to the defense  
16 article or defense information for which such consideration  
17 is received, and shall be available for expenditure for the  
18 purpose for which such expended funds were appropriated  
19 by law, during the fiscal year in which such funds are  
20 received and the ensuing fiscal year; *but in no event shall any*  
21 *funds so received be available for expenditure after June*  
22 *30, 1946.*

23 SEC. 7. The Secretary of War, the Secretary of the  
24 Navy, and the head of the department or agency shall in all  
25 contracts or agreements for the disposition of any defense



1 article or defense information fully protect the rights of all  
2 citizens of the United States who have patent rights in and  
3 to any such article or information which is hereby authorized  
4 to be disposed of and the payments collected for royalties on  
5 such patents shall be paid to the owners and holders of such  
6 patents.

7       SEC. 8. The Secretaries of War and of the Navy are  
8 hereby authorized to purchase or otherwise acquire arms,  
9 ammunition, and implements of war produced within the  
10 jurisdiction of any country to which section 3 is applicable,  
11 whenever the President deems such purchase or acquisition  
12 to be necessary in the interests of the defense of the United  
13 States.

14       SEC. 9. The President may, from time to time, promul-  
15 gate such rules and regulations as may be necessary and  
16 proper to carry out any of the provisions of this Act; and he  
17 may exercise any power or authority conferred on him by  
18 this Act through such department, agency, or officer as he  
19 shall direct.

Passed the House of Representatives February 8, 1941.

Attest:

SOUTH TRIMBLE,

*Clerk.*

By H. NEWLIN MEGILL.



77TH CONGRESS  
1ST Session

**H. R. 1776**

[Report No. 45]

---

## **AN ACT**

---

Further to promote the defense of the United States, and for other purposes.

---

FEBRUARY 10, 1941

Read twice and referred to the Committee on Foreign Relations

FEBRUARY 13, 1941

Reported with amendments



# H. R. 1776

---

IN THE SENATE OF THE UNITED STATES

FEBRUARY 13, 1941

Ordered to lie on the table and to be printed

---

## AMENDMENT

Intended to be proposed by Mr. TAFT to the bill (H. R. 1776) further to promote the defense of the United States, and for other purposes, viz: Add a new section to the bill as follows:

- 1        SEC.    . Nothing in this Act shall modify the provisions  
2 of sections 1 to 6, inclusive, of the joint resolution of Con-  
3 gress approved November 4, 1939.



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## AMENDMENT

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Intended to be proposed by Mr. Tarr to the bill  
(H. R. 1776) further to promote the defense  
of the United States, and for other purposes.

---

FEBRUARY 13, 1941

Ordered to lie on the table and to be printed



# H. R. 1776

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IN THE SENATE OF THE UNITED STATES

FEBRUARY 13, 1941

Ordered to lie on the table and to be printed

---

## AMENDMENT

Intended to be proposed by Mr. TAFT to the bill (H. R. 1776) further to promote the defense of the United States, and for other purposes, viz: Add a new section to the bill as follows:

- 1        SEC.    . Nothing in this Act shall modify the provisions
- 2 of sections 10 and 11 of the joint resolution of Congress
- 3 approved November 4, 1939.



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## AMENDMENT

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Intended to be proposed by Mr. Tarr to the bill  
(H. R. 1776) further to promote the defense  
of the United States, and for other purposes.

---

FEBRUARY 13, 1941

Ordered to lie on the table and to be printed



# H. R. 1776

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IN THE SENATE OF THE UNITED STATES

FEBRUARY 13, 1941

Ordered to lie on the table and to be printed

---

## AMENDMENT

Intended to be proposed by Mr. TAFT to the bill (H. R. 1776) further to promote the defense of the United States, and for other purposes, viz: On page 4, at the end of section 3, add a new subsection (c), as follows:

- 1       (c) Nothing in this section shall authorize the disposi-
- 2       tion to any foreign government of any ships of the United
- 3       States Navy, or any ships which have been ordered by or
- 4       laid down for the United States Navy, or of any equipment
- 5       or armament authorized by Congress or ordered by the
- 6       Navy Department for use in connection with such ships.



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## AMENDMENT

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Intended to be proposed by Mr. Taver to the bill  
(H. R. 1776) further to promote the defense  
of the United States, and for other purposes.

---

FEBRUARY 13, 1941

Ordered to lie on the table and to be printed



77TH CONGRESS  
1ST SESSION

# H. R. 1776

---

IN THE SENATE OF THE UNITED STATES

FEBRUARY 13, 1941

Ordered to lie on the table and to be printed

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## AMENDMENT

Intended to be proposed by Mr. TAFT to the bill (H. R. 1776) further to promote the defense of the United States, and for other purposes, viz: On page 4, insert the following new subsection after section 3:

1       (d) No money shall be expended or contracted to be  
2 paid under the provisions of this Act, and no defense article  
3 shall be disposed of to any foreign government, except in  
4 pursuance of an appropriation or contract authorization made  
5 by Congress for the purpose of providing aid to a specified  
6 government or governments named in such appropriation or  
7 contract authorization. In the event that any defense article,  
8 which has been acquired, or on which money has been ex-  
9 pended, from funds appropriated for the War Department or



1 the Navy Department, or some other office or department of  
2 the United States Government, is disposed of to a foreign  
3 government under the provisions of this section 3, the sums  
4 expended on such defense article shall then be charged  
5 against the appropriation made for such foreign government,  
6 and an equivalent amount shall again become available on  
7 account of the appropriation against which said amount was  
8 originally charged.







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## AMENDMENT

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Intended to be proposed by Mr. TARR to the bill  
(H. R. 1776) further to promote the defense  
of the United States, and for other purposes.

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FEBRUARY 13, 1941

Ordered to lie on the table and to be printed



77<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 1776

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IN THE SENATE OF THE UNITED STATES

FEBRUARY 13, 1941

Ordered to lie on the table and to be printed

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## AMENDMENT

Intended to be proposed by Mr. TAFT to the bill (H. R. 1776)  
further to promote the defense of the United States, and for  
other purposes, viz:

- 1 On page 6, strike out all of section 8.

2-13-41—C



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## AMENDMENT

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Intended to be proposed by Mr. TAFT to the bill  
(H. R. 1776) further to promote the defense  
of the United States, and for other purposes.

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FEBRUARY 13, 1941

Ordered to lie on the table and to be printed

# H. R. 1776

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IN THE SENATE OF THE UNITED STATES

FEBRUARY 13, 1941

Ordered to lie on the table and to be printed

---

## AMENDMENT

Intended to be proposed by Mr. TAFT to the bill (H. R. 1776)  
further to promote the defense of the United States, and for  
other purposes, viz:

- 1       On page 2, line 10, strike out the period, insert a colon,
- 2   and add "*Provided*, That such article has been produced or
- 3   manufactured in the United States."



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## AMENDMENT

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Intended to be proposed by Mr. Tarr to the bill  
(H. R. 1776) further to promote the defense  
of the United States, and for other purposes.

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FEBRUARY 13, 1941

Ordered to lie on the table and to be printed

# H. R. 1776

---

IN THE SENATE OF THE UNITED STATES

FEBRUARY 13, 1941

Ordered to lie on the table and to be printed

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## AMENDMENT

Intended to be proposed by Mr. TAFT to the bill (H. R. 1776)  
further to promote the defense of the United States, and  
for other purposes, viz: Strike out section 6 (b) and insert:

- 1       (b) All money and all property which is converted into
- 2 money received under section 3 from any government shall
- 3 be covered into the Treasury as miscellaneous receipts.



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## AMENDMENT

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Intended to be proposed by Mr. Tarr to the bill  
(H. R. 1776) further to promote the defense  
of the United States, and for other purposes.

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FEBRUARY 13, 1941

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Ordered to lie on the table and to be printed







# H. R. 1776

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IN THE SENATE OF THE UNITED STATES

FEBRUARY 14 (legislative day, FEBRUARY 13), 1941

Ordered to lie on the table and to be printed

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## AMENDMENT

Intended to be proposed by Mr. McCARRAN to the bill (H. R. 1776) further to promote the defense of the United States, and for other purposes, viz:

- 1       On page 2, line 4, after the word "subsection" insert a
- 2       comma and the following: "except that the term 'equip-
- 3       ment' shall not include any member of the land or naval
- 4       forces of the United States, including the air force".



77<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 1776

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## AMENDMENT

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Intended to be proposed by Mr. McCARRAN to the bill (H. R. 1776) further to promote the defense of the United States, and for other purposes.

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FEBRUARY 14 (legislative day, FEBRUARY 13), 1941

Ordered to lie on the table and to be printed







## PROMOTING THE DEFENSE OF THE UNITED STATES

FEBRUARY 17 (legislative day, FEBRUARY 13), 1941.—Ordered to be printed

Mr. JOHNSON of California, from the Committee on Foreign Relations,  
submitted on behalf of a few of the minority the following

## MINORITY VIEWS

[To accompany H. R. 1776]

The extreme legislation contemplated by the pending bill has no real justification either in law or in fact. By its title the measure purports to promote the national defense of the United States, but there is not a single provision in the bill which deals with our defenses. The witnesses who appeared as proponents of the measure pretend that the legislation is necessary to aid Great Britain, but the proof showed that Great Britain is already being aided to the extent our resources permitted, and that this aid was likely to continue. The hearings upon the bill were unique. They consisted in one week of listening to four Cabinet officers and one immaterial witness, a week of witnesses in response, and then a one-man circus intended to influence our citizens. After staging this circus the administration closed its case. This report will be written without regard to the show put on by the administration, but with a sincere desire to enlighten the Members of the Senate as to some of the phases of the discussion.

Actually the majority report is based upon the theory that Great Britain is fighting our war. It even goes the length to assert that—

The United States must, in its own interests, supply effective material aid to those countries, whose defense is vital to our defense.

The majority assert that this premise has always been a part of our policy. History, recent history, too, challenges this statement. As sentient human beings we need not elaborate our refutation of this statement. It simply is not the fact. To say that our country at peace, with no overt attack thus far committed against us in a war that is fiercely contested, in our aloofness from a declaration of that war, in no sense properly being a participant therein, has some other nation providing defense for us is simply ridiculous.

What is this bill? It is a pure grant of power to the President to do as he pleases with any foreign nation, for any purpose, and on any



terms he may see fit, to make available to any nation or nations, any part, or the whole, of the military or naval power of the United States. It is a complete negation of the policy that has been ours in the past and an invitation to the President to take a hand in the game of power politics in every far-flung region of the earth. It would authorize him to say what nations shall receive, and for any reasons at all to open to them our military and naval equipment, and our resources, and it is perfectly obvious that once commitments have been made, our men will have to guarantee the favored nation and underwrite its war.

Let us look at the laws we have recently passed in respect to situations such as that confronting us here. Let us examine the policy then declared by the President to be the policy of the United States, and in the light of all of the experiences of the past and all that can be seen of the future. Let us see if we can determine the course that should now be followed.

Only a year and a half ago the chairman of the Committee on Foreign Relations reported to the Senate a bill—

To preserve the neutrality and peace of the United States and to safeguard the safety of its citizens and their interests.

At that time the so-called Neutrality Act was submitted to the Congress as a result of the President's recommendation and advice. In his message September 21, 1939, the President told us he was voicing his

Deep and unalterable conviction based on years of experience as a worker in the field of international peace.

He submitted a four-point program involving national and international law, as he put it. He told us—

That American vessels should be restricted from entering danger zones; that American citizens should be restricted from traveling on belligerent vessels or in danger areas.

He told us his third objective—

Required foreign powers to make transfer of title in this country of its purchase by belligerents, a requirement which can be attained by legislation, and substantially achieved by proclamation.

The fourth objective was—

To prevent war credits to belligerents \* \* \*. The result of these last two will be to require purchases to be made in cash and cargoes to be carried in the purchaser's own ships, at the purchaser's own risk \* \* \*. To those who say that this program would involve a step toward war on our part, we reply that it offers far greater safeguards than we now possess or have ever possessed to protect American lives and property from danger. It is a positive program for safety. This means less likelihood of incidents, and controversies which tend to draw us into conflict as they did in the last World War. There lies the road to peace.

Again, he said—

The position of the executive branch of the Government is that the age-old and time-honored doctrine of international law, coupled with these positive safeguards, is better calculated than any other means to keep us out of this war.

Now, we are asked to abandon the very safeguards which the President himself insisted upon as the road to peace. We are asked to turn our backs upon international law which, coupled with these safeguards, was to keep us out of war.

Now the criterion is established—

It is not more unneutral for us to do that—

which this bill would authorize—

than it is for Sweden, Russia, and other nations near Germany to send steel, ore, oil, and other war materials into Germany every day.

Think of the irony of this. Russia fixes our standards today.

Under this bill we not only lay our ports open for the repair of belligerent warships, but we'll implement them, arm them, not privately, but through the resources and manpower of our Nation. This is a plain violation of the law invoked by the President, and no subterfuge, no pretext can justify this course.

The Secretary of State presented an arraignment of aggressor nations in his testimony. He said:

In the conduct of our foreign relations, this Government has directed its efforts to the following objectives: (1) Peace and security for the United States with advocacy of peace and limitation and reduction of armament as universal international objectives; (2) support for law, order, justice, and morality and the principle of nonintervention.

And so forth.

Then he paints us the terrible picture of the aggressor nations, terrible, because true; but, in this picture he carefully refrains from mentioning Russia, and the ink was scarcely dry upon his written paper submitted to the committee, when he withdrew the "moral embargo" that had rested upon Russia, and apparently Russia was white as snow and her sins were forgotten and forgiven—Russia, whose attack upon little Finland shocked the world, and whose rape of half of Poland plainly demonstrated that she was one of the Axis Powers; and her more recent appropriation of the little nations on her borders has aroused the indignation of all right-thinking people. But now, Russia is no longer in the category of aggressor nations, no longer within the category of predatory nations, ready and willing unjustly to pounce upon smaller and weaker countries. If anything were wanting to show the hollowness and the pretext of this bill it is found in the recent Russian incident, where the United States condoned every Russian crime, and forgave her every unrighteous grab of weaker neighbors.

What becomes of the grandiloquent words of the Secretary of State for the support of law, order, justice, and morality and the principle of nonintervention? How hollow these words sound.

Not only this, but, apparently, we have different rules in other directions for our own conduct. October 1939, we called a meeting of the foreign ministers of the American republics, and in the Panama Convention we agreed with them that we should define our positions as neutrals; each should prevent—

On their respective territories the enlistment of persons to serve in the military, naval, or air forces of the belligerents; the retaining or inducing of persons to go beyond their respective shores for the purpose of taking part in belligerent operations; the setting on foot of any military, naval, or aerial expedition in the interests of the belligerents; the fitting out, arming, or augmenting of the forces or armament of any ship or vessel to be employed in the service of one of the belligerents, to cruise or commit hostilities against another belligerent or its nationals or property.



The signatories so agreed, and said they so agreed in order—

To maintain their status as neutral States and fulfill their neutral duties as well as require the recognition of the rights inherent in such a status.

Was this also a hollow promise by us under the good-neighbor policy?

After the Civil War, in the treaty of Washington, Great Britain and the United States agreed specifically that—

A neutral government is bound first to use due diligence to prevent the fitting out, arming, or equipping within its jurisdiction, of any vessel which it has reasonable ground to believe is intended to cruise or carry on war against a power with which it is at peace; and also to use like diligence to prevent the departure from its jurisdiction of any vessel intended to cruise or carry on war as above, such vessel having been specially adapted in whole or in part within such jurisdiction to warlike use. And the high contracting parties agreed to observe these rules as between themselves in the future, and to bring them to the knowledge of other maritime powers and to invite them to accede to them.

In 1917 we passed a statute, one of whose terms provided—

During a war in which the United States is a neutral nation, it shall be unlawful to send out of the jurisdiction of the United States any vessel built, armed, or equipped as a vessel of war, or converted from a private vessel into a vessel of war, with any intent or under any agreement or contract, written or oral, that such vessel shall be delivered to a belligerent nation.

By the act of June 28, 1940, we provided—

Notwithstanding the provisions of any other law no military or naval weapon, ship, boat aircraft, munitions, supplies, or equipment to which the United States has title, in whole or in part, or which have been contracted for, shall hereafter be transferred, exchanged, sold, or otherwise disposed of in any manner whatsoever unless the Chief of Naval Operations in the case of naval material, and the Chief of Staff of the Army in the case of military material, shall first certify that such material is not essential to the defense of the United States.

Then we declared safeguards for our adherence to law. Then we declared the standard by which our conduct as a nation should be measured. We did so because of the assurance we would be kept out of war. No one can read this bill and doubt that its ultimate effect, if not its declared purpose, will be to take us into war. Every salutary protection in this field is being set aside. If we did no more than turn to section 3 (a) which provides—

Notwithstanding the provisions of any other law, the President may from time to time, when he deems it in the interest of national defense, to the extent to which funds are made available or contracts are from time to time authorized by Congress, authorize the Secretary of War, the Secretary of the Navy, or the head of any other department or agency of the Government—

to do all of the things mentioned in section 3. The President has the sole discretion, notwithstanding the provisions of any other law, without consulting the Congress, and in disregard of every law to set all of them at naught and do exactly as he pleases.

The President can take us into power politics and aline our military and naval equipment, and all of our American resources with the nation, or nations, with whom he chooses to associate himself. It is silly to say that there is a limitation to the extent to which the funds are to be made available, and from time to time authorized by Congress.

You were told by the majority report that there are safeguards to be found in section 3 (c) in that there is a time limit on the exercise by the President of the powers conferred. If there were not any abuse in the first place, if the Congress in fact were retaining the constitutional powers which are ours, why should this limitation be

inserted? It is perfectly apparent that the proponents of this bill, and the majority of this committee, know full well that the grant of arbitrary power to the President under this bill is unsafe and illegal, and in contravention of the Constitution, or they never would feel the necessity of "reclaiming" to the Congress its powers, and "reclaiming" them more than 2 years from the present date. It is not unlike telling an incendiary that he has until 4 o'clock tomorrow afternoon to burn up your house, but after that he will have no power to act.

In September 1939 the President said:

The step I recommend is to put this country back on the solid footing of real and traditional neutrality.

In the interim since that declaration we have seen the President take a given step for reasons heralded far and wide, and then, when public acquiescence was believed to have been achieved, a new step, and yet another step far along the road away from the solid footing of traditional neutrality. We readily recall what happened in the attempted transfer of the American-flag ships to the Panama flag in October 1939. Mr. Hull so seriously protested that the President himself directed the Maritime Commission to cancel the certificate of transfer. Yet, last week, we learned of the transfer of five American-flag ships to the Panama Flag to ply between here and the British Isles, and it caused never a ripple. We remember, as well, the lamentable incident when a member of the French Purchasing Mission crashed in one of our American bombers in California. Now, we fly our bombers directly overseas. In 1939 we were told all we had to do was to lift the embargo, that England had plenty of munitions and men. Now we are told she will go down to defeat if we don't pass this bill. Step by step, week by week, we find something new, than which none was more extreme than the transfer of 50 destroyers from our fleet, until this bill was submitted.

It was the much talked of "methods short of war" 2 years ago, a year ago. You no longer hear the phrase, "short of war." As Professor Corwin put it:

What is of vastly greater importance, however, is the ability of the President simply by his day-to-day conduct of our foreign relations to create situations from which escape by the route of war is difficult or impossible. Indeed, there are times when his power is most effective in shaping policy by not being exercised or by being exercised weakly; while because of its primitive organization, executive power has an ever-available capacity for putting forth new methods, new instruments of policy, in a way not open to the more complex and cumbersome agencies of government, a fact well illustrated by the recently contrived "moral embargo" and other expedients for the carrying out of the policy of furnishing aid against aggressors "short of war".

The statement of Dr. Hutchins, of the University of Chicago, is singularly apposite. He spoke from a full heart, and said:

I speak tonight because I believe that the American people are about to commit suicide. We are not planning to. We have no plan. We are drifting into suicide. Deafened by martial music, fine language, and large appropriations, we are drifting into war.

\* \* \* \* \*

But can we stay out? We are told it is too late. The house is on fire. When the house is on fire, you do not straighten the furniture and clean out the cellar, or ask yourself whether the house is as good a house as you would like. You put out the fire if you can.

The answer is that the house is not on fire. The house next door is on fire. When the house next door is on fire you do not set fire to your own house, throw



the baby on the floor, and rush off to join the fun. And when you do go to quench the fire next door, you make sure that your bucket is full of water and not oil.

Thus, tested by fact, law, experience, and judgment, the pending bill will implement the policy whose effects are already too apparent. There is no principle upon which this measure can be sustained. Its defeat is the only answer.

The British Empire is receiving all of the aid that it is possible for us to give them at present. Certainly, in their zeal to protect Great Britain our people will not denude ourselves of all protection, and if the protection thus far afforded, and likely to be afforded in the future, will accomplish the purpose, nothing more could be asked by the most enthusiastic of our Anglophiles.

Look at the planes for a moment: It is a difficult thing to obtain these figures, but I am assured they are correct. In 1940 the airplane production was 2,884. Of these Britain received 1,934; other foreign nations, 374; the United States Navy, 192; and the Army, 384. Certainly, in the precarious condition that this country is regarding airplanes these figures ought to please the advocates of this bill, if they contend it is a bill to aid Britain. Just at present we have a controversy between the Secretary of the Navy and a witness concerning deliveries of destroyers. The Secretary of the Navy contending that the destroyers the witness wants for Great Britain cannot be given. We assume the Secretary of the Navy will have to withdraw his objections and the request of the witness will have to be complied with.

On another point this witness is at loggerheads with the leader of the Democratic Party, and those in charge of the bill here. He wishes the countries to be named in the bill who would be aided, and the other gentlemen say that cannot be done, that they might wish to aid some particular country whose need cannot now be foreseen, and whose affections may have become suddenly ours, and, therefore, they don't feel like naming any recipients of our bounty in the bill. They seem to be enamored of the proposition that the United States has entered upon a great crusade to aid all the world, and they are going to see that every nation is furnished with sustenance under this bill.

Recapitulating the following are some of the objections to the bill:

A. There is no need now for additional aid to Britain. Britain is receiving—and will continue to receive—all aid necessary that can with a due regard to our safety be accorded.

1. It is successful only in concealing its purpose. It is not a bill for aiding Britain nor a bill for the national defense of our own country.

2. If read realistically, it grants extraordinary powers to the President, such as have never before been granted to a Chief Executive.

3. It makes of the Chief Executive a dictator and worse, a dictator with power to take us into war.

4. It transfers the war-making power from the Congress to the President.

5. It leaves to the President (a) the determination of aggressor nations, and (b) what punishment shall be meted out to them.

6. It commits the American people permanently to support the course he takes, for once embarked on a course it will be necessary for the people to follow through.

# H. R. 1776

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## IN THE SENATE OF THE UNITED STATES

FEBRUARY 17 (legislative day, FEBRUARY 13), 1941

Ordered to lie on the table and to be printed

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## AMENDMENT

Intended to be proposed by Mr. LEE to the bill (H. R. 1776) further to promote the defense of the United States, and for other purposes, viz: On page 3, between lines 19 and 20, insert the following new subparagraph:

- 1       (6) To sell, transfer, exchange, lease, lend, or other-
- 2 wise dispose of, to any such government any cotton, wheat,
- 3 or other surplus agricultural commodity, which is owned by
- 4 the United States or any agency thereof or which is held
- 5 as security for any loan made or arranged for by the United
- 6 States or any agency thereof. The authority conferred by
- 7 this paragraph may be exercised without regard to any pro-
- 8 visions of law placing limitations upon the prices at which
- 9 such cotton, wheat, or other commodities may be disposed of.



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# AMENDMENT

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Intended to be proposed by Mr. Lee to the bill  
(H. R. 1776) further to promote the defense  
of the United States, and for other purposes.

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FEBRUARY 17 (legislative day, FEBRUARY 13), 1941

Ordered to lie on the table and to be printed

77TH CONGRESS  
1ST SESSION

# H. R. 1776

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## IN THE SENATE OF THE UNITED STATES

FEBRUARY 17 (legislative day, FEBRUARY 13), 1941

Ordered to lie on the table and to be printed

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## AMENDMENT

Intended to be proposed by Mr. CAPPER to the bill (H. R. 1776) further to promote the defense of the United States, and for other purposes, viz:

1       On page 3, line 24, after the comma insert the follow-  
2 ing: "trade concessions and preferences (including agree-  
3 ments on the part of such foreign government to resume the  
4 importation or continue the importation from the United  
5 States of not less than the normal amount of agricultural  
6 products),".



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## AMENDMENT

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Intended to be proposed by Mr. CAPPER to the bill (H. R. 1776) further to promote the defense of the United States, and for other purposes.

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FEBRUARY 17 (legislative day, FEBRUARY 13), 1941  
Ordered to lie on the table and to be printed

"Sec. 3. The Commission, on behalf of the United States shall cooperate with representatives of Muhlenberg College in the appropriate observance of such anniversary and shall extend appropriate courtesies to the delegates of foreign universities and other foreign learned bodies or individuals attending the celebrations commemorating such anniversary.

"Sec. 4. The members of the Commission shall serve without compensation and shall select a chairman from among their number, but the President of the United States shall be designated as the honorary chairman of the Commission.

"Sec. 5. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$10,000 to be expended by the Commission for expenses, including actual and necessary traveling and subsistence expenses, incurred while discharging its functions under this joint resolution. The Commission shall have power to select, hire, and fix the compensation of such officers and employees as shall be necessary for the performance of its duties without regard to the provisions of other laws applicable to employment or compensation of officers or employees of the United States.

"Sec. 6. Any vacancies occurring in the membership of the Commission shall be filled in the same manner in which original appointments to such Commission are made."

#### CHANGE OF REFERENCE

On motion by Mr. SCHWARTZ, the Committee on Pensions was discharged from the further consideration of the bill (S. 825) for the relief of Virgie M. Hinchey, and it was referred to the Committee on Claims.

#### PROMOTION OF NATIONAL DEFENSE—AMENDMENTS

Mr. CAPPER submitted an amendment intended to be proposed by him to the bill (H. R. 1776) further to promote the defense of the United States, and for other purposes, which was ordered to lie on the table and to be printed.

Mr. LEE. Mr. President, I submit an amendment to House bill 1776, the lend-lease bill, to be printed and lie on the table until the appropriate time. Since it has only one paragraph, I wish to read it.

On page 3, between lines 19 and 20, insert the following new subparagraph:

(6) To sell, transfer, exchange, lease, lend, or otherwise dispose of, to any such government any cotton, wheat, or other surplus agricultural commodity, which is owned by the United States or any agency thereof or which is held as security for any loan made or arranged for by the United States or any agency thereof. The authority conferred by this paragraph may be exercised without regard to any provisions of law placing limitations upon the prices at which such cotton, wheat, or other commodities may be disposed of.

The VICE PRESIDENT. The amendment will be received, lie on the table, and printed.

#### TRIBUTE TO FORMER SENATOR REED SMOOT BY SENATOR THOMAS OF UTAH

[Mr. McNARY asked and obtained leave to have printed in the Record a radio address delivered by Senator THOMAS of Utah in tribute to former Senator Reed Smoot, which appears in the Appendix.]

#### STATEMENT BY SENATOR MURRAY ON USE OF IRISH PORTS BY THE BRITISH

[Mr. MURRAY asked and obtained leave to have printed in the Record a statement

prepared by himself relating to the use of the Irish ports by the British, which appears in the Appendix.]

#### ADDRESS BY SENATOR MEAD ON THE FUTURE OF DEMOCRACY

[Mr. HARRISON asked and obtained leave to have printed in the Record an address by Senator MEAD before the National Democratic Club of New York City on February 15, 1941, on the subject "The Future of Democracy," which appears in the Appendix.]

#### ADDRESS BY SENATOR MEAD ON STAMP COLLECTING

[Mr. MEAD asked and obtained leave to have printed in the Record a radio address delivered by him on the subject of Stamp Collecting, which appears in the Appendix.]

#### ADDRESS BY SENATOR BALL ON LEASE-LEND BILL

[Mr. BALL asked and obtained leave to have printed in the Record a radio address on the pending so-called lease-lend bill, delivered by him on February 13, 1941, which appears in the Appendix.]

#### ADDRESS BY THOMAS E. DEWEY ON NEW FRONTIERS FOR AMERICA

[Mr. CAPPER asked and obtained leave to have printed in the Record an address delivered by Thomas E. Dewey, of New York, at the Lincoln Day banquet held at the Mayflower Hotel, Washington, D. C., February 12, 1941, which appears in the Appendix.]

#### ARTICLE BY MARK SULLIVAN ON AID TO BRITAIN

[Mr. MEAD asked and obtained leave to have printed in the Record an article with reference to proposed aid to Great Britain published in the New York Herald Tribune of February 16, 1941, and written by Mr. Mark Sullivan, which appears in the Appendix.]

#### EDITORIAL FROM NEW YORK DAILY NEWS ON RELATIONS WITH JAPAN

[Mr. REYNOLDS asked and obtained leave to have printed in the Record an editorial from the New York Daily News entitled "Do We Have To Fight Japan?" which appears in the Appendix.]

#### AWARD OF CONTRACTS UNDER NATIONAL-DEFENSE PROGRAM

[Mr. TRUMAN asked and obtained leave to have printed in the Record an editorial from the Kansas City Times of February 12, 1941, and an editorial from the Kansas City Journal of February 11, 1941, dealing with the award of contracts under the national-defense program, which appear in the Appendix.]

#### A LIVING WAGE—EDITORIAL FROM THE BIRMINGHAM NEWS

[Mr. HILL asked and obtained leave to have printed in the Record an editorial entitled "A Living Wage," published in the Birmingham (Ala.) News of February 8, 1941, which appears in the Appendix.]

#### EDITORIAL FROM MINER'S VOICE ON LEASE-LEND BILL

[Mr. WHEELER asked and obtained leave to have printed in the Record an editorial from Miner's Voice of February 1941, entitled "Protest Against Lease-Lend Bill Now," which appears in the Appendix.]

#### PROMOTION OF THE NATIONAL DEFENSE

The Senate resumed the consideration of the bill (H. R. 1776) further to promote the defense of the United States, and for other purposes.

Mr. BARKLEY. Mr. President, I ask unanimous consent that in the consideration of the pending bill the committee amendments shall be considered and disposed of first.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. BARKLEY. Mr. President, I regret that because of temporary indisposition the Senator from Georgia [Mr. GEORGE], chairman of the Committee on Foreign Relations, is not able to proceed at this time.

I ask that my colleagues accord me the privilege of proceeding without interruption until I shall have completed my main remarks in regard to this measure, after which I shall be glad to submit to questions if Senators desire.

Mr. President, I approach the discussion of this historic measure with a profound appreciation of the events which have preceded its introduction and the policy which is set out and may be inferred from the terms of the bill itself.

The importance of the subject, the consequences which may flow from its enactment and administration, the anxiety and suspense with which the American people are today tiptoeing to catch the latest word concerning events over which they now have no control, but which may for generations and centuries determine the fate of America and the world, require of us the utmost sincerity, calmness, frankness, and courage in our approach to and our discussion of this tremendous subject.

I trust, therefore, that we may preserve the dignity and the freedom from personalities for which the Senate of the United States should be distinguished. I trust that none of us may be provoked into a departure from this high standard.

There are two things which, in my judgment, the American people desire to preserve. One is the peace of this Nation and of this hemisphere. The other is the freedom and independence of this Nation and of this hemisphere. They want to preserve them both at the same time, if this is possible. If they cannot both be preserved at once and simultaneously, then our history has belied our character if they are not willing to make whatever effort is essential and undergo whatever sacrifice is required to preserve the freedom and independence of this Nation and this hemisphere, and the method of life and the form of culture which they have established.

In the language of Grover Cleveland, speaking on another subject, it is a condition and not a theory which confronts us as a nation today. But even in the discussion and the consideration of the condition which confronts us we cannot completely escape the theories which are promulgated in various quarters touching the origin of the condition and responsibility for it.

I have said that the American people desire peace. They desire it here in the United States. They desire it in all the Americas. They desire it in all the world. They have made greater sacrifices to secure it and to perpetuate it than have been made by almost any other nation in history, unless it be those nations now engaged in defending their right to the



liberty and self-government which we ourselves have always cherished.

If we had the time or the inclination to seek the causes of the present conflict in the realms of ancient, medieval, or modern history, we should find the exploration interesting and fascinating, but probably futile—futile because the pattern of the present war in Europe and Asia is something that has no counterpart in all history.

Some of those who discuss present world conditions like to trace them back to the Treaty of Versailles and the first World War. I do not wish to deny that there were injustices in that treaty. If men and nations could recall past deeds, they would no doubt find many occasions and causes to change their actions and their attitudes.

But if it be said that the Treaty of Versailles was a dictated peace, it is equally true that the treaty which terminated the Franco-Prussian War, out of which it was said the World War grew, was also a dictated peace. We have all observed the striking scene as depicted in the painting which shows the imposing forms of Bismarck and Von Moltke compelling France to sign on the dotted line of a dictated peace.

History records few instances in which a victorious war has not resulted in a dictated peace. During the World War, before the entry of the United States, President Wilson advanced the idea of a peace without victory. While it was a noble ideal, the suggestion was not followed and would not have been followed if Germany had won that war.

While it may be true that the dictated treaties which have followed the World War, the Franco-Prussian War, and all the wars that have been fought between nations and races and tribes from the beginning of history, might be marshalled in a long line of contributing causes to the present world conflict, it is futile to assume that any one of them is entitled to major responsibility for what is now being attempted by those who have instigated this war.

This is not a war merely of boundaries. It is not a war to eliminate corridors entirely. It is not a war merely to relieve minorities of some injustice inflicted upon them by a boundary line. This may have been the pretext upon which it was begun. But its genesis lies deeper than mere physical delineations upon a map.

It is a war of ideas, a war of philosophies, a war to impose upon the world a system of moral, economic, and political controls to which it has never been subjected in all its history. These controls are diametrically opposed to the theory of freedom and democracy. They are opposed to the doctrine of self-government. They are avowedly antagonistic to Christianity or any other form of religion except the worship of the state; that state to be under the autocratic domination of authoritarian theories and actions which deny the people any voice in their government or their society. The result is economic bondage, it is religious bondage, it is political bondage, and it is intellectual bondage. It is impossible to have intellectual freedom

where the soul of man is enslaved. It is impossible to have economic freedom where the political rights of man are trampled under foot.

Can there be any doubt of the intention of Hitler to impose this revolting system upon the whole world, including the United States? Although Hitler calls it a revolution of young nations and young peoples against old and decadent nations we, have already recognized it for what it is, an inhuman and bestial revolution against every freedom for which men have striven through centuries of hardship.

In May 1940 a group of leading Nazis were called together in Germany to hear a speech made at Hitler's instance by Walter Darre, Reichminister of Agriculture in the Hitler government. He said to them, among other things:

We are going to win this war, and here are our aims.

He forecast the invasion of the Low Countries and the penetration of the Balkans.

It will then be our duty—

He said—

to organize economically the territories gained, which gradually will be included in the German area.

Before autumn—

He said—

we shall be the absolute masters of two continents, with the exception of Soviet Russia.

He went on further to say:

We shall introduce into our new "living space" completely new methods. All soil and industrial property of inhabitants of non-German origin will be confiscated without exception, and distributed primarily among the worthy members of the party and soldiers who were accorded honors for bravery in this war. Thus a new aristocracy of German masters (Herrenvolk) will be created. This aristocracy will have slaves assigned to it, these slaves to be their property and to consist of landless, non-German nationals.

Please do not interpret the word "slaves" as a parable or as a rhetorical term; we actually have in mind a modern form of medieval slavery which we must and will introduce because we urgently need it in order to fulfill our great tasks. These slaves will by no means be denied the blessings of illiteracy; higher education will, in future, be reserved only for the German population of Europe.

We have selected this form of slavery for several reasons.

Continues Herr Darre—

The most important is that we are abolishing the gold standard and replacing it by work. This work must be as cheap as possible in order that our economic conquest may spread extensively and rapidly. Our future generation must, even in peacetime, be educated in such a manner that, in case of necessity, they may be fit to defend strongly and energetically what we acquired.

Then Reichsminister Darre expanded mentally and geographically, as follows:

I have been asked about my opinion of America, especially the United States, and the danger of this pseudo-democratic Republic's possible attempts to hinder us in our historical development. \* \* \* We Germans have accounts which must be settled with this country. In this war, not to mention the last

war, the United States holds all the gold of Europe, which was and indisputably is our property, Germany being the successive state of subjugated nations. The gold alone is practically of no value to us, but the insulting fact that something which God intended for us which we were robbed of and which is intentionally withheld from us must not remain unpunished.

The United States, also, will be forced by Germany to complete and final capitulation. Our superior industrial products will be sold at very low prices to the whole world, and will cause the United States to have not 7,000,000 but 30,000,000 to 40,000,000 unemployed. Mr. Roosevelt will then beg the Fuehrer on his knees to purchase from the United States not manufactured products but raw materials at prices which we shall dictate. The United States is at present so demoralized and so corrupted that, like France and England, it need not be taken into consideration as a military adversary.

Speaking of the kind of slavery they intend to impose, Darre said this:

Here, too, the form of slavery mentioned above, will prove its worth. German masters, accustomed to command and, in case of necessity, to strike inconsiderately where striking is necessary, will be fine pillars to uphold Germany's rule of the world.

I wish to quote here from Hitler himself, as set forth in a book by Rauschning entitled "Voice of Destruction":

We shall soon have a: S. A. in America—

Says Hitler—

We shall train our youth. We shall have men which degenerate Yankeeism will not be able to challenge. National socialism alone is destined to liberate the American people from their ruling clique and give them back the means of becoming a great nation.

I shall undertake this task simultaneously with the restoration of Germany to her leading position in America. \* \* \* The German component of the American people will be the source of its political and mental resurrection.

I guarantee that at the right moment a new America will exist as our strongest supporter when we are ready to take the stride into overseas space. We have the means of awakening this nation in good time. There will be no new Wilson arising to stir up America against us.

To show that there is a unity of thought and purpose among Hitler and his advisers and official family, I shall quote a paragraph or two from a statement carried in the New York Times recently from Walther Funk, president of the Reichsbank and Minister of Economics:

A change in the United States commercial policy and abatement from all interference with Germany's trade with Latin America are the main prerequisites for the resumption and development of German-American trade relations after the war. The disposition of the United States stupendous gold reserve will play no decisive role in the future of American trade with Europe, and the best solution for all parties would be if the gold stored at Fort Knox would be taken to an ocean island which substantially was submerged by some elemental catastrophe.

Gold will play no role as the basis for future European currencies. The Reichsmark, based on work and not gold, will occupy the dominating position among currencies. The value of the Reichsmark will be naturally strengthened, not only by greater Germany's accrued might but also



because it will be free from the fetters of unregulated foreign debts and the different valuations of the present varieties of marks.

This statement was contained in the issue of the New York Times of July 26, 1940.

In the light of these prophecies by Hitler and two of his most prominent satellites, can we doubt that one of the motives for this war is the economic domination of the world? And can we doubt that economic domination will be followed by political intrigue and infiltration; and that economic and political domination will produce a prodigious effort at military domination in all countries upon which this system shall be imposed?

If Hitler should win, we will face, therefore, not only a hostile Germany but a hostile world. If he wins, he will control all of Europe. And if Mussolini should survive, through him or over him, he will control all of Africa. If he wins in Europe and in Africa, we must presuppose that Japan as one of the Axis Powers will control if she does not occupy all of China and the entire Pacific west of Hawaii, including Malaya and the Dutch East Indies. Should the Axis Powers win, they will have a naval strength two and a half times that of the United States, leaving out of consideration the British Navy, and this strength would be still further augmented by the capture of all or any considerable part of that navy.

In the event of a victory for Hitler and his allies, they would have control of foreign exchange and of trade and of raw materials in Europe and Asia, including materials vital to our national defense and national life. They would control investments in stocks in the Western Hemisphere outside the United States which were heretofore held by Dutch, Belgian, Scandinavian, Polish, Czech, French, and British countries. Through the control of the products we need; through their ability to sell cheaper, unless we abandon our standards of living; through all the trade and industrial and economic advantages which would accrue to Hitler by such a victory, the Nazis would have the superb weapons they now seek to forge in order to destroy us.

Such a victory would place in their hands all the British, Dutch, French, and Scandinavian investments in Latin America, which together are much greater than the total of American investments in those countries.

These investments are not now convertible into dollars for the benefit of the countries owning them. But in the hands of the Axis Powers they could be used as agents of economic, commercial, and political pressure in their own behalf and against the United States. They could be used to squeeze American trade out of Latin America and divert it to the objectives of the powers controlling it.

We sometimes look upon ourselves as a self-sufficient nation, and some of our people now and then boast that we can continue to live and maintain our standards of life no matter who controls the rest of the world.

Is it true? Let us see. Only about one-half of the strategic materials vital

to our life and our defense are available in the Western Hemisphere. There are fourteen of such strategic materials listed by the Munitions Board, and only three of them are to be had in any quantity from Latin America, and only half of them are available in small quantities.

One of these strategic materials is rubber, of which we use 500,000 tons annually, and not more than 10 percent of this can be obtained in Latin America in a period of less than 8 years. Though we may be able to obtain a quantity of tin from Bolivia, for the manufacture of which I understand we are soon to establish a plant in the United States, we would depend almost entirely upon the Axis Powers for rubber, silk, chromium, and many other commodities which we cannot produce or obtain elsewhere.

In the light of these conditions, which could be given in greater detail if time permitted, are we justified in assuming that the American people are not interested in the kind of world which we are to live in after this present conflict is over? Are we to assume that the American people are unwilling to throw the weight of their material assistance into the scales in order to avert the kind of world from the economic viewpoint alone of which I have been speaking? I am unwilling to indulge in any such assumption.

But I stated at the beginning of these remarks that this war is not only an economic war, but that it is an attack against all the moral and religious standards which have lifted our civilization out of the depths of barbarism and paganism.

In order to demonstrate this we need go no farther than into Germany herself. Go there and seek the worshipers at the ancient shrines of all their religious groups, and ask them whence has fled the right to worship unmolested by the temporal intrusions of the state.

Go into Austria and to Czechoslovakia and ask them where is their freedom of the spirit.

Go into Poland, and stand beside the temples of worship and observe how the priesthood and the ministry of all faiths have been cowed, and their worshipers herded into concentration camps, and chained into slavery of the spirit no less cruel than that of the body.

Go into Denmark, into Holland, into Belgium, into France. Go to Norway, and ask the seven Lutheran bishops of that country, who, as late as February 2, 1941, sent out a message condemning what they termed "the systematic violence of Quisling storm troopers and interference with the preachers' secrecy of oath."

I read a few days ago a great speech, delivered by a great man of God, Dr. Maurice S. Sheehy, head of the Department of Religious Education of the Catholic University of America. The speech was delivered over the Columbia Broadcasting System on one evening last week, just before he assumed the duties of chaplain in the Navy of the United States. I can do no better than to quote some of the passages of Dr. Sheehy's address, wherein he discussed the problem that faces us today as Members of the United

States Senate. The title of his address is "Fence Sitters."

Dr. Sheehy said:

This is a moment in which calm thought must precede decisive action.

For some months I have been disturbed, both as an American citizen and as a Catholic, at the indifference shown toward the world revolution now in progress. It will be my privilege in a few days to join the fighting forces of our Nation as a chaplain in the Navy. My action is dictated in part by the fact that some weeks ago I chanced to read in Dante's immortal legacy to culture a description of the fence sitters, the angels who refused to fight either on the side of God or Lucifer, who had lost their intellectual good.

My action in joining the forces marshaled for the defense and security of our country may be interpreted by some as approval of our national-defense policy and all it implies. That assumption is 100 percent correct.

I also believe that no church, mine or any other, should speak officially on the subject of our Government's control of foreign affairs. Any church has a right and an obligation to declare the spiritual and moral principles which underlie forms of political action. It is indeed a happy circumstance that in our country, unlike many other desolate and unhappy countries, state and church operate in harmonious freedom.

And the technical business of manning our defenses should not be left to journalistic crackpots, venal racketeers, and committees which seek to usurp the powers of the President and the Congress. Our defense must be engineered by admirals, generals, and technicians who alone are competent to tell what can protect us from the threat of a Hitler-dominated world.

On September 2, 1939, I had a ringside seat at one of the dramatic preludes to the war. I was in London. Three times the House of Parliament assembled to hear the statement which might mean war. The German hordes were running into defenseless Poland. Von Ribbentrop refused to show Hitler's demands even to the Polish Ambassador. In that grim hour I saw the late Chamberlain, pale and exhausted, as he exerted all the ingenuity of a peaceful heart and a great mind to avert the arbitrament of war. He magnanimously and fairly revealed the efforts of Mussolini in behalf of peace.

As Greenwood, the labor leader, rose to speak, there came a shout from the conservative benches, "Speak for England," and that moment I knew that the people of England had made a great decision. \* \* \* a decision that would mean death to countless British youth. At that moment I was still a "fence sitter."

Possibly the fact that I am of Irish descent, mindful of the tyranny of England's dictators in the past, may explain in part my indifference. And then, too, I had as a youngster at Base Hospital No. 28 ministered to several thousand victims of the last war—and I had then decided that no war justified such suffering.

I am no longer a "fence sitter." My Irish blood clamors for vengeance against England—but only for God's vengeance which will be accomplished when England returns to the unity of Christendom. Perhaps in the providence of God, that day may be speeded by the horrors of war.

A document too little known, even among Catholics of Germany, is the encyclical letter of Pope Pius XI on the condition of the church in Germany. In it that noble man of God recalls the misgivings with which he signed the concordat. He reminds the chief



of the German Government of its broken promises in these words:

"The lessons of the past years make it clear where responsibility lies. They disclose machinations which have no other aim than a war of extermination. In the furrows where we labored to plant the seeds of peace, others were sowing the tares of discord, of hatred, of calumny, of secret and open enmity against Christ and his Church, an enmity in principle, fed from a thousand springs and working with every means at its disposal."

Are those words of a British propagandist? No; they are the words of Pope Pius XI. And his spirit, thank God, lives on in another great Pope, Pius XII, who fearlessly, in his last Christmas message, demanded as a condition of a just peace, "the right of every nation, great or small, to live in freedom."

The real test—

Says Dr. Sheehy—

of what is at stake for Christianity in this conflict is not activity at the battlefronts, but what is occurring in those countries seized by the dictators.

In the German-occupied part of Poland, churches have been razed, priests shot or imprisoned, 3,000,000 slaughtered, and other millions have been reduced to virtual slavery in German work camps. The whole philosophy of Nazi-ism appears in the Christmas message of Herr Frank, Hitler's representative: "It is the greatest gift of Heaven to be able to call oneself a German, and we are proud to master the world as Germans. The Poles must loyally do their duty; and their duty is work."

Is it any wonder—

Continues Dr. Sheehy—

that Pope Pius XII wept as he received a Polish delegation with these words: "May Christ, who wept at the grave of Lazarus and over the ruins of His fatherland, gather and some day compensate you for the tears you spill over Poland, which will not die."

A few days before the Lutheran bishops of Norway issued their message condemning the Nazi regime, the Catholic bishops of the Netherlands issued a defiance of Nazi-ism, even refusing the sacraments and Christian burial to members of the Nazi Party in Holland. Here is their version of the peril of Hitlerism:

"The Nazi movement not only threatens to hamper the church in the execution of its tasks, but it endangers the Christian conception of life to those who participate in it."

In the light of these indisputable facts, these condemnations and defiances hurled at the Nazi control of helpless countries which have been overridden, can we in America doubt that a part of the "new order" which has been ordained by Hitler and Hitlerism is the destruction of Christianity and of the civilization which Christianity has fostered and helped to develop during nearly 2,000 years of human history?

And still—

Concludes Dr. Sheehy—

there are some Americans who maintain that we should be fence sitters, indifferent to the issue of war.

If it be true that the "new order" which Hitler proclaims he is to establish throughout the world, contemplates international trade on any heretofore recognizable pattern; if it be true that the world which he purposes to dominate can trade with his consent and upon his terms only; if the labor and the hopes of millions of men and women are to be

pawns in his game of barter and exchange; if the economic freedom for which democracies have been striving since the democratic ideal was conceived is to be blasted upon the wheels of the Nazi juggernaut; if the Christian religion and the human virtues which it has taught us from childhood, and the right to espouse this religion and to practice these virtues, are to be scourged from the souls of men and women by the lash of sinister and diabolical forces which feed on hate and fatten on theft and pillage; if the right of self-government and the right to enjoy life in its fullness through the cooperative energies of free people are to be snuffed out by the foul breath of military usurpation; then, may I ask, What is it the duty of a strong and free people to do in order to bring a halt to the tide in the affairs of men and nations which is taking them back to medieval tortures, Roman legions, pogroms, vigilantes, and Spanish inquisitions?

There is but one answer to that question. That answer is provided in the measure before the Senate of the United States.

There is but one way to stop a conqueror. That way is to defeat him. The only way to stop Hitler is to defeat him; and if we do not help Great Britain and other nations now fighting him to defeat him over there we shall some day have to surrender to him or defeat him over here.

Before discussing the objectives of this measure, I wish briefly to recall some of the things we as a nation have done to protect ourselves and at the same time avoid participation in foreign wars.

When the World War had been concluded we announced that there were no spoils which we desired. We exacted no tribute as a penalty against others or as a reward for ourselves. We had expended more than \$30,000,000,000 and raised an army of 4,000,000 men, and sent half of them to the battlefields of Europe. While we had specific causes for entry into that war, before it was over we tried to lift ourselves out of traditionally sordid concepts of the conflict and place it upon the lofty plane of a fight for democracy and freedom, and to make such wars forever impossible in the future.

In this noble effort, inspired by the idealism of President Wilson, we did not succeed. Because of this failure, we have been somewhat disillusioned. But this disillusionment must not be allowed to make us cynical. It must not be the instrument for forging upon us a greater illusion—the illusion that we can live alone in a world that touches us everywhere, that we are immune from the effects of world cataclysms, and that we owe it neither to ourselves nor to the world of which we are a part to take note of vital forces that are on the march and seek to guide them into useful and constructive channels.

At the conclusion of the first World War it was easy to secure the consent of nations to enter into all sorts of treaties: treaties of disarmament, treaties of arbitration, treaties of commerce and good will, treaties delimiting the influence of nations in certain spheres of the world's

activities. The League of Nations was set up in Geneva as a sort of forum for debate and a clearinghouse for the adjustment of national disputes and the smoothing down of the rough edges of the Treaty of Versailles.

Following that came the Locarno Pact, the admission of Germany into the League of Nations, the Nine Power Pact, and the Kellogg-Briand Pact, or the Pact of Paris, which was signed and agreed to by practically all the nations of the world, by which they obligated themselves to abolish war as an instrument of national policy. Among the nations which signed and ratified this treaty were Great Britain, France, Germany, Japan, the United States, Italy, and practically all the others.

As a result of these various obligations among the nations, the people of the world were led into the belief that a long and durable era of peace and good will had been brought to the world. Armies were reduced. Navies were cut down, warships were sunk, blueprints were torn up, and men and women everywhere thought they beheld the dawn of a new day in the history of international relations.

Here in the United States we enacted a law placing an embargo against the sale or shipment of arms to nations at war, thinking that although we had no munitions industry worthy of the name, the refusal of our people to make or sell arms to other peoples would be a guaranty of peace among other nations.

However well meaning and altruistic the enactment of this law may have been, it was a futile gesture. It did not prevent or postpone a single war anywhere in the world. It did not bring a day's peace to the people of any nation, and it is well within the range of possibility that it encouraged war and aggression elsewhere instead of discouraging them. Its effect was to penalize every nation that respected its obligations and to encourage every nation that did not respect its obligations. It penalized every nation that exerted its energies in behalf of peace, while it became a silent partner of every nation that was re-arming for the purpose of attacking its unprepared neighbors and reestablishing war as an instrument of national policy.

To extricate ourselves from this untenable and unneutral position, the President in June 1939 before the Hitler invasion of Poland had precipitated the conflict, urged Congress to repeal the Embargo Act and enact in its stead the neutrality law, which was later enacted in November of the same year.

By the enactment of this law the American Government and the American people submitted to greater voluntary sacrifices to avoid war than was ever done before by this or any other great nation.

Under this law no American citizen can sail his ship into a belligerent harbor or through a war zone proclaimed by the President. He cannot travel into a belligerent harbor or through belligerent waters on another ship. He cannot sail the flag of his nation at the masthead of his ship if it is destined for the waters of warring nations.



He cannot sell to any such government or to its agents or nationals, except for cash before delivery, any article that may be needed for its defense, nor can he grant financial credit to such a nation, its agents or nationals, to enable them to purchase such articles of defense.

In other words, we have as a nation suspended the exercise of rights for which our people went to war in 1812 and again in 1917.

All this was done that we might not become involved in war. This was not inspired by cowardice. It was inspired by the belief that our welfare would be advanced more rapidly and more certainly if our resources were devoted to the constructive activities of peace than if they were diverted to the questionable benefits of war.

In spite of embargo acts, in spite of the League of Nations, in spite of Locarno, in spite of the Nine Power Pact, in spite of the Kellogg-Briand Pact, and all the other pacts and treaties and understandings among the nations, and in spite of almost superhuman efforts put forth by the President of the United States prior to and leading up to September 1939, war was precipitated in Europe, as it had already been precipitated in Asia, by the ruthless disregard of the elementary rights of unoffending nations, and in pursuance of the diabolical effort, which I have already described, to enslave the nations and the races of the world and bend them to the will of its perpetrator.

In the light of these conditions, the American people are confronted with a momentous choice. They must decide whether they will ignore them and take the consequences or recognize them and take the risks.

I do not pretend that there are not risks, no matter what we do or fail to do. It may be a choice of risks. If we do nothing, we run the risk of being hemmed in and fenced off as a sort of unilateral concentration camp. We run the risk of seeing the rest of the world overrun, and then being compelled to fight a hostile world or be overrun ourselves.

On the other hand, if we take the action which is contemplated in the legislation now before us, while that course is not free from risks, the chances are that the foul aggressor, who now boasts that he has his eyes upon us, may be stopped in his tracks, and all that we love and cherish for ourselves and for other peoples may experience a revival that will cheer the hearts and bolster the spirits of hundreds of millions who are bowed today beneath the yoke of grief and oppression.

The American people must make this choice, and we, Mr. President, as their representatives, must make it, too. I believe the American people have made it. What is our verdict to be, as their spokesmen here in this forum called the Senate of the United States?

That we have determined to arm ourselves against the danger which all now recognize is demonstrated by the willingness with which our people have accepted the appropriation of billions of dollars and will accept increased debt and taxation.

It is demonstrated by their willingness to have their young men undergo training for national defense. It is demonstrated by the concentration of all our efforts as a nation to the task of preparation.

Against whom are we preparing? Is it Greece? Greece has no designs upon us, and has never had. Is it China? For a thousand years China has sprawled out across Asia, now and then the victim of stronger nations, but when we have intervened in China it has been for the good of China. China is our friend and knows that we are her friend.

Is it Poland? Is it Belgium? Is it Holland? Is it Denmark? Is it Norway? Is it Luxembourg? Is it Austria? Is it Hungary? Is it Czechoslovakia? Is it France?

These nations are all now lying prone under the heel of Hitler and all that he represents. They are helpless. We are not arming against them.

Are we arming against England? Even Col. Charles Lindbergh, who wants nobody to win, who wants a negotiated peace, who is opposed to this measure, in response to a question which I asked him when testifying before the Senate Committee on Foreign Relations, stated unequivocally that we would be in no danger from Great Britain no matter how complete a victory she might win over Hitler in the present war.

When I asked him whether we would be in danger in the event of the defeat of Great Britain by her present enemies he indicated that we might not be in immediate danger, but that the ultimate danger would depend on the extent of our readiness and ability to defend ourselves.

It is obvious, therefore, that the cause of all our feverish effort to prepare to defend ourselves is not because of danger from Britain, with whom we have been at peace for 125 years and against whom we have never labored under the necessity to emplace a single cannon along 3,000 miles of the Canadian border.

We do not have to waste time identifying the author of our danger and of the change in our lives that has come over us and over the world since 1933. I was in Germany in 1936. It was obvious then what was going on in that country in the way of huge military preparation. The strange thing to me is that the other nations of Europe, who were closer and must have had opportunities for observation and investigation superior to ours, either failed to profit by that knowledge or hugged to their bosoms the delusion that, after all, something would happen to avert the catastrophe.

The overwhelming majority of the American people, regardless of race, religion, color, politics, or origin, are determined that we shall not suffer the fate of the victim nations of Europe; and they, in equal numbers, have determined that one of the best methods by which to stave off that fate is to give material aid to England and the other nations which are battling for their right to exist.

Under the Neutrality Act, no matter how desperately these nations may need the weapons they must have for their survival, and no matter how essential their defense may be to our own national

welfare, they cannot obtain such weapons now in this country unless they have the cash in American dollars with which to pay for them.

No financial institution in America can lend such a nation the money with which to pay for these weapons. No American factory can give them credit for one airplane, one rifle, or one bullet. The nation involved must pay for these things in cash, no matter how hard pressed and no matter how willing the American factory might be to extend them credit.

This law, while called a neutrality law, has worked to the disadvantage of nations which had not previously armed to the teeth or whose industrial facilities are not sufficient to provide them with weapons of defense.

Therefore, in order that the nations whose defense is essential to ours may continue to fight, in order that we may keep war and all its horrible effects from our shores, we must consider the method by which we may afford them the maximum quantities of defense implements and at the same time not become actively engaged as a participant in the war which is threatening to overcome them.

This is the object sought by the passage of the measure now under consideration in the Senate. As was true in the fight over the Embargo Act, the Neutrality Act, the Selective Service and Training Act, and the entire defense program, an effort has been and is being made to misrepresent the conditions which drive us to these measures.

I shall question the motives of no man in the Senate who may disagree with me during the course of this debate. I shall accord to all those in opposition the same degree of sincerity and patriotism which I claim for myself. But I have a right to question the validity of their appraisal of dangers and consequences and to doubt the finality of their judgment upon that appraisal.

What are the powers conferred in this measure? What are the things which it authorizes the President to do in the event of its enactment?

It authorizes him:

First. To sell, transfer, exchange, lease, lend, or otherwise dispose of any defense article to "any country whose defense the President deems vital to the defense of the United States."

Second. To manufacture defense articles in Government arsenals, factories, or shipyards for such governments.

Third. To repair, outfit, recondition, and put in order any defense article for such government.

Fourth. To communicate "defense information" regarding any defense article made available to such government.

Fifth. To determine the terms of payment by such government to the United States, which may be "payment or repayment in kind or property, or any direct or indirect benefit" considered satisfactory to him.

Sixth. To purchase from the countries affected any war material deemed necessary for the defense of the United States.

It authorizes Congress to make the necessary appropriations from time to time as the money may be needed.



Other provisions of the bill stipulate:

First. That a record of all such exported articles shall be kept by the Export Control Board.

Second. That any cash accruing to the United States from such transactions shall revert to the original appropriation for the material involved during any 2-year period up to June 30, 1946.

Third. That no such defense article, or information concerning it, shall be transferred to any other country than the original recipient without the approval of the President.

Fourth. Authority is given the President to make rules and regulations for administering the act.

Fifth. Authority is given the President to designate any officer of the Government to act under the direction of the President in the administration of the act.

Sixth. It makes any existing laws inapplicable to the situations covered in the bill.

Some of the major laws affected by the phrase "notwithstanding the provisions of any other law" are as follows:

First. The Johnson Act, prohibiting loans to countries in default on war debts, is not affected, because its provisions do not apply to the United States Government or any corporation owned or operated by it.

Second. Neutrality Act.

a. The cash provision is suspended as to countries designated.

b. The financial transaction provisions are suspended as to countries designated.

c. Restrictions on use of American ports are lifted as to countries designated.

d. The prohibition against servicing of warships is lifted as to countries designated.

e. The carry provisions are not suspended or affected.

Third. The 1917 law prohibiting the building of warships for belligerents is suspended as to the governments designated.

Fourth. The Hague Convention of 1907, denying harbor facilities for longer than 24 hours to belligerent warships, is suspended as to the governments designated. However, since Great Britain did not ratify this convention, it does not apply in any event.

Fifth. It suspends laws prohibiting the furnishing of military secrets as to defense articles to governments designated.

Sixth. It waives a number of statutes limiting the purchase of military supplies from foreign countries.

These are the provisions which it is said set up a dictatorship in the United States. But, may I ask, what other officer of the Government of the United States than the President could or should be empowered to do these things? Congress cannot execute its own laws. That must be done by the Executive established by the Constitution. No committee of Congress can do it. No outside agency can do it. The President is not only the Chief Executive, which means that he is the head of the executive branch of the Government, but he is also the Commander in Chief of the Army and Navy of the United States. Congress

cannot divest him of this official character by statute. There is no other appropriate person or officer than the President who can carry out the will of Congress.

There is nothing new in this effort to confer power on the President. Congress cannot share the executive power. That fact has been well known and acted upon ever since the foundation of our Government. Not only that, but sometimes, in the midst of emergencies, Presidents have exercised power not specifically conferred by any act of Congress.

Thomas Jefferson purchased Louisiana without such authority. He was meticulous in his regard for the Constitution. But when he wanted to purchase Louisiana, and saw no statute and no specific provision of the Constitution authorizing it, he acted under the treaty-making provisions. The history of the Nation and the judgment of the people have vindicated him.

Fort Sumter was fired upon in the spring of 1861. Congress did not assemble until the following June or July. Lincoln was in the midst of an emergency, and exercised a power which no other President has ever exercised, so far as I know. He suspended the writ of habeas corpus. He did it because he thought it necessary to save the Government.

Before Congress assembled he called for 75,000 volunteers on his own responsibility.

If I am not mistaken, he issued the Emancipation Proclamation without specific authority of Congress. He did it as a war measure.

During the World War, President Wilson was given enormous power over the lives and the affairs of men, women, and children throughout the country.

During the period of this war, and for a time after its conclusion, he exercised the power to control the price of wheat, coal, and other commodities. He controlled the distribution of gasoline, raw materials going into defense articles, and many others affecting the daily lives of the people. He did this under authority conferred on him by Congress.

The claim that this measure sets up a dictatorship in the United States is, in my judgment, without foundation. Under this measure we will still have the freedom of the press, freedom of religion, freedom of speech, freedom of assembly, and all the freedoms guaranteed to the American people under the Bill of Rights and the Constitution.

Do people enjoy these rights in Germany? In Austria? In Czechoslovakia? In Norway? In Denmark? In Holland? In Belgium? In occupied France? Do they enjoy them in Italy, or in China where Japan is in control?

But if we are to choose between the grant of a few necessary powers to the President in order effectively to guarantee our defense and our freedom from attack, and the loss of those liberties which every American demands for himself because of a European and Asiatic and world victory by the totalitarian powers, in my judgment the American people will risk the power we are here

conferring on the man whom they have chosen as their spokesman and leader.

It has been suggested that the bill itself ought to name the countries which are to receive the aid which it provides. If the situation now existing were permanent, and not subject to daily or weekly changes, such a provision might be safe. But the situation is not permanent. We have seen one after another of the small nations of Europe overrun. At present England and Greece in Europe and China in Asia are the defenders of their right to exist. Tomorrow it may be some other nation.

It ought not to be necessary for Congress to pass a separate law in each instance of invasion. And no nation which may tomorrow or next week or next month be attacked ought to be discouraged by believing that under no circumstances could it receive the kind of aid which this bill contemplates.

It is claimed that we ought not to proffer this aid to England or to China or to Greece until and unless they announce their war aims. It is urged by some that both sides announce their war aims and their peace aims before we permit aid to the side which is under attack.

Hitler has announced his war aims and his peace aims through his own voice and the voices of his Charley McCarthys. He has announced them by his ruthless actions. And if he should announce any war or peace aims that sounded reasonable, no one would believe that he would keep his word, or carry out any agreement into which he might enter. So of what use is it to ask Hitler what his war aims may be?

This measure is not based on any design on our part to attempt to secure a contract in advance as to what the terms of peace shall be. This would be a manifest impossibility. The basis of this bill is our own national defense, and that defense is to be accomplished by affording aid to those who are attempting to stop this international marauder in the hope that we may never have to undergo the vandalism which his victims are undergoing today in Europe. You might with equal propriety ask a peaceful citizen who is under the heel of a highwayman with a knife at his throat what use he will make of his life if you help him to preserve it.

This measure does not surrender the right of Congress to declare war. It not only preserves that constitutional right, which cannot be abrogated, but it requires the President to come to Congress for the appropriations necessary to administer it, and also the authority to make contracts for future execution.

This measure does not confer upon the President the right to convoy ships across the ocean.

It does not confer upon him the right to send American troops to Europe.

It does not confer upon him the authority to send American ships into war zones.

It does not confer upon him the power to seize foreign ships in the ports of the United States.

It does not confer upon him the power to impose a censorship, or to restrict the freedom of speech or of the press or of



worship or of assembly. These rights have been abolished in the dictator nations, but they have not been restricted in any respect in the United States, and will not be under the terms of this measure.

This measure confers upon the President no power to seize property or to conscript labor, or to nullify the laws enacted for the protection of labor in the United States.

It gives him power to do the things set out in the measure. He may possess other powers given him in the Constitution or in other laws not in conflict with this; but this measure does no more nor less than what it says.

If the result of the last election should exert any influence upon our decision, nearly 50,000,000 voters in this Nation registered their approval of aid for England. I do not claim that all those who voted for the two major candidates would support this particular measure or that they all now support it. It was impossible to submit to them in any specific form a measure upon which they could hold a plebiscite. But the American people are overwhelmingly committed to the policy of aid to the nations which are fighting Hitlerism, and this measure is an effort to implement their overwhelming desire with the authority to act which they think this Government possesses.

We do not want war. We hate war. Most of us here have seen the ravages of war, and we have seen the devastation and the suffering which it has always entailed. We do not want these ravages and this suffering to come to our shores. We believe that this measure offers the surest method by which we can avoid participation actively in this war and at the same time help those nations which are heroically grappling with a universal enemy to preserve the doctrines of our fathers and the aspirations of our own hearts.

This is not a partisan issue. It is not an issue which can or ought to divide our people into antagonistic groups. The course which we chart is not without risk. Our liberties were not won in the first instance without risk. Our glorious history as a nation has not been written in golden letters upon the immortal page without risk of life or property or safety.

Are we less willing to assume those risks than were our forefathers? Are we cowed into submission by the fear of sacrifice or physical discomfort? Are we content to see others give up life and limb and home and comfort and peace itself while we fear to give even a portion of the wealth with which a generous God has blessed us?

In the midst of these reflections I quote that immortal question which Patrick Henry posed amid his colleagues in the Virginia Convention:

Is life so dear, or peace so sweet, as to be purchased at the price of chains and slavery? Forbid it, Almighty God.

And may God forbid that either our lives or our peace shall be required as a sacrifice on the altar of civilization. But may He strengthen our wills and fortify our determination and speed our wings in the dispatch of that aid for which

civilization and our own destiny are appealing at this hour.

#### MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Calloway, one of its reading clerks, announced that the House had agreed to the amendments of the Senate to the bill (H. R. 2959) to increase the debt limit of the United States, to provide for the Federal taxation of future issues of obligations of the United States and its instrumentalities, and for other purposes.

#### ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

S. 187. An act to provide for the establishment, administration, and maintenance of a Coast Guard Auxiliary and a Coast Guard Reserve; and

H. R. 2959. An act to increase the debt limit of the United States, to provide for the Federal taxation of future issues of obligations of the United States and its instrumentalities, and for other purposes.

#### PROMOTION OF THE NATIONAL DEFENSE

The Senate resumed the consideration of the bill (H. R. 176) further to promote the defense of the United States, and for other purposes.

Mr. AUSTIN obtained the floor.

Mr. McNARY. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Gerry	Murray
Aiken	Gillette	Norris
Austin	Glass	Nye
Bailey	Green	O'Mahoney
Ball	Guffey	Overton
Bankhead	Gurney	Pepper
Barbour	Harrison	Radcliffe
Barkley	Hatch	Reynolds
Bilbo	Hayden	Russell
Bone	Herring	Schwartz
Brewster	Hill	Sheppard
Brooks	Holman	Shipstead
Brown	Hughes	Smathers
Bulow	Johnson, Calif.	Stewart
Bunker	Johnson, Colo.	Taft
Burton	Kilgore	Thomas, Idaho
Byrd	La Follette	Thomas, Utah
Byrnes	Langer	Tobey
Capper	Lee	Truman
Caraway	Lodge	Tunnell
Chandler	Lucas	Tydings
Chavez	McCarran	Vandenberg
Clark, Idaho	McFarland	Van Nuys
Clark, Mo.	McKellar	Walgren
Connally	McNary	Wash
Danaher	Maloney	Wheeler
Davis	Mead	White
Downey	Miller	Willis
Elliander	Mudcock	

The VICE PRESIDENT. Eighty-six Senators having answered to their names, a quorum is present.

Mr. TAFT. Mr. President, will the Senator from Vermont yield to me? I should like to ask the Senator from Kentucky [Mr. BARKLEY] a question, if I may.

Mr. AUSTIN. Certainly, I yield to the Senator from Ohio.

Mr. TAFT. As I listened to the eloquent address of the Senator from Kentucky it seemed to me that every argument he made might have been just as forceful on a resolution to declare war against Germany, and I want to ask the Senator why, if he believes as he has said

he believes, he is not today urging a declaration of war against Germany?

Mr. BARKLEY. Mr. President, in the first place, I do not regard it as necessary, in order to accomplish the purposes and the objectives which I sought to outline, that we shall declare war upon Germany or that we shall enter the war actively. I believe that the course which we are recommending here will accomplish the purpose for which we are seeking to enact this legislation; and in addition to that, even if we had a cause, a specific cause, for a declaration of war against Germany, it might be doubtful—and I do not pose as a military expert, and express no opinion upon it—it might be doubtful in such event whether our aid to England, or the victims of aggression, would be more effective, or as effective as the aid which we propose under this legislation.

Mr. TAFT. That is to say, the Senator says he is not urging the declaration of war because in his opinion such a declaration would be of no value to England?

Mr. BARKLEY. We cross bridges as we reach them. I am not prepared today, and I would not be prepared today, to vote for a declaration of war based upon all that I have said in my remarks. Whether the time shall ever come when that will be advisable and necessary I am not a sufficient prophet to foresee. But I certainly do not regard the present situation as presenting any necessity or making any call upon the United States actively to enter as a belligerent in this war.

Mr. TAFT. Am I to understand, then, that it is the Senator's position that there is really no use in our going to war today?

Mr. BARKLEY. That is one reason. That is not the only reason.

Mr. TAFT. I should like to point out to the Senator that the gentleman who has most recently returned from England says that England vitally needs destroyers. If England vitally needs destroyers, why does she not need all our Navy to do what she needs destroyers for? Why would it not be of real value to England for us to declare war today?

Mr. BARKLEY. I do not propose to be drawn into a controversy on the question of destroyers with the distinguished gentleman who recently returned from England. Neither am I in a position to say whether we can or cannot spare any destroyers from the Navy of the United States. However, the legislation which we are proposing places in the hands of the President the power to determine the character and extent of aid which may be rendered to England and, by implication, to Greece, China, and other countries which may be similarly situated.

Mr. TAFT. If I correctly understood the distinguished Senator, he said that if we cannot defeat Hitler by this means in Europe, we shall have to defeat him here. In other words, he states that it is his opinion that unless Hitler is defeated now, we must have war afterward. It seems to me the logical conclusion from that belief must be that we should now be at war. I can see no other logical conclusion, unless it be true that our entering the war would be of no aid to England.



Mr. BARKLEY. If the Senator thinks that the logic of the situation requires a declaration of war, he is free to introduce a resolution declaring war upon Germany.

Mr. TAFT. I am trying to make clear the Senator's position. As I understand, it is a position in favor of war.

Mr. BARKLEY. No; it is not. The Senator from Ohio, who is clever at putting words into the mouths of others, is not going to put into my mouth the statement that I am in favor of war. I am opposed to war. I am opposed to the United States going into this war. I want to see Hitler defeated overseas in order that we may not be required to go to war against him on this side of the ocean; and I believe that the safest and surest way to guarantee that result is to assist England and the other countries fighting Hitler to obtain the materials necessary to enable them to defeat him.

Mr. TAFT. Is not the Senator stating just what he stated before, that if the way to defeat Hitler is to aid England, then the inevitable effect of the fall of the English would be war in this country? I say that if war is the inevitable result of the fall of England, if that means an attack on the United States, we ought to go to war now. That is the only logical, reasonable conclusion to draw from the premises which the Senator has stated.

Mr. BARKLEY. Very well; go to war if the Senator wishes.

Mr. TAFT. I am asking this question—

Mr. BARKLEY. I wish to be frank with the Senator. I hope he will be equally frank in his questions. What I am undertaking to say is that those of us who support the pending measure believe that the safest and surest way for the United States not to be compelled to be involved in war as a participant is to give such aid as will enable the countries which are now fighting Hitler to win. I cannot be a sufficiently accurate prophet to be certain that under no circumstances in the future will we go to war; but I am certain that if England wins we shall be less likely to be required to go to war than if Hitler wins.

Mr. TAFT. I think that is quite correct.

Mr. BARKLEY. I do not believe that England needs any manpower so far as the United States is concerned. As Mr. Churchill said the other day, so far as he can visualize the situation, England does not now need manpower from the United States, and will not need it in the future. What England needs is materials. What she needs is resources—airplanes, probably antiaircraft guns, and other things which I shall not undertake to specify in detail.

Mr. TAFT. Does the Senator understand that England needs destroyers as well as airplanes?

Mr. BARKLEY. I have no understanding about it, because the only evidence I have so far on the subject is the statement of Mr. Willkie, which I should be inclined to credit if I were sure of the basis upon which he formed his opinion. I do not know, as a matter of fact, whether England needs destroyers.

Mr. TAFT. Mr. President, will the Senator further yield?

The PRESIDING OFFICER (Mr. HAYDEN in the chair). Does the Senator from Kentucky further yield to the Senator from Ohio?

Mr. BARKLEY. I yield.

Mr. TAFT. Does the Senator feel that the logic of his conclusions is that we should go to war if such a course would be of assistance to England?

Mr. BARKLEY. So far as I am individually concerned, I shall deal with that problem when it arises. It is not my conclusion that we ought to go to war now, but it is my fervent hope that we may never have to go to war, either in the United States or in the Western Hemisphere.

Mr. AUSTIN. Mr. President, to declare the policy of the Government is a prerogative of the Congress, and to execute the policy of the Government is the exclusive duty of the Chief Executive. If this Nation is prepared to go to war, and if it is the policy of this Nation to go to war at this time through the regular channel by a declaration of war, under our frame of government and under our theory of politics, Congress is the body which has the exclusive power and the sole duty to declare that war; and when we shall have a resolution pertaining to that subject, if ever we do, then will be soon enough to discuss that question. In my view it is wholly irrelevant to the question of whether the Congress of the United States agrees to the proposal contained in House bill 1776, which of itself very clearly declares certain major policies of the people of the United States which shall be executed by the Chief Executive. For example, shall all the vast, incomparable resources of the United States of America, spiritual as well as material, be summoned to the cause of freedom in the world when it is in the greatest peril that freedom has ever been in? This Nation, through its Congress, answers that question. Thank God, by House bill 1776, it answers it in the spirit of the year 1776 and answers it emphatically in the affirmative.

Moreover, by this declaration of grand policy, we announce a negative policy, the policy of the people of this country with reference to government. We say, in effect, to all the world, "We have no faith in Hitler. We are opposed to his system of slavery. Therefore we will not consent to efforts at a treaty of peace while Hitler has the power of dictating the terms. No more appeasement for us."

As a great country whose voice in international affairs was impressive, we took part in the negotiations which resulted in the Munich agreement. I cannot repeat verbatim what the Chief Executive of this country wrote to Hitler and to Chamberlain on that occasion, but I have before me an extract which indicates that at that time this country was exhausting every effort toward a peaceful settlement of the disturbances of the world. The President, in a note to Chancellor Hitler, pointed out that the United States had "no political involvements" in Europe and "would assume no obligations in the conduct of nego-

tigations," but recognized its responsibility "as a part of a world of neighbors."

For 6 months or so we had peace in the world. Whether the correspondence of President Roosevelt influenced that peace materially, history will sometime afford the evidence. Today we do not know how much effect that correspondence had upon the appeasement of 1938.

I wish briefly to recall the record of some of the promises of Hitler by which we judge his word. In 1934 he said—and this is a quotation:

The assertion that the German Reich plans to coerce the Austrian state is absurd and cannot be substantiated or proved.

Of course, he was taking no risks in challenging the world to disprove what was solely in his mind; but in a short time the Nazis invaded and annexed Austria.

On January 30, 1937, Hitler said:

I do not want to leave any doubt as to the following: We look upon bolshevism as upon an intolerable danger to the world; we shall try to keep this danger away from the German people by every means at our command. Any treaty links—

Notice this—

Any treaty links between Germany and the present-day Bolshevik Russia would be without any value whatsoever. \* \* \* The period of so-called surprises is now over.

On August 21, 1939, Germany signed its pact with Russia.

On February 20, 1938, Hitler said:

The Polish state respects the national conditions in this country, and Danzig and Germany respect Polish rights. Thus it has been possible to find the way to an understanding \* \* \* which has succeeded in removing all friction between Germany and Poland.

Yet, on September 1 of the following year, the Germans invaded and destroyed Poland.

On September 28, 1938—and, mind you, this is about the period to which I have adverted—Hitler said:

The Sudetenland is the last territorial claim which I have to make in Europe. I have assured Mr. Chamberlain, and I emphasize it now, that when this problem is solved Germany has no more territorial problems in Europe.

On March 15, 1939, after he had been given the Sudetenland, Hitler seized all Czechoslovakia; and on March 21 Memel was annexed. He is a very reliable man to have on your contracts, is he not? Would it not be a smart thing for the United States of America, right in the midst of the issue between freedom and slavery, to negotiate a peace between Hitler and Britain, in some way inject itself as a peacemaker into that quarrel and negotiate a peace between them in the present situation of the belligerents?

If we may assume that the terms of such a peace would be beneficial to freedom in the world and harmful to the institution of slavery in the world, of what earthly value would it be, with one party to it Hitler and Hitlerism?

I listened with great benefit to the memorable address by the distinguished leader of the majority [Mr. BARKLEY] in the Senate today, and I follow him logically to his conclusion that the peril



which we now encounter is a peril that involves the world, that the very essence of Hitlerism is its dynamic foreign policy and the scope of it. It does not envisage Europe federated together or united in any other form under the hegemony of Germany. Ah, no! From the beginning down certainly to January 29, 1941, the globe was comprehended in this system of totalitarian philosophy and collectivist economy, and the conquered races of the earth "will not be deprived," he said, "of illiteracy!" He will divide up the world so that there will be a substratum of society which will not bother the upper crust, because they will not know enough to do so; they will not have spirit enough to do so; they will be pacifists. They will be so down under the heel of this master race that they cannot rise. As someone has said, "They will be the gardeners of Hitler."

The latest thing that I have seen published declaring the scope of this doctrine came direct from headquarters, being spoken by Grand Admiral Erich Raeder, commander in chief of the German Navy, among other things saying:

Our fleet will be developed and enlarged to a size befitting our world power. It will take the protection of German interests in the world into its strong hands, and will carry the German flag and the German rams, together with the German merchant fleet, over the face of the globe, proclaiming the greatness and beauty of our country in which the socialism of labor has become a reality.

In consequence of the message of January 10, 1939, in which the President said to the Committee on Military Affairs there is a peril to America threatening, there is a peril to democracy in the world, and it has already affected the Western Hemisphere. We ascertained as a fact the penetration of the Latin-American Republics, with the National Socialist dynamic foreign policy in many different forms, in the colleges and educational institutions of lesser dignity, in the armies and navies, in the mercantile associations, in such flying systems as exist throughout South America. All through there was gradually being infiltrated this dynamic foreign policy which envisages a master race and a subject world.

No sneers can shake my belief that the United States of America is in imminent peril of invasion if Britain falls. All that needs happen is to take from us the benefit of the British Navy and we will be under the threat of invasion—and that is enough. We do not have to be invaded. All we need is the threat of invasion to compel us to go upon the defensive so swiftly that we would have to cash in all our freedom and all our economic institutions and set up here a competitive totalitarian economic system in order to rush preparations through with such haste that when that threat became a reality we would be prepared.

Talk about going to war today. How absurd to ask such a question here. We are not ready to declare war on anybody; we are not prepared; and the principal objective of H. R. 1776 is preparation for war or the threat of war, or even less than that, preparation for

such sanctions of vigor in this country that when we come to deal with Hitler in the world or with Britain in the world, after the cessation of hostilities and the resumption of normal trade, our voice will speak with leadership and with authority. On no hypothesis whatever can this country afford to delay its preparation to the limit.

I have heard over the radio, in private conversation, and even on this floor the implication that there is something about H. R. 1776 that is perilous to the free institutions of this country; I have even heard that under this bill the President of the United States could give away the Navy of the United States. What absurdity! If there were not written into the bill the obstacles to that course in executing the policy written into this proposed law, the very essence of sovereignty forbids it. Was it necessary to have it written into the Constitution of the United States that neither Congress, nor the executive department, nor the judicial department shall destroy the sovereignty of the United States? Oh, no! From the beginning until now—and I hope forever hereafter—reason is the spirit of the law.

We created these institutions in writing the Declaration of Independence, the Bill of Rights, and the Constitution, not in order that we should set forth, panoramically in all their details and characteristics all the fundamental rights there are; oh, no; the Constitution does not purport to say a word about the sovereignty of this country, but it breathes it, and any good man who contends that Congress can by statute give to the Chief Executive the ability and the capacity to give away the entire Navy of the United States, I think, does not understand the institutions of his country.

I say it is an eternal truth of government that that which is essential, that which is necessary, that without which sovereignty will perish or be in danger of perishing is required under our form of government, and any man, be he in office or out of office, who undertakes to destroy that essential to our sovereignty is acting contrary to the fundamental law upon which we built everything.

There are other things I have heard said about the pending bill. The attempt has been made to charge that the bill goes beyond the constitutional limitations of Congress, that it creates power. Nonsense, utter nonsense. Congress creates no power. When we talk about power, we should remember that the people, the inhabitants of this country, are the sole source of power, and the only place in our system of jurisprudence where it will be found written down is the Constitution of the United States. There is the reservoir of power, and what we do as a Congress by way of statute does not raise a single power. We here decide policies; we undertake to express the means by which these primary powers shall be executed; for example, to lay taxes for the common defense. That power rises from the people, of course, and must so rise, and is written in the Constitution.

To declare war. That power must come from the people and does come from

the people through the Constitution, and it cannot be enlarged or abbreviated by anything the Congress can do; no statute can touch it.

To raise armies. That power is given by the Constitution to the Congress of the United States and not to the President.

To provide a navy and to make all laws that are necessary to carry these primary powers into effect.

What does that mean? To create new powers? Not so. It means to delegate here and there, in the most practical and useful and beneficial manner, the exercise of the functions that are necessary to carry into effect these primary powers. These primary powers may not be delegated, Mr. President, but all those powers that are below the grade of a primary power, all those powers that come up from the bottom, clear to the primary powers—in other words, all the secondary powers—may be delegated, and in most cases they must be delegated. There is absolutely nothing in this bill except secondary powers. There is not in this bill the least attempt to delegate a primary power.

What are some of the things? We say, Mr. President, it is our exclusive business to summon the resources of the country for its defense, and it is the President's exclusive business to make use of them. All right. Examine the bill. I have done so, and have undertaken to put down briefly just these categories—and I am sure I have not completed the categories that could be picked up from the bill. These are incidental ministerial powers which are properly delegated. The question of policy is a thing about which we may fight. That is a thing about which we honestly disagree here; but as to whether we are violating our duty as legislators, as we are charged by a barrage of inspired postal cards with doing, my answer is that is hokum.

Look at these powers:

Expenditure of money for all the uses leading up to the common defense. That is in this bill.

Exchange of benefits with Great Britain or any other power whose defense Congress says is vital to our own safety and security, to be found and declared by our agent in that regard, the President of the United States. Exchange? There is a story in point. It will be recalled that after our boys had reached France by a miraculous development of transport and General Pershing found himself surrounded by those brave fellows with no place to go and no way to get there, he made a frantic appeal to the Government in Washington for mules. It was impossible to buy mules. Enough mules could not be found in America, and they could not have been transported there on time if they had been found here; but in Spain, not far away, were plenty of mules. When our representatives went to buy Spanish mules they could not be bought with gold, but there was one thing that Spain needed vitally, because it affected her bread supply, and that was ammonium sulphate to fertilize the soil. By reason of the flexibility of powers possessed by a President in time of war we



were able to make an exchange of ammonium sulphate for mules. The fact that we were able to make it quickly, speedily, was of the very essence of the cure of the great embarrassment of our Army. That is a reason for the flexibility that is found in this bill, H. R. 1776.

Enlistment of people and industries as well as armies—that is an incidental power.

Conscription of the brains of industry as well as the factories themselves; commandeering of transportation, communication; conserving energy and materials and time—these are things that are ministerial.

Coordinating and developing teamwork; that is, teamwork of every American, no matter what his employment, no matter what his profession, unifying this country into one great team. That is a ministerial act which can be delegated.

Determining essential as distinguished from nonessential industries and products, and establishing priorities for the essential ones.

Controlling prices; forestalling the profiteer.

Adapting administration of justice to a high tempo.

Balancing supply and demand.

Reducing America's surplus fat.

Controlling employer and employee.

Salvaging waste manpower and material.

Integrating production and fabrication.

Acting as the steward of the battle lines, as it were.

Equipping and animating civil-defense organizations in America.

Here is some evidence of that already, and it comes up from the grass roots:

The cities of America are looking to Washington and saying to Washington, "What are you doing? If Montreal must build air shelters today, why are you allowing us to go unprepared? Do you think it is a far cry to danger from Montreal to Boston and New York?" We travel that distance in 2 or 3 hours by air. Boundary lines, whether fortified or not—and we boast of the fact that there is not a fortified boundary line between ourselves and the Dominion of Canada—count not today in the modern form of warfare.

Under these conditions, the future being so uncertain as it is, the cities of America have made a preliminary report to the President for civil defense organization and administration in the United States which will afford any citizen of the United States cause for serious contemplation of what confronts us as legislators of the Federal Government. We answer the cities of America by this bill. H. R. 1776 will say to the cities of America, "We have adopted one grand policy which we know by test, by actual experience in the World War, is right; it is right because it does the work; and that is, centralization of responsibility and decentralization of authority." That is the major policy involved in House Bill 1776, and we know it—some of us from experience, and many of us from listening to the not-so-venerable voice of history.

Other powers that can be and are delegated in this bill are consolidating the

strength of agencies calculated to protect this country from sabotage, sedition, espionage, and other disloyalties. In other words, Mr. President, we are not only on the defensive from without, but we are on the defensive from within; and we go forward with the effort of really metamorphosing industrial America for the main objective of national defense. It takes time. One reason why it takes time is that we want to do this in an orderly way. We do not want to create the snarl of industry that we created in the first 12 months of the World War. There we were, with more centralized responsibility to start with on the declaration of war on April 6, 1917 than we shall have even after the enactment of H. R. 1776. Yet this country fell into such terrible confusion from the fact that there were 20 or more different agencies of procurement, giving orders and making contracts with the same sources of supply, without any regard to each other's priorities or equal rights, that the whole system was in danger of collapsing, when President Wilson, exercising his power as a war President, and not by virtue of any statute of the United States, gave to Bernard M. Baruch the authority of a dictator over industry, galvanized the War Industries Board into life, and enabled it to be the clearing house of all these snarls. What appeared like an industrial miracle followed, and I say, after careful study of the incident, that it was not merely a sequel, it was a consequence of the adaptation of the principle of centralization of responsibility and decentralization of authority, for the then administration picked out the finest men in America, regardless of any political affiliation, and said to one of them, "You shall have charge of priorities, and your word shall be law. Now, go and do it." To another man they said, "You shall have charge of prices, and your word shall be law." To another they said, "You shall have charge of transportation, and your word shall be law." They spread such authority geographically over a continent, and they had the American people smiling again within 30 days. The accomplishment of America in 6 months taught us a lesson which we should remember forever, that is, that whenever this country is engaged in war of the modern kind, which lines up not merely armies in opposition to each other, but lines up the whole industrial life and the whole spiritual life and the whole economic life of the countries involved, citizens at home as well as soldiers in the ranks—in that form of warfare it is of the highest importance that there should be a civilian agency supreme over military and naval agencies in the procurement of all industrial materials.

Could that be done without H. R. 1776? I have noted that somewhere someone asked the question, "What is there that could be done under the pending bill that cannot be done now?" One of the things is that under the bill, if it shall be enacted, the President of the United States could appoint a man who would be in charge, at the head of such a clearing house as I have just mentioned. Wilson could do it, and did it, because we were in war. War had been declared, and he was exercising war powers, and

took the action by Executive order. The present President could not do that.

I have sent for and examined carefully the set-up to date, and it is perfectly clear to me that there have been organized on paper practically all the different Federal agencies which were employed effectively during the last 6 months of which I have spoken, from March to September 1918. All those agencies are set up, many of the places filled by men today, but they are not really doing business, because they must be galvanized into life, they must have authority, which they have not, and which they cannot have unless we pass House bill 1776 or something like it.

Substitute a two-billion loan for this proposal? Where, oh where, would national defense be with that kind of a solution of the problem? It would be utterly futile. It would accomplish just one thing—which is necessary, and which is readily recognized even by those who would substitute that kind of an act for the proposed law—that is, it would give us time. Undoubtedly it would invigorate Great Britain to some extent, although it would be much slower and more difficult for her to obtain transports and munitions and all such things, because she would have to begin at scratch with this loan of money, whereas under the proposed act we could move on now and give her some of the goods at once, and not keep her waiting. It would give us time, because we would get the benefit of the protection on the Atlantic Ocean by the British Fleet as long as Britain was able to stand up and gallantly fight, as she has done so long already, for our cause. No one here will deny that it is our cause. Freedom in the world would not exist with slavery dominating a large share of the earth's surface, such a share as Germany probably would dominate if she should triumph in this conflict. So time would be gained.

But there is more to this problem. We must make the national workshop turn out goods at such a rate and of such quality and with such service that we will be able to afford to Britain effective aid to win, and at the same time build up our own defenses here on our own soil to meet any invader who may come to our shores.

Time is the point. The time is brief for us. We must get to work as quickly as we can. We must have all the time possible converted into moments of productiveness here, and we must have all our people straining every energy, and all the resources of this country poured into the great workshop, in order that we may accomplish this high objective of ours, which is not merely aiding a neighbor, a friendly neighbor, with whose institutions and principles we have so much in common; we have to consider the great future, we have to consider the generations which will come after us.

I pause in fear sometimes to think of what kind of a civilization would be maintained by a race of men and women who were the sons and daughters of those who would not fight for freedom, but who would accept the powerful hegemony of a dictator merely because thereby it



would be easier for them. Over against that I think of the sons and daughters of the boys in the R. A. F., and the women of Birmingham. Think of that race by contrast.

Mr. President, our objective is nothing mediocre. We dare to envisage a world in which the principles of freedom shall dominate, where the nobility of the individual will cause him to rise above the great difficulties and hardships with which he is surrounded today, and where mankind will carve out a civilization which will excel in its accomplishment any other previous civilization.

We know the necessity of having freedom and liberty in order to gain the achievements of the soul. Freedom is the very oxygen of the soul. So we envisage a great goal, a higher plane of civilization in the world, in which we hope it will be possible some day that peace may be maintained, not by the rule of force but by the rule of justice.

Mr. President, I want here and now to give thanks publicly and pay a tribute to Lord Haldane's memory for a vision he had and which he imparted to an audience in Montreal many years ago, in 1913, when the British and American and Canadian Bar Associations met there. There was in attendance a galaxy of great statesmen. The then Chief Justice of the United States, Mr. Taft, was present. The elder Choate, then in full exercise of his magnificent powers, was there. There was present a lawyer by the name of Smith, from Ottawa, who was the equal of any of the others. Emile Zola was there. Batonnier, of the Paris bar, who defended Dreyfus, was there. Lord Haldane was there. It was a great symposium. The mighty intellects and great spirits who were there exchanged views, and on that occasion Lord Haldane held out the hope of such an improvement in civilization that nations would discipline themselves as individuals do; that nations, figuratively, would go down the street without jostling their neighbors; that nations would so discipline themselves that they would not give cause for war; and if there arose a difference or a disagreement of sufficient importance to require settlement, that a method of arbitration and trial and settlement would be adopted.

No doubt, that is higher ethics. I am not so unreal as to believe we are ready for it today. No; we are realists. We hold fast to these ideals, but at the same time we do not forget present conditions. We know, Mr. President, that in order to preserve in as much of the earth as possible the principle of freedom, the United States, the greatest leader of thought, the greatest producer of wealth, must be armed to the teeth, and that her preparation must be nothing less than perfect, for perfection alone is invulnerable.

Mr. GILLETTE. Mr. President, before the Senator yields the floor, will he yield for one question?

Mr. AUSTIN. Certainly.

Mr. GILLETTE. In the early part of the very magnificent address which the Senator has just delivered, he painted a very vivid picture of the utter faithlessness of Mr. Hitler, the irresponsible position he occupies as to his pledged word,

and, if I correctly understood the Senator, he directed attention to the possibility of our projecting ourselves into a situation where we would be sitting at the peace table with a man of that kind—

Mr. AUSTIN. No; I did not.

Mr. GILLETTE. For a negotiated peace.

Mr. AUSTIN. No; I cannot imagine the United States of America being in this war. I really feel that the product of our efforts will be peace; that no army of the United States will be in the conflict; and that consequently we will not be present at the peace table, and it is my concern which arises out of that situation which causes me to wish that my colleagues would interest themselves in trying to bring about public study and consideration of what we should insist upon as a leader in world affairs—what we should insist upon that Britain represent for us at that table.

Mr. GILLETTE. Mr. President, will the Senator yield for a further question?

Mr. AUSTIN. Yes.

Mr. GILLETTE. Then it is the Senator's opinion that, even if this bill should be passed, and effective aid should be rendered under the authority it would give, limited as the Senator has outlined, we would have no stake in the future of the world which would be represented at the peace table and in the negotiations there?

Mr. AUSTIN. Mr. President, I fear the Senator has reversed me in some manner—I do not know how he did it—but that is just the opposite of my claim. I contend we have so great a stake that even though we are not a belligerent we must have a representative there looking after our thoughts, our ideas, our desires, and our interests, and give assurance to the world that we will throw the weight of our spirituality, of our wealth, of our economics, and of our military power, which we expect to make the greatest on earth, on the side of free institutions; that we will cooperate in lifting from the trade lanes of the world the system of collectivism and barter which puts men who work in the factories in the status of slaves; that we will help to maintain in the world the principle of capitalism as an economic system, capitalism adjusted so as to be more fair and more just to all those who are actors in it, not merely at home, but internationally; and, of course, what we want to know is, and we should know it now as early as possible, what is Britain's position? What will Britain do when she comes to the peace table? Will she take our advice before she negotiates the terms of the peace, or will she not?

That is a simple thing to say. Of course there are other things involved. But, understand, I do not expect to try to have our stake in the peace settlement determined today in detail. I could not think men are wise enough to do that. Neither do I expect to tie it down to an alliance or put it into a treaty.

I have seen enough of the practical operation of international friendship that rests upon the spirit of the people of the two sovereignties concerned to know that an exchange of notes is all that is necessary, if you are armed with eternal truth,

if you have agreed upon something that is essentially right. I have no doubt that we are advancing along the line of spiritual development in this country to the point where we will be able to perceive what is right, and that we will throw our influence and our very great strength on the side of right.

Mr. GILLETTE. Will the Senator yield for one more question?

Mr. AUSTIN. Yes.

Mr. GILLETTE. If I follow the very excellent statement made by the Senator, if we have this all-important stake at the peace table, and a representative at the peace table, and are negotiating with someone whose word is absolutely worthless, then it is all-essential that it be an imposed peace, with power behind it to force the imposition?

Mr. AUSTIN. I do not know that that is an exclusive result of the logic. I see that it is one result. That is why I said that I am realistic enough to believe that we must maintain a perfect defense. We must have a military establishment which is invincible.

Mr. GILLETTE. Mr. President, will the Senator further yield?

The PRESIDING OFFICER (Mr. O'MAHONEY in the chair). Does the Senator from Vermont further yield to the Senator from Iowa?

Mr. AUSTIN. I yield.

Mr. GILLETTE. Did not the Senator say more than that? Did he not in his statement visualize not only a position of perfect defense, but a position in which we might have the power to force and impose a peace?

Mr. AUSTIN. Oh, yes; but would we do so? I did not advocate such a course. I think we can speak softly if we carry a big stick. My idea is that the authority of our voice in any peace settlement is likely to be strong if we are strong in a military way; and it is likely to be worthless if we are not.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. AUSTIN. I yield.

Mr. CLARK of Missouri. I take it from the last statement of the Senator that he does not agree with the view of his peerless leader, Mr. Willkie, who testified the other day before the Foreign Relations Committee that if the United States so desired, it could impose peace terms which would include the restoration of Holland, Belgium, Norway, Poland, Czechoslovakia, and possibly Rumania and Estonia.

Does the Senator agree that the United States is or ought to be in a position to impose regulations as to the division of territory around the world?

Mr. AUSTIN. Mr. President, the question involves many things, but I think I understand it.

Mr. CLARK of Missouri. The statement of Mr. Willkie involved many things.

Mr. AUSTIN. I studied Mr. Willkie's statement and his cross-examination with great care, and I am of the opinion that no such statement was made by him.

As to the other part of the question, as to what I would advocate, certainly I am not advocating the imposition of anything upon anybody at this time.



Whether we may have to do so is another question. I can conceive that such a thing may become necessary, but I do not think it is necessary today. Even if Britain should balk and say to our negotiators, "No; we will not signify to you what our position is on the question of trade lanes, the Monroe Doctrine, oriental policy, or eastern Africa." I should still say that we should aid Britain just the same. Our chief objective is the protection of the United States, and we want the British Navy at work for us.

Mr. CLARK of Missouri. The Senator and I are in disagreement on the question of fact as to Mr. Willkie's testimony. That question can easily be settled by reference to the record, which I do not have in my hand at the moment.

Mr. AUSTIN. Certainly.

Mr. CLARK of Missouri. What I am trying to find out is the Senator's view as to whether the United States, by any possibility, could enforce the reestablishment of the countries to which I have referred. I am certainly as much in sympathy as anybody could possibly be with their reestablishment; but is there any way by which we could dictate or impose such a condition?

Mr. AUSTIN. The Senator from Missouri and I are such close friends that we understand each other thoroughly. My personal opinion is that if the war should end by a truce, or by the defeat of Hitler—it makes no difference which—Hitler having failed to invade Britain and bring Britain to her knees, the effect would be that internally the democracies would recover themselves. Of course, they would have our sympathy and our help in every way short of coercion.

Mr. CLARK of Missouri. I agree with the Senator.

Mr. AUSTIN. As such things work and have worked before, a party would arise which would overturn the present regime and again set up a democratic government, which might not be exactly the same type of democracy as before, but which would be an effort to shake off the servitude which is imposed upon them, which makes Holland little more than a flower garden today.

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. AUSTIN. I yield.

Mr. WHEELER. I was interested in the observation which the Senator made. I will say to him that if I permitted my emotions and my sympathies to carry me away, instead of standing before the Senate today and opposing the bill, I should not only be in favor of it but I should be saying that we ought to go over there and go to war. However, I try to be realistic about the matter, and try not to let my emotions and my sympathies carry me away. I think it is the duty of every Member of the Senate not to let his emotions and sympathies sway him but to be realistic, and say what is for the best interests of the United States of America, first, last, and all the time.

Mr. AUSTIN. I agree with the Senator.

Mr. WHEELER. The Senator made a statement with which I agree if I correctly understand him. He said that if a truce were to be brought about, or if

England were not brought to her knees, then the conquered democracies would reestablish themselves. I am in thorough accord with that view. I notice that Dorothy Thompson, who a short time ago was saying that we ought to go over there, that Hitler had won the war, and so forth, has changed her tune. She is now saying that Hitler has lost the revolution. I agree with that view.

The Senator has been to Europe many times, as have some of the others of us, and has spent considerable time traveling over Europe. I am sure he recognizes the fact that Hitler has lost the revolution, and that in the event of a truce it would be impossible for him to keep the people of Europe under subjection. He could not do it, and nobody else could do it for any considerable length of time by the power of the bayonet, in the case of people who have the intelligence possessed by the people of Holland, Belgium, and France. It can be done in Russia, where there is a great mass of ignorant peasants; but intelligent people cannot be kept in subjection by the bayonet. It seems to me that if a truce should come about Hitler's real problem would arise. In that event we could be of tremendous help in bringing about the very thing to which the Senator calls attention. By economic pressure and otherwise we could help reestablish the oppressed peoples and get them away from the serfdom under which they now live.

Mr. AUSTIN. Yes. Morale is a great factor.

Mr. WHEELER. I should be entirely and wholeheartedly in favor of such a program.

Mr. AUSTIN. I am very glad to have that statement from the Senator.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. MEAD in the chair). Does the Senator from Vermont yield to the Senator from Missouri?

Mr. AUSTIN. I yield.

Mr. CLARK of Missouri. The Senator from Montana has said practically what I rose to say. Irrespective of the question of our intervention in this war, and irrespective of the possibility of our participating in a dictated peace, there is a probability that the Hitler domination will fall to pieces of its own weight, just as the Napoleonic empire fell to pieces of its own weight. Is not that true? Perhaps I have stated it crudely. Does the Senator have any doubt that the Hitler domination is bound to fall to pieces of its own weight, irrespective of United States intervention and irrespective of our attempt to join in a dictated peace?

Mr. AUSTIN. Mr. President, I once thought so, but of late I am beginning to think that there is something in the Prussian character which will keep that dynamic foreign policy operative until it is crushed. That is an unpleasant view to have to hold on the matter, but that is the impression I am gaining.

Of course, the morale in Napoleon's time, morale compared to matériel, was as three is to one. Naturally the morale even of Germans of the Prussian type,

who have been disappointed time and again, to whom promises have been made and broken repeatedly, and who are suffering the inconveniences of camp life on the front, grows less and less strong; and I have no doubt that the German morale, as affecting the private soldier and the officer, has slumped since the triumph over France and the occupation of France. However, I doubt very much if a counterrevolution is on the way.

Mr. CLARK of Missouri. Mr. President, of course, the Senator is familiar with the fact that Napoleon overran the whole of Europe, that he set up his brother on the throne of Holland, that he set up his brother-in-law on the throne of Naples, that at one time he had complete control of the European Continent from Cadiz to Moscow, that he repeatedly overran Prussia and even took the trouble to steal Frederick the Great's sword; and yet that Empire, by overexpansion and the sapping of morale, went to pieces so suddenly that the suddenness of its disintegration shocked the world.

Mr. AUSTIN. Yes. On the contrary, from my reading of history I remember that what is now called Germany was once a mass of principalities divided into small groups and disunited, and that it took a tremendous diplomatic effort on the part of Bismarck, as well as the stirring up of a war in which Napoleon III was brought in as a factor, to unite those duchies and principalities into what is Germany. However, they have stuck together ever since, they have been together in a united business, and I think they are dominated by the Prussians. That is my impression.

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. AUSTIN. Yes.

Mr. WHEELER. I was called out of the Chamber and did not hear all the Senator's speech. May I ask if the Senator thinks this bill is synonymous with aid to Britain?

Mr. AUSTIN. Why, no. This bill, so far as aid goes, is mutual. It is just as much aid to the United States as aid to Britain.

Mr. WHEELER. Of course I have to disagree violently with that view.

Mr. AUSTIN. I understand; but that is a response to the Senator's question.

Mr. WHEELER. I do not think it is a response to my question, to be perfectly frank about it. I have no objection to the Senator's expressing his views, of course.

Mr. AUSTIN. Then I should have to say, "No."

Mr. WHEELER. Very well. May I ask if there is anything in this bill that gives the President power to do any more than he has already done in aid of Britain?

Mr. AUSTIN. Oh, yes.

Mr. WHEELER. Let me ask if the further aid which the President could give to Britain would not be that he could commit acts of war, which he could not do without the bill?

Mr. AUSTIN. Oh, no; not at all.

Mr. WHEELER. The Senator says, "Not at all?"



Mr. AUSTIN. Not at all. Since the Senator is asking questions, will he himself consent to answer a question?

Mr. WHEELER. Yes; I shall be happy to do so.

Mr. AUSTIN. What act of war is by this bill vested in the President?

Mr. WHEELER. Let me call attention to what happened in France. I think the Senator may be familiar with it, but under the French Constitution, the law of the 16th of July, 1875, article 9, it was provided:

The President of the Republic shall not declare war without previous consent of the two Houses.

Under that law, Premier Daladier was given full powers—for what? For the defense of the country; and for the defense of the country he took the country into war.

Let me call attention to the similarity. The so-called full powers granted to Premier Daladier by the Parliament on the 19th of March 1939 are shown by the *Journal Officiel de la Republique Francaise* for the 20th of March 1939 (p. 3646). I do not happen to have the quotation before me right now, but I have it in my office; and I am quite sure I am quoting it correctly. He was granted powers for a very limited time for the defense of the country; and he was to report to the Parliament exactly as we are providing in this bill. No declaration of war was ever adopted by the two Houses of France. The French President never signed any declaration of war; Premier Daladier never signed any declaration of war, and up to the present moment there has never been any declaration of war; but under the law granting him the power of defense of his country, that was interpreted by him as the power to take his country into war.

So I am saying to the Senator that under this bill, and according to the interpretation laid down by the Supreme Court of the United States in the case of *Wright Bros. against United States*, with which the Senator is familiar, it would be held that a delegation of power such as we would be giving the President by the terms of this bill would be sufficient authority for him, in the face of international law, to do things which under international law would be considered acts of war.

I submit to the Senator this question: Does he think for one moment that at the present time the President has authority under our Constitution to wage a war without a declaration of war by the Congress of the United States?

Mr. AUSTIN. That is a very big introduction.

Mr. WHEELER. No; that is a question. Does the Senator think the President of the United States has such power?

Mr. AUSTIN. Let us dispose of the introduction with just one statement that I should first like to have in the Record.

Mr. WHEELER. Very well.

Mr. AUSTIN. I want to keep the Record straight.

Mr. WHEELER. Yes; of course.

Mr. AUSTIN. The introduction to the question is a violation of the ancient

maxim *res inter alios acta*. That is wholly another and different case.

Mr. WHEELER. I do not agree with the Senator. Before I get through I shall call the attention of the Senate to exactly what was done in France. The Premier of France was given dictatorial powers—what for? The defense of the country. But under such powers the Premier of France guaranteed the independence of Poland, and he took his country to war. The French people did not give the power to guarantee the independence of Poland; they did not give him power to take the country to war. They gave him power to defend his own country.

Mr. AUSTIN. Why does not the Senator speak about the unfortunate attitude of the inhabitants of France who had succumbed to the doctrine of pacifism, and who believed that they were safe and secure to such a degree that they failed to do what we are doing, and failed to prepare to defend themselves? That is the important thing.

Mr. WHEELER. I am glad to answer the Senator's question. Let me say to the Senator that I called attention the other day to the fact that in the United States today we have not a single, solitary airplane that is fit or that is sufficiently modernized for combat service in Europe.

Mr. AUSTIN. Who tells us this most accurately, those who are engaged in the production of planes or those who get their knowledge and information from those sources? I am informed by those who know that we increased our production of military planes in the last month by approximately 350 planes compared to the production of the previous month; that is to say, it was as 750 to 1,100 or something like that.

Mr. WHEELER. The Senator is talking about an entirely different thing. I do not want to have the Senator lead me astray. What I am saying to the Senator now is that if there is any question about the accuracy of my statement with reference to our being unprepared to enter the war at this time, I challenge the Committee on Military Affairs or the Foreign Relations Committee to call before it not the Secretary of War, not the Secretary of the Navy, but the head of the departments down below, and let them tell what deplorable condition the Army and the Navy are in at the present time with reference to airplanes, with reference to ships, with reference to everything else, and particularly with reference to powder.

It is not necessary to take my statement. I am not challenging the Senator. I am simply saying that I challenge the committees to call before them the proper officers and let them tell the story and make it public.

Mr. AUSTIN. Mr. President, I accept the challenge, of course, and I am very glad to have this much stimulation to the country.

Mr. WHEELER. I thought the Senator would be glad.

Mr. AUSTIN. I will work with the Senator from Montana along that line.

Mr. WHEELER. That is fine.

Mr. AUSTIN. We are pulling together, and when he and I pull together we get somewhere.

Mr. WHEELER. We always have done so.

Mr. AUSTIN. I should like to start on the assumption we are wholly unprepared, because I think on that assumption, starting from scratch, we can show the world a miracle, if we pass H. R. 1776.

Mr. WHEELER. What has that got to do with our defense? Is there anything in this piece of legislation having to do with that? I ask the Senator to point out anything in this measure that in the slightest degree aids our defense.

Mr. AUSTIN. Yes.

Mr. WHEELER. Will the Senator tell me what it is?

Mr. AUSTIN. The whole bill.

Mr. WHEELER. Call my attention to one paragraph.

Mr. AUSTIN. Has the Senator been present throughout my discussion? I do not think he heard what I said about that.

Mr. WHEELER. I did not, but I ask the Senator now to point out one line or one paragraph where there is anything in the bill to aid our defense. If we are talking about British defense, that is one thing; but if we are talking about the defense of the United States, that is another thing. I am asking about the defense of the United States as distinguished from the defense of Great Britain or any other country.

Mr. AUSTIN. Will the Senator let me answer?

Mr. WHEELER. I will be very glad to.

Mr. AUSTIN. I will say that every line—not one line, not one word, but every line in the bill—has in it something that helps the orderly production of military materials in the United States.

Mr. WHEELER. Mr. President—

Mr. AUSTIN. Wait until I have concluded the answer. This is no laughing matter.

Mr. WHEELER. No; I will say it is not, and that is the reason I do not like to see the Senator laugh when I ask him a question.

Mr. AUSTIN. The story of production in America is very vividly set forth in the history of the World War. We were under war powers then, and we had all the energy that was derived from the absolutism which the President exercises in time of war. But, notwithstanding that, for 12 months we made a mess of industrial America. Then what happened? That happened which I hope to see happen under the powers of this bill, the concentration in Bernard Baruch and a civilian agency of supreme control over military procurement and disposal.

Mr. WHEELER. Does the Senator mean to stand upon this floor and tell me and tell the Senate that we cannot have that without this bill?

Mr. AUSTIN. I do say so.

Mr. WHEELER. In the first place, what is needed to get production is appropriations by the Congress, and the Congress of the United States has not refused the President—

Mr. AUSTIN. I am not talking about that.



Mr. WHEELER. Wait a moment; I am. I am saying that the production of the United States depends entirely upon the amount of money that is appropriated by the Congress of the United States, and then upon its effective administration and use. We have Mr. Knudsen, and, of course, Sidney Hillman. What more could the Senator ask for than to have Sidney Hillman and Knudsen handling defense?

Mr. AUSTIN. The Senator from Vermont would have one man; that is what he would have.

Mr. WHEELER. I agree with the Senator, but the President has already appointed Sidney Hillman. He would have the power under this bill; he has the power now.

Mr. AUSTIN. No; he has not.

Mr. WHEELER. I beg the Senator's pardon. The President of the United States can appoint one man today or tomorrow or next week, and say to him, "I want you to take charge of this."

Mr. AUSTIN. No; he has not any such authority, and he will not have it until this bill is passed.

Mr. WHEELER. He has done it without authority, then.

Mr. AUSTIN. No. I have the paper set-up; I know what it is; but it is not working, and it is not working because there is not the life in it that is necessary to make it function.

Mr. WHEELER. The Senator does not mean to say that Mr. Knudsen is not efficient and that Sidney Hillman is not efficient; he certainly would not say that as to one of the greatest producers of the world?

Mr. AUSTIN. I would not use my office, in the security that is afforded by that office, to speak about men in that way. I do not do that. I am saying that the bill itself contains the authority which does not exist in any other act. Search them through. I have done so and I know. Take the Overman Act which existed in 1918. That was limited to the then existing war, and it expired with that war. Take the Reorganization Act by which the President created certain bureaus. That act expired January 20, 1941. Then take the Pittman Act, which relates to the Americas. It does not have anything to do with the Eastern Hemisphere. It does not allow the repair or the building or exchanging of vessels or anything of that kind outside the Western Hemisphere. We may take the National Defense Act, section 9, I believe, it is, which corresponds to section 120 of the old National Defense Act of 1916 and permits the making of contracts which shall have the effect of orders and have priority. Who can make those and who can exercise the power of commandeering? Not a civilian agency, but the Secretary of War or the Secretary of the Navy, no others.

Mr. BONE. Mr. President, will the Senator yield?

Mr. AUSTIN. I yield.

Mr. BONE. Under what statutory authority do Mr. Knudsen and Mr. Hillman now operate within the orbit of their activities?

Mr. AUSTIN. The appropriation act passed during the World War contained

legislation—I cannot quote it exactly—which permitted the setting up of a council of national defense; the council of national defense could create an advisory committee, and the council of national defense and the advisory committee to the council of national defense could divide themselves into innumerable other committees, and among them there has been set up altogether—I will give the number to the Senator in a moment and afford him an accurate answer.

Mr. BONE. I am interested in what limits are imposed by statute or the regulations under the statute on the powers that Mr. Knudsen or Mr. Hillman might exercise. If they have come into existence by virtue of some statute, is there a limit on their activities and their powers under the statute?

Mr. AUSTIN. They have no authority; there is no authority of law for those men to fix prices, to establish priorities, to command a factory to give up some of its business in the interest of conservation and the filling of orders for the national defense. None of those powers that were found necessary during the World War in order to speed preparation in order to accommodate the national defense in 6 months remains; they are all dead. They died with the World War and none of them remain. They existed then principally by virtue of the war powers of the President and were created by Executive order. The Senator will hunt in vain for statutes which created many of those powers. Some of them he will find. He will find the conservation of food covered by statute; he will find the rationing of coal covered by statute, and so on. There were certain such statutes, but they are gone.

Mr. BONE. What are the provisions of the National Defense Act which is now in force and has been since it was adopted in 1920, I think, which contained very broad provisions and a broad grant of power?

Mr. AUSTIN. Yes; that is section 120, and I will tell the Senator what it provides, in effect. It is in time of war, or the imminence of war, that the President may have these powers—that is, through the Secretary of War or the Secretary of the Navy to make contracts for the procurement of war supplies, and so forth, and so forth, which shall have the effect of orders.

That was section 120 of the National Defense Act. Then in our work at the last session we engrafted on the Selective Service and Training Act a section taking over section 120, with two remarkable changes in it. One was deleting the words "in time of war or the imminence of war," which made the section apply to the present conditions, leaving it without any such limitation. The other was the last clause in it. Let me show it to the Senator. It partly explains why the enactment of House bill 1776 is necessary. This clause was not taken over. The reason why it was not may be because I had already submitted a resolution which would create a board or an authority of a civilian character, nonpartisan, to take on the work of speeding up production. That was not agreed to. Congress also rejected this language, which was in the

National Defense Act of 1916, and is the last paragraph, of section 120, reading as follows:

The President is hereby authorized, in his discretion, to appoint a Board on Mobilization of Industries Essential for Military Preparedness, nonpartisan in character, and to take all necessary steps to provide for such clerical assistance as he may deem necessary to organize and coordinate the work hereinbefore described.

That is gone.

Mr. WHEELER. Mr. President, will the Senator now come back and read me the provisions of the pending bill which give the President power to take over industry or to fix prices?

Mr. AUSTIN. I have said I would take the whole bill.

Mr. WHEELER. But that is a general term. Cannot the Senator call my attention to one paragraph in the bill which gives the President power to take over industry or to fix prices?

Mr. AUSTIN. Yes; I can.

Mr. WHEELER. I ask the question because if it is in this bill I think it would be interesting to the country to know it.

Mr. AUSTIN. Of course, Mr. President, it seems to me there is a limit to rational conduct in a debate in the United States Senate. Beyond that I am willing to go on occasion, but I am not going to be led very far beyond it.

Mr. WHEELER. Does the Senator think I am leading him far?

Mr. AUSTIN. The idea that the Senator from Montana himself cannot read the bill is rather a violent one, in my estimation.

Mr. WHEELER. I have read the bill, but I cannot find in it the specific provisions to which the Senator refers. I take it that the Senator does not agree with the statement made a short time ago by an eminent person that the President already has power to take over Henry Ford's business.

Mr. AUSTIN. The Senator from Montana may take it any way he likes. I do not ordinarily conduct my own views by agreeing with somebody or disagreeing with somebody. That gets nowhere with me. I suppose I have the same infirmity of the illusion of the great name that others have, and I recognize that that is a fallacy of logic into which I may fall at any moment. If the Senator has the name of some great authority he wants to cite to persuade me to agree with him, I will take it into account.

Mr. WHEELER. I have not any great authority, except a newspaper clipping in which somebody stated the other day that the President could take over Henry Ford's business now. Of course, if that could be done, it would not be necessary to pass this bill, but I do not see anything in this bill which authorizes it.

Mr. AUSTIN. I saw by the Record that another distinguished person did not see in this bill anything that had to do with local development, speeding up manufacturing, and so forth. If the Senator will give me time, I will read him some of the things to which I refer. They are numerous.



Section 3 (a) is the first place I find: Notwithstanding the provisions of any other law—

Which is significant—

Mr. WHEELER. That is true; it is very significant.

Mr. AUSTIN. I continue reading:

Notwithstanding the provisions of any other law, the President may, from time to time, when he deems it in the interest of national defense—

That is another policy which the Congress declares—

to the extent to which funds are made available—

And that is a limitation—

or contracts are from time to time authorized by Congress—

That is another limitation—

authorize—

Whom? Not just the Secretary of War and the Secretary of the Navy, as stated in section 120 of the National Defense Act, and as stated in section 9 of the Selective Training and Service Act, but somebody else, and that is the significant broadening factor in the bill; and that other person is—

or the head of any other department or agency of the Government.

In other words, the President may galvanize into activity, into life, O. P. M., or the Advisory Board, or any other of the paper bodies that are set up, and a list of which I ask to have inserted in the RECORD; and this is the only law there will be, up to date, by which he can do it.

The PRESIDING OFFICER. Without objection, the list referred to by the Senator will be printed in the RECORD.

The list is as follows:

**EXECUTIVE ORDER ESTABLISHING THE OFFICE OF PRODUCTION MANAGEMENT IN THE EXECUTIVE OFFICE OF THE PRESIDENT AND DEFINING ITS FUNCTIONS AND DUTIES**

By virtue of the authority vested in me by the Constitution and the statutes, and in order to define further the functions and duties of the Office for Emergency Management with respect to the national emergency as declared by the President to exist on September 8, 1939, and to increase production for the national defense through mobilization of material resources and the industrial facilities of the Nation, it is hereby ordered:

1. There shall be in the Office for Emergency Management of the Executive Office of the President an Office of Production Management, which shall consist of (1) a Director General, and (2) an Associate Director General, each to be appointed by the President, (3) the Secretary of War, and (4) the Secretary of the Navy. The members shall serve as such without compensation, but shall be entitled to actual and necessary transportation, subsistence, and other expenses incidental to the performance of their duties.

2. With such advice and assistance as it may require from other departments and agencies of the Federal Government, and subject to such regulations or directions as the President may from time to time prescribe, and subject further to the general policy that the Departments of War and Navy and other departments and agencies of the Government will be utilized to the maximum extent compatible with efficiency, the Office of Production Management shall:

a. Formulate and execute in the public interest all measures needful and appropriate in order (1) to increase, accelerate, and regulate the production and supply of materials, articles, and equipment and the provision of emergency plant facilities and services required for the national defense; and (2) to insure effective coordination of those activities of the several departments, corporations, and other agencies of the Government which are directly concerned therewith.

b. Survey, analyze, and summarize for purposes of coordination the stated requirements of the War and Navy and other departments and agencies of the Government, and of foreign governments for materials, articles, and equipment needed for defense.

c. Advise with respect to the plans and schedules of the various departments and agencies for the purchase of materials, articles, and equipment required for defense, to coordinate the placement of major defense orders and contracts and to keep informed of the progress of the various programs of production and supply.

d. Plan and take all lawful steps necessary to assure the provision of an adequate supply of raw materials essential to the production of finished products needed for defense.

e. Formulate plans for the mobilization for defense of the production facilities of the Nation and to take all lawful action necessary to carry out such plans.

f. Determine the adequacy of existing production facilities and to assure their maximum use; and, when necessary, to stimulate and plan the creation of such additional facilities and sources of production and supply as may be essential to increase and expedite defense production.

g. Determine when, to what extent, and in what manner priorities shall be accorded to deliveries of material as provided in section 2 (a) of the act entitled "An act to expedite national defense, and for other purposes," approved June 28, 1940. Deliveries of material shall take priority, as provided in said act, in accordance with such determinations and the orders issued in pursuance thereof by the Office of Production Management.

h. Perform the functions and exercise the authorities vested in the President by section 9 of the Selective Training and Service Act of 1940.

i. Serve as the liaison and channel of communication between the Advisory Commission to the Council of National Defense and the Departments of War and Navy with respect to the duties imposed upon the Commission by the following-named acts, and with respect to all other matters pertaining to defense purchasing and production: Public, Nos. 667, 781, 800, and 801, and Public Resolution No. 95, Seventy-sixth Congress.

j. Perform such other functions as the President may from time to time assign or delegate to it.

3. The Director General, in association with the Associate Director General, and serving under the direction and supervision of the President, shall discharge and perform the administrative responsibilities and duties required to carry out the functions specified in paragraph 2, subject to and in conformity with the policies and regulations (not inconsistent with such regulations as may be issued by the President) prescribed by the Office of Production Management.

4. There shall be within the Office of Production Management the following and such other operating divisions as the President may from time to time determine:

a. A Division of Production.

b. A Division of Purchases.

c. A Division of Priorities.

Each division of the Office of Production Management shall be in charge of a director appointed by the Office of Production Management with the approval of the President.

5. There shall be within the Office of Production Management a Priorities Board composed of six members. A chairman and three other members shall be appointed or designated by the President; the Director General and Associate Director General shall be members, ex officio. The Priorities Board shall serve as an advisory body and, from time to time as may be required by the Office of Production Management, shall make findings and submit recommendations with respect to the establishment of priorities, the placing of mandatory orders, the assignment of preference ratings, the allocation of deliveries, and other related matters. In making its findings and recommendations, the Priorities Board shall take into account general social and economic considerations and the effect the proposed actions would have upon the civilian population.

6. Within the limits of such funds as may be allocated to it by the President on the recommendation of the Bureau of the Budget, the Office of Production Management may employ necessary personnel and make provision for the necessary supplies, facilities, and services. However, the Office of Production Management shall use insofar as practicable such statistical, informational, fiscal, personnel, and other general business services and facilities as may be made available through the Office for Emergency Management or other agencies of the Government.

7. Executive Order No. 8,572 of October 21, 1940, as amended by Executive Order No. 8,612 of December 15, 1940, is revoked.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, January 7, 1941.

**ADMINISTRATIVE ORDER FURTHER DEFINING THE STATUS AND FUNCTIONS OF THE OFFICE FOR EMERGENCY MANAGEMENT**

Whereas Executive Order No. 8,248, dated September 8, 1939, provides, in part, as follows:

"There shall be within the Executive Office of the President the following principal divisions, namely: (1) The White House Office, (2) the Bureau of the Budget, (3) the National Resources Planning Board, (4) the Liaison Office for Personnel Management, (5) the Office of Government Reports, and (6) in the event of a national emergency, or threat of a national emergency, such office for emergency management as the President shall determine;" and

Whereas the Office for Emergency Management was formally established by administrative order of May 25, 1940, and it is deemed advisable to modify the said order and further define the duties and functions of the said office: Now therefore

By virtue of the authority vested in me by the Constitution and the Statutes, and in pursuance of Part I of the aforesaid Executive order of September 8, 1939, it is hereby ordered as follows:

"1. The Office for Emergency Management shall have the following duties and functions:

"(a) To advise and assist the President in the discharge of extraordinary responsibilities imposed upon him by any emergency arising out of war, the threat of war, imminence of war, flood, drought, or other condition threatening the public peace or safety.

"(b) To serve as a division of the Executive Office of the President, with such subdivisions as may be required, through which the President, during any emergency, may coordinate and supervise and, in appropriate cases, direct the activities of agencies, public or private, in relation thereto.

"(c) To serve as a channel of communication between such agencies and the President concerning emergency activities, to keep the President currently advised of their progress, to assemble and analyze information concerning additional measures that



should be taken, and to assist in the preparation of recommendations for any necessary legislation.

"(d) To provide and maintain liaison during any such emergency with other divisions of the Executive Office of the President and with other agencies, public or private, for the purpose of bringing about maximum utilization and coordination of their services and facilities.

"(e) To advise and assist the President upon or before termination of any such emergency with respect to any measures that may be needful to facilitate a restoration of normal administrative relations and to ameliorate the consequences of the emergency.

"(f) To perform such other duties and functions with respect to any such emergency as the President may from time to time direct.

"2. The work and activities of the following-named agencies, and such other agencies as the President may from time to time designate, shall be coordinated in and through the Office for Emergency Management under the direction and supervision of the President:

"(a) The Council of National Defense, the Advisory Commission to the Council of National Defense and all subordinate bodies and agencies of the Council and Commission.

"(b) Defense Communications Board.

"(c) Office of Production Management (to be created immediately hereafter).

"3. Provision may be made in the Office for Emergency Management for liaison facilities and for the maintenance of routine office services required in the conduct of the work and activities of the agencies coordinated through or established in the Office for Emergency Management.

"4. Any provisions of the administrative order of May 25, 1940, establishing the Office for Emergency Management inconsistent with this order are hereby superseded by this order."

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, January 7, 1941.

ORDER OF THE COUNCIL OF NATIONAL DEFENSE  
REVOKING AN ORDER CREATING THE OFFICE FOR  
THE COORDINATION OF NATIONAL DEFENSE  
PURCHASES

The order of the Council of National Defense heretofore approved on June 27, 1940, establishing the Office for the Coordination of National Defense Purchases and appointing a Coordinator of National Defense Purchases is hereby revoked. All records of the said board shall be made available to the Executive Office of the President, to the end that any unfinished business may be taken over and carried on in that Office. This order shall take effect when approved by the President.

HENRY L. STIMSON,  
*Secretary of War.*

FRANK KNOX,  
*Secretary of the Navy.*

HAROLD L. ICKES,  
*Secretary of the Interior.*

CLAUDE R. WICKARD,  
*Secretary of Agriculture.*

JESSE H. JONES,  
*Secretary of Commerce.*

FRANCES PERKINS,  
*Secretary of Labor.*

Approved:

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, January 7, 1941.

ORDER OF THE COUNCIL OF NATIONAL DEFENSE  
REVOKING AN ORDER ESTABLISHING A PRIORITIES BOARD

The order of the Council of National Defense heretofore approved on October 18, 1940, establishing a Priorities Board is hereby revoked. All records of the said Board shall be made available to the Executive Office of the President, to the end that any unfinished business may be taken over and carried on

in that Office. This order shall take effect when approved by the President.

HENRY L. STIMSON,  
*Secretary of War.*

FRANK KNOX,  
*Secretary of the Navy.*

HAROLD L. ICKES,  
*Secretary of the Interior.*

CLAUDE R. WICKARD,  
*Secretary of Agriculture.*

JESSE H. JONES,  
*Secretary of Commerce.*

FRANCES PERKINS,  
*Secretary of Labor.*

Approved.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, January 7, 1941.

Mr. WHEELER. The Senator did not read the entire paragraph. Let me see if I understand it, because the Senator left off, it seemed to me, at a vital point.

Mr. AUSTIN. Let me finish my answer. I do not care to have that kind of a trick played on me. I have been in a forum other than the forum of the United States Senate enough so that no examiner will get away with that.

Mr. WHEELER. I am sorry the Senator thinks I am trying to play a trick on him.

Mr. AUSTIN. That is the effect of it.

Mr. WHEELER. Why, of course not. I am amazed at the Senator.

Mr. AUSTIN. Mr. President, I did not omit reading further because I was trying to obscure what follows. I undertook to point up what I had read. If the Senator insists on my reading the entire section, I will continue to do it. What follows is this—

Mr. WHEELER. Pardon me. Let me say to the Senator that I had no idea of intimating that the Senator did it deliberately, for the purpose of deceiving me or anybody else.

Mr. AUSTIN. I hope not.

Mr. WHEELER. I would not think of doing that. I thought the Senator knew I had entirely too high a regard for his honesty and integrity to think for one moment that he was doing it for that purpose.

Mr. AUSTIN. I will now continue, Mr. President. I will go back in order to get the context:

Notwithstanding the provisions of any other law, the President may, from time to time, when he deems it in the interest of national defense, \* \* \* authorize the Secretary of War, the Secretary of the Navy, or the head of any other department or agency of the Government—

(1) To manufacture in arsenals, factories, and shipyards under their jurisdiction, or otherwise procure, any defense article for the government of any country whose defense the President deems vital to the defense of the United States.

Let me digress there long enough to make this interpretation of that sentence: By speeding up production in this country to aid Britain, for example, immediately we increase the capacity of the factories, we multiply the number of facilities, we summon the expert workmen and laborers, and we develop a going concern so that at any time we want the product of the factory for our own defense, immediately or hereafter, we shall have the facility made more effective and more productive by virtue of section 1.

Now we come to section 2.

Mr. WHEELER. Mr. President, would the Senator mind an interruption there?

Mr. AUSTIN. No.

Mr. WHEELER. If the President of the United States or the Congress of the United States and the administration cannot at this particular time have the Secretary of War or the Secretary of the Navy do these things, the only other change, it seems to me, is the insertion of the words "or the head of any other department or agency of the Government"; but the President today may have the Secretary of War or the Secretary of the Navy "manufacture in arsenals, factories, and shipyards under their jurisdiction, or otherwise procure, any defense article" for the Government of the United States. There cannot be any question about that, can there?

Mr. AUSTIN. No.

Mr. WHEELER. So that he may do, so far as the defense of the United States and purchasing for the United States is concerned, any of these things.

Mr. AUSTIN. Not any of these things. He may do these things only through the Secretary of War and the Secretary of the Navy. There is quite a difference.

Mr. WHEELER. If the Senator will pardon me, of course the Secretary of War and the Secretary of the Navy are under the jurisdiction of the President of the United States. They are his agents, and anything he tells them to do in the way of procuring or manufacturing anything that is necessary for the defense of the country they will do. It is provided that they can—

manufacture in arsenals, factories, and shipyards under their jurisdiction, or otherwise procure, any defense article for the government—

Not of this country, but—

for the government of any country whose defense the President deems vital to the defense of the United States.

Mr. AUSTIN. That is correct. I feel sure the Senator knows that that extends the power which was created in the Pittman Act beyond the Western Hemisphere. Does the Senator realize that?

Mr. WHEELER. Yes. The difference between the Senator and myself is, then, that his idea is that giving the President the power to manufacture these things for other nations is going to enlarge our production and eventually aid our own defense.

Mr. AUSTIN. That is true.

Mr. WHEELER. Of course, that is where the Senator and I disagree about the powers which should be extended to the President of the United States, with reference to giving him the power, without any limitation at all, to give to any country anything he desires to give of our defense materials, or anything which may be produced in the future.

Mr. AUSTIN. I realize that is the difference.

Mr. WHEELER. That is the point of difference between us.

Mr. AUSTIN. I realize that.

Mr. LUCAS. Mr. President, will the Senator from Vermont yield?

Mr. AUSTIN. I yield.

Mr. LUCAS. A good many times during the last month I have heard this bill discussed over the radio and in other



forums, and certain individuals who may be honest and sincere, and other individuals who sometimes seem to be not quite so sincere, but somewhat demagogic on the question, have constantly decried the delegation of power to the President, contending that it would, if passed, make him a complete dictator over this country.

I wish the able Senator would elaborate or expand a little more upon that theory, for my benefit, and for the benefit of other Members of the Senate. If there is anything in the bill which would absolutely make the President of the United States a complete dictator over this country, and which would change our form of government from the democracy we are at the present time to a dictatorship, I wish to know where it is and how it reads.

Mr. AUSTIN. I wish I could find my papers; I have them marked so that I could easily and quickly refer to the point raised, but in some way I have mislaid them. My opinion is that there are certain delegations of duty here which normally are exercised, and properly exercised, by the Congress, but the general purpose is, first, that we are for the utmost preparation against any threat we may meet. We decide that. When we vote on the bill, we declare that policy.

We have ordered out the National Guard, we have set in motion a draft law by which we shall obtain 1,200,000 men in the first 12 months. Once we have done our duty in respect of creating that army, we are done, except for providing the money, making the appropriations. We cannot say where that army shall be, we cannot say what it will do. The President of the United States has the duty of doing those things, and nothing we can add by way of statute will change his authority either upward or downward. He will be Commander in Chief of the Army and Navy, and if we should make a declaration that we wish he would not convoy vessels, it would not amount to anything. Why? Because under our frame of government we believe in having one man Commander in Chief of the Navy, and we give him authority, as well as responsibility, over the movements of the Navy. Subject to the constitutional limitations that he shall not destroy our sovereignty, shall not turn the Navy against us, shall not dispose of the Navy in such a way as to destroy our sovereignty, and other limitations of like character, Congress cannot interfere with him.

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. AUSTIN. I had not quite finished answering the question of the Senator from Illinois.

Mr. WHEELER. Very well; I shall wait.

Mr. AUSTIN. Those are merely illustrative of the point that in the main the bill determines the general policy, and in respect of the execution of the policy it turns it over to the President, and we have not added anything to his constitutional powers at all. We cannot do so. We cannot if we try, and we have not tried.

Mr. LUCAS and Mr. WHEELER addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Vermont yield; and if so, to whom?

Mr. AUSTIN. I think I should permit the Senator from Illinois to conclude his questioning.

Mr. LUCAS. I appreciate what the Senator has said, and I followed him very closely in the earlier part of his statement made in the Senate. What I am rather anxious to obtain from the Senator is a categorical answer to the question whether he believes that the delegations in the bill at the present time are such that we delegate to the President of the United States power sufficient to make him a dictator over this country.

Mr. AUSTIN. No; of course not.

Mr. LUCAS. If the Senator will pardon me, that is the constant reverberation we are hearing throughout the country.

Mr. AUSTIN. Let us take the bill itself.

Mr. LUCAS. I appreciate that; but I am laying this before the Senator for what it is worth, because I know it is vocal out in my section of the country that once we pass the bill, we are turning over to the President of the United States certain powers which will make him a complete dictator over the life of this Nation, that ultimately this form of government will change from the democracy we have had for 150 years to a dictatorship which we are asked to believe is similar to what Mr. Hitler is giving to the countries of Europe at the present time. Great lawyer as the Senator is, and student as he is of constitutional law, I wanted an answer from him, a categorical answer, to a question which is very important to my section of the country. If the Senator cares to elaborate any further upon his answer, I should appreciate it, because I so greatly respect his judgment.

Mr. AUSTIN. Mr. President, I accept the compliment, because it comes from a great lawyer, one who is a good judge, and I thank him very much.

Let me illustrate the matter by just one statement. We will have to find new revenue to finance our defense, and the President will not be able, as a dictator would be, to say to the Congress, "Remove the immunity from taxation which exists as to State and municipal bonds." If he were a dictator he could do that, but he cannot do it; and what is going to happen? I know one Senator who will fight, just as long as he has breath to say a word, in opposition to that safeguard of liberty, the freedom of the several States of the Union, and of the municipalities of the United States, from interference in that vital element of their lives, namely, the procurement by them and the sole control of the revenue necessary to their operation. Does not that illustrate the point?

Mr. LUCAS. Perfectly.

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. AUSTIN. I yield.

Mr. WHEELER. The Senator from Vermont made a statement a short time ago with respect to an assertion which is widely made—and what he then said is something which has been bandied

around by a great many people—to the effect that since the President is Commander in Chief of the Army and Navy, he can do almost anything he wants to do.

Mr. AUSTIN. No; he cannot.

Mr. WHEELER. No; but I say the statement is made by some of the proponents of the bill—I do not mean in the Senate, but outside—that the President, being Commander in Chief of the Army and Navy, can do whatever he wants to do, because he has plenary powers. He has plenary powers, but under the interpretation put upon the Constitution of the United States by the Supreme Court, the powers which are conferred on the President of the United States, or which are assumed by him, and rightly assumed by him, are limited by whatever the Constitution of the United States says the powers of Congress shall be. The Constitution of the United States says that the Congress shall declare war.

Mr. AUSTIN. That is correct.

Mr. WHEELER. The Supreme Court has interpreted that to mean not only that only the Congress can declare war, but that Congress is the body which shall wage the war. The President cannot declare war, and he cannot wage war without a declaration of war being made by the Congress of the United States. If war cannot be declared except by the Congress of the United States, and if the President cannot wage war without the sanction of the Congress of the United States, then, Mr. President, it must follow—and the Supreme Court, in my judgment, has so held—that he cannot commit acts of war which are recognized as acts of war under international law.

Does the Senator agree with that?

Mr. AUSTIN. There is much involved in that question.

Mr. WHEELER. I meant, does the Senator agree to the last part of my question? I will put the question categorically. The Senator knows that the Supreme Court of the United States has said, in the case of Wright Brothers against The United States, that it is the Congress of the United States only that can declare war and wage war. The Senator is familiar with that decision, is he not?

Mr. AUSTIN. No, Mr. President, that is not—

Mr. WHEELER. I will get the decision.

Mr. AUSTIN. I will have to divide it. I think I have the decision here. I think the holding is that only the Congress may declare war, but the President must do the waging of the war.

Mr. WHEELER. No; I will have to disagree with the Senator. I have just read the decision, and I must say that the Senator is wrong in that respect.

Mr. AUSTIN. I cannot find the decision at the moment.

Mr. WHEELER. I will say that the Senator is wrong, because I read the decision only yesterday. The Senator will find that it contains the express language that only Congress can declare war and wage war. Mr. Justice Sutherland wrote the opinion.



I will ask the Senator another question. Does the Senator contend that the President of the United States can commit acts of war, recognized as such under international law, without the approval of the Congress of the United States?

Mr. AUSTIN. I cannot answer the question categorically and feel satisfied with the answer, and I should like to make it a little more explanatory.

Mr. WHEELER. Very well.

Mr. AUSTIN. The powers of the President as Commander in Chief are not merely express powers. There are incidental powers. He can recognize a state of war without any declaration of war by the Congress of the United States, and he can resist force by force. He can institute a blockade of ports.

Those points were held in the *Prize cases* (2 Black 635), *Freeborn v. The Protector* (12 Wall. 700), and *Matthews v. McStea* (91 U. S. 7).

Then, with respect to the particular powers referred to in the pending bill, H. R. 1776, I have felt that international law would not be violated by inviting the ships of any of the belligerents to our ports and permitting them to repair. I have felt so for several reasons. The rules of the game are changed. They are different than they used to be. International law has been changed, not only by treaty but it has been changed by custom, and even the conduct of warfare has been changed, and we find now that it is a firmly established principle of international law that a nation is justified in acting in its own self-defense. That principle alone justifies the opening of our ports to the Navy of Great Britain, because as realistic persons we recognize that without the Navy of Britain afloat we are in grave danger.

My own observation would be that the people in the northeastern part of the country would be the first to feel it, for I think the invasion would come by way of Iceland, Greenland, Newfoundland, the St. Lawrence, the Richelieu, Lake Champlain, and down the Hudson River, because it is the easiest way for it to be made. It is the easiest way to invade our country. Furthermore, that salient of our country sticks out into the Atlantic Ocean like a thumb. In it is contained some of the richest area of the United States, the very finest factories and machine-tool plants. If an assault were to be made on this country which would be vitally and immediately effective, that is the place to go, for a knockout in the machine-tool industry would be a vital injury.

That is a matter that causes us from New England, for example, to be quite eager that our ports be opened. We think it is a matter of defense to this country to keep our ports open as a sanctuary for the British Fleet and as a place to repair occasional vessels that need repair. But that is only one of the premises.

The second reason why I think it would not be a violation of international law is that—

Mutuality is an accepted principle of international law as well as of equity, and a nation which violates the basic rules of international law is not in a position to claim

that another nation, in the interests of its own defense, is not complying with the less basic rules of international law.

I am reading from page 5 of the House committee report.

The third reason is very interesting. I got the Kellogg-Briand Pact—the Pact of Paris—and looked it over again, and I am satisfied that the following comment of the committee in reporting the bill is entirely justified. This is the third reason why harboring these ships in our shipyards is not a violation of international law:

Furthermore, the Kellogg-Briand Pact, which is a part of international law, not only was intended to outlaw force as a means of resolving international disputes but its violation has also been regarded by many distinguished international lawyers as giving any signatory the power—

Now, this is the important thing—

to decline to observe toward the state violating the pact the duties prescribed by international law, apart from the pact, for a neutral in relation to a belligerent, to supply the state attacked with financial or material assistance, including munitions of war.

I shall not take the time of the Senate to read the next page, which covers the same subject; but those are three entirely acceptable reasons, acceptable to me anyway, why I consider that, after all, H. R. 1776 would properly enable the President of the United States to carry out the policies that we now declare, of opening the ports of the United States to the warships of Great Britain.

Mr. BONE. Mr. President, will the Senator yield?

Mr. AUSTIN. I yield.

Mr. BONE. As I recall, some time ago the President issued an announcement that we were to operate under a "limited emergency." What is that limited emergency, and how does it affect the laws under which the country is operating? What does it mean?

Mr. AUSTIN. I do not know, Mr. President. I do not know whether there is any efficacy or force to the word "limited." I think that any emergency is an emergency, and that it is very difficult to hitch an adjective to it and have it work.

Mr. BONE. What I am trying to find out is the legal significance of a declaration by the President of a "limited emergency." What does it authorize him to do which he may not otherwise do?

Mr. AUSTIN. If the Senator will consult the National Defense Act of 1916, he will find that in an emergency the President may order out the National Guard. We have taken care of that authority by a special act. There are other things with respect to the defense of our country which the President may do in time of emergency which he may not do in normal times.

Mr. BONE. I assume that what he has done, such as calling out the National Guard, has been done pursuant to statutory authority.

Mr. AUSTIN. Yes. We gave that authority directly.

Mr. BONE. I have never been able to grasp the significance of the "limited emergency" declared by the President.

I do not know what it implies or what it means. A moment ago the able Senator from Vermont suggested that it was his view that the President of the United States might order the fleet, or units of the fleet, to convoy ships. Since the Neutrality Act is still on the statute books, I assume that would mean the convoying of British bottoms.

Mr. AUSTIN. No. I think I misstated myself if I left that impression.

Mr. BONE. I do not wish to challenge the Senator's statement. I think the President could do so.

Mr. AUSTIN. What I meant to say, in speaking of the division of power, was that it is the exclusive prerogative of the Commander in Chief of the Navy to dispose of his ships.

Mr. BONE. That is correct.

Mr. AUSTIN. Let me conclude with another explanation. I wish to clear up what appears to be a misunderstanding.

Mr. BONE. I do not wish to argue the point. I am in thorough agreement with the Senator's statement.

Mr. AUSTIN. We cast the die by what we did in the Neutrality Act. I think my colleagues will remember that I took the position that this country, as a Government, should repeal the Neutrality Act entirely, stand on international law, and maintain our claim of freedom of the seas.

Mr. BONE. I know of no quicker way to get into war.

Mr. AUSTIN. In that event, of course, the convoying of our own vessels would be consistent with our policy. However, we took a different course. I submitted to the obvious situation and supported the Hull program, which was an amendment of the Neutrality Act, setting up other embargoes of a more general and more numerous character. The embargoes excluded our American vessels from the sea lanes. They excluded everything American—even American nationals—from the sea lanes, except under permission by the President. Thus this country cast the die. It decided that it would stay out, and that it would make great sacrifices in the interest of peace. Instead of taking the position of a neutral country, which I advocated, and standing for the rights of a neutral country, we took the position of aid to Britain. It will be remembered that at that time I took the floor and said that I was for the Hull program because it would aid Britain. I think my friend the gentleman from Missouri [Mr. CLARK] called my attention to it at the time.

Mr. CLARK of Missouri. Mr. President—

Mr. BONE. Mr. President, I should like to pursue this inquiry. We are going a little afield. If the Senator will permit me, I should like to pursue the inquiry further.

Mr. CLARK of Missouri. Mr. President, I am compelled to leave the Chamber. I merely wish to thank my friend from Vermont for remembering that I had tried to ask questions. The matter is rather beside the point at this time.

I was very much intrigued by the route of attack outlined by the Senator from Vermont. I wish to ask him if that was not the same route followed by the late General Burgoyne, with rather disastrous



results for the invader. Of course, that route did not start in Iceland or Norway.

Mr. AUSTIN. Yes. It resulted in the capture of Burgoyne at Saratoga. That brought the French Government to our assistance at that time, and created a moral obligation which I should like to recognize forever.

Mr. BONE. Mr. President, I should like to digress for a moment from the approach I had in mind to say that, in my judgment, if we permit American merchant ships to enter upon the war trade with belligerent countries we in the Senate might as well short-circuit the war business and declare war the moment we permit such a thing to happen, for we shall be in the war in 3 months.

I now have in my desk four statements, one from the President, speaking through Mr. Hull; one from the late Senator Pittman; one from Mr. Sol Bloom, of the other House; and another from one of our prominent Government officials—all saying that in keeping our ships out of war zones we have achieved the maximum of insurance against being plunged into war.

I do not know what anyone could ask further than to achieve the maximum of insurance against being plunged into war. It was the President of the United States who made that statement. If we should follow the Senator's suggestion about letting American ships go into the war zones he and Mr. Hull would have to repudiate that statement in toto. I should rather declare war right away than to have American ships and cargoes blown up, and American boys go to the bottom, repeating precisely what happened in 1917. I think Mr. Frank Knox, the Secretary of the Navy, stated not long ago before a Senate committee that such a course would probably precipitate us into war.

We are not foolish. We know what we are doing. There is not a Senator who does not know that if American ships should once take part in the war trade we would declare war.

That was not what I had in mind when I rose to ask the Senator a question. He suggested—and I think he is correct—that the President has the unquestioned power, as Commander in Chief, to order our naval units to go anywhere in the world. I think he would have such power constitutionally, though there are probably able gentlemen who might disagree with me, and who might, perhaps, be accurate in their conclusions. However, it is my belief that the President could order our naval units to convoy British vessels carrying cargoes to Britain, and nobody could challenge him. How could the Congress stop him? He is Commander in Chief of the Navy.

Let me assume one or two things, and ask the Senator to express an opinion, because in my judgment the question is vital. Suppose we should employ units of our Navy to convoy British ships. Suppose we should respect our Neutrality Act and keep American merchant vessels out of the war zones, but should elect to convoy British vessels, to make sure that Britain should receive the material we are to send to her in her hour of need.

Suppose such a convoy were attacked, and that American battleships should

repel the attack by gunfire. Suppose American ships should be sunk, and American citizens killed. Perhaps we should not declare war over such an occurrence; but the President would have the right to repel force with force, provided he had the right to send the ships there in the first place—a right which I think he possesses constitutionally.

Suppose such a thing should happen the second time, and the third time, and so on, until it had become a common occurrence. I ask the Senator from Vermont how long he thinks it would be before the Congress would declare war?

Mr. AUSTIN. Of course, I do not wish to hazard a guess as to that.

Mr. BONE. Perhaps it is not a fair question; but is the Senator willing to admit that such occurrences would be so highly provocative that it would be almost impossible to prevent a declaration of war by the Congress, and that in effect the President himself, exercising a constitutional power, would lead us inevitably, step by step, very rapidly to a declaration of war? War would become a fait accompli. It would not be the result of anything we might do. It would be on our doorstep.

Mr. AUSTIN. Of course, the speculation of men often goes wrong. So far as human reason guides us with reference to so grave an affair as engaging in warfare, I think the precedents all show that nations endure loss of property with great patience. However, human life is a different thing, and the honor of the country is a different thing. When a nation becomes aroused over the loss of human life, or its honor, then we can look for war.

Mr. BONE. That is precisely the point I now make, and have made repeatedly on this floor. If we should permit our own merchant vessels to go into war zones, and they should be sunk, the loss of American lives would be inevitable. The newspapers would flame with headlines—"Old Glory goes to the bottom; Americans die; sons of American mothers have gone to a watery grave," and so forth. I can think of nothing which would be more inflammatory than such a situation. That is why I believe that in the pending bill Congress should reassert its grim determination not to let Americans or American ships go into war zones. What is wrong with such a policy?

Mr. AUSTIN. I think it is desperately wrong.

Mr. BONE. Perhaps it is; but it is not as desperately wrong as grim, bloody war.

Mr. AUSTIN. There are much worse things than grim, bloody war.

Mr. BONE. If the Senator thinks there are worse things than grim, bloody war, I have nothing to say. I do not know of any worse hell than war. If the Senator knows of anything worse than war, I should like to have him expose it to me now.

Mr. AUSTIN. I will. I say that a world enslaved to Hitler is worse than war, and worse than death. A country whose boys will not go out to fight to save Christianity in the world, and to save the principle of freedom from

ruthless destruction by a fiend—well, we do not find such boys in America.

When it becomes necessary for us to fight, if it ever becomes necessary for us to fight, we will fight. [Manifestations of applause in the galleries.]

The PRESIDING OFFICER (Mr. HATCH in the chair). The Chair must caution the occupants of the galleries that under the rules of the Senate no manifestation of approval or disapproval or applause of any kind is permitted.

Mr. CHANDLER. Mr. President, will the Senator yield for a question?

Mr. AUSTIN. I yield to the Senator from Kentucky.

Mr. CHANDLER. I should like to recall a statement made by the able Senator from Vermont during the debates last year. The late distinguished Senator from Idaho, Mr. Borah, asked the Senator, "What do you mean?" The Senator from Vermont had just finished speaking and had said it was important that Britain win. The Senator always felt it important that Britain win, because he thought that in Britain lay the hope of the future of the people of the United States and, perhaps, their safety and security. Senator Borah asked the Senator, "What do you mean by 'win'?"

Mr. AUSTIN. I think I defined my meaning then, and I do not think it has changed since. As I recall the incident, I stated that to keep Hitler on the other side of the Atlantic and to keep his dynamic foreign policy out of the Western Hemisphere was what I mean. I think there were some other answers.

Mr. CHANDLER. I agree with the Senator, and I agreed with the position he took at that time. However, there are two things upon which we ought not to rely; and I want to ask the distinguished Senator from Missouri [Mr. CLARK], who was a lieutenant colonel in the World War and served so bravely and faithfully for the honor of the United States, if I am not correct in saying we are going to fall into error if we do not remember that the German Army of 1918, although under terrific pressure, never cracked.

I imagine the Senator from Missouri can tell us about it as well as anybody else can. Earlier in the debate today there were some suggestions that the German Army might crack because of revolution. In the World War the revolution was not in the German Army. The people fell out behind them. If we could bring that to pass, again, then there might be some chance of capitulation or peace; but the Germany Army in 1918 did not crack. It was ready and anxious to fight.

The other day the Senator said that perhaps we ought to ask England to declare her war aims. I agree that it would be a fine thing if in the future we could get England to declare some sort of war aims, but I hope the Senator will not press that, because right now in England all are agreed that the thing they want to do is to stop Hitler, and we are all agreed that we want Hitler stopped; and we are trying to do what we can to have him stopped over there so we shall not have to stop him over here.

In England, and in every other country, the one thing all are now able to



agree upon is that the defeat of Hitler is the thing that is important to their salvation. If the English are called upon to tell what they are going to do after that defeat has occurred and after the war is over, they are not going to do it. It makes no difference what petition we get up; they are not going to do what we want them to do.

In my judgment, the best thing is to do what the Senator said today: Do everything on earth we can to be efficient and ready and prepared.

I want to say to the Senator from Montana that we are not so strong as some folks say we are, but we are not so weak as he indicates we are. I am a member of the Committee on Military Affairs, and I hate to have our statesmen broadcast such statements to Hitler, for he may start over here right away. We are not so weak as some people have tried to make the people believe we are; but I say again to all those who say we are weak that it is not the fault of the President of the United States, because during all these years he has tried to get the country adequately prepared to meet emergencies of this sort.

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. CHANDLER. It is not my privilege to yield, Mr. President.

Mr. AUSTIN. I yield.

Mr. WHEELER. I do not think we are so weak as many persons would have us believe, and I do not think it is the fault of the President of the United States that we are so weak as we are. As a matter of fact, I think it is entirely due to the course of action of the people of the United States generally, and myself and other Members of Congress as well, because of the fact that we are a peaceful nation, and we have felt all the time that we were living in a peaceful nation and that we were going to continue in a peaceful nation, and we did not want to spend money for armaments.

However, now because of the European situation, we feel that we have to arm, and I think the Nation is in accord in believing that we have to be prepared for any eventuality. I think it is a good thing to call the attention of the people of the country to the condition we are in at the present time, because the only way in which we shall improve our defenses is to let the people of the United States know the condition of their own Government.

Mr. CHANDLER. I agree that the people should be told the truth. I do not believe either side should undertake to say to them, "We are so weak that a small Kansas zephyr would immediately push us over."

Mr. WHEELER. I do not know of anybody who is saying that.

Mr. CHANDLER. May I say that if we did not have a plane, we would be that weak?

Mr. WHEELER. I did not say we did not have a plane. What I said was that we do not have a combat plane with self-sealing tanks, with armor plate, and with the fire power required by Great Britain for planes in combat service in Europe today.

I say that, and I have repeated it. I say that any Army official who knows

anything about the matter will confirm what I have said, as they have told me. They do not make any bones about it. There is not any secret about it, and there should not be any secret about it.

Mr. CHANDLER. I do not want us to rely upon the German Army's cracking, however, and I do not want us to rely on England's saying what are her war aims.

Mr. WHEELER. And I do not want to see this country get into such a position that we have to say we are so weak that we must depend upon some other sovereignty to protect us here in the United States. [Manifestations of applause in the galleries.]

Mr. CHANDLER. The Senator and I are in agreement about that.

The PRESIDING OFFICER. The Chair cautioned the occupants of the galleries a moment ago about applause during the course of the debate. The Chair meant what he said. There must be no applause or laughter or disturbance of any kind whatever.

The Chair must ask Senators to suspend for a moment. The Chair is somewhat uncertain about who has the floor. The Senator from Vermont had yielded to the Senator from Kentucky for a question. The Senator from Vermont has seated himself, and no one else has been recognized by the Chair.

Mr. THOMAS of Utah obtained the floor.

Mr. WHEELER. Mr. President, may I say a word?

The PRESIDING OFFICER. The Senator from Utah has been recognized and has the floor. He may yield if he wishes to do so.

Mr. WHEELER. I do not wish to take up the Senator's time if he has the floor; but I want to call attention to the fact that I do not think the Chair is correct in depriving the Senator from Kentucky of the floor merely because the Chair has a memorandum on his desk. When the Senator from Vermont concluded the Senator from Kentucky was on the floor; and I do not think the Chair has any right to recognize anybody else when the Senator from Kentucky is on the floor. Of course, if the Senator has no objection to it, I have none. The Senator from Kentucky was on his feet all the time and speaking at the time the Senator from Vermont yielded the floor. I do not think the Chair has any right to take him off his feet.

Mr. CHANDLER. If I have the floor, I will be glad to yield; if I have not the floor, I will be glad to take my seat.

The PRESIDING OFFICER. The Chair will make the observation that, under the Rules of the Senate, no Senator has the floor until he is recognized by the Chair.

Mr. CHANDLER. I think the Chair is correct.

The PRESIDING OFFICER. The Senator from Vermont had yielded the floor and the Chair recognized no one else. With all due respect to the Senator from Montana, no other Senator had the floor at that time.

Mr. CHANDLER. I thought I had inherited the floor, as no one else seemed to take it.

The PRESIDING OFFICER. The Chair has recognized the Senator from Utah.

Mr. HILL. Mr. President, will the Senator from Utah yield in order that I may suggest the absence of a quorum?

Mr. THOMAS of Utah. I yield.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Gerry	Murray
Aiken	Gillette	Norris
Austin	Glass	Nye
Bailey	Green	O'Mahoney
Ball	Guffey	Overton
Bankhead	Gurney	Pepper
Barbour	Harrison	Radcliffe
Barkley	Hatch	Reynolds
Bilbo	Hayden	Russell
Bone	Herring	Schwartz
Brewster	Hill	Sheppard
Brooks	Holman	Shipstead
Brown	Hughes	Smathers
Bulow	Johnson, Calif.	Stewart
Bunker	Johnson, Colo.	Taft
Burton	Kilgore	Thomas, Idaho
Byrd	La Follette	Thomas, Utah
Byrnes	Langer	Tobey
Capper	Lee	Truman
Caraway	Lodge	Tunnell
Chandler	Lucas	Tydings
Chavez	McCarran	Vandenberg
Clark, Idaho	McFarland	Van Nuys
Clark, Mo.	McKellar	Wallgren
Connally	McNary	Walsh
Danaher	Maloney	Wheeler
Davis	Mead	White
Downey	Miller	Willis
Ellender	Murdock	

The PRESIDING OFFICER (Mr. CHANDLER in the chair). Eighty-six Senators having answered to their names, a quorum is present.

Mr. THOMAS of Utah. Mr. President, I deem myself inadequate in almost every way to follow the two splendid addresses which have been delivered today. I do not desire to dwell on this bill in the same broad way that the Senator from Kentucky [Mr. BARKLEY] and the Senator from Vermont [Mr. AUSTIN] have discussed it. I shall speak of the bill as a unit in its relation to the history of the United States as it has devolved throughout the 150 years of the past in relation to the position which the United States has taken as a result of its firm, fixed, and settled policy. Those terms, Mr. President, are terms which are used in international relations; and if we understand a nation's firm, fixed, and settled policy, then we can understand when we are in harmony with its foreign and internal policy and when we are out of harmony with it.

Writers sometimes say the United States has no settled policy, no foreign policy, and that we have, as a result, acted from the standpoint of expediency from day to day. That I deny. I believe that with the Declaration of Independence this country started on a fixed, firm, and settled policy, and that it has maintained that policy throughout its history. I think that it was in the Declaration of Independence that that which today we call the Monroe Doctrine had its origin and its basis; I am sure that it was in the fixed policy laid down in 1776, to which every great President of the United States has adhered and which the people of the United States and the people of the world understand quite as well today as they ever understood it.



It was said in the hearings by one of the witnesses that all the nations of the world hate the United States. I deny that statement. The United States is honored and it is liked by the people of the world from one end of the world to the other, and it is liked and appreciated by the people of the globe because we have not deviated from our fundamental, fixed policy. I have been a vagabond on the earth; I have traveled places in all classes of accommodation; but wherever I have gone two words were always understood. Riding in second-class or third-class cars with the ordinary people, on being picked as an American, time and time I have caught two words that I understood; those two words were "America" and "liberty," and the latter word, in a way, represented what the world understands America to stand for.

I wish to delve into history for a moment and cite two quotations. People talk about the Monroe Doctrine, and it has been said on this floor that the Monroe Doctrine had its origin in a Presidential pronouncement; that it has never become the law of the United States until just lately, when we passed and the President signed the act in regard to the transfer of the territory of foreign nations. That statement is not historically correct. I know historians talk about the origin of the Monroe Doctrine and refer to the influence of England in the pronouncement of that doctrine. They give John Quincy Adams, the Secretary of State, credit for the Monroe Doctrine, and some say that it had its origin in a foreign country; and so they write, on and on. But 12 years before the pronouncement of the Monroe Doctrine the Congress of the United States passed a resolution which became a law of the United States, and they then and there by law declared the Monroe Doctrine. The act given forth by the Congress of the United States should have a place in all the textbooks in regard to this great doctrine.

Congress, in 1811, resolved as follows:

Therefore,

*Resolved, etc., That the United States, under the peculiar circumstances of the existing crisis, cannot, without serious inquietude, see any part of the said territory—*

Referring to our hemisphere—

*pass into the hands of any foreign power; and that a due regard to their own safety—*

Note that, please—

*compels them to provide, under certain contingencies, for the temporary occupation of the said territory. They at the same time declare that the said territory shall, in their hands, remain subject to future negotiations.*

We reenacted that very doctrine in the last Congress. It is in support of that doctrine and the declaration of the Congress of the United States in 1811 and in 1940-41 that I stand for the measure that is before us. It is consistent with that doctrine. It is necessary for the perpetuation of a declaration of Congress made in 1811, because everyone knows that so long as we attempt to maintain the Monroe Doctrine as we have declared it to exist, it is a challenge to single-willed governments the world over; and it remains a challenge, because there can be no dominion over the whole world if the

United States stands firm in regard to that doctrine.

I cite that doctrine for another reason in relation to our settled and fixed policy. I cite it because in laying down the Monroe Doctrine we laid down as a principle of international law respect for the sovereignty of small states which has been a fundamental principle since our country came into existence. One of the great compromises that brought into existence our Federal system was the guaranty that small states within that system should be everlastingly respected; and the States, when they ratified the Constitution of the United States, accepted the theory that States would be preserved in their entity. The essence of the Federal idea is that States should be recognized as States.

The fundamental principle of international law—and without that principle there can be no international law—is that, regardless of the size of the state, regardless of its power, the state shall be recognized as an entity on an equal basis with every other state.

So the Monroe Doctrine lays down what had become, and it had contributed to making it become, the firm and established principle in international law as it evolved from the time of great confusion, the time of the great Grotius, down to 1914.

Therefore, I say, there is another challenge which the world must respect. There is another guarantee which America has made. The Monroe Doctrine has not been a static affair. It has been growing. It has evolved from time to time. But since the great pronouncement of Woodrow Wilson at Mobile in 1913, when what is now called the good-neighbor policy had its origin, when the United States, following the words of its Chief Executive, announced that the day of aggression, the day of advantage-taking, had gone, the foundation was laid for the Monroe Doctrine as it is understood today.

The Monroe Doctrine nearly up until today, no matter whether we accept it as Woodrow Wilson defined it and as it was defined in the Treaty of Versailles, which was the last international pronouncement upon it as a regional understanding, or whether we accept it as the early fathers accepted it, as a necessary part of our national defense—had to be sustained by and was dependent upon the unilateral action of the United States for its sustenance. But since the inauguration of the various pan-American treaties the Monroe Doctrine is no longer a unilateral document; it is no longer a unilateral understanding; it is no longer a unilateral defense medium. It has now become multilateral, and the States within the American continent have declared their adherence to it on a basis of mutuality; and through it the Western Hemisphere is a unit.

Thus, we see, no matter how we figure things out, no matter what we do about what is taking place in the world, the Monroe Doctrine stands as the last resort; the last place to contest for the principle in defense of the small states; the integrity of nations, and the right of a state, even though it be weak and small,

to remain sovereign and to retain its independence.

The war that rages in the world today is spoken of rather glibly, especially in some of the magazines, as the second World War. It is not that. There is no choosing of sides in the present war. It is not in any sense a second World War when compared with the last World War, because so much chaos, so much confusion, so much revolution, so much uncertainty have become part of the things which we call universal war today that the conflict cannot be glibly described in that way.

There is universal war throughout the world, it is true; but connected with it there is also world-wide revolution, and, just as the war itself is complex, so the world-wide revolution is complex. There is no easy way of defining it. Of course, we have all known since the days of the philosophers of old that definition brings us into great trouble. I do not wish to try to define. As someone said in ancient times, you cannot define an elephant but everyone can recognize one when he sees it. Sometimes we cannot define the revolution that is in progress in the world, but everyone who knows the history and the evolution of social thought and political thought recognizes the revolution when he sees it. It is here, and it is complex, and we stand in a position to be challenged with regard to it.

The other side of what I call our firm, our fixed, and our settled policy, I take from a simple declaration which describes the situation in America today perfectly. It describes my position in support of the bill absolutely. It describes what I believe the American people are thinking about, and what they have always thought about in time of great emergency when their President is called upon to act. I quote:

The last hope of human liberty in this world rests on us. We ought, for so dear a stake, to sacrifice every attachment and every enmity. Leave the President free to choose his own coadjutors, to pursue his own measures, and support him and them, even if we think we are wiser than they, honestest than they are, or possessing more enlarged information of the state of things.

Those words are from Thomas Jefferson; and if he ever spoke words of prophecy, he did so when he uttered them.

These are perilous times, times which are so uncertain that it is not well for the American people to divide themselves and to ask questions about whether they are going to support their President. I know of no one I wish to support any more thoroughly than the President of the United States, for I take my Americanism on the basis of faith in the two fundamental principles which I have read. I support America on the basis of that faith, and not on a basis of fear of other lands or of other systems. I have seen other lands and I have seen other systems, I have lived under them, I have studied their institutions, I know them; but after spending probably too many years in other countries I came back more converted, more convinced, and more knowingly understanding the worth of my own country and its institutions.



Mr. President, the question was asked as to whether by the bill before us the President of the United States would become a dictator. A dictator in what sense? I am thankful—and we have been thankful for it time and time again—when the Government of the United States was set up under the Constitution, we made the Presidency strong; we turned away from what is called legislative government, parliamentary government. We fought the Revolutionary War on the basis of congressional control, and we deliberately made our Constitution read in harmony with the idea of the President having a function to perform. The policy forming, the policy determining, is left with the representatives of the people, but the policy executing and the policy administering is put into the hands of the President. Because of that fact our country has been able to remain strong when it had to face the world. It is because of that fact, along with many other facts, that our country has been able to face even civil war, because the power was where it should be, and we got unified action.

Mr. LEE. Mr. President—

The VICE PRESIDENT. Does the Senator from Utah yield to the Senator from Oklahoma?

Mr. THOMAS of Utah. I yield.

Mr. LEE. Our form of government has within its mechanism the power of flexibility. If it had not possessed such power, it is possible that we would not have existed through previous emergencies. Does not the Senator believe that when the representatives of the people in Congress delegate to the Executive a certain job and power to do that job, the democracy which our forefathers set up originally is functioning as it was intended; that it is still a democracy, but a democracy in action, meeting an emergency; and also that that form of government still has the power to return the far-flung liberties which are temporarily surrendered, and that the Congress has set a period at which the power thus delegated will return to the same Congress which temporarily transfers them?

Mr. THOMAS of Utah. I thank the Senator. The mere fact that democracy, in the final analysis, rests upon common consent, does not mean that the Government which represents democracy need be weak. It can be strong, and it is strong.

What constitutes a dictatorship under a single will? In the light of the experiences in other countries today, it means a complete sacrifice of civil liberties. Have civil liberties been taken away in America? Is it suggested that they be taken away by the pending bill? Dictatorship means the sacrifice of freedom of thought and freedom of speech. The bill in no way affects those great fundamentals. It means that the courts cease to be organs of government, administering justice as a result of an examination into law and the justice of given causes; it means the pronouncement of law in the courts in accordance with the will of those who have particular control at the time. I am merely citing what happens to be the practice today under the Nazi form of government.

Everyone knows, therefore, that the powers proposed to be extended to the Executive by the pending bill are designed to make it more possible for the President to unite our country and to bring about a coordination of defense activities so that the whole country will profit, and so that those whom the Government has decided to support and the people of the United States have decided to support, in the war which exists today, may have their defense coordinated with our defense. It does not mean that our defense takes second place; it does not mean that their defense takes first place. It means that again there shall be a mutuality of arrangement, so that there will not be duplication; so that there will not be confusion; and so that we will be stronger and better able to go forth and to carry on, as we should be carrying on in any such emergency as we have at the present time.

Mr. President, we should never regret the fact that our Executive is strong and powerful. Being strong and powerful does not mean that he has dictatorial power. It does not mean direction by a single will. It does not mean interference with courts. It does not mean interference with elective officers. It does not mean the destruction of the Federal system, the great contribution that America has made to political thought and political practice in the history of the world. None of those things are affected. It merely means that there shall be a unity of laws to take care of our national and our common defense.

I think it is proper for me to become a little bit personal now, and if the Senator from Vermont [Mr. AUSTIN] were here I would thank him for his support. Those of us who have seen this need coming have not been backward in long-range planning. The Army air base bill, which was passed by the Congress of the United States, bore my name in this Chamber. That was the beginning.

Mr. President, during the campaign last fall the charge was made against me of being out of harmony with the national defense. I am happy and proud of the fact that when we were considering the relief bill of 1933, when we were thinking about instant relief, I was instrumental in putting into that bill an amendment which made it impossible for the President of the United States to divert any of the relief money to long-time expenditures for national defense. Why did I do so? Because it was a relief bill for immediate use. It had nothing to do with national defense.

Why otherwise should I have done that? Because we all know the limitation in the Constitution of the United States with respect to expenditures for military purposes. But in that amendment it was provided that the President might carry on a building program on any military reservation in the United States. It was pointed out that he could take care of what might be called the civilian needs of the military branch. The limitation was put in the measure because such a limitation was contained in the Constitution. The people of the United States expect the Constitution to

be lived up to, and if the Executive diverts funds from one purpose to another, that they be in keeping with the principles of the Constitution.

Mr. President, it may be said that there was then a lack of understanding. No; there was no lack of understanding. The limitation placed in the relief bill of 1933 shows that there was complete understanding.

Is it not better for the country that the President of the United States shall come to the Congress, as he did in this case, with a message concerning the subject, and that a bill shall be presented in harmony with his message, and that Congress shall lay down the policy?

But there were other acts which were as much in the nature of long-range preparation. Stay in the realm of national defense, if you will. We passed the Helium Act, which gave to the President of the United States authority to create monopolies for national-defense purposes. We passed the strategic materials bill, which gave to the President of the United States authority to institute stock piles and to begin saving for this emergency. Mr. President, those who have charged that the President of the United States has been lax in regard to defense had better look at their votes on the helium bill and the strategic materials bill. There were only four votes on the other side of the Chamber in favor of the strategic materials bill, which certainly was a bill for long-range planning for defense, if ever a bill was passed by the Congress of the United States with that purpose in mind.

Then came the Selective Service Act, which was worked out in such a way as to bring about peacetime training on a basis of complete understanding with all the people of the United States. In spite of what anyone may say, because of these simple laws, we are so much better prepared than we were in 1917, that there is simply no comparison.

The National Defense Act of 1920 is operating completely for the first time in its history. As General Marshall pointed out the other night and as we all understood, there was a battalion formation in the inaugural parade which reflected the fundamental theories of the national defense act, and no one knew which one-third of that battalion was composed of men of the Regular Army, which one-third of the battalion was composed of men from the National Guard, and which one-third of the battalion was made up of new selective-service men.

There is the picture of our defense, functioning in accordance with the law passed by Congress in 1920.

I am happy to say that I was an adviser in the making of that law. What we are discussing today is the culmination of previous plans. I know of no continuity of steps in the history of Congress which shows any better blossoming out of that for which we had prepared.

There is still another principle involved in our previous national defense acts. That principle was worked out as the result of the philosophy of the strategic materials act. It is a principle thoroughly consistent with the funda-



mental idea in regard to national defense. It came as the result of an action which took place right after the declaration of war in Poland. It came logically and we were prepared with respect to it, for the philosophy of it had been laid down previously.

As soon as war was declared in Europe the interests of a certain country began buying in the United States our rubber supply, rubber which we had imported for the use of the United States. The American people live on rubber and out of tin cans. We do not produce our own rubber; we do not produce our own tin. As the Senator from Kentucky [Mr. BARKLEY] pointed out in speaking about strategic materials, we are dependent upon other countries for rubber and for tin.

The experience we went through, as Senators whose memory goes back to 1914, 1915, 1916, and 1917 will agree, I am sure, which we went through as the result of the purchase of our rubber by a foreign country for export is enough to hearten any American. It was pointed out that we had no law to stop the exportation of rubber. But arrangements were made very quickly, and it was not long before we had a law covering that situation. An amendment was added to one of our National Defense Acts which lays down the great principle that whenever there is a need for a certain commodity, or a certain material in the United States, for our national welfare and national defense, the President may invoke an embargo on that material.

I might go on and recite other acts of various kinds, which would merely prove that the measure which we are discussing today is, as I said before, a culmination of those acts, the bringing of them together into one great scheme. Why the necessity? The necessity is there because each one of those acts provides a different way for its administration, and we may have confusion in the execution and the administration of these various laws if we do not make a unit of them.

Great numbers of complexities grow out of the world situation today, which have made each of these principles which has become law not only proper, but actually essential.

America, organized in the way in which she is organized, and adhering to the economic system to which she adheres, recognizes the money economy. America recognizes the theory of free labor. America recognizes all those things which have to do with the evolution of the individual person from a non-property-holding person to a property-holding person. All the activities which are typical of American life are the antithesis and the opposite of the economic and social theory of a single-willed state.

Probably for the first time in the history of the world since the building of the Pyramids, we find a great state putting its economic system on the fundamental basis of conscripted labor and getting values out of the labor products themselves. Private property under such circumstances is impossible, and so is a money economy.

Is private property essential to American democracy? Is it essential to our American way of life? Is a money economy essential? Everyone knows that

both are essential. They are gone in the single-will states, which challenge the principle of free economy, private property, and a money economy, because those three things are weak when compared with the simple labor economy which has been introduced into the single-will states. They are weak because individuals have an individual ability to take property and call it their own. They are weak because in our democracy we believe in the development of the individual from the standpoint of law, from the standpoint of society, and from the standpoint of economics.

I cannot help repeating the challenge. We all know that the challenge has gone out against us. Shall we stand idly by, or shall we do something about it? Shall we maintain the principle today recognized as the Monroe Doctrine, and recognized multilaterally by many states as essential to the protection of the individual entity of State existence? Shall we maintain that doctrine, and shall we maintain the theory which we call liberty?

Liberty has been that for which the world has been striving since the beginning of thoughtful men. When we were proud of ourselves and thought that the western civilization was the only civilization which had the concept of liberty and strove for the notion of liberty, it was thought by many foolish writers that the idea had not a place in other parts of the world, and some American writers accepted that theory, in spite of the fact that the quotation on our Liberty Bell is taken from the Old Testament. One great writer pointed out that in the whole range of Chinese ideographs there was not a single word for the concept of liberty. It was also pointed out that there was not a single word for the concept of the home as we have it. The attempt to translate a song like Home Sweet Home into such a language was given up. It was said that such languages did not have the characters, and so the word "home" was transliterated to bring it into the language.

Oh, how little we know about man's striving for the very thing that was brought forth in our own country! But when we analyze the origin of that which we call liberty, we discover the meaning of the word "liberty," and we discover that it is a world-wide aspiring—always an aspiration; never a realization. Why? Because of the force of rulers, the force of economics, and the force of society. But it has always been there, and, as I have said before, it is only in America that it has borne fruit in its three great aspects—that in regard to property and economics; that in regard to the person; and that in regard to law.

Liberty is a Latin word; and it is worth thinking about because our liberties are challenged. The word comes from the Latin word "liberi," which means "children." The word "freedom," in the old Anglo-Saxon, comes from the same sort of idea—those persons who are born not of the soil and are free. We have liberty and freedom, the two cornerstones of our great American system, one taken from our own linguistic ancestry and the other taken from the ancestry which gave us most of our law and concepts of law.

These two are brought together, and they are understood by all. They are understood by the world, because America is the first place where there was a striving for the concept of liberty and the concept of freedom. Realizing what it means, we find that the proverbs, the quotations, and the fundamentals of law turn to our Latin concept and to our Anglo-Saxon concept, and there is created this fundamental: The people are as a little child, and the people must be cherished. In a language foreign to our own we find the essence of what liberty and freedom mean in the United States.

Mr. President, if I had within me the ability of an orator, or if I had a prepared speech, I might do as the Senator from Kentucky did and quote from Patrick Henry. But I have neither the ability nor the inclination to quote from anyone. Nevertheless, I can say, Mr. President, that when once the full significance of the idea of freedom and liberty takes hold of one, he does not shout, as the orator shouted, "Give me liberty or give me death!" But he understands that without liberty and without freedom there is naught but death.

Mr. PEPPER. Mr. President, when Woodrow Wilson, whose name I delight to honor, and whose name can be appropriately mentioned in this era, it seems to me, came before the convention in the State of New Jersey which nominated him for Governor, his first utterance was:

Have you ever experienced the elation of a great emotion?

I am sure no one could have observed the steps by which this bill has progressed thus far, the unity of sentiment which has been brought to bear upon it, not only by the President of this country, the leader of the majority party, but by the leader of the minority party, not only by the leader of the minority party of the Senate but by the vice-leader of the minority party in this body, not only by able spokesmen for the majority party but by able proponents from the minority party, and escape an experience of the emotion of patriotism which is behind this measure.

Mr. President, we are all aware of the fact that it is not necessary that we say anything here that this measure might receive the approval of this body. We know that long ago the people of the country made up their minds about this proposal, and that the impulse for its passage has come so strongly from them that we could not resist it if we would. We know that our sister branch of the Congress has already, with commendable celerity, enacted this measure and sent it to us; and we know that the sentiment of this body is overwhelmingly in favor of its passage here. So what we shall say, therefore, comes more from the desire that we might have the privilege of expressing our sentiments rather than from any necessity that such sentiments be expressed.

To me, Mr. President, the bill has a peculiar significance. At a time when democratic institutions are under assault the world over, when people are having to rely upon the Executive to point the course of their policy, when there is little in many representative assemblies but



chaos and confusion, here in America, in this last unassaulted citadel of freedom, there is certainty, there is clarity, there is unequivocal determination in the policy expressed for a great people by the people's duly constituted representatives.

In that way, Mr. President, we accept the challenge which has been flung to us by the dictators, the exponents of tyranny, who claim there is no way of conducting modern government and meeting modern problems except by the abolition of the representative process.

We have come not too soon to this legislative determination. It has not been altogether to the credit of the Congress that it was the Executive who took the distinct initiative in the inauguration of the policy which is confirmed in this bill; for not 1 month nor 1 year but several years ago the Executive began to hold up the flags of warning to the country and to the Congress; and somewhat tardily did the Congress respond to those warnings and follow not merely his suggestions but his appeals made to this body.

Mr. President, there have been times when our part in this great policy which our Government has promulgated has been not a brave but a shrinking part. We chose to hide behind the skirts of the Executive, and let him take the risk while we stood by to approve if the result were favorable, to repudiate if unfavorable. However, that is only an expected characteristic of legislative assemblies. They come tardily, sometimes reluctantly, to an accord. But, Mr. President, like a mighty man slow to anger, when their resolve is once fixed it is fixed with terrible certainty and determination.

So now let the critics of democratic institutions examine the Congress of the United States; let them query the people's representatives, and see if they find here now any appreciable indecision and doubt about what our policy for the future is to be.

Not only, Mr. President, have we prayed for peace for this country and for this continent and for the world, but we have done everything humanly possible to preserve our peace and to perpetuate it to our posterity. We took our ships from the seas. We forbade our citizens the right of entry into vessels of belligerent countries. We said that our people could not lend their money to those who had the status of a belligerent. We said that our goods could not be transported in our bottoms to those who desired to purchase them. We surrendered sovereignty, and we gave up even those cherished principles for which we had spilled our blood in the past, in a determined, if it were a forlorn, effort to avoid friction with people presumed to be honorable in the conduct of their affairs. But, Mr. President, we turned cheek and then cheek again, only to have it become apparent to all that there was no honesty of purpose in the conduct of the affairs of some of those powers; that, on the contrary, they were actuated by a single resolve, avaricious greed and lustful conquest, and there was nothing save force—brutal, sufficient force—that could stop the march of their power and the reach of their conquering.

Well, Mr. President, step by step we have seen this country first begin to

modify the strength of the affirmative restrictions thrown around our conduct. We began to soften a little bit our restraints upon ourselves. First it came to expression in the revision of the Neutrality Act. We said, "Yes; we have tried to avoid friction, but it is too high a price to pay for accord to see the proponents of peace crushed by the proponents of force." So, we softened the Neutrality Act, and we permitted an equality of its operation between the belligerent powers. That was under the leadership and approval of the same President who had made the Chautauqua speech in 1936, who had referred to "fools' gold," and had denounced any policy of intervention in the affairs of Europe. That was the same party that had done everything in its power to keep our citizens from even coming in contact with what was going on upon the other side of the water.

But, Mr. President, Munich came in 1938; and from that moment, when up at Berchtesgaden that trusting old man looked into a maniacal and fanatical face and saw not reason but passion and greed there, and came back a few days later to Godesberg and saw not honor but lustful purpose there; a wayfaring man, though a fool, could have come to no other conclusion. And so our policy began first to soften the restrictions that we voluntarily had thrown around our own conduct, and then it came to be a sort of neutral attitude of inaction either way; and we finally then gently began to make our pressure felt as an affirmative force in the affairs of the world.

We started obviously with our own defense, and we began to strengthen it to the limit of our ability; but we are convinced that there is perhaps not time enough for that method to give us security. We are not at all sure that we would buy it at that limit even if we could, because we were coming gradually to the consciousness that we are affected by the kind of a world it is. Some of us have been a little ashamed when we ran away and discharged none of our responsibility for the kind of a world it is; we remembered that in the earlier days of this country, when the forces of law and the forces of lawlessness were in combat, there were many men, heads of families, who loved the ones who sat with them around their firesides in the family circle, when an assault was made by the forces of lawlessness upon the citadel of decency and honor by which only men and homes could be free, reached over in the corner or up above the mantel and took down the old musket, and joined their neighbors, and went to track down those who would disturb the quiet of a peaceful people. And so we remembered that America, like every honorable citizen in every honorable community, had a part to play in maintaining a lawful and an honorable world.

Well, Mr. President, the Executive began to employ certain powers. He transferred even some of the ships of our Navy upon an exchange that was universally approved. But, Mr. President, there were times when the Congress, instead of giving encouragement to the Executive and confidence to his course in those dark

hours of crisis, had a tendency to throw impediments and restrictions around his effort. There were times when utterances were made upon this floor that were not calculated to strengthen the hands of the guardian of the liberties and the safety of this country in dealing with madmen attacking honorable institutions on the other side of the globe. There were times when it must have been somewhat discouraging to our President. He may have wondered whether or not we saw over here the things that he saw through the eyes of the Foreign Service of the United States of America, that he literally sensed through the air, that constituted a danger and a threat to our kind of world.

But now, Mr. President, that is all past. If there was ever a time when we were a little in the rear, we are now catching up; and I thank God that the declaration of this measure is so firm and unequivocal that in the future there will be no doubt in anybody's mind as to whether there is unity and cooperation between the Executive and the Congress of a free people to preserve freedom here and all over the earth.

Mr. President, there are some who look somewhat at the narrow and the smaller aspects of this bill. They say, "What good will it do here at home?" They say, "Where do you anticipate attack?" They say, "What is the necessity of new legislation?"

Mr. President, I cannot believe that those who say that have allowed their minds to wander, even to look half free at the world that presents itself to this Nation today. I wonder if they have looked down beneath the surface of this so-called totalitarian philosophy. I wonder if they have not seen there the three elements that constitute its strength—one deifying pride of race, elevating to a religious concept their own race that they call the pure race; and then, Mr. President, second, elevating as the chief and motivating force in the affairs of men power, force itself, might, with little regard for or association with the quality tempering it with justice or right; and, the third thing, the creation of a superior class, the concept of a ruling class as an inevitable element in the society that they would create. So here we see a mighty state actuated by emphasis upon brute force, upon pride of race as a divine institution, and upon the creation of a superior class that contemplates master and slave.

That, Mr. President, is just a suggestion of the background and the motives that impel a mighty group of millions of people toward world power.

Then, Mr. President, as we look here at our own country, we see that there have been three factors, primarily, upon which we have relied for our security in the past.

First, there has been our geographical isolation. These oceans, we thought, were far too wide to permit any attack across their broad bosoms. But, Mr. President, perhaps today, maybe tomorrow, bombers will be flying from this country to the British Isles without stop as they fly from the west coast to the Atlantic seaboard of this country. Remember, in modern warfare they do not



have to come back. They just go to deliver their missiles of death and destruction.

The second factor was the principle of the balance of power in European affairs. It was that principle that came into fruition in the establishment and the buttressing of the Monroe Doctrine. Three months before the promulgation of the Monroe Doctrine by our President it was proposed by a member of the British Government that it be a bilateral declaration because of an identity of interest between this country and Britain toward that objective; but, for reasons peculiar to ourselves, we chose to issue it as a unilateral declaration of policy on the part of this Government. But, Mr. President, when the Holy Alliance began to turn its greedy eye upon this continent with the purpose of reestablishing here European control, what was it that kept that purpose from being consummated with success? It was the detachment of a European power from that association, and the British Navy and the British Government throwing the screen of British power between this continent and that potential attack.

Of course, therefore, upon the principle of a balance of power upon the Continent of Europe, no part of that Continent would venture too far away from home, lest they be smitten in the exposed flank by the enemy that remained behind. But there is no balance of power in Europe any more. There has never been anything on the Continent of Europe like the state Hitler has already created. I am told that it can be heard at the German Embassy here that our President talks like a foolish child about who is going to win the war. "Why," they say, "anyone who knows anything knows that Germany has already won the war, and you might as well talk about who is going to win the World War as to talk about who is going to win this war."

Mr. President, there has never been a time under the sovereignty of Napoleon or Charlemagne or anybody else when the whole of the continent of Europe has been integrated into a single economy, when one part has been designated as the part to furnish the food, and another the manufactured commodities, one to perform the labor and another to render the skilled service; the whole economy being built around the superior skill and technical ability of the German Nation and its superior industrial organization. There is no state in the world that compares to the German state as it is now constituted, with its feet across the whole continent of Europe, to be added to, as the able leader said today in his most eloquent address, by the continent of Africa, and perhaps the Near East, and then the East, bringing together probably more than a billion people, consecrating themselves to this one objective of making their combination the master of the whole earth.

It is obvious, Mr. President, that up until the last few decades there was no danger across the Pacific because there was no nation there which had any power to project itself across an ocean to another objective. But in the last few decades a new giant has grown up in the

East, militant, determined, willing to sacrifice, and impregnated with the philosophy of greed and conquest and gain which has motivated so many conquerors in the past. That was a new element which thrust itself upon the picture of American security and defense.

At the same time, we began to see other powers growing up in Europe, which had a striking power beyond their continent, restrained not only by our own Navy but by the British Navy, which had had an identity of interest with us for over a century. For whatever it may be worth, Lord Lothian made in my presence the statement that if we were to defend the United States of America and the Western Hemisphere we needed not only one navy or two navies, but three navies; one to screen our coast—and remember that the Hydrographic Service says that it is 43,000 miles from the northern part of Iceland, around the indentations of the coast past the southern tip of this continent, to the northern part of Alaska; second, a navy to meet in mid-ocean and intercept the enemy bound toward this continent; and, he added, a third, to close the exits of the Old World to a force which might emanate from there.

Hitler's Germany is no longer a land power with a small entry into the sea; he has now the mastery of the North Sea, and entrance to the Atlantic, with a longer coast line than the British Isles. He now has the facilities to build ships and more ships and more ships, and, as Admiral Raeder said in the quotation mentioned, their merchant vessels and their other ships "shall sail the broad seas of the earth." So there has never before been any danger like this confronting the United States of America. A great nation, with a navy which favorably compares with our own, on our Pacific border, looking for an opportunity to take what they can take by force, regarding no moral principles, restrained by no scruples, limited only by power and might; then on the Atlantic seaboard an aggregation of powers which would ask nothing better than to be able to establish themselves upon this rich continent of ours, in any part, with the assurance that they could expand their holdings later.

Mr. President, that is the reason why we are talking about England, not that we love England more, but because England makes it possible for us to love and serve America more. It is the one safeguard against the enemies of this country being able to congregate at one place, at any time they choose, a greater naval power than we are able to congregate at that point. We have not suddenly become altruists, unconcerned about our own security and safety. We are intelligent people, seeing a new danger which never existed before and meeting it in the American way.

Of course, if this were just a European war, we would not have anything to do with it. In its inception we thought it might be just a European war. We were rather indulgent in the early days to give the presumption to those who seemed to be trying to get something which we already had—freedom for themselves. We do not care how much land Hitler

has; we do not care what strength he possesses; we are not jealous of him; we have no desire to keep him down. We are not one of the "haves" who are inconsiderate of the "have-nots." In our domestic policy we have perhaps shown more consideration for the "have-nots" than any other nation has shown.

We are not against a nation which wants a place in the sun. The very essence of the American heart is to want to be increasingly better, to want to grow and to be willing to fight to grow. It is an honorable spirit which animates every one of us. It is the American spirit. But there are limitations to that policy.

This is a cultivated society. These are people who live in the twentieth century. This is not the dark ages, out of which we have grown.

Sometimes I am a little amused at how those who would oppose any action like to drag old skeletons out of the historical closet. They talk about Texas, and some other bits of our own territory. Convict us if you will, although there is something which might be said on the other side—convict us if you will for what we did in the 1840's, but would they not look and see what we did in the 1930's, and what we propose to do in the 1940's, in turning loose, giving, with our benediction, their freedom, a people and a territory which others would make great sacrifices to get? That is modern America, and the modern American spirit.

It was we who discharged Cuba, whom we had liberated, from any obligation to render us sovereignty or pay us homage. There is nothing in America or in American sentiment which wants to deny any nation its legitimate place in the sun. But we have become convinced that that is not what they on the other side want, and consequently we have had to come to the decision that one or the other shall live, totalitarianism or democracy, tyranny or freedom, and that it is as impossible for the two to live in the same world as it is for darkness and light to inhabit the same space at the same time. One of them must be crushed and the other live triumphant, and there can be no peace, and there will be no peace, until Hitlerism is crushed and the heel of a just retribution is put upon Hitler's neck and he is crushed into an earth that will absorb him and devour and assimilate him as something which has cursed the good earth in this age. This is our way of answering that.

It is asked, "Why do you not declare war on him?" The answer is, because we do not choose to, and if we do, we will, and if we do we will make the choice, and not he.

Ah, they say, this is a step to war. This is the only way possible to stay out of the war. If this will not keep us out, nothing will. If this fails many months will not pass before we will be making a decision very much more fateful than that we make now as to the destiny of the people and the sons of America.

Mr. President, I venture to lay down the statement that not the American Congress, but the American people, will not let England fall, and whether we like it or not, let England totter and they will



drive us into action under the lash of their demands. Call it war or do not call it war—lay it down as a premise, America will not let England fall to Hitler. If the action now proposed will not save England, we will save it anyway. Watch American opinion, and see if what I say is not true.

Those who are trying to save us from having to make that terrible decision—which God forbid we shall ever have to make—have offered this alternative which contains some hope of success. Our Army leader, our Commander in Chief, our Secretary of the Navy, our Secretary of War, the Chief of our General Staff, tell us it will save England, and by saving England will save us from a horrible decision between peace and war. I favor trying it, therefore, and on bended knee, praying that it will save us from war. But let this opportunity go by and it will be but a little while before Hitler's new and terrible weapons will be driving a fleeing people across the green fields of old England; we shall see their women and children there writhing and struggling beneath the fallen temples of their classic past and multitudes will be scurrying out of their mole holes and running for the hills trying to find places of refuge. Then it may be that nothing we can do will save them.

I said a moment ago, and I say now, that those who offer this bill are trying to keep a brave country, a people who love life, from ever having to decide whether they will give up their peace, or whether they will give up the means of preserving their security.

Mr. President, of course, people naturally talk about the future, and we are not disinterested in the future. I doubt if any nation has shown the same concern that we have shown about the kind of a world that is to be. It has become fashionable in some quarters to scorn Woodrow Wilson's memory and to lay the cynic's ban upon his name. Mr. President, when those little critics are moldering in forgetfulness, the name of Woodrow Wilson will be growing greater and greater and yet greater, as the impulse of mankind to security and against war becomes more determined. It was an American President that proposed the assurances against this sort of conflagration—guaranties of a future world wherein there should be something like decency and order and righteousness in the affairs of nations as well as in the affairs of men.

Well, Mr. President, that effort failed. I am not here to pass the judgment of history on whether it failed wisely or unwisely, for I do not know. I am simply one observer among many millions of human beings.

But, Mr. President, I know one thing about which I have a conviction. The impulse was right, the objective was good, the aim was noble, and out of it a hope stirred humanity as it had never been stirred even under any religious impulse in the whole history of the race. Never had so many people turned their faces toward the light and listened, with trembling hands cupped to attentive ears to hear if there would not come words of

encouragement from this prophet from across the seas, that the next generation of fair-haired sons and bright-eyed boys should not soon be buried in the ditches and the trenches, in the somber loneliness of the grave.

Mr. President, we are not yet disinterested about a future world, and that is another reason we favor this bill, because we know that there is nothing in recent history of the nation Hitler heads that looks toward anything but a world of brute force, that emphasizes the qualities I spoke of a moment ago as being the essence of their nation's character. Who can think of an ordered world under Hitler that is not an enslaved world? Who can think of an association that is not built upon command and obedience in his state of world unity?

He talks about Europe being made into one European state. Is there an association of people with representation on their part? They are held together by the sword and not the compact, and that is the only kind of a world he envisions, as it is the only kind of a state he knows.

Mr. President, it is said, "Yes; but look at the record of these Allies; how bad they were, and how inconsiderate." I admit even that to be true, but I would rather trust them to have learned than I would Hitler and the Germans to have learned. I would rather count upon their seeing now the mistakes they made at Versailles than to count upon Hitler avoiding them. I trust the British just as did Napoleon, who fought them, and whom they destroyed in the end, and yet who then sought sanctuary in their arms. He denounced them on every occasion as perfidious, but when it came to a question of where he should seek refuge with his own life he trusted himself to the security of a British man-of-war.

Mr. President, if I had to choose as to who shall chart the course of the world, a victorious Britain, with all of her faults, with all the stains upon her bright escutcheon in the past, or Hitler, who represents Germany, it is an easy choice to make; and if I have to choose the one with whom this country can more perfectly associate itself in trying to make a better world, I make that choice, too, with Britain.

Mr. President, I know that the future is dark, the risks are great, the end uncertain—it chills the blood of people who wonder what it will be—but I do believe that if we go step by step, doing the thing that seems sensible at the time, keeping the broad picture ahead of us, and in our hearts the firm resolve to keep our faces forward, never turning them to one or the other side, or to the rear, that we shall be able to see our way through and help bring about a better world.

Therefore, to those who are the mariners upon the American ship of state, I should like to implore the divine benediction that, so the story goes, was bestowed in times past upon the fishermen in the Scandinavian countries when they went forth to embark, with their families around them, upon their perilous voyages. The priests were said to have

stretched their arms above them and said:

May the Lord bless thee and keep thee; grant thee favoring winds, a prosperous voyage, safe harbors, and stout hearts for the storms.

#### EXECUTIVE SESSION

Mr. BYRNES. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

#### EXECUTIVE MESSAGES REFERRED

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

#### EXECUTIVE REPORTS OF COMMITTEES

Mr. HARRISON, from the Committee on Finance, reported favorably the nomination of Clark Squire, of Seattle, Wash., to be collector of internal revenue for the District of Washington, to fill an existing vacancy.

Mr. HUGHES, from the Committee on the Judiciary, reported favorably the nomination of Peter Woodbury, of New Hampshire, to be judge of the United States Circuit Court of Appeals for the First Circuit, vice Scott Wilson, retired.

Mr. McKELLAR, from the Committee on Post Offices and Post Roads, reported favorably the nominations of sundry postmasters.

#### COLLECTOR OF INTERNAL REVENUE—DISTRICT OF WASHINGTON

Mr. BONE. Mr. President, the chairman of the Senate Finance Committee [Mr. HARRISON] has favorably reported the nomination of Mr. Clark Squire to be collector of internal revenue for the district of Washington. I ask unanimous consent for the immediate consideration of the nomination.

The VICE PRESIDENT. The nomination will be stated for the information of the Senate.

The legislative clerk read the nomination of Clark Squire to be collector of internal revenue for the district of Washington.

The VICE PRESIDENT. Is there objection to the request of the Senator from Washington? The Chair hears none. Without objection, the nomination is confirmed.

Mr. BONE. I ask that the President be notified of the confirmation of this nomination.

The VICE PRESIDENT. Without objection, the President will be notified.

If there be no further reports of committees, the clerk will state the nominations on the calendar.

#### POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. BARKLEY. I ask that the nominations of postmasters be confirmed en bloc.

The VICE PRESIDENT. Without objection, the nominations of postmasters are confirmed en bloc.

Feb. 18





# H. R. 1776

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## IN THE SENATE OF THE UNITED STATES

FEBRUARY 18 (legislative day, FEBRUARY 13), 1941

Ordered to lie on the table and to be printed

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## AMENDMENT

Intended to be proposed by Mr. ELLENDER to the bill (H. R. 1776) further to promote the defense of the United States, and for other purposes, viz: At the end of the bill add the following new section:

- 1        SEC. 10. Nothing contained in this Act shall be deemed  
2 to confer any additional powers to authorize the employment  
3 or use of persons in the land or naval forces of the United  
4 States at any place beyond the limits of the Western Hemi-  
5 sphere, except in the Territories and possessions of the  
6 United States, including the Philippine Islands.



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## AMENDMENT

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Intended to be proposed by Mr. ELLENDER to the bill (H. R. 1776) further to promote the defense of the United States, and for other purposes.

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FEBRUARY 18 (legislative day, FEBRUARY 13), 1941  
Ordered to lie on the table and to be printed

tion of Destitute Citizens be, and is hereby, authorized and empowered to have printed for its use 5,000 additional copies of each part of the hearings held before said select committee, pursuant to the resolution (H. Res. 63) entitled "A resolution to inquire into the interstate migration of destitute citizens, to study, survey, and investigate the social and economic needs and the movement of indigent persons across State lines."

Mr. HAYDEN. I move that the Senate concur in the House resolution.

The motion was agreed to.

#### CALL OF THE ROLL

Mr. HILL. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Gerry	Murray
Aiken	Gillette	Norris
Austin	Glass	Nye
Bailey	Green	O'Mahoney
Ball	Guffey	Overton
Bankhead	Gurney	Pepper
Barbour	Harrison	Radcliffe
Barkley	Hatch	Reynolds
Bilbo	Hayden	Russell
Bone	Herring	Schwartz
Brewster	Hill	Sheppard
Brooks	Holman	Shipstead
Brown	Hughes	Smathers
Bulow	Johnson, Calif.	Stewart
Bunker	Johnson, Colo.	Taft
Burton	Kilgore	Thomas, Idaho
Byrd	La Follette	Thomas, Utah
Byrnes	Langer	Tobey
Capper	Lee	Truman
Caraway	Lodge	Tunnell
Chandler	Lucas	Tydings
Chavez	McCarran	Vandenberg
Clark, Idaho	McFarland	Van Nuys
Clark, Mo.	McKellar	Wallgren
Connally	McNary	Walsh
Danaher	Maloney	Wheeler
Davis	Mead	White
Downey	Miller	Willis
Elliander	Murdoch	

Mr. HILL. I announce that the Senator from Georgia [Mr. GEORGE] and the Senator from South Carolina [Mr. SMITH] are absent from the Senate because of illness.

The Senator from Florida [Mr. ANDREWS], the Senator from Oklahoma [Mr. THOMAS], and the Senator from New York [Mr. WAGNER] are unavoidably detained.

I ask that this announcement stand for the day.

Mr. AUSTIN. I announce that the Senator from New Hampshire [Mr. BRIDGES] is ill today and cannot be present in the Senate.

The Senator from Nebraska [Mr. BUTLER] is absent because of the death of his wife.

The Senator from Kansas [Mr. REED] and the Senator from Wisconsin [Mr. WILEY] are necessarily absent.

The VICE PRESIDENT. Eighty-six Senators having answered to their names, a quorum is present.

#### PROMOTION OF NATIONAL DEFENSE

The Senate resumed the consideration of the bill (H. R. 1776) further to promote the defense of the United States, and for other purposes.

The VICE PRESIDENT. The clerk will state the first committee amendment.

The CHIEF CLERK. In section 3, on page 2, line 16, after the word "defense", it is proposed to insert "to the extent to

which funds are made available or contracts are from time to time authorized by Congress", so as to read:

SEC. 3. (a) Notwithstanding the provisions of any other law, the President may, from time to time, when he deems it in the interest of national defense, to the extent to which funds are made available or contracts are from time to time authorized by Congress, authorize the Secretary of War, the Secretary of the Navy, or the head of any other department or agency of the Government—

And so forth.

The VICE PRESIDENT. The question is on agreeing to the amendment.

Mr. CLARK of Missouri. Mr. President, the pending measure, in my considered judgment, presents some of the most, perhaps the most, momentous issues which have confronted the American Congress since the foundation of the Republic. Certainly I believe that not in the time of service in this body of any of us who now sit in this Chamber have any proposals of such far-reaching consequence to the future well-being of this Nation been seriously advanced. With the possible exception of the legislation which was enacted immediately before and during the Civil War, no measure ever presented to the Congress could be considered to have exceeded in public import, so far as the ultimate destinies of this country are concerned, the proposal which is now before us.

We are to consider for a brief few days—and I speak with authority when I say that none of us who by settled conviction most sternly oppose the measure have any desire unduly to prolong the debate beyond the time in which, by decent and orderly presentation of our opinions, we may be able to apprise the American people of our views under our own oaths of office of the far-reaching and calamitous effects to be expected under this bill—I say, Mr. President, that in the brief few days for which, according to the majority leader of this body, we are to be allowed to take it under advisement, we are to consider a measure completely reversing the foreign policy of the United States from the time of Washington down, and to implement that measure by wiping out the restrictions of executive power over our domestic affairs which from the foundation of this Nation our people have held most dear.

These are grave considerations, grounds which must cause every lover of his country in a position of responsibility, every American freeman everywhere, in agony of soul to search his or her own mind and heart and conscience as to the best and safest course for us to pursue in this time of turmoil in the affairs of the world. But every true American, if he really loves the United States, if he is really devoted to our ideals and institutions, must approach the consideration of this or any other problem not only from the standpoint of America first, but from the standpoint of America first, last, and all the time. For I am not expressing a narrow or personal or nationalistic view when I say that the sole hope of mankind in the world lies in the perpetuation and the safety and preservation of the principles and ideals and institutions set up by the fathers in this

country. If we can maintain and preserve them here, we can defend ourselves against all the world, and we can extend aid to a stricken world in rebuilding itself.

Let me say, Mr. President, that in adhering to views of the welfare of our beloved country, for which I have a passionate conviction, I cast no reflections whatever upon the views of any other Senator who now conceives that the international situation has become so acute, so new, and so complex that it is not only desirable but imperative that we now change—perhaps forever—both the theory of foreign relations and of domestic government which has come down to us from the beginning. We have all taken the same oath of office. I have taken that oath several times in civil life and several times in the Army. It is an oath of utter devotion to the defense of the United States against all enemies, foreign or domestic.

I tried my best to carry out the obligations of that oath when I was an officer in the United States Army. I have tried and am trying to carry out that oath as a Member of the United States Senate. I assume that every other Member of this body has the same conception of that oath. Therefore, it is that I accord to every other Senator, whether he agrees with me or not, the same conceptions of patriotism, the same standard of single-minded devotion to duty, which I claim for myself. Therefore I am certain that this debate will be kept upon the high plane with which it was begun by the Senator from Kentucky. Under the Constitution we have a duty to perform. We know about the efforts of some newspapers, some columnists, many radio commentators apparently supported and encouraged by the big chains themselves. We know about the efforts of the big Hollywood motion-picture producers to poison the public mind. But our duty is our own. It is our sworn duty to make up our own minds regarding the peril of the welfare of the Republic. Let us leave the name-calling, the applying of terms of opprobrium, the attempt to intimidate public officials in the exercise of their high duties, to these lowly agencies. Let us, at least in this body, give faith and credence to the opinions of our brethren. If the bill is passed, this may be among the last of the opportunities we shall have to exercise that right.

Therefore let me discuss as dispassionately as may be the actual provisions and possible implications of the bill.

Mr. President, I denounce and oppose the bill before us.

First. Because its very number is a desecration upon the memories of those heroic men of 1776, who, through bitter privation, followed the standard of Washington to ultimate victory.

Second. Because even the title of the bill is absolutely misleading and misrepresentative to the people of the United States of the purposes of the bill. The title claims that it is a measure to "promote the defense of the United States." It has no such purpose and would have no such effect. It is, in fact, a bill to authorize the denuding of American defenses; to authorize the suspension of any American law inconsistent



with the dictatorial powers conferred in the proposed act; to authorize the arming and feeding and supplying of any country in the world at the expense of American taxpayers in the sole discretion of the President of the United States; to authorize the making of foreign alliances without the concurrence of the Senate, as required by the Constitution of the United States; to authorize the underwriting of the cost of maintaining the British Empire around the world at the expense of the taxpayers of America; to bring the war to our very doors by affording access to our navy-yard and shipyard facilities for the warships of belligerent nations; to abandon the Monroe Doctrine by the abandonment of its vital principle of not participating in Europe's wars.

Third. I oppose it because it authorizes the President, in his sole discretion, to produce or procure in any way he may see fit any article or commodity whatever, either from within or without this country, and to dispose of it without consideration, or for any consideration he may choose, to any country in the world.

Fourth. I oppose it because it gives the President autocratic powers for the disposal of our present defense weapons or other articles or commodities.

Fifth. I oppose it because it is an abdication by Congress of its functions and responsibilities in a manner not contemplated by the Constitution.

Sixth. I oppose it because it is a violation of obligations to our neighboring republics on the American Continent—more particularly, the declaration of Panama and the treaty of Habana.

Seventh. I oppose it because it stakes our national safety on the victory of one belligerent in a foreign war, and brings us to the very brink of war while at the same time permitting the serious weakening of our own means for defending ourselves and our brethren in this hemisphere.

Mr. President, even this purpose of gambling the whole of our national safety upon the one card of complete British victory, which has been urged in some of the arguments for the bill as the only possible excuse for it—even this purpose is not frankly avowed in the bill itself. The public has been led to believe that this bill simply provides for "aid to Britain" by "means short of war." The bill itself contains no such provisions. The name of Great Britain or the British Empire does not appear in the bill at any point, nor is anything said making it necessary that the beneficiary of our largesse shall be resisting the aggressions of the Axis Powers. Still less is there any limitation providing only for "aid to free peoples"—a most attractive propaganda phrase, and one which has been used with great effect by the interventionists in bringing us nearer and nearer to the verge of war. Under this bill aid could be extended to the Russian Bear, with its claws still dripping with blood of heroic Finland, as easily as to the far-flung British Empire. Under this bill, defense articles or commodities could be given to Thailand or to French Indochina, or to the Franco government in Spain. Under this bill our defense articles could

be given away, or loaned, or leased, or traded in, to assist in the enforcement of the British subjugation of India, a merciless oppression against which a multitude of the people of India have been crying out for years. As for restriction to "measures short of war" the complete negation to any such purpose in the bill is given in the fact that some of the most outstanding protagonists for the measure—notably, the distinguished Senator from Virginia [Mr. GLASS] and Dr. Conant, of Harvard—are among the most noteworthy advocates of our entry into the war.

Among the most vociferous of the supporters of the pending measure are the ardent advocates of "union now," a scheme which can only be described as essentially in effect intended to bring about our entry into the British commonwealth of nations on something akin to a dominion status.

Mr. President, let me say with every atom of sincerity which I possess that I hope as sincerely as any Member of this body or anyone else anywhere that Great Britain may successfully withstand any and all onslaughts of the unspeakable Hitler. But I am unalterably opposed to endangering the safety of the United States by any measure tending in any degree whatever to weaken our defenses to attack from without or, by breaking down our free institutions and processes of government in this country, to render us liable to equally dangerous attack upon our ultimate liberties from within. Much as I admire the heroism of the British defense of their own islands—and I may say that I have always believed that the British would be exceedingly tough on their own home grounds where they have so seldom had to fight—I am entirely unwilling to commit this country to a defense of the British Empire around the world. I am utterly unwilling to turn over to them articles which we might vitally need for our own defense. I cannot agree that the American people should be called upon to underwrite the expenses of the defense of the British Empire from Hong Kong to Labrador. I am unwilling that American taxpayers, already hard pressed, should be called upon to make sacrifices by the adoption of measures which Canada and New Zealand and Australia have not been called upon to enact. I protest that our taxpayers should not be called upon to assume the burden of paying for the defense of the British Empire when the financial resources of the Empire have not been exhausted and when they have other assets, in the shape of possessions in this hemisphere not very valuable to them but which might be priceless to us which they could turn over to us.

Let me say further, Mr. President, in connection with my discussion of the powers granted under this bill that I have the utmost respect for and confidence in the integrity, patriotism, and ability of the present President of the United States. I showed that by actively supporting his election in three different bitter campaigns. If I had not believed in his personal integrity and patriotism and his vital campaign pledges that he would be adamant in his intention to

keep this country out of war, I certainly would not have supported him in the 1940 election in spite of my well-known and life-long opposition to a third term in the Presidency for any man. I say very frankly that many of the powers granted to the President by the all-inclusive phrase "notwithstanding the provisions of any other act" would not in my opinion be exercised by him. The great achievements of the present administration, so far as domestic affairs are concerned, lay in the enactment of many of the laws which would be repealed or at least suspended by the all-inclusive provisions of this measure. But it is a fundamental concept of the grant of power that "whatever can be done may be done."

"But," it is asked—and that is almost the only argument that has been advanced for the bill—"do you not trust the President?"—which of course includes all future Presidents since we are setting a precedent for all time. "Do you not trust the Congress?"—which of course includes all future Congresses, for if one Congress may abdicate its duties it may be taken as a precedent for any subsequent Congress to do the same thing.

Mr. President, I answer in the words of the immortal Jefferson, the author of the Declaration of Independence and the Bill of Rights, the greatest liberal and the soundest Democrat who ever lived on this earth:

It would be a dangerous delusion if our confidence in the men of our choice should silence our fears for the safety of our rights. Confidence is everywhere the parent of despotism. Free government is founded on jealousy, not on confidence. It is jealousy and not confidence which prescribes limited constitutions to bind down those whom we are obliged to trust with power. Our Constitution has accordingly fixed the limits to which, and no further, our confidence will go. In questions of power, then, let no more be heard of confidence in man, but bind him down from mischief by the chains of the Constitution.

With these considerations in mind, Mr. President, I proceed to a discussion of the provisions of the act and the grants of power contained in it. I regard it as a national tragedy that in all the vast amount of propaganda on this bill which has been carried in the public press, over the radio, and through the motion pictures, there has been no real discussion of the provisions of the bill itself. If the American people fully understood the implications of this bill such a thunder of protest would arise from the American people that all the pressure of power, patronage, and propaganda would not be able to pass it through this body.

The provisions of the bill itself are purposely complicated to the end that the people may not be able readily to understand it. Secretary Hull testified before the House committee a couple of weeks ago that the measure had been prepared in the Treasury. Secretary Morgenthau, before the Senate Foreign Relations Committee, indignantly denied this and attempted to lay the blame at the door of Senator BARKLEY. The Senator from Kentucky cast aside the aspersions of parenthood and threw the responsibility upon those efficient and



faithful servants of the two Houses, the legislative drafting service.

Now, Mr. President, let us look at the bill itself.

Section 1 is simply a repetition of the misnomer and misdescription in terms to which I have already referred in my remarks upon the title of the bill. It provides that the proposed measure may be cited in the future as "An act to promote the defense of the United States," a description which is certainly neither honest nor candid and which most assuredly does not properly express the intentions of the bill or the grants of powers contained therein.

Section 2 (a) defines "defense articles." It is extremely diffuse, but its intent and its legal effect may be very briefly stated. It means, of course, any article or commodity whatever which might be useful or desirable to an army or navy or to the civilian population supporting such army or navy.

The term is all-inclusive. I challenge any Senator to name one single article or commodity which under the loose definition of this bill might not properly be included under the terms of section 2 (a) of this measure as "defense articles."

Section 2 (b), of course, authorizes the transfer of any vital military secret of our Government, whether it be a patented article or a secret process or formula. It means inevitably that such military secrets as we have—and I am frank to say that I do not know how many we have; and have no idea what they are, except as to a few, such as the bombsight, which I have heard mentioned by Army and Navy officials—would necessarily fall not only into the hands of our quondam allies but also into the hands of our prospective opponents. Nothing is more certain about warfare than that such a device as the Sperry bombsight, or any other gadget or invention upon an offensive weapon, will be no secret from the enemy once the first airplane or other weapon using it has fallen into the hands of the enemy. It is entirely possible that if such a device as the bombsight, which was testified by General Marshall, General Craig, and General Arnold to be our No. 1 military secret, were transferred to a belligerent power while we were still at peace, it might fall into the hands of any prospective enemy before it would ever be available for our own defense.

Our great disability at this time is that nearly all the great agencies of destruction which were invented by Americans are now being exploited, developed, and enlarged upon by other peoples. Americans invented the airplane, the submarine, the machine gun, and many other weapons now bringing about the greatest amount of destruction in the world. This provision removes the last protection which we have as to the products of American inventive genius, the secrets of which should be retained in our own hands for our own protection.

In short, as defined by section 2 of the bill, defense articles and defense information include everything we have, everything we grow or process or manufacture, or can buy anywhere in the world, and everything we know or can invent.

If an American citizen of inventive genius should be able, by experiment and trial, tribulation and labor and vicarious atonement—as so often happens in such cases—to invent a mechanism or a process so devastating that it would be of primary importance in the defense of this continent, and should give it or sell it to our Government, this invaluable American secret could be turned over to one belligerent with the certainty that the secret would soon be known by all belligerents and therefore would not be effective for our own defense.

Section 3 is the heart of the bill. Its very first words are indicative of the whole purport of the bill. Listen to the words beginning in line 14 on page 2. One does not have to be a lawyer to understand them. "He who runs may read." Their language is perfectly clear.

Notwithstanding the provisions of any other law, the President may, from time to time—

In his sole discretion, through any agency or department he may choose—manufacture in arsenals, factories, and shipyards under their jurisdiction, or otherwise procure, any defense article for the Government of any country whose defense the President deems vital to the defense of the United States.

This certainly gives the President the authority at least to suspend all laws or parts of laws in conflict with his own will as to methods of production. It would most certainly vest in the President the authority if he should see fit to exercise it—and I am frank to say that I do not believe he would as to these particular acts until the iron pressure of events compelled him to do so—to suspend the Labor Relations Act, the Wages and Hours Act, the Walsh-Healey Act, and many others. It would be enlightening to the people if appended to the bill had been an opinion from the Attorney General setting out the scores or possibly hundreds of statutes for the suspension of which this provision will be authority.

If the words "notwithstanding the provisions of any other law" do not mean at least the suspension of any act putting any restraint upon the all-out power granted to the Executive under the terms of the bill, then it would be difficult to say what they do mean. They seem to me to be the exact equivalent of the frank proposal with which the Senator from Florida [Mr. PEPPER] startled the Senate and the country last summer, to the effect that a period of national emergency should be declared and the President empowered to suspend or set aside any and all laws at will.

Section 3 (a) authorizes the President "notwithstanding the provisions of any other law" to procure in any way, anywhere in the world, any article or commodity of any sort and to dispose of it in any way he sees fit to any government in the world. Section 3 (a) further proposes to bring the war to our very doors by authorizing the use of our navy yards, shipyards, airfields, airplane factories, arsenals, and factories for the repair or reconditioning of any warship, war plane, or other weapon of warfare.

This, Mr. President, is not only an act of war, meaning almost certain involvement in the war, but it means also a violation of the commitments we have made and the mutual obligations we have undertaken with our friends and neighbors in this hemisphere.

I believe that the greatest achievement of President Roosevelt has been his improvement of our relations with our neighbors to the south. The development and the cementing of those relations, both political and economic, should be the course for the United States to pursue and has been the course wisely and ably pursued by this administration.

We cannot combat German propaganda or German business and economic enterprise in South and Central America or in Mexico by force of arms. We can do it only by greater initiative, better understanding, far higher ideology than the Germans or anyone else can offer.

During the present war in Europe much has been done for "hemisphere solidarity" through the brilliant leadership of President Roosevelt and Secretary Hull. The other American republics have willingly and ungrudgingly agreed to cooperate with us in keeping this war from our shores. By the Declaration of Panama and the Treaty of Habana we have mutually agreed that we will not permit our shores to be used as bases for belligerent powers, and around these continents we have set up a neutral zone in which we insist that acts of war by belligerents shall not be committed. These declarations are now to be abandoned for war by us, according to the theory of this bill; for if warships of belligerent powers are admitted to our navy yards for reconditioning and repair, by that very fact we constitute such navy yard bases for naval action, in violation of the Declaration of Panama; and if by such acts we invite hostile action at our very doors, we ourselves shall have violated the neutral zones set up by the American republics in the Treaty of Habana.

Section 3 (b) makes it plain that any of the articles or commodities covered by the bill—which are all articles and commodities—may be transferred by the President by gift or otherwise as he may determine. All that is required is that he deem the terms and conditions of such transfer satisfactory, and believe it may result in some benefit, direct, or indirect. The consideration for the transfer of a couple of our battleships might be that the British in the future would refrain from calling us Uncle Shylock because we did not cancel the debt of the billions of dollars they still owe us from the last war. Far more important, Mr. President, than the provisions of section 3 (b) are the terms and conditions upon which any foreign government shall receive any aid authorized under section (a); that is, that the transfer by sale, gift, lease, loan, or otherwise, of any article or commodity that can be conceived, shall be upon such terms as the President deems satisfactory.

Mr. President, that provision clearly and unmistakably authorizes the President of the United States to enter into



alliances without the necessity of negotiating a treaty to be ratified by the Senate of the United States, as provided by the Constitution, because if he is permitted to transfer anything within the realm of imagination to any foreign power that he sees fit, upon such terms as he sees fit, he unmistakably has the power, in laying down those terms, of entering into an alliance of almost any character than can be imagined.

In connection with section 3 (a) I think it is pertinent to remark that the limitation sought to be imposed by the House amendment at the top of page 3, that—

No defense article not manufactured or procured under paragraph (1) shall in any way be disposed of under this paragraph, except after consultation with the Chief of Staff of the Army or the Chief of Naval Operations of the Navy, or both. The value of defense articles disposed of in any way under authority of this paragraph, and procured from funds heretofore appropriated, shall not exceed \$1,300,000,000—

means precisely nothing at all. It is not worth the paper it is written on, for the reason that no standards of value are set up in it; that the President could put any value on any article that he pleases, and the value or the standard may be anything—the scrap value or the junk value of a new battleship, or on up. If the President so desired, he could put down an \$80,000,000 at two dollars and a half so far as making up the total is concerned.

Furthermore, Mr. President, since I am on the question of amendments, I should like to say that while the amendment adopted by the Senate committee providing that powers granted in this act may be terminated by a concurrent resolution is a vast improvement over the amendment adopted by the House, which was plainly and undeniably unconstitutional on its face, it seems to me that the provisions of the limitation contained in the Senate amendment are of extremely doubtful constitutionality. I think this view will not be denied by any of the able Senators who drew the Senate committee substitute for the House amendment.

My own opinion is—and I base that opinion upon all the decisions which have ever been made upon the subject—that the Supreme Court would properly hold that powers granted to the Executive by a valid statute cannot be repealed or terminated except by a statute of equal dignity and validity, which would mean either a bill or joint resolution passed by the Congress and signed by the President of the United States or a bill passed over his veto by a two-thirds majority.

Mr. President, the provision that the President shall take these steps only after consultation with the Chief of Staff of the Army or the Chief of Naval Operations, or both, is likewise, in my opinion, without any essential benefit whatever to the bill. It merely requires that the President may consult with these authorities. It does not say that the President shall in any way be influenced by their opinions. It does not mean that if the Chief of Staff of the Army or the Chief of Naval Operations of the Navy should protest most vigorously against the transfer of any weapon, if they should

assert their professional opinion that it is absolutely vital to the defense of the United States, the President shall in any manner be bound, or even necessarily influenced, by that opinion. The amendment offered in the committee by the Senator from Michigan [Mr. VANDENBERG] simply providing for certification by the respective chiefs of military services, approximately in the language of the present law, was voted down in the committee by an overwhelming vote of the proponents of the measure; yet we know that even that has not served as a protection against the transfer of essential naval vessels even at the present time. We all know that shortly before the destroyer deal was consummated, it was testified before the Committee on Naval Affairs of the Senate by the Acting Secretary of the Navy that the Navy Department and the Bureau of Naval Operations had protested most vigorously against the transfer of any of our naval vessels to any belligerent or to anybody else, on the ground that they were essential for our own national defense; and yet, very shortly afterward, announcement was made that the deal had been consummated with the certification of the Chief of Naval Operations.

So that even if the far stronger amendment which was rejected by the proponents of this bill in the committee had been adopted, it would not afford any substantial security in that regard. At the present time even before the passage of the bill we have the official opinion of the Secretary of the Navy that we cannot presently spare any destroyers to anybody being overruled by that great military-naval-economics-political expert, Mr. Willkie, who broadly intimates that he is doing so upon the authority of the President himself.

Mr. President, I further call attention to the fact that the provision of this bill setting up a revolving fund is plainly a violation of the clause of the Constitution of the United States which provides that no appropriation to raise and support armies shall be made for a period greater than 2 years. That point seems to me so plain, on a mere reading of the provision of the Constitution, that I do not intend at this time to detain the Senate by an elaborate discussion of it. It does seem to me to be a point which makes this bill plainly in violation of the Constitution of the United States.

Mr. President, the grants of power contained in this bill, constituting so violent and startling a departure from the policy and the theories of domestic polity upon which this Government has proceeded from the very beginning, are sad, indeed. To my mind, far worse, Mr. President, is the fact that this is a war bill; this is not a defense bill at all; it is a war bill. It is a bill to implement and put in motion processes which almost certainly will result in war; and if it results in war, Mr. President, we know that we ourselves are likely to emerge from the war, whether we win the war or not, with a totalitarian form of government.

It has been testified before various committees of the House and Senate by high officials of the Government and such eminent citizens not now immediately connected with the Government as Mr.

Willkie that the purpose of this bill, the policy of the United States Government, is to see that Britain wins the war, not to have a stalemate, not to have a negotiated peace. Some have gone so far as to say that it is the duty and policy of the United States to see that Hitler is beaten to his knees, wiped off the map, eliminated as a factor. Some say that Congress and the President have a mandate from the people to that effect. Of course, there is not one syllable of truth in that assertion. The American people never had any such issues submitted to them. The American people never had any opportunity of passing on issues which involve our guarantee of the triumph of one belligerent over another. On the contrary, both platforms contained specific declarations against our involvement in war. The platform of the Democratic Party went much further against involvement in war than did the Republican platform and contained a specific pledge to the American people to that effect.

The candidates for President of both parties in all their campaign speeches spoke against involvement in war or any steps leading to involvement in war. In my opinion, it was the fact that the Democratic platform was much stronger and more specific than was the Republican platform in its pledge against involvement in war and that President Roosevelt was more forthright, and that the American people believed him, more sincere in his speeches to the American people against involvement on the part of the United States in the war that brought about President Roosevelt's reelection, in spite of the antipathy a great many Americans had for a third Presidential term. The American people never had an opportunity to express themselves on such a measure as this. It is my opinion that if either candidate in the course of that campaign had frankly advocated such legislation as this, almost inevitably leading us to war, that candidate would have been overwhelmingly defeated.

As I have said, Mr. President, this is not a defense bill; it is a war bill. We pledge ourselves to assuring, guaranteeing military victory of one belligerent over another. We all know that we will have to follow that up by any means that may be necessary. We all know that that is equivalent to a declaration of a state of war ourselves, and must be followed up by sending our warships, our planes, our guns, and, ultimately, the men, the boys of this country of the coming generation who are the hope and heart of the future of the United States, across the seas. Once committed, Mr. President, we cannot turn aside.

It is true that Mr. Churchill said the other day over the radio, in what was really intended to be testimony before the Foreign Relations Committee, that the British would not want men this year or any other year. Mr. President, we heard the same thing before we declared war in 1917. I heard all the debates in Congress—in the House of Representatives at least—before we declared war in 1917. It was repeatedly said upon the highest authority that it would not be necessary for us to send any expeditionary force;



and yet we were not in that war a week before it was learned that there was desperate need of men. So, if we are once committed to this policy, Mr. President, let no man think that, even as a matter of national safety, having engaged in the prosecution of war, we will not send the men or anything else that may be necessary.

It is said, Mr. President, that we must guarantee to beat Hitler to his knees. I hope and believe that Hitler will ultimately be destroyed as was Napoleon, but I do not believe it is possible for the United States to send men enough to Europe to achieve a military victory on the Continent of Europe.

No competent military expert—except Mr. Willkie—has ever suggested that it is possible to achieve a decisive military victory without manpower on the ground. The British blockade in the Napoleonic wars crippled Napoleon, but his downfall was brought about in the battles in Spain and by the frozen veterans he lost in the retreat from Moscow. The Union blockade crippled the South in our own Civil War, but the Confederacy was only defeated by its depletion on manpower from such bloody fights as Gettysburg, Antietam, and Spotsylvania Court House. In the first World War Germany was crippled by the British blockade, but it was not until we smashed the Hindenburg Line that Germany capitulated. In the present war it has been again proved in France and in Africa that while mechanized equipment may have great strategic effect it is the infantrymen, with the bayonets, who ultimately must take and hold ground.

I know that it is not possible for the British, now heroically and desperately engaged in defending their own islands, to land an expeditionary force on the Continent of Europe. The very idea is preposterous. The British certainly cannot even attempt military operations on the Continent with the resources of manpower at their own command at the present time. Naturally, we should have to supply the men who would be sent abroad.

Mr. President, I say that that would be the most serious risk to the very safety and defenses of the United States that was ever attempted by any country at any time. I was one of those who landed in France once under conditions far more favorable than will ever be encountered in this war, and even then it was extremely difficult. If we were to attempt a landing on the Continent of Europe, there would be no Dunkirk for us. We should be too far from home. On the other hand, the failure of the Germans during a period now of nearly a year, with complete superiority in the air and a state of high preparation, to be able to cross 20 miles of the English Channel and land as much as one man on the British Isles, to my mind, makes it preposterous that the Germans at any time within the reasonable future could cross 3,000 miles of sea from Europe to the United States or, by a roundabout course coming through Africa and South America, cross some nine or ten thousand miles of sea and jungle to attack the United States, provided we attend to our own business and preserve the means for

defense which we now have and which are in course of preparation.

On the other hand, Mr. President, if we were to send our Navy, our airplanes, and our other weapons of defense across the sea to be used by some other power, and that power should be defeated, as it well may be, no matter what we do, then, having denuded ourselves of all our own defenses, our plight might be desperate.

So, Mr. President, I say that the thing that should be considered in connection with the defense angle of this measure, apart from the dictatorial powers granted in it, is the very serious menace that we may be creating to our own actual national safety in a situation in which there is no necessity and no excuse for it.

Mr. President, throughout the debate on this subject, both in the public and in the Senate and in the House, I have been very much struck with the essential difference in tone on the part of the proponents of this measure at the present time and on the part of those very same men and women at the time of the debate upon the repeal of the arms embargo just about a year and a half ago. At that time it was asserted that the only purpose of that act, the only excuse for its passage, was to keep the United States out of any possible involvement in war. It was stated that any suggestion of the extension of credits by the people of the United States or by the Government of the United States was absolutely unthinkable, and should be and was to be forbidden by law. It was stated that any suggestion that any of the naval vessels or military equipment belonging to the Army and Navy of the United States should be turned over to a belligerent was not only unthinkable, but that its mere suggestion constituted a serious reflection upon the integrity of the President of the United States, to think that he would engage in such a violation of international law. It was stated that the only purpose was to avoid taking any step that could in any degree whatever lead us closer to war. Yet, Mr. President, it is now unblushingly admitted on every side that we are taking steps which may lead us to war. Some go so far as to favor an immediate declaration of war; and scarcely any one denies that the steps contemplated in this measure may be such as to lead us into a bitter conflict.

Mr. President, we are facing a situation in which, if we pass this bill, we are taking certainly the next to the last step leading to our involvement in war. It may be that we are taking the last step, because under the powers given in this bill steps may be taken which will create a state of war.

Mr. President, I do not believe that the American people or any considerable portion of the American people are in favor of our involvement in a war across the seas. I do not believe that the safety of the American people and of this Republic can be promoted by our involvement in war. On the other hand, I very firmly believe that that safety may be very greatly impaired, and that the perpetuity of our institutions may be gravely endangered, by such a course. In view of the fact that war is the inveterate and most powerful and, indeed, the invincible

enemy of liberalism, I think it is entirely possible that if we should engage in a war, we might win the war and lose our liberties at home. Therefore, Mr. President, I shall oppose this bill or any other bill taking steps to bring us nearer and nearer to war.

Mr. VANDENBERG obtained the floor.

Mr. McNARY. Mr. President, will the Senator yield?

Mr. VANDENBERG. I yield to the Senator from Oregon.

Mr. McNARY. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Gerry	Murray
Aiken	Gillette	Norris
Austin	Glass	Nye
Bailey	Green	O'Mahoney
Ball	Guffey	Overton
Bankhead	Gurney	Pepper
Barbour	Harrison	Radcliffe
Barkley	Hatch	Reynolds
Bilbo	Hayden	Russell
Bone	Herring	Schwartz
Brewster	Hill	Sheppard
Brooks	Holman	Shipstead
Brown	Hughes	Smathers
Bulow	Johnson, Calif.	Stewart
Bunker	Johnson, Colo.	Taft
Burton	Kilgore	Thomas, Idaho
Byrd	La Follette	Thomas, Utah
Byrnes	Langer	Tobey
Capper	Lee	Truman
Caraway	Lodge	Tunnell
Chandler	Lucas	Tydings
Chavez	McCarran	Vandenberg
Clark, Idaho	McFarland	Van Nuys
Clark, Mo.	McKellar	Wallgren
Connally	McNary	Walsh
Danaher	Maloney	Wheeler
Davis	Mead	White
Downey	Miller	Willis
Ellender	Murdock	

The VICE PRESIDENT. Eighty-six Senators having answered to their names, a quorum is present.

Mr. VANDENBERG. Mr. President, I think I shall crave the same indulgence asked by the able Senator from Kentucky [Mr. BARKLEY] yesterday. I suggest that I be allowed to proceed to the conclusion of my formal statement without interruption for the sake of continuity and economy of time.

Mr. President, this is a momentous debate, because it leads to momentous conclusions which inevitably affect the peace, the security, and the free institutions of the United States for generations to come. Indeed its acknowledged aim is finally to influence the security and the lives of men, according to Presidential definition, "everywhere in the world." The Congress heretofore has never faced such infinite horizons. It has never been invited to such limitless adventure. It has never confronted a prospectus fraught with heavier consequence to the American way of life.

Unfortunately, in the midst of ruthless world-wide wars from which our Western Hemisphere is thus far alone immune, there is no clear road ahead, regardless of what our decisions may be. In our anomalous role of an unneutral nonbelligerent, none among us is entitled dogmatically to say, "This is the safe, sure way." There are risks at every turn. There is destiny in every choice. There ought to be humility as well as courage in each one of us.



Out of this controversy, when the final answer is written for America, must come the nearest possible approach to that national unity which is our source of greatest strength when we face the world. I, for one, shall seek it. In pursuit of it, if we ever respected each other's motives and sought to avoid the acrimony and the intolerance which kill reason with the poisons of prejudice, hysteria, and hate, here is the essential occasion. And I commend that thought to some of our external critics. If we ever strove to reject the substitution of anathema for argument, now is the essential time. If we ever needed the gift of divine guidance, the hour has struck. Yet if we ever needed the brave truth, as God gives it to each one of us to see the truth, the Republic needs it now. Under such critical circumstances, Mr. President, and in the presence of such sinister portent, it must be with a sense of profound—aye, oppressive—responsibility that any Senator addresses himself to the pending text.

In what I hope may be fidelity to this spirit—and with complete respect for the opinions of those who disagree with me—I state my reasons for opposing H. R. 1776 which, by title, is intended "to promote the defense of the United States and for other purposes." If it is for "the defense of the United States" then the "other purposes" should be abandoned. If and when they are, I can heartfully go along. But as it stands, and as it seems destined to stand when all effective amendments have been rejected here as elsewhere, I must oppose it because I deeply believe that, in its pending form, it is a potential and needless threat to the peace and security of the United States; that it impairs democracy at home in the promise of supporting it abroad; that it may lead us ever closer to dire involvement in the fires of war itself; that it could strip us of the essential means, in the last analysis, to implement our own pledge to maintain hemispherical defense in this New World, most emphatically and particularly including Canada; that it still nullifies the constitutional checks and balances, in respect to this issue, which have been the bulwark of 150 years of American freedom—still nullifies them despite certain partially corrective amendments which the bill now carries; that it is unnecessary as a means to achieve, short of war, that "aid to England" which has come to be our dominating aspiration which I share; and that it should either be sharply amended or rejected in favor of other, direct and simple means to reach this goal.

I hasten to say that no Senator who supports this bill accepts this indictment for a single instant. Neither does that major body of public opinion in the country which is urging its adoption. In some instances, proponents frankly state that if war is the consequence of this new policy they are prepared to take it. But the vast majority assert it is the road to peace; and that the temporary impairment of our democracy is a useful price to pay for its ultimate salvation. That is where our fundamental difference of opinion stems. I utter the fervent prayer, Mr. President, that the

right side—in the light of yet unwritten history—shall win. I want ultimate vindication, Mr. President, not for my own, but for the congressional verdict.

Before I proceed to my analysis, Senators, let me briefly reach into the background. I was originally opposed to the amendment of the Neutrality Act which had been overwhelmingly approved by Congress and the country at a time when we could deal objectively with the question of war. I earnestly felt at the time that our traditional neutrality was the appropriate and historic role for the United States; and that, in the net of things, it would be best for us and all concerned that one great, powerful, truly neutral voice should remain in free position to seek the first appropriate moment to call a rational truce in the ghastly business of murder and destruction and to lead in reorganizing a peaceful world. No one will ever know whether such opportunities might have been ours under that procedure. It is futile even to speculate. Perhaps it always was.

In any event, we departed from our statutory neutrality, though it was thrice asserted by act of Congress and by President Roosevelt's approval. But we departed only under the most vehement assurances of those who sponsored the departure that the purpose and objective still was to keep us out of war and out of any hazards that would drag us in. Under prevailing belligerent conditions, the national policy thus necessarily became one which has come to be phrased "aid to the Allies" in general, and more particularly "aid to England" short of war. The Axis Powers subsequently became so unspeakably ruthless in their emasculation of small, independent countries—all of which, I may say at this point, must regain their independence in any just peace—that aid to the Allies soon became not only a fixed national policy but also the heartfelt aspiration of millions of our people. I may further interpolate, lest there be needless misunderstanding, that none among them is more irreconcilably opposed to the un-Christian scourge of Hitlerism than am I; that none among them is more irreconcilably opposed to any form of dictatorship, either foreign or domestic, than am I; and that I go even farther than most of them in this attitude because I include Joe Stalin, Moscow, and communism upon my blacklist, and I would expect no possibility of good from any expedient flirtation with these world revolutionists.

Mr. President, I realize that Washington's Farewell Address is dimmed in some particulars by the passage of time, although the Senate still thinks well enough of it to have it read in full on each birthday of the Father of his Country. When it is once more read next Saturday by the distinguished senior Senator from Maine [Mr. WHITE], who has been assigned to this honorable task, I hope he will particularly linger on these two sentences—

There can be no greater error than to expect or calculate upon real favors from nation to nation. It is an illusion which experience must cure, and which a just pride ought to discard.

That will be sound advice long after Hitler's dream of world conquest has collapsed, and long after our own America has resumed her peaceful progress toward a better and a happier democracy right here in our own United States.

But let me resume the narrative. Having lost the battle of neutrality, I moved forward in cooperation with the will of the majority. I conceive that to be the American way. I supported—and I continue to support—"aid to England"; and it entirely satisfies my heart because every beat of it is in sympathy with the intrepidity of these amazing Britons who glorify the finest traditions of free men. I feel similarly about the Greeks and the Chinese—as I did also about the Finns.

I repeat that I moved forward in step with the new program—as I shall move with this when the issue is decided by democratic process. I do not believe in domestic divisions when we face the world. I completely concurred in the need for total national defense—rendered unanswerably necessary by the foreign policies which we thus embraced—if not by other elementary precautions which I endorse. I have voted for every defense-appropriation bill from that hour to this. I completely concurred in the policy of hemispherical defense under the Monroe Doctrine—which, by the way, insists just as sternly that we shall keep out of Europe as that Europe shall keep out of the Americas. I emphatically concurred in the extension of this doctrine to include the Dominion of Canada which, from the standpoint of elementary geography, requires our total defense support as though it were an integral part of the United States. Indeed, my devotion to this objective is one of the reasons why I continue to maintain that we have no right—either for our own sake or for the sake of our friendly neighbors to the north—to strip ourselves of the minimum-defense potentialities upon which, in the final analysis, both of us might have to rely for the final defense of free civilization in this mad world.

Well—we embarked upon this new policy. We became partisan nonbelligerents. It was a doubtful role because it is hard to be half in and half out of a war. I confess that I once said that it was impossible—just as it is highly hazardous to go over Niagara Falls on the wishful theory that you can stop yourself halfway down. But all the time everybody in authority was saying that we must and should stop "short of war" itself. "Aid to the Allies?" Yes; to the maximum extent that our gummed-up industrial production and our red-taped, muddled inconclusive governmental controls would permit. But always "short of war."

A Presidential campaign was fought out last fall—with both major candidates eager to aid the Allies but equally eager to prove that he would never, never, never permit America to reach an active foreign battle front. President Roosevelt was unequivocal in this dedication. I quote him at Philadelphia on last October 24:

I repeat again that I stand on the platform of our party: "We will not participate in foreign wars and we will not send our Army,



naval or air forces to fight in foreign lands outside of the Americas except in case of attack."

President Roosevelt won the election, and if he won any sure and certain mandate with it, it was a mandate to keep America out of this war. The press release of last January 10, however, which officially heralded this pending bill said that it "simply translates into legislative form the policy of making this country the arsenal for the democracies, and seeks to carry out President Roosevelt's pledge to these countries." Undoubtedly it does that. But I am speaking first of the pledge which President Roosevelt and some of the rest of us in far humbler capacities made to the people of our own United States. It was to keep out of war—and the 1916 precedent, which scrapped a kindred promise within 6 months, was expressly repudiated in advance.

I regret that I have not once heard that preelection formula, "short of war," from the Presidential lips in the last 3 months, although the President, I add in fairness, constantly insists this is a pacific policy which we are now invited to embrace. Many deeply believe that this is true, although I heard the Senate Chamber ring on yesterday, Mr. President, with promises of war and even potential threats of war. Equally I regret that the House of Representatives and the Senate Foreign Relations Committee, for collateral reasons which they conscientiously deem sufficient, have declined amendments to this bill—in keeping with these election pledges—which would assert that nothing herein contained shall authorize the use of our land and naval forces outside the Western Hemisphere except in our own possessions. Perhaps it would be needless, but this reassurance, poor though it be to the anxious mothers of America, would seem to be rather inexpensive at the mere cost of the few words necessary to reassert this purpose. Its absence may be too often interpreted as ominous.

Now, Mr. President, I come to my own mandate—and I certainly have one from my own constituency in Michigan. Those who were defeated at the November polls may be free agents. I am not. I was re-elected to the Senate on that same November 5. I was explicit in my statement of my purposes on more than 200 hustings. I said:

It is now clearly to America's advantage that Britain should win this war. This will be a far safer world for us if Britain does win. I want Britain to win. I propose that Britain shall have maximum use of our defense productive capacities, limited only by three propositions:

First. We must not become a cobelligerent, because, if we do, we shall lose our own democracy almost overnight; and a two-ocean war, in our present state of unpreparedness, would involve tragic consequences ahead of victory.

Second. In aiding others we must not dissipate the essential nucleus of our own national defense because America must survive regardless of who wins in Europe, Asia, or Africa.

Third. We must not lose democracy at home in an effort to save it abroad.

Those were my commitments. That is my position today. If I have a further

mandate, based on an issue clearly drawn in my campaign, it is to sustain the full spirit of the liberty-saving checks and balances in the Constitution of the United States. Those checks and balances deny exclusive power to the President over the destinies of our people. They require congressional partnership in vital decisions of state. It is the crux of our free system. It is our discrimination between dictatorship and democracy. It is the priceless heritage of 150 years of American liberty. It was wholly gone under the terms and implications of this bill as originally presented in both branches of Congress. It is only partially retrieved under amendments thus far accepted by the administration. We confront a terrible emergency; yes. But the worst of the emergency, in my view, is the insinuating proposal that to keep others free, we must become less free ourselves. In my view, this so-called lending-leasing bill not only invites us closer to the grim event of war itself—for reasons upon which I shall presently enlarge—but it lends essential congressional prerogatives to the President and leases a new portion of the Constitution to the White House—and all unnecessary in order to aid England short of war. It is not embraced within my mandate. It will not proceed with my support, until the democratic process ordains otherwise.

Let me repeat that this implies no lack of willingness—yea, of anxiety—to aid the Allies within the self-saving limitations heretofore defined; and only those critics in whom an obsession has overcome the power to think will read it otherwise. God knows it implies no hospitality to Hitlerism. Indeed, if the Axis Powers should so tragically misconstrue the attitude of those of us who take this position as being sympathetic with their bloody aims, they have but to defile the hem of Columbia's garment to find all of us irresistibly upon the forward march—including war itself—to defend democracy in this New World.

And now we come specifically to the bill itself.

My greatest fundamental objection to it is that it invites and authorizes the President of the United States to enter the continental arena of "power politics," which has been the curse of the Old World and the cradle of its incessant wars for a thousand years, invites and authorizes him to become power politician No. 1 of this whole, mad world.

I am not using the word "politician" in the orthodox sense in which it is used in American politics. I am not using it invidiously; I am using it factually, to define an administrator under the system of power politics which has made Europe what it is today and which has cursed Europe for a thousand years. I assert that an analysis of the bill, to which I shall now proceed, will make it perfectly clear that when these powers shall have been established and exercised the White House will have become G. H. Q. for the second World War. Let us see if that is not literally so.

Oh, I am fully conscious of the fact that our constitutional theory of government commits exclusive control over foreign contacts and negotiations to the Presi-

dent, although foreign commitments belong equally with Congress. But this proposed new power is vastly more. Nothing remotely like it exists anywhere on earth today unless it be in Rome, Moscow, or Berlin.

This bill hands the President \$1,300,000,000 of our existing Army and Navy and air equipment—with the knock-down values, by the way, to be fixed by him. It hands him all the future appropriations to be made by Congress under the terms of this bill, and this evidently means more than \$7,000,000,000, because the administration rejected a House amendment to put the ceiling at least temporarily at that point. It hands him all these vital American resources—\$1,300,000,000 worth in one instance and \$7,000,000,000 minimum in the other—plus the authority to purchase or manufacture or "otherwise procure" war supplies, as he sees fit, either at home or abroad—and that phrase "otherwise procure" might mean many sinister things under the broad legal interpretations which the Department of Justice promptly provides these days upon request. He can lease these resources or lend them or give them away on whatever terms may suit his fancy. He is almoner and armorer to the world.

Then this bill says to the President: "Solely in your own discretion and solely on your own authority you pick our allies and our enemies anywhere you please all round the globe; you reward them as you personally may wish out of this vast reservoir of our own hard-pressed resources; you bid as you please for whatever alliances you see fit; you underwrite the wars of others as your wisdom indicates to be essential to our own defense; you make whatever undeclared wars you please, so long as you think it comports with our defense necessity. You may make the decision. You do it all. And all that Congress humbly and most respectfully requests is that you tell us once every 90 days what is going on—and you need not do even that if you deem it incompatible with the public welfare."

I suppose, under the theory of the thing, and under the expansion of the prospectus as seen by the distinguished Senator from Missouri [Mr. CLARK], if it should come true, in some one of the 90-day periods we might receive our report, and it would merely say, "Gentlemen, you may not know it, but you are at war."

Aid to Britain? Where does this bill say anything about aid to Britain? It is aid to anybody the President may nominate for his martial bounty. Yes; and as for Britain, she herself ceases to be a free agent—and this is most important—in the choice and purchase of her American supplies. She may still ask for what she wants; but what she gets is solely and entirely the fruit of Presidential discretion. She just stands in line, hat in hand, with all the rest. Everything all flows hereafter through omnipotent Presidential hands. He writes the ticket for the whole round earth. When he writes it he controls war strategy everywhere.

Secretary of War Stimson, testifying before the House committee, specifically said that the bill includes within it an



inevitable influence "to determine the general strategy," and that it contains within it "power to decide on strategy to defeat the Axis Powers."

Mr. President, this is a new role for America, a complete departure from history and traditions. But, most important of all, America accepts a responsibility not only for what happens here but for what happens wherever this war is raging anywhere around the world. It accepts an American responsibility from which we can never depart when once we have embraced it. The world's power politician No. 1 is created by this bill. Not even Jove, with his monopoly of lightning bolts, was more powerful on Mount Olympus.

Yet great as is this power, it is not so great as was originally sought, because there are gestures of casual restraint in two appeasing amendments; but the fact that even greater powers than those now granted were denied is small consolation, since the original quest confesses the boundless limits of the purposes which this bill approves. It virtually turns over the purse and sword not only of America but wherever there is a belligerent fighting this battle which we call the battle for democracy. From the hour when this bill is approved, here on Pennsylvania Avenue is the heart and center of the wars of the world.

When we ask, "Why may we not name the countries for which we intend this aid?" we are answered, "Because, overnight, the theater of war may spread, and the President must be free to spread with it." This is a license to arm half or more of the earth out of our arsenals—at a moment of grave danger, when we have not yet been able adequately even to arm ourselves. And arming the world is but a short step from attempting to police it. Why, we may even find ourselves arming Russia, in the name of aiding democracy—God save the mark—if she temporarily leans our way; just as we flung an orchid to Moscow 3 weeks ago when we lifted our "moral embargo" against Russia, although our State Department has charged Russia with "flagrant violation of her pledge with respect to noninterference in our internal affairs," and although we are the only country in the Western Hemisphere which accords her the sanctuary of official recognition. Yes; and the suggested further limitation on this supreme Presidential power concerning which I have read in the newspapers, as embraced within a possible amendment which might be offered, acceptable to the administration—the further limitation, namely, that this power shall be exercised only in behalf of the "victims of aggression"—discloses its own impotence when we recall how every tyrant thus identifies himself. Russia said brave little Finland was the aggressor. Mussolini said likewise of the Ethiopians.

Mr. President, I do not believe that we keep the American way of democracy or the spirit of constitutional government when we thus transfer vast resources to the sole bounty of the President to roam a war-torn world and to reward whatever alien nation he may please, in whatever way he pleases, for whatever war action

he deems ultimately helpful to the defense of the United States. Furthermore, I reject and deny the novel doctrine implicit in this new philosophy—a doctrine denied by a century and a half of our forward-marching history—that our American defense is thus at the mercy of any such far-flung manipulation of power politics in the Old World. I simply cannot accept the novel theory that our safety and our peace and happiness require of us that we shall make our White House the war capital of half the earth or more, and our President the No. 1 power politician of the world. I do not believe it contributes to our peace. I do not believe it defines our appropriate role in World War No. 2.

America has not risen to her eminence by mingling her destiny with that of Occident or Orient. America has come to her glories of progress and of peace by standing her own ground. There may be no such thing as isolation left in this fore-shortened world; but there still is such a thing as relative detachment and magnificent independence. Relatively, these are still our assets, however much they may be depreciated. Europe, on the other hand, has shaken to the tread of marching armies, and, more recently, to the shadows of armadas in the sky, since the memory of man runneth not to the contrary, because it has languished in the ebb and flow of racial rivalries and sectional appetites, all expressed in a pursuit of the balance of power—power politics. We took quite a fling at it ourselves 23 years ago—and failed. We shall always fail in such concerns. The nearer we get to it, the farther we shall always be away from peace. In the present instance, the farther we shall be away from peace and also the farther we shall be away from our own precious democracy. And I am unable to see why aid to Britain, which is a comparatively plain and specific thing—which can be afforded by plain and specific grant, and which in all human probability could go through Congress by almost unanimous vote in 48 hours—must be wrapped up with any such limitless excursion into realms, I say it with a great respect, which not even Don Quixote would have dared envision.

It is not enough to say that sinister things would not occur. This a government of laws and not of men. It is enough to say they could occur. And they could occur to our everlasting damage. No such surrender of American democracy is necessary in order to render aid to the Allies. We do not have to go totalitarian ourselves. No such surrender comports with the democratic ideal anywhere. It is the sort of formula by which the French Chamber of Deputies and the Italian Chamber of Deputies and the German Reichstag committed suicide. It is not the formula of Britain herself or of any of her dominions. Indeed, it is repugnant to every ideal for which we presumably are being mobilized.

When the president of Harvard University, testifying for the bill before our Senate committee, was pressed for an identification of its immediate advantages to Britain—and that is the thing with which we are all concerned—about

all he could say was that it will facilitate the flow of defense material by coordinating all power in the Presidency. But the fact is that when Mr. Knudsen, who is held responsible for delivering the goods in connection with this phase of the problem, appeared before the House committee, and when he was asked:

You have sufficient power now to coordinate the procurement of material?—

He answered:

Yes.

The power to coordinate and the power to control priorities already exist. They have but to be used. These boundless new powers are as needless as they are dangerous.

Oh, yes; the bill has been usefully trimmed, here and there, to circumscribe some of the amazing latitudes which it originally contained, and I am thankful even for small life preservers. But no one can deny that in many aspects it still remains a wide-open bill; and in assessing the possible uses of these remaining powers I cannot forget what was sought in the original text. I cannot forget that it implements the President's fireside chat and his message to the Congress in which he addressed himself to the establishment of our freedoms "everywhere in the world." I cannot forget these things when I contemplate this draft upon our resources, present and prospective, to be used by the President, solely in his own discretion, to enter power politics all around the globe. I do not impugn his motives. I attribute all conscience and patriotism to his contemplations. But I cannot escape the conviction that this is too much power for any one man to have in a democracy of 130,000,000 people, and that it invites commitments, complications, and involvements which may too easily—and no matter how unpremeditatedly—rush us toward disaster. I cannot escape the conviction that this is the complete negation of standard, traditional, and life-saving foreign policy for 150 years of the Republic's existence.

I know it is said we might better have Roosevelt for a temporary dictator than to have Hitler for a permanent one. Mr. President, I do not believe that either is necessary. As for the former, I concede the need for substantial elasticity in executive authority to meet the ever-shifting, new techniques of modern war; and I will grant it. But I do not for an instant concede that this elasticity needs extend to fundamental decisions affecting the very life of the Republic itself; that it needs to contemplate today, while we are still at peace, for the present President of the United States greater powers than Wilson, at war, had in 1917–18 or that Churchill, at war, has in 1941. As for a Hitler control of the United States, I confess it is wholly beyond the boundaries of my imagination. This is a point at which I would readily apply a very famous Presidential epigram: "The only thing we need to fear is fear itself." It seems to me that the whole weight of the testimony rejects the possibility of American invasion—ever—under any circumstances. Certainly this will be true if we swiftly arm ourselves, in two oceans,



against any such remote contingency, and if we do not rely too much upon others to do our fighting for us. But if this is not true, and there is an American danger of ultimate invasion by Hitler—either directly or through our hemispherical outposts in South America—then the greater becomes our own necessity to maintain the essential physical defense facilities with which to meet such a challenge upon our own responsibility.

This leads me to my second fundamental objection to this bill. Everyone admits that it is a matter of all-controlling judgment how much of our defense equipment—our ships, our guns, our planes—shall go abroad and how much shall stay at home. I believe the President once said, for example, that the division of planes should be on a 50-50 basis. I believe, however, that our recent division has been running more nearly 90-10—the 10 for us. Spokesmen for the Navy Department said last June they could not spare destroyers. A month later 50 destroyers were traded for naval-base leases. Last week one of our very able clipper ambassadors—and I speak of him with great respect—suggested that our immediate contribution to Britain should be from 5 to 10 destroyers a month. He intimated that he had highest authority for the feasibility of his suggestion. But he was followed within 24 hours by a sharp statement from our Secretary of the Navy that no destroyers whatever can be spared. Then his statement was swiftly followed by a White House luncheon concerning the outcome of which we are not advised. I am simply illustrating the wide range of opinions which may be involved in this vital matter of judgment as to where we shall draw the line in depleting our own defense resources to build up the resources of an ally.

For the citizen who takes the risk-all attitude toward British aid—an attitude which, consciously or otherwise, contemplates that America stands or falls on the destiny of things in the English Channel—the answer to this perplexity which I have propounded is easy. He promptly resolves the answer in behalf of Britain. But I do not believe that is the predominating American attitude, regardless of our overwhelming sympathy for the present British cause, and regardless of our anxiety to see Britain win. Such an attitude could have but one logical climax, namely, full entry of America into the European war, materials, men, and money, if necessary to a British victory. This is the attitude of some. But I repeat that I do not believe this is the dominant American purpose, despite the willingness of some to go so far; and I want to add, Mr. President, with all the earnestness at my command, that nothing could be more recklessly cruel than to permit these brave Britons to rely upon an ultimate expectation which we are not prepared to fulfill. We must not, above all things, "keep the word of promise to the ear and break it to the hope."

And for an America which does not propose to go thus far, the question, How much shall we send abroad? is a life-line question. This bill commits the answer to one man—the President of the United

States. I do not believe it is wise or safe to commit it to one man, even though he be the President of the United States, particularly when this President has from us a roving commission to pick out friends and enemies wherever he may please all round the globe.

The amended bill confesses the validity of this challenge, but meets it with a futile gesture. It instructs the President to consult his Chief of Staff and his Chief of Naval Operations before he parts with our defense equipment. That is all. He just consults. He talks it over, with his own military and naval subordinates, whose commissions, the extent of whose official life, is entirely, solely, completely, and exclusively dependent upon his will. If their expert judgment disagrees and is overruled, no one is the wiser. The utter minimum of protection, it seems to me, would be to require, as we have done in other laws, that the President cannot invade our own essential defense equipment unless the Chief of Staff or the Chief of Naval Operations certifies that the loss of the equipment does not dissipate the essential nucleus of our own defense requirements. But an amendment, serving this minimum precaution, just this minimum precaution, Mr. President, has been rejected by the House and by the Senate Committee on Foreign Affairs. I frankly do not like the implication. At long last we may have to defend America by defending America. From my viewpoint we dare not ignore that Armageddon.

Admitting that aid to Britain may be the greatest and most effective aid to American defense at the moment, the cold, hard, brutal fact—however unpleasant—remains that we have no right to base our program on the convenient assumption that even with our aid Britain cannot lose. Personally I do not believe they will lose. Personally I hope they do not lose. But I dare not leave my country and my continent and my hemisphere at the mercy of wishful thinking no matter how heartfelt, nor at the mercy of speculation no matter how persuasive. America must be prepared to implement her New World responsibilities no matter who wins in Europe, Asia, or Africa. This land of ours might become the final sanctuary of enlightened civilization. We cannot defend it with American munitions that have been sent to our friends abroad—particularly if those American munitions have fallen into the hands of our enemies. If that cataclysmic hour of battle ever strikes us, it will not be enough to have planes and guns and powder either "on order" or on "lease." They will have to be on hand.

I have voted to renunciate the Monroe Doctrine. I have voted to challenge the world in behalf of democracy in North, Central, and South America. I intend to give that challenge more than lip service. For example, I think that the security of Canada—I say it again and again—is just as essential to us as is the security of our own United States because the two are separated only by an invisible line. The invasion of Canada would be a far more intimate threat to my section of America than even the invasion of Texas or California. Detroit cannot

wait for an enemy to reach Windsor before it starts to shoot. But it must have something to shoot and something to shoot with. I repeat, therefore, that we dare not dissipate the essential nucleus of our own defense. This is a matter of judgment; as a matter of fact it is just as much a matter for congressional control as are the original decisions creating our defense facilities in the first instance—and no one would think of delegating that responsibility elsewhere. How much of our production may prudently be allocated to Britain or to Greece or to China or to any of the other foreign countries which the President may put upon his favored list? How much must we retain as an irreducible minimum? I am sorry but it is not enough for me to hear the answer, "Give the Allies all they need to win if possible." My answer must be, "Save enough for America so America is safe."

The whole impetus and implication of this new policy is to defend America abroad. I accept the thesis that there is, today, powerfully much that we can do to defend America abroad. Let us do it as effectively and as fully as our own situation will permit. But I resist the thesis that this is paramount to defending America at home. The two objectives must be parallel. The discriminating decision—since it may prove to be a life-and-death decision for us—should be the decision of our whole Government, and not the sole decision of him who, under the terms of this bill becomes head armorer to all the world.

I remind the Senate of the unanimous statement of its own Military Affairs Committee on May 15, 1940:

These are not my words, Mr. President. These are the words of our own Senate Military Affairs Committee, submitted without dissent only 9 months ago:

Why not face the basic military and economic fact that it is not within our power or means to create military or naval establishments of sufficient strength to police the world, but that it is within our power and means to prevent others from transporting their wars to this hemisphere?

The unanimous Senate Military Affairs Committee speaking, Mr. President:

Why not face the fact that American armed forces cannot force permanent peace on a warring world, but that we can maintain peace in our own part of the world?

In doing this we need not shut ourselves off from contacts with other nations, but we can and should command the seas and airways which are the medium of those contacts.

The truth of the whole matter seems to be that aid to Britain, as well as aid to America, is fundamentally a matter of industrial production within the United States if we are stopping short of war. It must be big enough and swift enough to serve both ends. No new legislation is necessary in this field. Unless we shall invade our naval resources in a fashion which our own naval experts resist as dangerous; unless, for example, we shall send more than 95 percent of our air production to our friends abroad, and the final 5 percent could scarcely be conclusive; there is nothing in this bill which can possibly aid England in the approaching period of her immediate crisis. There



is nothing that can aid her ultimately—short of war—except credits or gifts. Either one can be provided in a single-sentence amendment to the Neutrality Act which I dare to prophesy could be passed in 48 hours. There is no need for us to go totalitarian in order to accomplish this result. I will support either of the methods of loan or gift. But as between the two, I prefer gifts, because there is something abhorrent to me in the idea that we are buying time—to use the expression of the Secretary of War—for ourselves at the expense of British sacrifice. Buying time! That is a pathetically poor way in which to take the dollar sign off of our British relationships—as the President has expressed it. No, Mr. President; if it is true that we are buying time, let us pay for it in cash.

As for the details of this pending bill, Mr. President, I am far less interested in them than in these fundamental philosophies and trends to which I have adverted. But, in some aspects, the details are not without significance.

In my view, this is still a blank check so far as the American taxpayer is concerned. True there must be additional congressional action before the President can give away more than \$1,300,000,000 of our defense equipment. True, there must be additional congressional action before new appropriations and authorizations can be made available to his international largesse. But the fact remains that there is still no limit—no ceiling—in the bill; and every effort to create one is successfully resisted. It can be anything in the final grand sum total that is struck. It can be the \$7,000,000,000 which the Treasury seems to calculate when it puts our national debt limit at sixty-five billions for the next 18 months. It can be infinitely more. In my view, amendments requiring congressional action on new appropriations and new authorizations are more apparent than real in their effect because, in my view, the congressional majority which approves this bill and thus instructs the President to launch upon this new foreign policy of a limitless underwriting of the war bills of other lands, is morally and politically bound to act hereafter in substantial accord with Presidential request and recommendation—and I have little doubt it will. Surely we do not intend to authorize a policy which we shall subsequently decline to implement. It is an “all-out” policy; and it requires an “all-out” expenditure. It is blank-check power; and, unless it is a sham and a delusion, it thus becomes a blank-check investment on our part in the war vicissitudes of every land on earth which the President, in his sole discretion, deems useful to our defense.

One does not stop to count the cost, Mr. President, when the defense of America is at stake; but the maintenance of a sound public credit is the first line of American national defense. It has already been severely strained by 11 consecutive years of heavy-deficit spending. It will be shocked again by \$28,000,000,000 of additional defense deficits before the end of the next fiscal year for our own defense purposes. It is an extremely

practical question—which no amount of wishful thinking can avoid—how much more this first line of American national defense can stand. If the “blank check” proves to be big enough it can undermine us at home beyond any possibility of compensatory salvation abroad. It is not prudent to proceed in reckless disregard of simple mathematics. Neither is it necessary, because this Congress—this highly responsive Congress, to put it mildly—is here to legislate again and again and again if a presently established authorization limit proves inadequate. Yet we are told that there can be no boundaries. The sky must be the limit. With great respect for others, I am bound to say that my own sense of responsibility to our first line of American defense, to wit, a sound public credit, does not permit me to approve any such limitable formula.

This should be added. Despite the easy philosophy that American resources are without limit—and that assumption is highly popular today—the fact is they are not. Even though we disregard the fiscal factor—which we have already done too long—there is a physical factor. Our willingness to arm the earth is limited by our ability to provide the munitions to arm the earth. Not many weeks ago we granted a new credit of \$100,000,000 to China. This is what the newspapers said a few days later:

The Chinese, in desperate need of planes and field pieces for the conduct of their war against Japan, are now unable to buy a single bomber or gun in this country, it was learned today, although the Federal Government is ready to hand them a \$100,000,000 credit if they can find some way to spend it on American-made war materials.

In other words, Mr. President, it is one thing to promise grandiloquently that we shall become the arsenal of the democracies—and I add the Presidential phrase “everywhere in the world.” But it is quite a different thing to deliver the goods. There is a thrill in magnificent pretensions. But there can be cruel disillusionment in their collapse. The whole theory of this bill—in the magnitude of its aspirations—is impractical. It leaps beyond the boundaries of reason. In all earnestness I ask: Just how many nations can we arm, when thus far we have been unable even to adequately arm ourselves? Why fool ourselves, or anybody else, at such a desperately critical hour? It would be a tragic species of deception.

Another detail. I have said that I believe this bill swings us closer to war itself. For example, it permits belligerent navies to use our ports. The preliminary press release, introducing the bill to us, frankly said so.

It could conceivably mean, for example, that the British battleship *Renown* could be repaired in the Brooklyn Navy Yard.

If that would not invite Axis submarines into the Hudson River, and Axis mines off Sandy Hook, and Axis wings over New York City—and if it would not invite their repulse by our own Army and our own Navy—then I do not understand the simplest reactions of cause and effect. Unless we conclude to go openly to war ourselves, and unless all thought

of staying out of actual war has been abandoned, I can conceive of no more provocative action on our part. Better, it seems to me, to go openly to war at once, and give ourselves the protection of resultant vigilance, than to literally ask for these belligerent attacks upon us. We have been denied an amendment to shut off the particular hazard to which I have just referred. The denial brings the hazard just that much closer.

I am opposed to any of these policies, Mr. President, which would needlessly threaten to drag us into war, when we are still officially saying that we intend to stop “short of war” and when this very legislation is being labeled “peace.” I freely concede that our whole status today is precarious, but that is no reason why we should make it more so. Yes; the ice is thin at best. We chose thin ice when we abandoned neutrality. We chose the risk. We have taken the risk ever since. Indeed, speaking frankly, we have probably already transferred to the Axis Powers the decision as to whether they will make active belligerents of us. Regardless of overt acts and regardless of so-called international law, Hitler would attack us whenever he thought it to his advantage. He requires no excuse. He would attack without excuse. This is one of the powerful reasons why a so-called non-interventionist like myself freely concedes that this will be an infinitely safer world for us if Britain wins. It is the reason why even an average noninterventionist, in the light of Hitler's record and Mussolini's record and Japan's record in the last 18 months, goes along wholeheartedly with the idea of “aid to the Allies” within self-preserving limitations. No; when I speak of policies that would needlessly drag us into this war, which is to say, would precipitate us into it, I am not speaking of our international engagements, although I could wish that some great power might keep these lamps trimmed and burning. I certainly am not speaking of threats that may be hurled at us—as in the Axis challenge of last fall—in an effort to coerce us by intimidation. Intimidation acts adversely upon us. I am speaking, rather, of policies which would needlessly be likely to expose us to physical attack which could be met only by armed resistance, thus precipitating war. I find such exposure in this bill. I cannot approve. I repeat that if we are going to war—which God forbid—I would go all the way to war, deliberately conscious of our decision, and not drift in or back in, deliberately pretending to be unconscious of anything but peace in our hearts.

I confess, in this connection, that I do not like the serial implications in Dr. Gallup's famous polls. His referendum questions, leading ever closer to the issue of war itself, have been sort of a barometer that registers our inclinations. I confess that I do not like the question he asked the same week, by mere coincidence, that this bill was reported. He asked whether our people do not think it would now be a good idea for us to begin trying regular black-outs in our



American cities. Mr. President, I am not a pacifist. I have not a drop of pacifist blood in my veins. I have always preached preparedness. I would never hesitate even at war itself to defend America in the Americas. But I hope Dr. Gallup is not too logical in his sequences when he thinks the time has come to accustom our people to black-outs.

If we enter this war, or if we drift into it, it will be a two-ocean war. We can do it if we must; and there is no doubt in my mind, given a reasonable share of our own defense production, that we can win, no matter what the combination against us. But it will change the whole psychology of the American people overnight. There will arise an immediate American demand for the swiftest possible concentration of American defense resources in our own behalf which, mark you, will tend to defeat the whole purpose of this entire pending enterprise, namely "aid to England."

The moment we are in this war the cry of "America first" will take on new and grim authority. The objectives to which this bill's new foreign policy is openly dedicated, in behalf of the world's so-called democracies, will be worse, rather than better off when it collides with that American emotion. Meanwhile, our own democracy will disappear overnight. We shall plunge into debts piled upon debts—to the very rims of bankruptcy. The pleasant idea that we will not send our boys to fight in foreign lands will go the way of its associated promise that our efforts would stop short of war. It will have to go. When we enter a transoceanic war, we dedicate our total resources to a transoceanic victory. We shall do what we have to do to win. We shall face all the penalties and casualties of war. It may be a short war. But, with the whole world finally caught up in this conflagration, it is more likely to be a long war. It might be a very long war if we shall not stop short of the world millennium which the President has envisioned "within our time and generation." We are not adequately prepared for such a war. We do not want such a war—and every popular poll proves it. Not even the unanticipated defeat of England would justify such a war. It would be the blackest and the most needless calamity in the whole story of American history. I completely agree with President Hutchins of the University of Chicago when he says:

We have a chance to help humanity if we do not get into this war; if we do go in, we have no chance at all.

Therefore, from my viewpoint, the first and controlling boundary upon any action America takes must be, if possible, to stop short of active belligerency. The first and controlling boundary is the pledge of both great American political parties—a pledge not yet 90 days old—that we shall stay out of this war unless attacked.

This brings me straight back, Mr. President, to the fundamental trends involved in the creation of the new foreign policy which this bill, in its lengthened shadow, envisions. It invites a statement of my own affirmative position.

There have been violent clashes of opinion over what our American course should be. There are earnest groups, speaking through vociferous advocates, who cling to extreme positions—at one extreme, those who would risk our whole American destiny upon the outcome of the battle of England and stand or fall with her—at the other extreme, those who would risk complete disassociation from all of these alien factors outside of the Americas and stand or fall exclusively upon the basis of our own sufficiency. On the one hand, there are those who think a victorious Hitler would miraculously leap 3,000 miles of ocean and shortly march up Pennsylvania Avenue, in Washington, D. C. On the other hand, there are those who think a victorious Hitler would be so busy with his promiscuous inheritance and so far remote that we need not bother our heads about his subsequent menace to America.

If I had to choose one extreme or the other, I should choose to stand upon our own relative sufficiency, believing, as I do, that our basic objective must ever be that America can and shall survive, no matter what happens on other continents. But I deny that our choice is confined to these extremes and I reject them both. In the face of the trends upon which we are already irrevocably embarked, and which we deliberately chose when we changed our neutrality laws; and in the light of the open threat which the Axis Powers flung at us in their three-way challenge of last fall; and in a realistic assessment of things as they now are in this cruel world; and in complete sympathy with the dominant emotions of the American people; I deeply believe that our wise, our safe, our prudent, our patriotic course lies along a middle highway of common sense which bisects these extremes.

I accept the thesis that we shall furnish maximum material aid to Britain and her allies. But I do not accept the thesis that we shall veer toward belligerency ourselves, or that we shall threaten the essential nucleus of our own defense.

I accept the thesis that we must now subordinate our ordinary routines to the maximum production of defense commodities for ourselves and for this "arsenal of the democracies." But I do not accept the thesis that the latter shall take precedence over the former.

I accept the thesis that when her dollar exchange is exhausted here, Britain shall have loans or gifts. But I do not accept the thesis that the only way to achieve these ends is to let one man—though admittedly he be ever so great a man—have sole and exclusive power to nominate who shall be our international friends and who shall be our international foes, and what we shall do to help the ones, and what we shall do to punish the others, and what shall become of a vast store of our own existing defense facilities.

I accept the purported objectives of this bill as asserted by its proponents—namely, that it seeks our peace through safe aid to others. But I do not accept the bill itself because, for the reasons repeatedly given heretofore, I cannot escape the conviction that it wholly belies its own promises and pretensions.

If we shall stop short of the arena of war itself, there is precious little in this bill which can aid England in her approaching crisis. If we shall not stop short of war, Congress should say so directly on its own constitutional responsibility.

If we shall stop short of war, there is precious little in this bill for Britain save loans or gifts—and those could be provided in a single sentence amendment to the Neutrality Act, and I will support it. and I believe it would pass Congress almost unanimously in 48 hours.

I repeat, Mr. President, that I commend the middle ground—and we could have unity upon that middle ground in the twinkling of an eye. That middle ground is bounded, (1) by the solemn pledge to America that "we will not participate in foreign wars unless attacked"; (2) by the inevitably implied corollary that we will avoid policies that could literally ask for our direct involvement; (3) by maximum productive "aid to the Allies" which does not dissipate the essential nucleus of our own defense with which to make good on our promise to defend this western world—Canada primarily intended—and with which to face our own potential enemies in two oceans; and (4) by the fullest possible constitutional cooperation of the whole Government, including direct congressional action, in those momentous, major decisions which, in effect, will determine the peace and security of 130,000,000 people for years to come.

Mr. President, I have never faced an issue which has disturbed me, in mind and soul, more than this one. I say, at the end as I said in the beginning, that no one of us may be sure that he is right in decisions that must be taken in the midst of such cataclysm. I envy those who know that they know—though their assurance fails to validate to me the pontifical conclusions they announce. In such a situation it seems unescapably plain to me that there is greatest safety for our own America in leaning upon the consensus of many minds rather than upon just one. This, indeed, is the American constitutional theory and system. Dictators may be more expeditious. But the democratic process is the safer one. I do not believe we need desert it in any substantial particular in order to give effective aid to Britain short of war, or in order to make ourselves impregnable regardless of vicissitudes abroad. As the situation has developed, I believe we can substantially, aye, vitally, defend ourselves by proxy in other embattled lands. But, basically, I believe we must subordinate all else to the proposition that we defend America by defending America right here at home. I believe it was Paul, writing to Timothy, who said:

But if any provide not for his own, and specially for those of his own house, he hath denied the faith, and is worse than an infidel.

I freely concede that isolation—that much-banded and abused word—is impossible in this foreshortened world. We cannot escape world repercussions, though we can be more nearly self-contained than any other nation on earth. I would face these world facts candidly. So far as possible, I would make the Monroe Doctrine a spiritual and an economic



as well as a political reality, emphatically including Canada. I would fully recognize—since this is our chosen course—that a victory for Britain and her allies is to our immense advantage, and I would contribute to it, through direct congressional action, within the limits I have prescribed. But I would not proceed on the theory that if England falls, we fall, too. Despite our fervent hopes for her, I would not encourage England, magnificent exemplar of Anglo-Saxon fortitude, to believe that such is our commitment. I would proceed on the theory that America, after sending material aid to those who sustain our point of view, survives no matter what happens across any seas, and I would prepare accordingly. It is my firm faith that this can be done. I would not give up democracy at home in an effort to save it abroad.

Mr. President, I cannot strip from my mind the memory of the most prophetic cartoon that ever appeared in print. It was in the London Chronicle the day after Versailles. Lloyd George and Clemenceau and Orlando and Wilson were coming from the great hall with the new treaty in their hands. Half hidden behind one of the great pillars was a timid little child, labeled, "The class of 1940." And the title of the cartoon was, "I Thought I Heard a Child Crying."

The cartoon came true. Children have been crying ever since. We hear them, and our hearts respond. "The class of 1940" is on the march. I hope and pray that the cries of the children of America may never need to greet the passage of this bill. But whatever course we take, when the die is cast, it must be as a united, indomitable, invincible America. [Manifestations of applause in the galleries.]

Mr. NYE obtained the floor.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. NYE. I yield.

Mr. TAFT. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Gerry	Murray
Aiken	Gillette	Norris
Austin	Glass	Nye
Bailey	Green	O'Mahoney
Ball	Guffey	Overton
Bankhead	Gurney	Pepper
Barbour	Harrison	Radeliffe
Barkley	Hatch	Reynolds
Bilbo	Hayden	Russell
Bone	Herring	Schwartz
Brewster	Hill	Sheppard
Brooks	Holman	Shipstead
Brown	Hughes	Smathers
Bulow	Johnson, Calif.	Stewart
Bunker	Johnson, Colo.	Taft
Burton	Kilgore	Thomas, Idaho
Byrd	La Follette	Thomas, Utah
Byrnes	Langer	Tobey
Capper	Lee	Truman
Caraway	Lodge	Tunnell
Chandler	Lucas	Tydings
Chavez	McCarran	Vandenberg
Clark, Idaho	McFarland	Van Nuys
Clark, Mo.	McKellar	Wallgren
Connally	McNary	Walsh
Danaher	Maloney	Wheeler
Davis	Mead	White
Downey	Miller	Willis
Ellender	Murdoch	

The VICE PRESIDENT. Eighty-six Senators have answered to their names. A quorum is present.

Mr. NYE. Mr. President, I cannot believe that anyone would envy me this particular spot. To follow at this time of the day on the heels of two eloquent addresses to which we have listened this afternoon is in itself something of a handicap. With all my heart I wish every word of those addresses by the Senator from Missouri [Mr. CLARK] and the Senator from Michigan [Mr. VANDENBERG] might have been heard by those of our 131,000,000 people who can understand. Were they to hear, there is no doubt in my mind that a people wholly unaware of what is in this bill, yet urging its enactment, would make themselves heard here in Washington in a way that would keep the Senate emphatically from enacting this so-called lease-lend bill.

A second handicap of mine is that of not having planned to speak this afternoon. Before me I have manuscript for which I am responsible, having dictated it, but which I, myself, have not yet had a chance to read over for my own chance to check it.

Yesterday, representation was made which some would be inclined to construe as being an endorsement of a great church of the lease-lend bill. Before me is a great Jesuit journal of opinion, called America, carrying an editorial which I think might well be listened to by the Senate at this time.

The text of the lease-lend bill should have the close and immediate attention of every American blessed with literacy. It should be read carefully to every illiterate. And every small word should be deeply pondered. The most intense concentration should be applied to one very small word that is repeated again and again, almost with wearying insistence. The word is "any." "Any" slips into the bill very inconspicuously. Anyone could miss it. Section 2 includes any weapon, etc.; any machinery, etc.; any component material, etc.; any other commodity, etc.; any article, etc.; any foreign government, etc.; any plan, etc.; any defense article, etc. Section 3 begins to betray the profundity and the comprehensiveness of "any." Here we find: "Notwithstanding the provisions of any other law \* \* \* any other department \* \* \* any defense article \* \* \* any country whose defense the President deems vital \* \* \* any such government any defense article \* \* \* any defense article for any such government," etc. Section 3 B goes deeper into "any" when it refers to "any other direct or indirect benefit which the President deems satisfactory." Section 4 has a sprinkling of "any," as has section 5. But there is a very important little "any" in section 6: "Out of any money in the Treasury not otherwise appropriated." There is a rest for "any" in sections 7 and 8, but in section 9 the President has power to "promulgate such rules and regulations as may be necessary and proper to carry out any of the proposals of this act." And he may exercise "any power of authority conferred on him through this act through such department or agency or officer as he shall direct." The immortal framers of the bill slipped in that last line by using "such" instead of "any." Perhaps they did not have another "any" left. Taking the lease-lend bill as a whole, it seems that there is not any power which the President does not possess. There has never been any President at any time who held any such power. And the people cannot do anything about it. But they are sure that any time any bill like this may carry this, or any other country, into any war on this or any other planet.

Which, perhaps, Mr. President, might lead to the conclusion that this bill, in-

stead of being entitled "An act further to promote the defense of the United States, and for other purposes," might quite appropriately be called the "any" act.

Much has been said about Executive authority and its growth in this country of ours.

The rapid advancement of the Executive authority is a topic which has already been alluded to.

I believe there is serious cause of alarm from this source. I believe the power of the Executive has increased, is increasing, and ought now to be brought back within its ancient constitutional limits. I have nothing to do with the motives which have led to those acts, which I believe to have transcended the boundaries of the Constitution. Good motives may always be assumed, as bad motives may always be imputed. Good intentions will always be pleaded for every assumption of power; but they cannot justify it, even if we were sure that they existed. It is hardly too strong to say, that the Constitution was made to guard the people against the dangers of good intention, real or pretended. When bad intentions are boldly avowed, the people will promptly take care of themselves. On the other hand, they will always be asked why they should resist or question that exercise of power which is so fair in its object, so plausible and patriotic in appearance, and which has the public good alone confessedly in view. Human beings, we may be assured, will generally exercise power when they can get it; and they will exercise it, most undoubtedly, in popular governments, under pretenses of public safety or high public interest. It may be very possible that good intentions do really sometimes exist when constitutional restraints are disregarded. There are men in all ages who mean to exercise power usefully; but who mean to exercise it. They mean to govern well, but they mean to govern. They promise to be kind masters; but they mean to be master. They think there need be but little restraint upon themselves. Their notion of the public interest is apt to be quite closely connected with their own exercise of authority. They may not, indeed, always understand their own motives. The love of power may sink too deep in their own hearts even for their own scrutiny, and may pass with themselves for mere patriotism and benevolence.

Mr. President, I am not undertaking to take credit for this language, but I submit that it is language that is most apropos today; yet it is language borrowed from a statesman of many, many years ago. What I have read are the utterances of Daniel Webster in 1854, who in the same address went on to say:

When I remember who those were who upheld this claim for executive power, with so much zeal and devotion, as well as with such great and splendid abilities, and when I look round now, and inquire what has become of these gentlemen, where they have found themselves at last, under the power which they thus helped to establish, what has become now of all their respect, trust, confidence, and attachment, how many of them, indeed, have not escaped from being broken and crushed under the weight of the wheels of that engine which they themselves set in motion, I feel that an edifying lesson may be read by those who, in the freshness and fullness of party zeal, are ready to confer the most dangerous power, in the hope that they and their friends may bask in its sunshine, while enemies only shall be withered by its frown.

I submit to the Senate that quotation from Daniel Webster as having very direct relation to what we now have in hand in the Senate. This request for greater



executive power is definitely a challenge that we confront.

Mr. President, Americans of 1776 offered their all—in many cases they gave everything—to the attainment of complete independence from an imperialism across the seas, from the hates of Europe that imprisoned all who participated, from the burdens placed by a mother country which took and never gave, from a country whose aggressions constantly looked to dominance over the people of all the world. The attainment of this, and more, was an accomplishment which every generation of Americans since has celebrated. We have continually sung the praises of those who contributed to it.

Independence, with its accompanying freedom from the rates and fears and wars of Europe, has let America become the most advanced people upon this earth. Freedom from Europe and her wars has permitted untold and uninterrupted progress. I say we have enjoyed uninterrupted progress. That is true with but one exception. That exception was the time when we permitted our emotions, fanned by hate and fear, to lead us back into one of Europe's return engagements of the tragedy entitled "War," written and sponsored by selfishness and greed, but in this one instance financed by Uncle Sam. But, with this one exception, we have grown strong and enjoyed such measure of the good things of life, the worth-while things of life, as is unknown to any other race. To our freedom from the things I have enumerated we are primarily indebted for this blessing.

Some Americans of 1941, however, seem determined to attain a new alliance with Britain. They would have us make such alliances as will insure participation again in the hates, the fears, the suspicions, and the wars which have kept Europe on the lower rungs of the ladder of progress throughout the very eras that have found our country moving upward and ever upward. Through a legislative proposal known as H. R. 1776, 165 years after a 1776 that led to glory, they would authorize the President to make an immediate alliance with any power upon this earth that he alone may choose as an ally; give them our purse, our machinery of defense, and give—certainly jeopardize—our peace to whatever might be the cause those allies might wish to have served. H. R. 1776 most emphatically does these things. In 1776 we took our departure from causes and conditions which could have contributed naught but misery and chains for generations of Americans. Now, in 1941, we would renew our partnership with those same causes and conditions through an instrument called 1776, if some Americans could have their way.

I have said that some Americans of 1941 seem determined to attain a new alliance with Britain. There will be at once insistence that this alliance is only to the extent of meeting the present alleged emergency confronting the country—emergency No. umph in the last 9 years. But some would go much further than that, and one day we may expect to see them throwing their full might into the cause of accomplishing a permanent alliance between the English-speaking peoples of the world—an alliance to

dominate and police all the peoples of the world, including the millions Great Britain already holds in subjection. We can be sure that this temporary alliance is but part of a pattern leading to permanent alliances.

Mr. President, as I listened yesterday to the speech in which the Senator from Kentucky [Mr. BARKLEY] presented this bill for passage I heard him plead—and I am sure I now quote him exactly—that we should "grant a few necessary powers" conferred upon the President in order to attain the ends which this bill seeks. Incidentally, Mr. President, I could not but remark that, while the bill itself states that its purpose is "to promote the defense of the United States, and for other purposes," the interest of the Senator from Kentucky was apparently centered on those "other purposes"—by which I take it he would mean "licking the daylights" out of Adolf Hitler—because he said almost nothing in his speech about "the defense of the United States." But I do not care very much about that; I have grown accustomed to hearing men who favor further steps toward war say one thing when they really mean another, and when a Senator such as the Senator from Kentucky really means that what he cares most about is seeing Hitler "licked," I am glad to have him come right out and say so. It clears the atmosphere; it helps us to know where we are and what we are really dealing with in this debate. It would help still more, Mr. President, if we could now have this bill itself honestly labeled, and call it a bill to put the United States fully into the bloody business of licking Adolf Hitler. I do not now offer that as an amendment, but it is at least worth bearing in mind.

I was deeply interested, as I have said, when the Senator assured us that this bill will confer upon the President of the United States only "a few necessary powers." Only a few necessary powers! Why be troubled about such a small matter, the Senator might have asked. What is all the shooting or the shouting about? Why are protests pouring in from all over the country? Why do we have to have squadrons of police to keep delegations of mothers from getting into the galleries of this Chamber? Why are so many of the American people so deeply troubled? Surely it is a mistake for any of us to become excited over this proposed legislation if, as the administration's spokesman asserts, only a few necessary powers are involved.

#### POWERS OF PRESIDENT UNDER LEND-LEASE BILL

But, Mr. President, is it true? Here is the crux of this whole debate. Is it true that all this bill would do would be to confer on the Executive a few, only a few, and those only necessary powers—powers which Congress, having once given away, would never miss, and whose passing from the control of the legislative to the control of the executive branch of the Government would cause no significant change whatever in our constitutional form of government? Is that true?

Of course it is not true. Such a claim, that only "a few necessary powers" are involved, is an attempted hoax on this body and on the American people—as gigantic and as terrible a hoax as the

claim that this is a bill to defend the United States. "A few necessary powers?" In the name of all the patriots who framed our Constitution, have those who can talk this way read this bill? Have you read this bill? They will tell you that it has been whittled down, had its claws cut, had its dictatorial purposes removed by the amendments written in since it came down from the White House. Have you read it carefully in its present form? Have you analyzed the powers which it now confers on the President? And are these powers either few or necessary?

Mr. President, I invite attention to some of the powers which H. R. 1776, in its present amended form, would place in the hands of the President of the United States alone. These may not be all of them. The language of the bill is still so broad, and in some of its sections so intentionally vague and confusing, that I fully expect that if the bill becomes law and then is turned over to the tender mercies of a complacent Attorney General's office for interpretation, it will be found to grant even more sweeping and dictatorial powers than any of us here now suspect. But that is just another one of the morning-after headaches we have coming to us when our present emotional jag is over. Now I can deal only with the powers which, I can see plainly here in the text of the bill, are granted to the President. Are these powers "few," and are they "necessary"?

First. To begin with, note that the bill will, if enacted, give the President power to make military alliances with any nations anywhere in the world. Yes; by himself, without any check from this body or from any other source, he alone may arrange military alliances with any governments or groups of governments on earth.

Do you say you doubt it? Then I must ask you to read the bill. If you will turn to section 3 (a) you will see that it gives the President power—

notwithstanding the provisions of any other law \* \* \* when he deems it in the interest of national defense \* \* \* to manufacture \* \* \* or otherwise procure, any defense article.

And if you will study section 2 you will see that the term "defense article" in this bill covers anything and everything the President wants to make it cover—then to turn over these defense articles on any terms he pleases, to repair or otherwise care for the warships and other war materials, to turn over military secrets, and to scuttle the cash-and-carry provisions of the neutrality law—he may do all this "for the government of any country whose defense the President deems vital to the defense of the United States." If that is not a military alliance, what in the name of Webster's Dictionary and common sense is it? Of course it is a military alliance. We all know it is, and it is all there in section 3 (a), subsections (1), (2), (3), (4), and (5) of the bill.

Second. Under the bill the President would have power to give away outright, if he wanted to do so, the United States Navy—not only destroyers, but every warship we possess, including the finest and newest warships which are coming from the shipbuilding yards right at this



critical time. But it will be argued that though perchance the President has this power, surely he would never use it. Then why in the name of heaven, Mr. President, grant the power, if he is not going to use it? If he is not asking it for use, then it is not a thing that is necessary, by any manner of means.

Again, do you say you doubt it? Well, then, read section 3 (a) (2):

To sell, transfer, exchange, lease, lend, or otherwise dispose of—

Yes, that means make an outright gift if it pleases him to do so—any defense article.

And what does "any defense article" mean? Section 2 (a) (1) tells you:

Any weapon, munition, aircraft, vessel, or boat.

There it is, in so many words—the power to dispose of, in any way the President sees fit, any vessel or boat in the United States Navy.

Third. The same sections to which I have referred you will at once see also give the President power to give away or dispose of, in any manner he desires, every gun, tank, shell, bullet, or other weapon possessed by the United States Army.

Fourth. The same sections give him power to give away or otherwise dispose of every airplane, every antiaircraft gun, everything in the entire Air Force of the Army, the Navy, and the Marine Corps.

But, of course, someone is bound to object; does not the amendment which has been added to section 3 (a) (2) take care of this? I do not see that it does. I am sure it does not. That is an amendment which seems to say one thing, but which really does not guarantee at all to perform what it seems to promise. We should look at it carefully for a moment.

The first part of that amendment, as we shall see, says that the President shall not give away the Army or the Navy or the Air Corps, "except after consultation with the Chief of Staff of the Army or the Chief of Naval Operations of the Navy, or both." Well, there are two things that ought to be noted about this: First, that it repeals the former law, section 14 (a) of the National Defense Act of June 28, 1940, which requires that before any defense articles may be taken away from the Army or Navy, the two officers mentioned must certify in writing that these articles are "not essential to the defense of the United States." That requirement has mysteriously disappeared here, and its disappearance is immensely significant to those who perceive what enormous powers the Executive is now reaching out to grasp. You note, of course, that there is no requirement that the President do more than "consult." After consulting, he may do as he wishes.

But the second part of the amendment, it is alleged, will still prevent the President from giving too much away from the Army, Navy, and Air Corps, for it puts a ceiling of \$1,300,000,000 on the value of the defense articles to be disposed of.

I am well aware, Mr. President, that in the course of the speech which he delivered yesterday afternoon the Senator from Vermont [Mr. AUSTIN], in attempting to deal with the charge that the bill gives the President power to dispose of

the United States Navy in any way he sees fit, argued that it could not be so because "the very essence of sovereignty forbids it." That is a high-sounding phrase, and I wish I could believe that it really means something. But, Mr. President, it means nothing—nothing whatever. And I am sure of that, not because of any argument on the basis of semantics, but because the President has already shown what he cares for "the very essence of sovereignty" by disposing of a part of the United States Fleet without so much as consulting Congress on the matter, much less referring it to Congress for approval. If he could do that with a part of our Navy, and in the face of what were supposed to be definite, specific legal prohibitions against doing any such thing, then what would he not be able to do with any of the rest of the fleet, if and when he was given this blanket grant of power under the sections of the bill to which I have referred?

Let us take a look at this \$1,300,000,000 ceiling. How real a ceiling is it? On examination it will be found that it is an aviator's "ceiling"—that is, it is made up largely of clouds, and tends to dissipate the closer one gets to it.

In the first place, note that it applies only to goods the Army and Navy now have on hand, or for which appropriations have already been made. In the second place, note that it is left solely to the President to fix the value of the goods thus disposed of. For example, if, Mr. President, you would see the size of the loophole this provides, what "value" do you suppose he would have put on the "obsolete" destroyers which he handed over to England not so long ago? In the third place, there is nothing here to stop the President from taking over all current British contracts the minute this bill becomes law, and then lending or leasing or giving outright the materials involved to the British. In this way, billions of dollars' worth of materials could be disposed of without ever feeling the lightest touch of this "ceiling." And, of course, it has been noticed that, by specific statement, this ceiling does not apply to any defense materials which may be appropriated for in the future. So far as the bill is concerned, all these Army, Navy, and air-service materials can be given away 100 percent.

Mr. President, this attempt to restrict the power of the President to dispose of our defense materials by fixing a "ceiling" above which the heights of his generosity toward Great Britain may not soar would prove as futile in practice as the attempt to limit his powers by requiring him to consult with the Chief of Staff and the Chief of Naval Operations.

Does this cover all the powers which the bill confers on the President? No; we are hardly getting started.

Fifth. The bill gives the President power to dispose of our secret airplane bomb sights, and any other secret weapons or mechanisms which our armed forces may now be jealously guarding.

If there be doubt of that, read again section 2 (A) (1) and (3):

As used in this act the term "defense article" means any weapon, munition \* \* \* any component material, or any part of, or equipment for, any article described in this subsection.

And, of course, among the articles described in this subsection are aircraft. Surely no one denies that the Norden secret bomb sight is a part of the equipment of our aircraft.

Sixth. The bill gives the President power to give away to any foreign government he may pick all strategic plans of our armed forces, all the military secrets which our Army and Navy staffs have been working on for years, and if one of us should try to secure them he would be clapped into jail. The President can give them away whenever he feels like it, and to whomever he pleases. Is there doubt of that? If so, read section 2 (b) and section 3 (4). These are as specific an authorization to do this very thing as could be desired.

Seventh. The bill gives the President power to open all the harbors of the United States to the fleets of Great Britain and to place their facilities at the disposal of one belligerent. I do not have to convince Senators of this; it is admitted that that is the purpose of section 3 (a) (3) of the bill. But it might be a more truthful statement of what is involved in this section if it were said that it not only gives the President alone power to do what has hitherto been unlawful under the statutes of the United States Code and to abrogate the solemn promise which this Nation made when it signed the Hague Convention of 1907 as the basis of the international law which it would recognize and obey, but that it is really a grant of power to the President to invite the German submarines to transfer the war to this side of the Atlantic and to ply their murderous trade off American harbors.

Eighth. The bill gives the President power to seize the ships of other nations in our harbors, where they have been thought to be safely interned under international law, and to turn them over to a belligerent.

Does anyone doubt that? Then it must be that he has not read with care section 2 (A) (4):

Such term "defense article" includes any article \* \* \* to which \* \* \* any foreign government has or hereafter acquires title, possession, or control.

That is a blanket definition which would safely include any foreign ships in our harbors, and as "defense articles," under this definition the President could dispose of them to Great Britain or to any other country on whatever terms he pleased. Of course, to do so would be such an outrage of all international law that it would almost surely bring a declaration of war. It simply means that the President would thus have power to bring on war. And this is only one of the indirect ways in which he could do that if the pending bill should be enacted.

Ninth. The bill would grant the President power to deprive labor of the protection of the Wagner Act, the Wages and Hours Act, the Walsh-Healey Act, and other acts which Congress has passed in the interest of social justice.

If this is doubted, let me direct attention to the process by which it would be done. Section 2 (A) (2) makes "any facility" or "supply," "necessary for production" a "defense article" under the terms of the proposed act. Is labor "nec-



essary for production"? There is no other "facility" or "supply" in the whole industrial process that is as necessary. That makes labor a "defense article." Once you are a "defense article" under the terms of this bill, you are safe in the arms of—well, of the President. And if anything seemed to the President to be holding up the manufacture or procurement of defense articles, as specified in section 3 (a) (1), he, having been released by the first phrase in that section from the restrictions of any of the previous labor laws, could simply call on the "Secretary of War, the Secretary of the Navy, or the head of any other department or agency of the Government"—and an authorization of that sort takes in even Mr. J. Edgar Hoover—to see to it that labor produced on the terms he set down.

Tenth. The bill would give the President power to order the use of naval convoys to guard the shipments of war materials to England. The use of convoys, it is generally admitted, would mean war. So this again is just another way of saying that the bill gives the President power to take us into war.

The Senator from Kentucky yesterday assured us and the Nation, in presenting the bill, that the amendment written into it by the House in section 3 (d) would guard against the use of convoys at the order of the President. But that amendment, as the Senator should have known, really does nothing of the sort. All it does is to say that "nothing in this act" shall be construed as authorization of such convoys. In other words, if the President orders convoys he is to be regarded as doing so, not under the powers granted by the proposed act but under his powers as Commander in Chief of the Navy.

But here again is another place where it would not take much of an Attorney General to render an opinion that, no matter what the amendment tries to say, the bill does positively and affirmatively confer power on the President to order naval convoys. Look, please, at section 3 (a) (2). Among the powers there specified as granted by the bill, note that there is one "to transfer to any such government any defense article." What is meant by transfer? To see that the goods are safely transported, transferred from this country to Great Britain? That is certainly the interpretation which the British will put on that authorization. If it is doubted, consider the recent speech by Mr. Ronald H. Cross, Minister of Shipping in the Churchill Cabinet. In a speech delivered on February 4, Mr. Cross told the British public that—

It would indeed be inconsistent to make the great efforts that are now under way and contemplated in the United States today—to provide this country with aircraft, tanks, and many other munitions of war—if they were not paralleled with assistance to our vital communications.

That, of course, means that the British Cabinet is expecting the American Government to see to it that the war materials it is obtaining here are safely conveyed to England. And that is the meaning, we can rest assured, they would place on the authorization to "transfer"

given to the President in section 3 (a) (2) of the pending bill.

Oh, I know that many of us feel that these liberties will never be taken, and yet I can foresee that the time will come when Senators who argue that these things will not be done, will rise in their places and defend the doing of them. That will be just one more step added to those which have been taken in the last 24 months toward bringing our country into war in the face of the mighty protest of the overwhelming majority of the people of the country against involvement in any foreign war.

During the debate in connection with the proposal to repeal the arms embargo, there were Senators who stood on this floor and vowed that they would never go a step further. "Lend them money, give them credit? Not on your life! As far as I will go will be to repeal the arms embargo."

When the arms embargo was repealed, one more step, a very long one, had been taken, and today many of those who argued for its repeal are here arguing for the enactment of this bill to the end that Britain may have access to the credit and the moneys allegedly necessary if she is to continue a successful prosecution of the war.

Eleventh. The bill would give the President power to fix the terms on which the United States would turn over its military, naval, and air resources to any other nation. For full particulars read section 3 (b).

Twelfth. The bill would give the President power to determine what the United States is to receive in return for turning over its defense materials to other nations. Again, full particulars are to be found in section 3 (b).

Thirteenth. The bill would give the President the power to assume the costs of a foreign government's war.

Is that doubted? Then ask what might be done under the provisions of section 8. Can it not be seen that this section makes it possible for the President to order the Secretaries of War and of the Navy to put through a paper transaction by which this Government would "buy" the munitions which are being produced in England, and that the President could then turn around and give them to England, thus releasing British funds to spend elsewhere—say, for instance, in Canada, where no readiness is shown to switch from cash-on-the-barrel-head to lend-lease-or-give—and passing the final cost along to the poor United States taxpayer, who has not yet begun to dream of the surprises which the bill contains for him.

Fourteenth. The bill gives the President the power to saddle this country with the entire cost of the war if we should finally be dragged into it.

Yes, this could be done under the same section, section 8, and by the same method I have just outlined.

Fifteenth. The bill would give the President the power to buy the British Navy if a British defeat seemed imminent.

That, too, is plainly authorized by section 8.

Sixteenth. Now we come to two of the most remarkable stipulations in the

bill—no, that is hardly putting it strongly enough; to two of the most anti-democratic, anti-American provisions ever written into any bill submitted to Congress; for the bill actually gives the President blanket power to ignore or do away with any law of the United States that seems to him to interfere with his exercise of other powers under this law.

I do not have to tell the Senate that this power is conferred in that astonishing opening clause of section 3 (a):

Notwithstanding the provisions of any other law.

I call it astonishing because it is absolutely a departure from all the legislative precedents which this body has built up during the century and a half of its history. It gives one man power automatically to repeal laws, and does so in a blanket provision, instead of by specific reference to the laws to be repealed—a safeguard to democratic government that the Congress has hitherto scrupulously observed and defended. Such a grant of unlimited power as this is certain to prove an infinite temptation to a power-hungry executive, especially when he knows that he has at hand the help of a dexterous attorney general who can, on demand, turn out opinions that will make any law on the statute books of the United States seem to interfere with the President's absolute control of the national defense. This section of the bill is enough in itself to reduce Congress to a rubber stamp. At the moment when Congress votes to give power to the Executive to do anything he wants in the name of national defense "notwithstanding the provisions of any other law"—at that moment, Mr. President, this body will have reduced itself to the impotence of another Reichstag.

Seventeenth. Then consider the provision which would give the President power virtually to govern through administrative proclamation, provided only that his proclamations went through the form of declaring that they were issued as a matter of national defense.

I do not have to suggest where this power is conferred. Senators know that it is granted by section 9; that this is the meaning and intention of that closing blanket grant of power. Yet there are those who have the brazen assurance to try to deny to the American people that the bill would create a dictatorship. Yes, a dictatorship; for what less than a dictatorship is created when one man, the President of the United States, is given the power at any time and at his own pleasure, simply by proclaiming that he is acting in the interest of national defense, to "promulgate such rules and regulations" as he may please to govern the lives and work and all the fortunes of the people of this Nation, and if they do not like it "to exercise any power and authority conferred on him through such agency as he shall direct"—or in other words, in simple language that every man, woman, and child in America can understand, to call on the agencies known as the Army and the other fighting forces of the United States, to ram any of these Presidential proclamation-made laws down their throats? Yes, Mr. President,



that power is there, clearly given away in section 9 of the bill. It is futile to say, as the Senator from Vermont said here the other day, that these grants of power are not given away, that they mean nothing, because something which he calls "the very essence of sovereignty" would forbid it. "The very essence of sovereignty," if it means anything, means the ability to exercise power. And every section, every clause in the bill, Mr. President, is designed to take power away from the Congress and to pass power over to the Executive, so that "the very essence of sovereignty" passes into one man's hands at the moment the bill is enacted.

Mr. President, we now have some idea of what some of the powers are which the bill would confer upon the President of the United States. Let me summarize them again very quickly:

First. The power to make military alliances with any nations anywhere in the world.

Second. The power to give away the United States Navy.

Third. The power to dispose of every scrap of defense material of the Army.

Fourth. The power to part with every airplane in our air service.

Fifth. The power to hand over to other nations our airplane and other military secrets.

Sixth. The power to give to foreign governments all our military plans.

Seventh. The power to open our harbors to a belligerent fleet and so to bring the war to our shores.

Eighth. The power to seize the ships of other nations and turn them over to a belligerent.

Ninth. The power to junk all the laws for the protection of labor.

Tenth. The power to send naval convoys into war zones.

Eleventh. The power to fix the terms by which our defense materials are to be turned over to another nation.

Twelfth. The power to determine what payment, if any, this country should receive in return for these vast grants to another country.

Thirteenth. The power to saddle upon the United States the costs of a foreign government's war.

Fourteenth. The power to place upon the taxpayers of the United States the entire cost of the second World War, if we enter it.

Fifteenth. The power to buy the British Navy.

Sixteenth. The power to ignore or repeal any existing law which the President considers interferes with his conduct of national defense.

Seventeenth. The power to govern through administrative proclamation.

Mr. President, I wonder whether the Senator from Kentucky really regards a list of grants such as this as nothing more than the grant of "a few necessary powers"? Are these just a few powers? The proposal before us is the most extensive grant of powers in the history of the United States. Concealed behind the list of outright grants are the power to govern without resort to Congress, the power to take this country into war, and the power to dump a tax burden on our people

which will torment the citizens of this country for generations to come. "But why get excited?" asks the Senator who speaks for the administration. "What is there here except just a few powers?"

Mr. President, are these necessary powers? Is there anything in the present situation, tense and critical as it is, which requires that all these powers must be given in this blanket fashion? Does the President have to have them all now? We know very well that he does not, for he has himself said that if the powers are granted he will not use them. He is reported to have informed the press that he would as soon think of standing on his head in the middle of Pennsylvania Avenue as of using the most sweeping of the powers conferred on him in this bill. If that be true, then the granting of such powers can certainly not be considered necessary.

Mr. President, the bill does not confine itself to granting the President a few necessary powers. It grants him tremendous powers—powers which in their exercise will prove vast beyond the present reach of our imagination, powers which are those of a dictator, powers which can be used to make him master over the lives and fortunes of every man, woman, and child in this Nation. The bill would grant to the President power to supersede Congress and rule by his own right and according to his own wishes—all in the name of national defense.

Mr. President, only last Saturday it was my privilege to visit one of our most extensive defense operations. I refer to Scott Field, in Illinois, where all the training of the men who are to engage in the radio communications end of the aircraft industry is being conducted. Seven thousand men are now there. By July 1, 10,000 or 11,000 Regular Army and Navy men will have been sent to that place to strengthen and educate themselves in the extremely important activity of radio communications. Of the 7,000 men who are there now not an officer or a man on that great field is even seeking an opportunity to complain. Every man there is ready to carry on as best he can. But on their faces and in their hearts is a giant fear, because there is only one airplane upon that field for the use of 7,000 men. That airplane is an old crate which, after 2 hours' service, requires at least 3 hours of servicing. There is no assurance to any officer or man upon that field that there may be a single additional plane there next week, next month, or next summer.

When the point is made that under the terms of the bill it lies within the power of the President of the United States to give our entire air protection to any other power if he chooses to do so, I suggest that he is all but doing so now, after having assured the people not so many weeks ago that we would not give Great Britain, or any other nation, more than 50 percent of our production of aircraft.

Mr. President, I have spoken at considerable length on the purposes to be served by the lend-lease bill, but it is not always in the name of the purposes which have been stated that the lend-lease bill is being urged to passage. The

people of the country have been led to believe that it is purely an aid-England bill, or a national-defense bill.

#### NATIONAL DEFENSE AND LEND-LEASE BILL

When one really devotes thought to what might be done under the terms of the bill, it stands clear as day that any measure of national defense could be accomplished as readily, or more readily, without resort to the powers which the bill carries and which would be so far removed from what Americans would count national defense.

As to aiding England, it must first of all be observed that no mention is made in the bill of aid to England. This does not, however, suggest that England is not to have aid under the proposed legislation, for we all realize that the powers which are incorporated in the bill to give aid to England will in all probability be used to the nth degree, and used perhaps to an extent that will be definitely injurious to our own national defense.

The time has long since passed when it mattered to the cause of neutrality whether much or little more of aid was given to Great Britain. When the arms embargo was repealed, when our Government adopted the policy of aiding England, no longer could justified criticism be leveled at whatever aid to England the administration afforded, within the laws of the land. So I do not now argue that we ought to abandon aid to England; but I do argue and insist that such aid should be within the limits prescribed by existing laws of the United States. The pending lend-lease bill sets aside those laws and gives to the President the right to ignore them and set up such regulations as he thinks will accomplish the ends aimed at by the bill.

In some quarters the bill is believed to be nothing more than what is necessary to meet the financial and credit needs of Great Britain. We have been told that since the repeal of the arms embargo Great Britain has had large aid from us on the cash-and-carry basis; that this aid has been material and perhaps has kept England able to fight. Now, however, we are further told that England has exhausted such resources as she had, and which enabled her to operate on a cash-and-carry basis in all the purchases she made of us, and that unless we remove such obstacles as the Johnson Act and the cash-and-carry feature of our existing laws she will have to cease buying from us and that in all probability she will have to cease fighting for want of the materials she has been buying from us.

The Secretary of the Treasury, Mr. Morgenthau, has accepted as quite final any word which the spokesmen for Britain were ready to afford as to their ability to continue purchases in this country. He has accepted as final British listings of British securities owned in this country and possible of conversion to a buying power. When, last December, effort was made to accomplish a study by the Congress of British securities held in the United States and in the Western Hemisphere, the move was to an extent discouraged by our Treasury, and the Foreign Relations Committee chose to



delay the entire matter until the convening of the new Congress. Since that convening, the urge to accomplish quick enactment of the lend-lease bill has closed the door to any possibility of a study of British possessions in the United States independent of such conclusions as were laid before us by Great Britain or her spokesmen. Such a study, were it to be had, would, in my estimation, reveal that Great Britain was wearing her blinders when she took and submitted inventory of her holdings in the Americas, and would reveal possessions here convertible into a buying power far beyond the figures submitted by Mr. Morgenthau as Secretary of the Treasury.

Not so many weeks ago the Federal Reserve Board put Britain's Empire resources in the United States, when the war started, at \$7,115,000,000. We all recall how, during the embargo-repeal battle, the point was made again and again of the vast holdings by Great Britain in this country that would enable Britain to buy on the cash-and-carry basis for many years to come. Who does not remember that during that embargo-repeal fight Members rose in their places in the Senate to make showing of the billions of dollars of reserves that Great Britain had to draw on here in America? There was not any danger of Great Britain's showing need for years to come of any violation of, or departure from, our cash-and-carry program.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. NYE. I yield to the Senator.

Mr. CLARK of Missouri. The Senator is familiar with the fact that in the statement filed before the Senate Foreign Relations Committee by Mr. John T. Flynn, who by reason of illness was unable to testify, it was completely demonstrated, from Secretary Morgenthau's own figures, that the British did have enough money in this country; that in the past year they had diverted nearly \$800,000,000 in cash, or its equivalent, for the settlement of inter-Empire obligations; that is, obligations due from one portion of the British Empire to another?

Mr. NYE. I am quite aware of it. I think no man has ever done so completely devastating a job to any man's testimony as John T. Flynn has done to the testimony of our Secretary of the Treasury; and because of that I shall insist upon quoting at great length from the statement Mr. Flynn afforded.

Supporters of the embargo-repeal move were often not only sure they would never ask for more than repeal of the arms embargo to aid England, but were confident that repeal would find Britain prepared to finance her own war for a long time to come. This belief rather generally prevailed up to the time of election, last November. Immediately after the election came the announcements of the desperate need in which Britain found herself with reference to buying power here in America. The announcements of this need must have come as a great shock to many Americans who had believed that there was in this country a rather unlimited purchasing power for Britain by reason of her holdings and purposes.

The sole basis for the existing belief that Britain has exhausted her buying power here is to be found in the testimony of Mr. Henry Morgenthau, Secretary of the Treasury. The contentions of Mr. Morgenthau have been challenged, but by none quite so directly as by John T. Flynn, a recognized authority in matters of this kind. In his statement to the committee, which is found in the record of the hearings—a statement that was prepared from his sickbed; illness prevented his appearing before the committee, as he had hoped to do—Mr. Flynn insists that now the British Empire has in this country over \$4,000,000,000 in dollar assets; roughly \$4,449,000,000. He says:

The British Empire has in this country now, as far as any figures furnished to us show, over \$4,000,000,000 in dollar assets. The sum is, roughly, \$4,449,000,000.

This estimate is based upon the figures supplied by Secretary of the Treasury Henry Morgenthau to the House and Senate Foreign Affairs Committees.

The Federal Reserve Board put Britain's empire resources in the United States when the war started at \$7,115,000,000. They belonged to empire divisions as follows:

United Kingdom.....	\$4,860,000,000
Canada.....	1,570,000,000
Other empire countries.....	685,000,000
<b>Total .....</b>	<b>7,115,000,000</b>

These assets have been dissipated in part. According to Mr. Morgenthau, \$2,316,000,000 of them have been used by the United Kingdom and by other empire countries (excluding Canada) to meet payments here. This is not strictly true, since \$775,000,000 of this sum was withdrawn by Britain from the United States to meet bills in other parts of its Empire—hoping to get the United States to foot its bills later while using the funds withdrawn from here to pay cash for purchases in its own Empire. However, that sum—\$2,316,000,000—has been used up. In addition, I estimate that Canada has also used up about \$350,000,000 of its assets. The consumption of British assets here, then, would be:

By Canada.....	\$350,000,000
By United Kingdom and other empire countries.....	2,316,000,000
<b>Total .....</b>	<b>2,666,000,000</b>

This would leave here at the present time:

Total assets, Sept. 1, 1939....	\$7,115,000,000
Liquidated up to Jan. 1, 1941.....	2,666,000,000
<b>Balance still here.....</b>	<b>4,449,000,000</b>

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. NYE. I yield to the Senator.

Mr. WHEELER. Has the Senator a copy of Mr. Flynn's complete statement?

Mr. NYE. Yes; I have the complete text.

Mr. WHEELER. At the conclusion of the Senator's speech, will he not ask that the full text of Mr. Flynn's statement be printed in the RECORD?

Mr. NYE. I shall be happy to do so; if for any reason I do not read every word of that statement, because I think no statement or testimony received by the Foreign Relations Committee was quite so important as this statement, which has found its way into the RECORD,

but which, if left alone in the RECORD, will not be read by even a small part of the Members of this body.

Mr. WHEELER. I do not know whether Mr. Flynn points it out, because I have not seen his entire statement; but does he call attention to the fact that when we raised the gold content of the dollar we benefited Great Britain more than any other nation, because we tremendously increased the price of gold, and since England is the greatest producer of gold, with the increase of the price of gold we are in that way really helping to finance her war at the present time?

Mr. NYE. Mr. President, somewhere in our record there is reference to what was done for Great Britain by reason of our gold-buying program. Just now I am not prepared to say that Mr. Flynn was the one who touched upon that. I have not reread Mr. Flynn's testimony since 1 day last week.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. NYE. I yield to the Senator from Kentucky.

Mr. BARKLEY. I think it ought to be stated that Mr. Flynn's statement was filed with the committee after the hearings had ceased. That was not his fault, nor was it the fault of the committee; it was due to the fact that he was ill and was unable to attend the hearings of the committee. But his statement was filed after the hearings were concluded, and no member of the committee had any opportunity to cross-examine him about his statement or to go into any details about it; so, as it is published in the hearings which have been printed and in the mimeographed copy which the Senator has and which we have all received, it ought to be understood that it is purely an ex parte statement on his part, free from the opportunity of any of us to go into the discussion of the validity of his figures or his conclusions during the hearings.

Mr. NYE. I am quite sure the Senator from Kentucky states the facts and that the record ought to reveal them as he has stated them. With all my heart I regret that Mr. John T. Flynn could not have been there and subjected himself to questions by any member of the committee who might want to question his conclusions and his figures, for I am sure that no man in this land of ours is better able to stand by his conclusions and his assertions than is John T. Flynn.

As I have indicated, Mr. Flynn found that there was still remaining here as of January 1, 1941, a balance of securities of \$4,449,000,000. He goes on to say:

Allowances could be made for differences in valuation and for items not disclosed by the Secretary, which might change this total somewhat. But if the figures which have been furnished us are true it should be a fair figure, unless some means has been found to prudently withdraw still further sums from the country in order to perfect Britain's "poverty," for the purposes of its argument.

Mr. Morgenthau declared that the Empire, excluding Canada, must meet here this year on orders already placed of \$1,464,000,000. This is not true. The British Empire, excluding Canada, must meet a deficit here this year



on orders already placed of \$597,000,000. The Secretary arrives at his figure by including among Britain's bills here over a billion dollars in sums due not here but in various parts of her Empire. Here again the Secretary accepts this proposal without question, puts it down as a charge against Britain's assets here, and lops another billion off her available assets in America.

To this \$597,000,000, of course, must be added what Canada may have to pay. That has not been disclosed.

The whole tenor of the Secretary's statements to the House and Senate committees leaves no room to doubt that the Secretary was completely under the dominion of a desire not to throw light on this subject for the benefit of Congress but to make as strong a case as possible for the British Empire.

But over and above all this there ought not be any controversy as to what the assets of the British Empire in the United States are. The Federal Reserve Board was able to make a report substantially correct of the assets of the Empire in the United States as of September 1, 1939. Why cannot it and the Treasury do the same thing as of January 1, 1941, and just hand plain, simple figures to the United States Congress? Mr. Morgenthau talks about the secret figures which he has locked up in his safe. There need be nothing so secret about them. The Department of Commerce has them on record most of the time. It makes estimates of these foreign investments here from time to time. The Department of Commerce, the Treasury, and the Federal Reserve Board can, if they wish, give completely reliable figures to the Congress as to just how much assets the British Empire has in America at the present time. They refuse to do it because they apparently are determined not to assist the United States Congress with the facts. It is a rather strange spectacle to find Congress groping in the dark about these important figures while the Treasury Department and the British Treasury collaborate to fix up a statement to serve British interests.

Mr. Flynn continues:

I offer the following series of facts, based entirely on Secretary Morgenthau's own figures and those of the Federal Reserve Board and the Department of Commerce in support of these statements. First, I reconstruct the statement of the British Empire's needs here this year from Mr. Morgenthau's figures, including only those figures which belong in this table.

Then, Mr. President, there follow tables prepared by Mr. Flynn, which I ask unanimous consent to have printed in the RECORD at this point.

The VICE PRESIDENT. Without objection, it is so ordered.

The tables are as follows:

TABLE I.—*Estimated expenditures by the British Empire (excluding Canada and Newfoundland) in the United States, and estimated expenditures by the United States in the British Empire (excluding Canada and Newfoundland) from Jan. 1, 1941, to Jan. 1, 1942*

#### BRITISH EXPENDITURES

<b>A. United Kingdom payments to be made on total purchases from the United States:</b>	
1. Sums to be paid during 1941 on orders placed before Jan. 1, 1941.....	\$1,274,000,000
2. Imports from the United States not purchased through the British Purchasing Commission, largely on private accounts.....	280,000,000
<b>Total.....</b>	<b>1,554,000,000</b>

TABLE I.—*Estimated expenditures by the British Empire, etc.—Continued*

<b>B. Purchases by Empire countries, excluding United Kingdom, Canada, and Newfoundland, from United States during 1941:</b>	
1. Commodity imports.....	\$333,000,000
2. Payments for shipping, tourist expenditures, interest, etc.....	5,000,000
<b>Total.....</b>	<b>338,000,000</b>
<b>Total dollar requirements for all transactions and purchases in the United States.....</b>	
	<b>1,892,000,000</b>
<b>BRITISH RECEIPTS FROM UNITED STATES</b>	
<b>A. Dollar receipts from United Kingdom from United States:</b>	
1. United Kingdom exports of merchandise to United States.....	\$165,000,000
2. Net balance from United States to United Kingdom on shipping, tourist expenditures, interest payments.....	15,000,000
<b>Total.....</b>	<b>180,000,000</b>
<b>B. Dollar receipts by Empire countries (excluding Canada and Newfoundland):</b>	
1. Commodity exports.....	560,000,000
2. Australian gold exports to United States.....	75,000,000
3. South African gold exports.....	480,000,000
<b>Total.....</b>	<b>1,115,000,000</b>
<b>Total British receipts from the United States.....</b>	<b>1,295,000,000</b>
<b>Total estimated deficit of British Empire (excluding Canada and Newfoundland) in the United States during 1941.....</b>	<b>597,000,000</b>

According to these figures, the British Government will have to meet bills amounting to \$597,000,000 in the United States in 1941. These figures cannot be questioned, of course, since they are the figures supplied by the British Government itself.

Now, let us see what the assets are in the United States that the British Empire (excluding Canada and Newfoundland) have, which can be converted into dollars. According to the Federal Reserve Board bulletin, issue of January 1941, page 9, the British Empire, exclusive of Canada and Newfoundland, had at the end of August 1939 total gold and dollar resources in the United States as follows:

United Kingdom.....	\$4,860,000,000
Other British Empire.....	685,000,000
<b>Total.....</b>	<b>5,545,000,000</b>

A break-down of these assets may be given as follows:

	United Kingdom	Other British Empire
Central gold reserves.....	\$2,000,000,000	\$520,000,000
Dollar balances.....	595,000,000	100,000,000
Market securities.....	1,080,000,000	50,000,000
Direct investments.....	1,185,000,000	15,000,000
	<b>4,860,000,000</b>	<b>685,000,000</b>

There is no serious dispute about the accuracy of these figures. Some differences in estimates of the market value of securities appears in the British Government statements. These we can take note of later.

Mr. Morgenthau presented to the Senate a statement of the manner in which these assets had been used up between September 1, 1939, and December 31, 1940, in table III, at page 12 of his testimony before the Senate committee, as follows:

*Estimated gold and dollar expenditures and receipts of British Empire, excluding Canada and Newfoundland, from Sept. 1, 1939, to Dec. 31, 1940 (compiled by the Treasury Department, the Department of Commerce, and the Federal Reserve Board, from data furnished by the British Treasury)*

[In millions of United States dollars]

<b>GOLD AND DOLLAR EXPENDITURES</b>	
<b>A. Payments to the United States by United Kingdom:</b>	
1. On British Government orders in the United States:	
Goods delivered.....	660
Advance payments.....	570
Capital assistance.....	150
<b>Total.....</b>	<b>1,380</b>
2. For other merchandise imports from United States.....	705
3. For shipping, interest, etc.:	
Shipping disbursements.....	125
Interest and dividends.....	48
Miscellaneous (chiefly film royalties).....	24
<b>Total.....</b>	<b>197</b>
<b>Total.....</b>	<b>2,282</b>
<b>B. Payments to the United States by Empire countries, excluding United Kingdom, Canada, and Newfoundland:</b>	
1. For commodity imports.....	435
2. For shipping, interest, etc.:	
Interest and dividends.....	40
Shipping (net).....	8
<b>Total.....</b>	<b>48</b>
<b>Total.....</b>	<b>483</b>
<b>C. Payments by Empire countries, excluding Canada and Newfoundland, to areas outside the United States requiring gold or dollars:</b>	
1. Payments by Empire countries (chiefly United Kingdom) to areas outside the United States and Canada and Newfoundland, requiring gold or dollars.....	550
2. Gold payments by Empire countries to Canada and Newfoundland (net).....	225
<b>Total.....</b>	<b>775</b>
<b>D. Withdrawal of capital:</b>	
1. By Americans and others, through sale of free sterling to American importers.....	300
2. By repayment of outstanding export credits as required by our Neutrality Act.....	200
3. By liquidation of forward exchange position in dollars.....	235
<b>Total.....</b>	<b>735</b>
<b>E. Residual—Miscellaneous items and errors of estimation.....</b>	
	<b>71</b>
<b>Total gold and dollar requirements for all transactions.....</b>	<b>4,846</b>



*Estimated gold and dollar expenditures and receipts of British Empire, etc.—Continued*

GOLD AND DOLLAR RECEIPTS

A. Receipts from United States by United Kingdom:

1. From merchandise exports.....	205
2. From interest, shipping, etc.: Interest and dividends.....	85
Shipping earnings.....	35
Remittances from insurance companies.....	20

Total..... 140

Total..... 345

B. Receipts from United States by Empire countries, excluding United Kingdom and Canada:

1. From merchandise exports.....	640
2. From tourist travel, remittances, etc.....	30

Total..... 670

C. Dollar receipts by Empire countries, excluding Canada, from areas outside the United States.....

50

D. Receipts from sale of gold (new production and dishoarding).....

965

Total gold and dollar receipts by Empire countries, excluding Canada..... 2,030

Total drain on gold and dollar resources of British Empire, excluding Canada and Newfoundland, Sept. 1, 1939, to Dec. 31, 1940..... 2,316

Total gold and dollar requirements for all transactions... 4,346

Mr. NYE. Mr. President, referring to the gold and dollar receipts, Mr. Flynn says:

Attention must be called to this table—

Referring to the preceding table.

It will be seen that the British Government, during 1939, was withdrawing enormous sums from the United States to make payments for its purchases in other Empire countries. For instance, item C contains two interesting exhibits. C1 shows that Empire countries drew \$550,000,000 out of the United States to pay bills outside the United States and Canada. Also C2 shows that Empire countries withdrew \$225,000,000 to pay Empire country bills in Canada. In other words, the dollar resources of the British Empire here during 1940 were depleted by \$775,000,000 to pay bills of the British Empire mostly within the British Empire itself. The British Empire, knowing that it would require heavy balances in the United States in 1941, nevertheless drew \$775,000,000 out of the United States to meet bills in gold and dollars within the Empire which did not have to be met in gold and dollars, but which could have been met by Empire credits.

Up to now I have given figures merely covering transactions between the Empire and the United States, excluding Canada and Newfoundland. I have excluded Canada and Newfoundland merely because for some unknown reason the Secretary of the Treasury excluded them. Certainly there cannot be any question about the fact that Canada is a part of the British Empire. Because of Canada's home in this continent as our nearest neighbor, our feelings toward her may be somewhat warmer than to other portions of the Empire. But no man, making up a balance sheet of Empire assets and liabilities or Empire transactions with the United States has any right to arbitrarily exclude Canada. In order to give us a picture of the Empire resources in this country, all of the resources of the Empire must be included. The Secretary of the Treasury, had he been moved solely by a desire to give unbiased informa-

tion to the Congress, would have done this. Congress in its judgment might then determine whether it would make any distinction between Canada and the United Kingdom or any other part of the British Empire in the handling of its finances. The Secretary of the Treasury, however, has seen fit to exclude Canada and he has done this obviously for the same reason that he has taken other liberties with these figures—for the purpose of making as good a case as he could for the British Empire, in spite of the fact that he is making a report to the American Congress as a confidential agent of the American Government.

September 1, 1939, the Federal Reserve Board, treating the whole subject objectively and not as an advocate for aid to Britain, furnished a statistician's report and not a lawyer's brief, and reported that British dollar assets in the United States were \$7,115,000,000. These were broken down as follows:

United Kingdom.....	\$4,860,000,000
Other British Empire.....	685,000,000
Canada.....	1,570,000,000

How much of these Canadian assets were used up to January 1, 1941, it is not possible to say with accuracy, since the Secretary chose not to give any figures on this subject. This is all the more remarkable since he did choose to give a lot of figures on the transactions between Canada and all other parts of the British Empire, which is something the Congress is not in any sense interested in and did not ask for.

We can only estimate the condition of Canada's assets here. From September 1, 1939, to December 31, 1940, Canada's expenditures in the United States were roughly \$925,000,000. Her receipts from the United States on merchandise shipments were \$563,000,000. The deficit she has been called on to meet, therefore, is \$362,000,000. (These figures are based on the foreign-trade figures of the Bureau of Foreign and Domestic Commerce of the Department of Commerce. They are estimated for December 1940.)

These figures do not include other items such as interest, dividends, tourist expenditures passing to and from Canada to the United States. It is probable that these would reduce this amount somewhat. Nor do these figures include gold shipments to the United States for Canada's account. Gold shipments from Canada into the United States in 1940 alone were enormous—\$2,279,390,125 in the first 10 months of 1940. Of course, the bulk of this represented transshipment of gold from Europe for the account of many countries. But certainly some of it represented Canadian gold. It is a fair estimate that Canada has not been called on since September 1, 1939, to care for a deficit larger than \$350,000,000 in the United States.

We have seen above that Canada had \$1,570,000,000 of dollar assets in this country in September 1939. If she was called on to meet her deficit in this country through the liquidation of any part of those dollar assets, then she should still have here not less than \$1,220,000 in dollar assets.

To recapitulate, therefore, British Empire dollar assets here as of January 1, 1941, compared with September 1, 1939, should be as follows:

Total British Empire dollar assets in United States Sept. 1, 1939, including United Kingdom, Canada, and all other Empire countries.....	\$7,115,000,000
--	-----------------

Deficit met by gold or dollars:

(a) By Canada..... 350,000,000

(a) By United Kingdom and other Empire countries..... 2,316,000,000

Total..... 2,666,000,000

Balance of assets still available in the United States... \$4,449,000,000

Save for the Canadian figures, which are made up from estimates based on Department of Commerce trade reports, these figures do not differ greatly from Mr. Morgenthau's. They merely seem to differ, because Mr. Morgenthau has chosen to arrange his figures differently in order to bolster the brief he was making for aid to Britain.

For the information of the Senator from Maryland [Mr. TYDINGS], I will state that I am reading the statement submitted to the Committee on Foreign Relations by John T. Flynn in answer to the testimony which had been given by the Secretary of the Treasury.

The following analysis of Mr. Morgenthau's figures will prove this.

First, I reproduce Mr. Morgenthau's table No. 1, which is supposed to show dollar receipts and expenditures of the British Empire, excluding Canada, for 1941. I reproduce this in order to call attention to certain features of it which are most important.

*Estimated dollar expenditures and receipts of British Empire, excluding Canada, from Jan. 1, 1941, to Jan. 1, 1942*

[In millions of United States dollars]

DOLLAR EXPENDITURES

A. United Kingdom payments to be made on total purchases from the United States:

1. Sums to be paid during 1941 on order placed before Jan. 1, 1941 (in addition, \$119,000,000 will fall due after Jan. 1, 1942).....	1,274
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2. Imports from United States not purchased through the British Purchasing Commission, largely on private accounts..	280
--	-----

Total..... 1,554

B. Purchases by Empire countries (excluding United Kingdom and Canada) from United States during 1941:

1. Commodity imports.....	333
2. Payments for shipping, tourist expenditure, interest payments, etc.....	5

Total..... 338

C. Purchases by Empire countries, excluding Canada, from areas outside the United States requiring gold or dollars:

1. Purchases by Empire countries (chiefly United Kingdom) from areas outside the United States and Canada requiring dollars.....	247
--	-----

2. Payments by Empire countries (chiefly United Kingdom) to Canada and Newfoundland..	880
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Total..... 1,127

Total dollar requirements for all transactions... 3,019

DOLLAR RECEIPTS

A. Dollar receipts by United Kingdom from United States:

1. United Kingdom exports of merchandise to United States.....	165
--	-----

2. Net balance from United States to United Kingdom on shipping tourist expenditures, interest payments, etc..	15
--	----

Total..... 180



*Estimated dollar expenditures and receipts of British Empire, excluding Canada, from Jan. 1, 1941, to Jan. 1, 1942—Continued*

<b>B. Dollar receipts by Empire countries (excluding Canada):</b>	
1. Commodity exports.....	560
2. Australian gold exports to United States.....	75
3. South African exports of gold.....	480
Total .....	1,115
<b>C. Canadian assistance to United Kingdom.....</b>	
260	
Total dollar receipts by Empire countries, excluding Canada.....	1,555
<b>Total dollar deficit with countries other than Canada during 1941.....</b>	
844	
Total dollar deficit with Canada during 1941.....	620
<b>Total dollar deficit of British Empire, excluding Canada, during 1941.....</b>	
1,464	
<b>Total receipts and deficit on operations with all countries other than Canada during 1941.....</b>	
3,019	

I called attention to the first portion of this table entitled "Dollar Expenditures, Item C." Here Mr. Morgenthau introduces an element which he calls (C) "Purchases by Empire countries, excluding Canada, from areas outside the United States requiring gold or dollars." The total is \$1,127,000,000. This means that during this year England proposes to pay certain bills for purchases made by various parts of the Empire in various other parts of the Empire. In other words, these are strictly inter-Empire transactions and have nothing whatever to do with the purchases by the Empire in the United States. Some of these purchases are being made by the United Kingdom, and by other dominions and colonies, in Canada. Some of them are purchases made by England and various dominions and colonies outside of Canada. They are all, however, purchases which the Empire can itself finance within its own limits. Purchases made by the United Kingdom in Canada have to be paid in Canadian dollars in Canada. Canada is a part of the Empire. The whole Empire is at war—not just the United Kingdom. The purchase of these materials in Canada produces work in Canada and business for Canadian industries. There is nothing to prevent the financing of these purchases within Canada with Canadian credits. It is a simple matter. The same thing is true of purchases in other parts of the Empire. According to this table, England proposes, in spite of the gravity of her needs in this country, to withdraw \$1,127,000,000 from America, extinguishing that much dollar assets, and to use those assets to pay bills within her own Empire—bills which can be handled through internal credits. Then, in turn, England asks the American Government to pay that much in bills for her within the United States. The American Government has no money to pay these bills. To do so it will have to borrow the money from its banks, so that we are actually in the position of England insisting on paying bills within her Empire with dollar assets withdrawn from this country while she asks the American Government to go into debt to pay her bills here.

In any event, the Secretary of the Treasury has no right to toss this sum of \$1,127,000,000 into this account as an unavoidable drain upon England's dollar assets in America for the purpose of making England's position look more grave than it really is from a financial view.

When this item of \$1,127,000,000 is removed from this table, as it should be, and a corresponding item under "Dollar receipts, C,

Canadian assistance to the United Kingdom, \$260,000,000," is removed we have a figure which corresponds with that figure given by me in my table I—namely, a total estimated deficit of the British Empire during 1941, excluding Canada, of \$597,000,000, and not \$1,464,000,000, as given by Mr. Morgenthau.

Mr. TAFT. Mr. President—

The VICE PRESIDENT. Does the Senator from North Dakota yield to the Senator from Ohio?

Mr. NYE. I yield.

Mr. TAFT. Is there any evidence whatever that the British could not buy a very considerable amount of equipment, in addition to what they already have at the present time?

Mr. NYE. In the United States?

Mr. TAFT. In the United States.

Mr. NYE. I am sure that the evidence is quite to the contrary, revealing that they have credits upon which to draw for much larger purchases than they have already made.

Mr. TAFT. The admitted figures, as I read them, show that there is about \$900,000,000 in the United States which is available and which has not been used, and if the Senator's calculation is correct—and personally I think it is correct—I have no doubt that the British could get at least another half billion dollars if they chose to convert their assets to this country instead of to Canada, as their plan seems to contemplate. So that from my analysis of the figures, while the time is undoubtedly approaching when the British may need dollar credits, it cannot be charged that any delay in the consideration of the pending bill, or any delay in the extension of credit for a good many months to come, will interfere at all with the British program of purchases in this country.

Mr. NYE. I am quite happy that the Senator from Ohio would make that very splendid point, because I am sure that within a matter of days or hours there will be an attempt to demonstrate that if we do not hurry this measure through there will be a complete collapse of the finances of Great Britain, and a ceasing of her purchases in the United States.

Mr. TAFT. The point I wish to make is that we have time this week and next week to consider this measure without in any way interfering, so far as I can discover, with the possibility of Britain buying goods in this country.

Mr. TYDINGS. Mr. President, will the Senator from North Dakota yield?

Mr. NYE. I yield.

Mr. TYDINGS. At the rate expenditures are being made by Great Britain in this country, and with the credits now available to Great Britain in this country, and not so far used, at what time does the Senator feel that Great Britain's credit would be exhausted here, so that it would then be imperative to lend her additional money if we wanted to continue to sell her goods? Can the Senator indicate approximately when he thinks that event will probably take place?

Mr. NYE. It is very difficult to do so, as we do not know what the British purchases are going to be next month, or the following month, or next year.

Mr. TYDINGS. I mean approximately.

Mr. NYE. I saw studies as of last fall indicating that if Britain continued buying only on such a scale as that on which she was buying for the first year, she would have credits which would permit her to continue to purchase here for 5 or 6 years, or even longer, assuming that the Federal Reserve Board figures of last fall revealed honestly the full extent of securities held by Great Britain in the United States.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. TYDINGS. If the Senator will permit me to pursue the matter for a moment, perhaps I can clear the matter up.

Does the Senator's estimate contemplate as pledged credits which will be necessary to pay for contracts which have already been let by Britain in the United States, or does he consider only the payments which have been made for work which has been done as of this date?

Mr. NYE. Frankly, the studies of last fall to which I referred did not take into consideration the amounts which may have been pledged; did not take into consideration anything more than the actual purchases paid for by Great Britain in that period.

Mr. TYDINGS. Of course, I know the Senator wants the truth, as we all do, on which to base an opinion. My own thought is that, in order to acquire materials, in the future Britain will spend at a vastly increased rate over the rate at which she has spent in the past, for the reason that a great deal of time will be necessary to give momentum to production in this country, but when the momentum of production picks up monthly expenditures will increase on a vast scale. With that picture in mind, I should like to ask the Senator again whether he thinks Great Britain's credit would, under those circumstances of increased production, last for 4 or 5 years without help from the United States?

Mr. NYE. Obviously not; unless Great Britain were to start drawing on her resources in the Western Hemisphere outside the United States.

Mr. TYDINGS. Assuming that Great Britain does not draw on her resources in the Western Hemisphere outside the United States, what would be the approximate time, in the Senator's opinion, when Britain's credit here would be exhausted, if the increase in production continues as we contemplate it, and it would be necessary for Britain to take that production at an increased and accelerated rate? Would it last another year?

Mr. NYE. I could not undertake to answer the Senator's question, in the face of the conflicting picture given us of what are the actual British possessions in this country.

Mr. TYDINGS. Of course, any answer to my question would to a large extent be speculative, because it would be based upon the solution of imponderables which none of us can know. But whether or not this credit is necessary this year is an important question in this debate, and so far I have not been able to ascertain that the credit would not



be necessary this year, if the production is brought off the assembly line as it is contemplated it will be brought off.

Mr. NYE. Does not the Senator agree that if England were so concerned about what might be her shortage of credit needs for this year, she should be scored for withdrawing her gold or her purchasing power in the United States, to the end that she could make purchases in her dominions for gold, on the theory that we are going to rally anyway, irrespective of what her combined resources might be?

Mr. TYDINGS. I do not mean to be contentious or to take issue with the Senator, because I think he is making a very valuable contribution to the debate; but if the Senator will allow me to answer his question, certainly it is only fair to say in behalf of Britain that the more goods she can acquire and buy at home and in her own dominions, the longer her credit will last, because her credit will correspondingly decline as she buys outside her own country or her dominions the things she requires. Therefore Britain as a credit risk would be no good at all if she did not want to keep that credit as intact as it is possible to keep it. If we were in the same boat, we would rather buy from Puerto Rico, or the Philippines, or Hawaii, or Alaska—if we could look on those possessions in the light in which we look on Canada and other dominions in relation to Britain—rather than from England or France. I do not think Britain should be criticised for trying to conserve and keep her credit. What I am interested in learning is when, in the Senator's opinion, will the time come when her credit here will be exhausted, as the increased production comes off the assembly line. If it will not be exhausted for a year or 2 years, then I think a great deal of the opposition to the bill, as a financial proposition, as a credit proposition, would be justified. If, on the other hand, it will be exhausted before this year is over, then our approach would have to be entirely different.

Mr. TAFT. Mr. President, will the Senator from North Dakota yield?

Mr. NYE. I yield.

Mr. TAFT. The admitted assets of Great Britain in this country are said in Mr. Morgenthau's statement to be \$2,167,000,000.

Mr. TYDINGS. As of what date?

Mr. TAFT. As of the 1st of January.

Mr. TYDINGS. How many orders were placed against that amount?

Mr. TAFT. My understanding is that the orders amounted to about \$1,200,000,000.

Mr. TYDINGS. So the net credit would be what?

Mr. TAFT. It would be about eight or nine hundred million dollars. Answering the Senator's question, I think that if production is speeded up to three or four billion dollars a year—limited rather by shipping than by manufacturing—

Mr. TYDINGS. By both.

Mr. TAFT. I think it would be true that the credit would be exhausted probably before the end of the year. As

the Senator knows, I introduced a substitute measure providing credit of one and a half billion dollars, which it seemed to me would cover probably the amount required for the next year.

But the point I was most concerned with making is this: In answer to the argument which has been made that we are fiddling while Rome burns, that Britain is absolutely stopped today, that she cannot give an order because she does not have any money, the fact is that the British Treasury's own statement shows that Britain has \$500,000,000 available in the United States, which she has not yet used in placing orders, and that, therefore, by debating this bill for 2 weeks, we certainly are not in any way delaying the British production program in this country.

Mr. TYDINGS. Mr. President, if the Senator from North Dakota will allow me—

Mr. NYE. I am glad to yield.

Mr. TYDINGS. I do not believe that Britain is in any serious danger in the next 2 weeks, or perhaps in the next 6 weeks, or perhaps 2 months, because even if this bill should be passed tomorrow, I imagine that perhaps none of this credit would be utilized for at least 60 days after its passage, and I think—

Mr. TAFT. I think the Senator is certainly correct, if it is necessary to go through the United States Army and the United States Navy, as will be required as soon as the bill is passed.

Mr. TYDINGS. I think the Senator's observation is a fair one, but I think we ought to know when the British credit is likely to be exhausted. If it will be exhausted in the year 1941, that is one thing; if it will not be exhausted until 1942 or 1943, that is another thing. The supposition seems to be here that it will be exhausted this year.

Mr. TAFT. I think that if the production were increased to three or four billion dollars it certainly would be exhausted this year.

Mr. BARKLEY. Mr. President, will the Senator from North Dakota yield at this point?

Mr. NYE. I yield to the Senator from Kentucky.

Mr. BARKLEY. In connection with this subject, while the Secretary of the Treasury did show by his testimony that the total gross gold and dollar credit as of December 31 was \$2,167,000,000, he deducted from that the item of \$305,000,000 as being necessary for the transaction of business between the two countries. We cannot scrape the barrel completely and have nothing left with which to transact business, because aside from war there is still some business being transacted between the two countries.

Mr. TAFT. It seemed to me, however, that that statement was obviously unfair, because while they refused to include \$305,000,000 of private dollar balances in one statement, just below they charged against this \$280,000,000 of imports to the United States not purchased through the British Purchasing Commission but largely on private account; and why private funds should not be used to pay for the British account, I never have been able to understand.

Mr. BARKLEY. The Secretary of the Treasury, in his testimony, went into that matter. Of course, if we are going to take Mr. Flynn's figures and discard altogether those of the Secretary of the Treasury, who certainly has, it seems to me, equal if not superior facilities for ascertaining the truth about how much credit England has in this country, it will be easy to figure out how there might be three or four billion dollars' credit. Last fall there was a difference between the statement of the Federal Reserve Board and the figures submitted by Mr. Morgenthau, but when they got together and discussed the discrepancy, it was discovered that there was really no material difference at all, because they had been operating on a different basis and considering different items, and they were practically together as to the amount of credit England had.

If we are going to take Mr. Flynn's figures, there may be, and there probably was on the day on which Mr. Morgenthau testified, an additional credit of some \$300,000,000 in the United States available for Great Britain, but when we compare \$300,000,000 to the enormous amount of purchases necessary to carry on a program of this sort, we find that that sum affords very little basis upon which to figure on any orders that will be very effective in the near future.

It was testified, and no one denies it, that a few days before Mr. Morgenthau testified—I think on the day before he appeared before the committee—Mr. Knudsen, who certainly ought to know what is going on in the way of production of defense articles, and the exchange of such articles, or their sale, called up Mr. Morgenthau and stated that the British were not in position to execute any other contracts. They could not enter into a contract for, I think it was, 2,000 airplanes, because they did not have the available credit, and there have been no contracts entered into between Great Britain and the factories of the United States which are furnishing what they need and want, since before Mr. Morgenthau testified some 2 or 3 weeks ago.

Mr. TAFT. I do not suppose that could be in order to hasten the passage of this bill?

Mr. BARKLEY. The Senator may be suspicious of the good faith of men who are charged with the duty of telling the truth before committees. I am not. I believe that all Senators who are on the Foreign Relations Committee, who heard Mr. Morgenthau, though they may not agree with him, will testify that he made a very sincere effort to bring before the committee the real facts as he had gathered them. If anyone has "put anything over on him," that may be something else, but I do not believe it, because he testified that in connection with all the transactions that had occurred between our Treasury and the British Treasury, he had always found the British Treasury to be absolutely reliable in the figures which they submitted. I do not think we have any right now to assume, merely because we have a bill before us providing aid for Britain, that the Secretary of the Treasury of the United States, or Mr. Knudsen, the head of the Defense



Council, are deliberately withholding facts from the Congress and the American people in order that this bill may be hastened through Congress.

Mr. TAFT. Mr. President, in the first place, I did not suggest that they were withholding facts. I suggested that probably the British were anxious to have the measure enacted. And I have noticed a willingness on the part of Mr. Morgenthau to take anything that the British furnish him.

Mr. BARKLEY. I do not know how anxious the British are to have this bill enacted, but if I were in their place I would be rather anxious.

Mr. TAFT. If the Senator from North Dakota will yield further, I wanted to point out that all the statements I have made are based on Mr. Morgenthau's figures. I am not disputing his figures. His figures are that there are \$2,167,000,000 here, and the British Empire produces in addition to that about \$750,000,000 in gold per year, which according to the statement subsequently submitted, is not to come to the United States at all. So far as we can analyze the statement as to the British deficits in dollars, the gold is to go to the other British Empire countries, including Canada, and Britain is not proposing to turn over to the United States any of the \$750,000,000 in gold that is produced annually. So in addition to the \$2,167,000,000, certainly we are entitled to ask for the \$750,000,000 of gold produced in the British Empire during the year. Yet in spite of that, I still agree, in response to the question of the Senator from Maryland [Mr. TYDINGS], that I think British dollar resources will be exhausted before the end of the year, if there is to be an increase in production to three or four billion dollars, as there should be.

Mr. BARKLEY. Mr. President, will the Senator yield further?

Mr. NYE. Yes.

Mr. BARKLEY. I do not want to delay the Senator's address, but that brings up this situation: If we are going to enact legislation to help Great Britain, shall we wait until her credit is totally exhausted and then bring about such a condition that she may again enter the market and make contracts, subject to the delay which will ensue inevitably by the postponement of the consummation of those contracts? As the Senator will realize, these contracts cannot be concluded immediately upon their being made. It takes months of time to conclude them. It may take a year in some cases to get the specific article for which a contract may be entered into today. If Great Britain cannot make such a contract because of the lack of credit until 6 months from now, it means that it will be 18 months before she can obtain the material which she otherwise could obtain in a year; and if it is something that could be produced in 3 months or in 6 months, the longer she is required to postpone the execution of a contract for it the more delay she will experience in receiving the article itself.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. NYE. I yield.

Mr. TYDINGS. So that my question may not be misunderstood, let me say that I asked the question to ascertain the point of time when British credit would probably be exhausted. I agree with the majority leader that if credit is to be extended it ought not to be at a time when the British have only \$10.50 left. It is necessary to do it in advance. But I do not think it is necessary to do it more than a year in advance of the possible break-down of credit. Consequently I was interested in determining whether or not British credit would be exhausted in 1941, because if credit is to be extended it should be extended sufficiently far ahead so that there will be a continuity in the flow of credit and the acquisition of goods.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. NYE. I yield.

Mr. CLARK of Missouri. I do not wish to prolong the interruptions of the Senator's address, but I think this thought might be pertinent. I entirely agree with the majority leader when he says that if he were an Englishman he would like to have the bill passed as soon as possible. So would I if I were an Englishman. I would much rather have something given to me than to have to pay for it, particularly if I were in a fight.

What I wish to suggest to the Senator is that, assuming all of Secretary Morgenthau's figures are correct, there are very huge dollar assets which are not covered in the statement, and which might be turned over to us or converted into cash. I refer to assets in Bermuda, Canada, and other parts of the British Empire.

Mr. NYE. There are billions of dollars of such assets.

Mr. CLARK of Missouri. I also call the Senator's attention to the fact that neither Canada, New Zealand, Australia, South Africa, nor any of the other dominions of the far-flung British Empire has even been asked to make any such sacrifice as we are proposing to make. Canada, New Zealand, and Australia are collecting cash on the barrel head for what they furnish to Great Britain. As a matter of fact, Mr. Flynn's statement points out, from Mr. Morgenthau's own figures, that nearly \$800,000,000 in cash, or the equivalent of cash, was withdrawn in the past year from British holdings in the United States for the purpose of settling intra-Empire balances, that is, balances due from one portion of the British Empire to another.

Mr. NYE. Quite so.

Mr. BARKLEY. Mr. President, will the Senator further yield?

Mr. NYE. I yield.

Mr. BARKLEY. In connection with Canada, Australia, and New Zealand, I think we should keep in mind that Canada herself is making large purchases in the United States. Canada is not herself able to supply what England might wish or need from Canada. Canada is not even able to supply her own needs by her own industrial set-up. She is buying large quantities of things from the United States. It would be manifestly bad business, and it would be an injustice, to require that Canada exhaust her own credit

in the United States in order to help England, when Canada needs that credit to help herself buy the things she is buying from the United States.

Not only that, but Australia, New Zealand, and Canada are expending large sums in furnishing materials and supplies for Great Britain. They are not rich countries. I do not know—because the Secretary did not have the figures to submit to the committee—what the balance of credit in the United States may be with respect to Canada; but I think it is fair to state that the balances of dollar credit as between Canada and the United States are not sufficiently large to justify Canada in depleting them to any great extent, in view of the large purchases she must make in the United States for herself, and for whatever she buys for England.

I do not know to what extent Australia and New Zealand have dollar credits in the United States with which they could help England pay for such things. When it comes to other credits, and property which the English people own in other parts of the world, I think it is fair to assume—and I think the Secretary of the Treasury stated—that such holdings are not now convertible into dollars. British nationals may own a streetcar system in Venezuela, or they may own some physical properties in Latin America, but in the present condition of world affairs such holdings cannot be translated into dollars so that the dollars may be brought to the United States and used to purchase the things which England needs. It is not a true picture of the credit situation and the ability of England to pay for those purchases on the barrel head, as we say, to refer to properties which her citizens may own elsewhere in the world, which cannot now be converted into dollars.

Mr. NYE. Mr. President, I am sure that if the British Government were to come to the United States, where such friendliness is being demonstrated at this time, with streetcar bonds, or whatever it might bring from anywhere in South or Central America or Canada, it would have no difficulty in utilizing them as collateral or as security which would fetch them whatever number of billions they feel they need.

Mr. BARKLEY. It so happens that American citizens own stocks in some of the utilities in South and Central American countries. Frequently on the floor of the Senate we have heard those countries criticized because of default not only in the payment of the bonds themselves but also of the interest on the bonds.

Mr. NYE. That fact does not alter the conclusion which I have just drawn, that, with our present friendliness toward Great Britain, ways could quickly be found for transferring such securities to a buyer. But more than that, it seems to me that the reflection is every bit upon us. We stand here and argue that we do not know what Great Britain's securities are; and yet, without knowing, we are ready to surrender our purse, as we are proposing to surrender it under the terms of the pending bill.

Mr. SHIPSTEAD. Mr. President, will the Senator yield?



Mr. NYE. I yield to the Senator from Minnesota.

Mr. SHIPSTEAD. I think there is much confusion among some persons in the misunderstanding of the difference between dollar exchange and credits. There may be some difficulty in obtaining dollar exchange unless there is a willingness to dispose of assets which can be turned into American dollars. To say that the British Empire has no credit is perfectly ridiculous. It is safe to say that it controls half the wealth of the world.

Mr. NYE. I thank the Senator.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. NYE. I yield to the Senator from Ohio.

Mr. TAFT. Merely as a matter of information with respect to Canadian investments in this country, the Department of Commerce release of January 5 states that in 1939, when the war began, Canadian investments in the United States amounted to \$1,399,000,000, and 12 months later they were \$1,393,000,000. They had been depleted by only \$6,000,000 in the course of 12 months.

So far as we know, Canadian investments in the United States still stand at pretty well over one and a quarter billion dollars, so the necessity of letting all the British Empire gold go to Canada seems to be somewhat overstated.

Mr. NYE. I thank the Senator.

Mr. BONE. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. CHANDLER in the chair). Does the Senator from North Dakota yield to the Senator from Washington?

Mr. NYE. I yield.

Mr. BONE. Perhaps my question might more properly be directed to one of the members of the Committee on Foreign Relations who are present.

I have before me the first copy of the printed hearings of the Committee on Foreign Relations on the pending bill. In common with others, I have not had an opportunity to read it. I am wondering if in any of the testimony there appeared any description of or any suggestion about the holdings of British nationals in this country. I have in mind particularly such vast holdings as those of the Astor family. The Astors are among the great families of Great Britain, and they are assumed to be very wealthy. They have a great stake in the preservation of the British Empire, because they are among the chief beneficiaries of whatever good things there are in the British Isles. I am wondering if there was any suggestion at all about liquidating such holdings for the benefit of their own country. Was that question discussed in the committee?

Mr. NYE. The Secretary of the Treasury revealed to the Foreign Relations Committee that he was in possession of a list of all such possessions in the United States held by British nationals. That list was not made available to the committee. It was not available to the public. I assume it is the presentation of British spokesmen, and is not the result of an intensive study by any agency of the United States to determine what those holdings are.

Mr. BARKLEY. Mr. President, if the Senator will yield at that point—

Mr. NYE. I yield to the Senator from Kentucky.

Mr. BARKLEY. In answer to the Senator, let me say that when the Secretary of the Treasury was on the stand he was specifically asked about the holdings of the Astor family. I cannot give the Senator the page.

Mr. CLARK of Missouri. I, myself, asked him.

Mr. BARKLEY. The member of the committee who propounded the question undertook to estimate the holdings at \$100,000,000, and asked the Secretary whether those holdings, whatever their value—he fixed no such value, and I do not know who could—were included in the amount which the Secretary set out in his table as being British holdings in the United States. The Secretary particularly stated that they were taken into consideration, and made up a part of the \$900,000,000 under the item "Direct and miscellaneous investments in the United States." He further stated that these items contained, in regard to stocks, the market value at which they were selling on the day when the estimate of their value was made. He stated that the \$900,000,000 was, of course, bound to be an estimate because nobody can tell how much a piece of property on Fifth Avenue or Ninety-fifth Street in New York would bring at what we lawyers call a fair voluntary sale; but without itemizing the different British nationals who had property in this country, the list of which he had, but which he did not feel at liberty to reveal in the hearings, for reasons which I think were entirely commendable, every item of property, including stocks and bonds and real estate, was included in this estimate of the amount of dollar credit of British citizens in the United States.

Mr. BONE. Mr. President, may I occupy the floor for a moment more?

Mr. NYE. I yield to the Senator from Washington.

Mr. BONE. I did not mean to imply by my suggestion that there was any impropriety in a national of Great Britain owning property in the United States; and I agree with the Senator from Kentucky that it would be futile to try to put a price on such property, because out of 50 appraisements we probably would not find any two exactly alike. I was rather interested in the question of how Britain might realize from that property if she had the right to do it, and whether there was any evidence before the committee of any purpose on the part of the British Government or any statutory ability for that Government to take possession of such property, liquidate it, and translate it into a credit in this country. I am rather curious to know whether any steps have been taken in that direction; whether the committee was advised that the British Government has taken any steps in the direction of liquidating, for instance, such fortunes as that of the Astor family in order to utilize them for the defense of the British Empire. I think it is a natural curiosity, and I know a great many inquiries on the subject have been directed to me; and I do

not select that family for any reason other than that it rather typifies the larger and more opulent families.

Mr. BARKLEY. As I recall, there was no testimony before the committee indicating what steps, for instance, the Government of Great Britain has taken to try to force Lord Astor to sell his property in New York, or what jurisdiction the British Government may have over the sale of real estate in the United States; but it was testified by Mr. Morgenthau that in order to pay cash, as they are now required to pay under the law, for what they have already ordered, practically the entire amount of this property would have to be liquidated. What the method of liquidation is, I do not know. I think we are also entitled to assume that under forced liquidation in order to pay cash within a restricted period for supplies they have already bought, we might not expect such property to bring as large a price as it might bring if it went through the ordinary processes of negotiation across the table as to what it was worth, because if all of it has to be liquidated within a few months I think we may assume that it will not bring as much as it would under other circumstances.

Mr. BONE. I think perhaps it may be assumed that the British Government now has no authority, under the present statutory set-up, to expropriate the property of one of its nationals in New York City.

Mr. BARKLEY. And it might be necessary to bring about such expropriation by treaty between the United States and Great Britain. I doubt whether the British Parliament would have any right to compel the British owner of a piece of real estate in this country to sell it. The owner might be punished by Great Britain if he did not; but the actual transaction of making a deed by the British owner to the purchaser in the United States is a matter over which I doubt whether the British Parliament would have any control, aside from a treaty or something of that sort as the basis.

Mr. BONE. Of course, we are not assuming that the British Government is going to expropriate property, although in its desperation probably it would have a right to do so, since governments expropriate the lives of boys and use them in the army; and I should not find anything very shocking in expropriating inanimate or other property when we appropriate the bodies of boys 100 percent. That, however, is beside the question here. I think that if we are to give away materials of war—and they would be a gift—it would at least be worth while to consider the question whether the property of great value of British nationals ought not in some degree to carry a portion of that burden.

I perhaps should not have mentioned the Astor family, although much has been written about it, and much more has been said about the holdings of the Astor family in New York. Certainly the Astor family has a great stake in the preservation of the British Empire; and by virtue of its holdings in New York, if I am correctly advised as to their extent,



it also has a great stake in the preservation of this Republic. Obviously, if one has a stake in the preservation of a civilization such as was described yesterday by my good friend from Vermont [Mr. Austin], who said it was worth dying for—and I agree that those things are worth dying for—if they are worth dying for, they are worth the contribution of property.

Mr. CLARK of Missouri. Mr. President, will the Senator yield for one further question?

The VICE PRESIDENT. Does the Senator from North Dakota yield to the Senator from Missouri?

Mr. NYE. I do.

Mr. CLARK of Missouri. It seems to follow from the logic of the Senator from Kentucky, who says it might be inconvenient for Lord and Lady Astor to liquidate their real-estate holdings—

Mr. BARKLEY. No, Mr. President; I made no such statement as that.

Mr. CLARK of Missouri. What did the Senator say?

The VICE PRESIDENT. Does the Senator from North Dakota yield to the Senator from Kentucky?

Mr. NYE. I yield.

Mr. BARKLEY. I said that in all likelihood property forced on the market in an emergency would not bring as much as if the sale were carried on in an ordinary transaction, after negotiations. I made no reference to, and I am not even talking about, any losses of Lord and Lady Astor. I am talking about dollar credit in the United States as a result of the sale of that property, and not about the convenience of anybody.

Mr. CLARK of Missouri. Mr. President, I was the Senator who asked Secretary Morgenthau about the hundred million dollars' worth of Astor property which I have repeatedly heard mentioned. I am not an expert on New York realty, but I have repeatedly heard that figure used by men who ought to be experts on New York realty; and Mr. Morgenthau did say that that property was included in his estimate. He also said that the block on Fifth Avenue reported to be owned by King George himself was included in the estimate. But what I was about to say was that it would follow from the logic of the Senator from Kentucky, as I see it, that the British ought not to be forced to liquidate because of the inconveniences which, I repeat, it seems to me he was describing. However, the American taxpayers, being within our jurisdiction, might be forced to liquidate part of their property in order to pay the enormous taxes that will inevitably follow granting this blank check for untold billions of dollars for the assistance of Great Britain. It seems to me that Lord and Lady Astor, and even King George, might better be inconvenienced than American taxpayers, who might be required to sell part of the corpus of their property in order to pay these taxes.

Mr. BARKLEY. Mr. President, I should not ask the Senator from North Dakota to yield again except for the fact that the Senator from Missouri has sought to twist what I was saying about the amount of dollar credit in the United

States, and the amount of dollars that could be obtained by a sale of real estate, into a plea for convenience to Lord and Lady Astor and King George. I submit to the Senator from North Dakota that my remarks were not remotely to be so interpreted. We are talking about how much money England has in the United States, and how much England can get by the sale of all the property that England and English citizens own in the United States. Certainly that has no relationship to the convenience or the inconvenience of some expatriated American citizen who has become an Englishman, and who retains in this country property which he inherited from his ancestors.

Mr. JOHNSON of California. Mr. President, may I very humbly suggest that we take a recess at this time?

Mr. BARKLEY. I think the Senator from North Dakota would like to finish his remarks tonight.

Mr. NYE. I shall not be able to finish tonight but I shall like to have 5 or 10 minutes more, if I may, so that I may reach a point where I could suspend and be able to take up another subject.

Mr. BARKLEY. Personally, I should like to give the Senator sufficient time to finish.

Mr. NYE. I could not finish tonight, I assure the Senator.

Mr. BARKLEY. Very well.

Mr. NYE. I do not mean by that that I have a desire to take up all of tomorrow afternoon by any means, but I can bring my argument of this afternoon to a head very shortly, and be prepared to take up the remainder of it at another time.

Mr. WHEELER. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Montana?

Mr. NYE. I yield.

Mr. WHEELER. The Senator a moment ago called attention to the fact that Canada has not passed any lease-lend or gift bill.

Mr. NYE. Yes.

Mr. WHEELER. I put in the RECORD the other day an editorial from the Toronto (Ontario) Financial Post which set forth that many people in Canada were very much worried as to what effect the pending lease-lend bill would have upon Canadian industry, for if they could get war materials from the United States for nothing, as the British Government could do, that, of course, would have a bad effect upon industry and expansion of industry in Canada.

I called the attention of the Senate at that time to the fact that India, which is really one of the richest countries in resources of any of the British possessions, had not passed any lend-lease bill. I thought I was correct. Since that time I have received information very definitely that for anything purchased by Great Britain from India or Australia or any of the other British possessions she has to pay cash on the barrel head. We are the only country in the world that is proposing to give to Great Britain or to lease or to lend her.

Now, let me say that I have no objection if the taxpayers of this country want

to give some of their money to Great Britain, but if they desire to give it to her, they ought to know how much they are going to give, to whom they are going to give it, and when they are going to give it; and they do not know and will not know under this particular piece of legislation. Think of the spectacle of a comparatively small minority of people in the United States, including international bankers, carrying on a tremendous propaganda for the United States of America, which is supposed to be independent of Great Britain and not a British colony, and of certain men standing on the floor of the Senate advocating that we give to the British Empire and to England far better treatment than any of the colonies of Great Britain are willing to accord her.

Mr. NYE. Of course, it is true that we are being asked to outstrip every dominion and every colony of the British Empire in our response to Great Britain's needs at this time. But I hasten to the conclusion of the statement of Mr. John T. Flynn to the committee:

Canada is doing a thriving business on this war with the other parts of the Empire. According to a table furnished by Mr. Morgenthau (p. 15 of typewritten transcript), Canada, from September 1, 1939, to September 1, 1940, sold to the United Kingdom and other Empire countries goods to the amount of \$930,000,000. Against this were payments due by Canada to Empire countries of \$375,000,000, leaving the balance in favor of Canada with the rest of the Empire at \$555,000,000.

Moreover the United Kingdom has enormous assets in Canada, as it has in the United States. It owns, according to Mr. Morgenthau (p. 19 of typewritten transcript), £481,000,000, or \$1,924,000,000, in investments in Canada. These can be turned into Canadian dollars to pay Empire credits in Canada if Canada is unwilling to do what England asks the United States to do—namely, extend to her credit for work actually done in Canada.

Mr. Morgenthau has furnished a list of United Kingdom investments outside the United States which amount to £3,868,000, or \$15,472,000,000. Of course, some of this is in countries where perhaps the values have diminished enormously. There is, for instance, about \$800,000,000 in China which England may never see again. However, among all these vast assets there are certainly several billion which England can use with which to pay her bills. In South America alone she has, according to Mr. Morgenthau, over \$4,000,000,000 in assets. Secretary Morgenthau says these cannot be used because they cannot be converted into dollars. He tells the committee, for instance, that a property in the Argentine would first have to be sold in the Argentine for pesos and that it would be impossible to convert these pesos into dollars. Of course this is absolutely untrue. It is entirely possible for the British Government to sell certain of these properties in South America to American investors who would be glad to take some of them and the whole transaction could be carried on, so far as the money was concerned, in the United States and in dollars.

Let me say here again—

Concludes Mr. Flynn—

that the question which the House and Senate committees wished to have answered by the Secretary were: What are the dollar assets of the British Empire in the United States? How many dollars is the British Empire going to require to pay its bills in the United States? The Secretary could have made a straightforward, plain, simple statement of these facts. Instead, he gives first a state-



ment of the assets of the United Kingdom only, utterly ignoring the more than \$2,000,000,000 belonging to the rest of the Empire, as if the Empire were not at war as well as the United Kingdom. Then he gives a statement of the dollar requirements of the British Government in the United States and here he includes the United Kingdom and other Empire countries but excludes Canada and he imports into this statement not only the sums of money which England will require to meet her payments in the United States, but over a billion dollars which she will require in other places. He gives no accounting whatever of Canada's assets here or of her requirements here, but he does give a statement of Canada's transactions with the rest of the Empire, which the committee could have gotten along very well without. In short, it would be difficult to imagine how the Secretary could have proceeded to more thoroughly obscure and confuse the subject upon which he was expected to throw light.

Mr. President, I suggest again how wondrously helpful to us it would be if only we had access to actual knowledge of British holdings and possessions—knowledge that was afforded by a study operating wholly independent of any findings or assertions by the British Government, by its purchasing commission here, or by its representatives, J. P. Morgan & Co. In light of what Great Britain did not do during the last war, and after the last war, we have every right to guess now that if we pass this lease-lend bill and do the job of financing British purchases here, and elsewhere, we will find when the war is over with that Britain had not begun to exhaust her resources here, that the bulk of her investments were still intact, and that we had rallied to Great Britain with our purse to the end that England might be saved, long before England had utilized the extent of her own purse to save herself. During the last war there were pleadings in behalf of England of how she had exhausted her resources, and when the war was over with there were more pleadings of the total inability on the part of Britain to pay the debt she was owing us. Yet while these pleadings were being made, individuals in Great Britain were investing billions of dollars in American securities.

We appear to be driving for a unity in the cause of an all-out war—all out of the United States incidentally—and are doing it in the name of aiding an exhausted Britain. Behind this belief that Britain cannot function further without our financial aid is clever propaganda. The House of Morgan and other agencies have been conniving, scheming, the ways to sell the American people on the idea that Britain was fighting our battle, and that we should at least be ready to pay part of the bill for it. Newspaper writers were appealed to by these propagandists to write stories criticizing those who would insist upon further liquidation of British assets in the United States. Before the eyes of responsible financial writers were dangled the threats of giving "scoops" on this score to columnists like Lippmann and Lawrence, and Winchell, I presume, if the authority in question did not choose to handle the matter. This is clearly revealed in the writings of Leslie Gould, the financial editor of the New York American, who, under date

of January 30, reported in the columns of that paper as follows:

About 10 days prior to Sir Louis'—

That is, Mr. Louis Beale, of the British Purchasing Commission—

About 10 days prior to Sir Louis' speech this writer received a call to the office of an important member of the financial community. It was not the Morgan office.

A suggestion was made that a column recommending no further liquidation of British assets here would be helpful. That, after all, only a billion and a few odd hundred millions were involved, and this was not much when the British were fighting our battle, anyway.

Of course, if we didn't think so much of the idea it would be passed along to Walter Lippmann or David Lawrence. But we were getting the first opportunity to lead the parade. Right in the big league.

That is his expression.

Well, to make a long story short, we said we thought the British should get the fullest help possible from this country, but that since the American taxpayer was going to have to make sacrifices we didn't feel so bad about the British having to sell their American assets or hock them.

I repeat, Mr. President, in conclusion, we are not being permitted to chart a course in this connection that is devoid of hate and of that awful thing, fear. I wish we might have larger freedom from that before we take the plunge which this lend-lease bill will mean for us.

Mr. President, I do not wish to have it understood that I have completed my argument, but I will conclude for tonight at this time.

#### EXECUTIVE SESSION

Mr. BARKLEY. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

#### EXECUTIVE MESSAGE REFERRED

The PRESIDING OFFICER (Mr. CHANDLER in the chair) laid before the Senate a message from the President of the United States nominating Alexander C. Kirk, of Illinois, now Envoy Extraordinary and Minister Plenipotentiary to Egypt, to be also Envoy Extraordinary and Minister Plenipotentiary to Saudi Arabia, which was referred to the Committee on Foreign Relations.

The PRESIDING OFFICER. Reports of committees are in order. If there be no reports of committees, the clerk will state the nominations on the calendar.

#### THE JUDICIARY

The legislative clerk read the nomination of Peter Woodbury, of New Hampshire, to be judge of the United States Circuit Court of Appeals for the First Circuit.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

#### POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. BARKLEY. I ask that the nominations of postmasters be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations of postmas-

ters are confirmed en bloc. That concludes the calendar.

#### RECESS

Mr. BARKLEY. As in legislative session, I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 15 minutes p. m.) the Senate took a recess until tomorrow, Wednesday, February 19, 1941, at 12 o'clock meridian.

#### NOMINATION

Executive nomination received by the Senate February 18 (legislative day of February 13), 1941:

##### DIPLOMATIC SERVICE

Alexander C. Kirk, of Illinois, now Envoy Extraordinary and Minister Plenipotentiary to Egypt, to be also Envoy Extraordinary and Minister Plenipotentiary of the United States of America to Saudi Arabia.

#### CONFIRMATIONS

Executive nominations confirmed by the Senate February 18 (legislative day of February 13), 1941:

##### UNITED STATES CIRCUIT COURT OF APPEALS

Peter Woodbury to be judge of the United States Circuit Court of Appeals for the First Circuit.

##### POSTMASTERS

##### MISSOURI

Ray G. Carter, Ellington.

##### NEW YORK

Harold L. Wright, Bellport.

Arnold E. Cook, Hermon.

James E. Clark, Pleasant Valley.

Bernard J. Sheeran, Staten Island.

##### OREGON

Harold L. Muzzy, Cloverdale.

Robert D. Pittam, North Bend.

##### WISCONSIN

Milton E. Lang, Wabeno.

Vernon O. Fuller, Wonevot.

## HOUSE OF REPRESENTATIVES

TUESDAY, FEBRUARY 18, 1941

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

O God, the whisper of the Lord is with them that fear Thee. Thou hast not asked us to shut the gates of morning and evening, nor to fashion the channels of the mighty deeps, but Thou, blessed Father, hath reserved for us a diviner and a more lasting work, and that is to promote the kingdom of peace and righteousness in human hearts and homes. Glad-hearted, soul-free, grant that we may make the most of this day, bringing us in closer relationship with Thy truth. We thank Thee for the cup of mercy Thou hast forever filled. Bless us with the sense of pardon, with its sweet rest which cometh down from the summits of the Divine Heart. Remember the altars of our homes with that love that will not let them go, where may be heard and dreamed the enchanting melodies of love,



fellowship, and communion. Heavenly Father, when the splendor of the west is lingering in the sky, help us to see the further distance flowing into the sunset which is the dawn. Through Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

#### MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Latta, one of his secretaries, who also informed the House that on the following dates the President approved and signed a bill and joint resolutions of the House of the following titles:

On January 31, 1941:

H. R. 1437. An act authorizing appropriations for additional shipbuilding and ordnance manufacturing facilities and equipment for the United States Navy, and for other purposes.

H. J. Res. 80. Joint resolution to amend section 124 of the Internal Revenue Code by extending the time for certification of national-defense facilities and contracts for amortization purposes.

On February 6, 1941:

H. J. Res. 77. Joint resolution making an appropriation to the United States Maritime Commission for emergency cargo ship construction, and for other purposes.

On February 13, 1941:

H. J. Res. 89. Joint resolution making an additional appropriation for the Military Establishment for the fiscal year ending June 30, 1941.

The SPEAKER. The Chair recognizes the gentleman from Vermont [MR. PLUMLEY].

#### 150 YEARS AGO TODAY

Mr. PLUMLEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. PLUMLEY. Mr. Speaker, on this 18th day of February, 1941, I desire to call the attention of the Congress to the fact that at Philadelphia during and near the close of the third session of the first Congress, 150 years ago today, President George Washington approved and signed an act previously passed by the Senate on Saturday, the 12th, and by the House of Representatives on Monday, the 14th of February, 1791, and messaged to the Senate on that date (Sunday the 13th intervening); which act read as follows:

An act for the admission of the State of Vermont into this Union. The State of Vermont having petitioned the Congress to be admitted a member of the United States:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, and it is hereby enacted and declared, That on the fourth day of March, one thousand seven hundred and ninety-one, the said State, by the name and style of "the State of Vermont," shall be received and admitted into this Union, as a new and entire member of the United States of America.*

#### END OF A CONTROVERSY

Now, in passing, Mr. Speaker, may I suggest that the enactment of that act marked the end of a long drawn-out controversy between the people of that geo-

graphical area now known as Vermont, who had hewed out of a wilderness and by main strength maintained for years a separate and independent government, and their neighbors in adjoining areas, the British Crown, the colonies, and the Congress.

The old thirteen united  
Fought the Revolution through;  
But single-handed Old Vermont  
Fought them and England too.

#### ANNEXED BY TREATY

Some of these people, I admit, preferred not to join the Thirteen Original Colonies but rather to cast their lot with the mother country; but the great majority of them had always insisted, and had fought to sustain their contention, that, without sacrificing their independence and always reserving to themselves all the rights they did not and would not grant specifically, they preferred to join the Union, not as a territory, to be erected into statehood by the sovereign will of a Congress, but rather as an independent foreign country—if you would have it so—to be annexed by a mutual treaty.

The act above referred to provided for and determined, as of the date of its enactment, that on the then approaching March 4 Vermont as a State should be admitted to the Union. The first State to be added to the Original Thirteen, the admission of Vermont, subsequently necessitated the first alteration to be made in the ensign of the Nation by the placing of another star in the canton and another stripe in the field.

#### THE ADMISSION OF VERMONT

This act provided for the admission of Vermont, an independent government; not one of the Thirteen Colonies; not one of the 13 free and independent States; a government in itself and by itself, which had had no delegate in the Continental Congress; an aggregation which never had given any signer to the Declaration of Independence; a community of individuals which had taken no part in the organization of the United States of America in Congress assembled under the Articles of Confederation; an independent, separate, and distinct governmental entity and sovereignty which had not participated in the final establishment of a democratic form of government under the Constitution. There she stands as of that day. There she has always stood.

#### AN INDEPENDENT REPUBLIC

Congress, in passing the act which is above set forth, recognized that Vermont was an independent sovereignty. In its own opinion it was self-sufficient and self-contained, and its people, then as now, were and have always been consistently instinct with a spirit of aggressive loyalty to principle, combative and assertive against Government interference with respect to and in any matters which have to do with their independence, endowed and saturated with an unquenchable determination to enjoy that freedom and that liberty to which, under God and by virtue of the provisions of the Constitution of the United States, they are entitled and for which and for

the continuation of which they are ready to fight and to die if necessary.

#### EXTENSION OF REMARKS

Mr. BLOOM. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Record and to include therein an article by Mr. Walter Lippmann.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. SMITH of Washington. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Record and to include therein a statement by Hon. Robert H. Jackson, Attorney General of the United States.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. DONDERO. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the Record and to include therein a short article from the American Legion magazine entitled "In Death They Would Not Let Lincoln Rest."

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. DWORSHAK. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record and to include therein an editorial on the lease-lend bill which appeared in the Minidoka County News, at Rupert, Idaho.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. WASIELEWSKI. Mr. Speaker, I ask unanimous consent to insert in the Appendix of the Record a well-written editorial entitled "Avoiding Bulge Towns," which appeared in the Milwaukee Journal on February 16, 1941.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. MACIORA. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix of the Record and to include therein some observations on the work of a citizenship class being currently conducted in New Britain, Conn.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. ROBERTSON of North Dakota. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record and to include therein a concurrent resolution of the Legislative Assembly of the State of North Dakota.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

(Mr. LARRABEE and Mr. MUNDT asked and were given permission to extend their own remarks in the Record.)

#### PERMISSION TO ADDRESS THE HOUSE

Mr. DICKSTEIN. Mr. Speaker, I ask unanimous consent that on Tuesday next I may be permitted to address the House for 20 minutes after the disposition of business on the Speaker's table and the legislative program for the day.

The SPEAKER. Without objection, it is so ordered.

There was no objection.







# H. R. 1776

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IN THE SENATE OF THE UNITED STATES

FEBRUARY 19 (legislative day, FEBRUARY 13), 1941

Ordered to lie on the table and to be printed

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## AMENDMENTS

Intended to be proposed by Mr. RUSSELL to the bill (H. R. 1776) further to promote the defense of the United States, and for other purposes, viz:

1        On page 2, line 5, strike out the period and insert in  
2        lieu thereof a semicolon.

3        On page 2, after line 5, insert the following new para-  
4        graph:

5        (5) Any agricultural commodity produced within the  
6        United States or its Territories or possessions.



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## AMENDMENTS

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Intended to be proposed by Mr. Russell to the bill (H. R. 1776) further to promote the defense of the United States, and for other purposes.

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FEBRUARY 19 (legislative day, FEBRUARY 13), 1941

Ordered to lie on the table and to be printed

# H. R. 1776

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## IN THE SENATE OF THE UNITED STATES

FEBRUARY 19 (legislative day, FEBRUARY 13), 1941

Ordered to lie on the table and to be printed

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## AMENDMENT

Intended to be proposed by Mr. BRIDGES to the bill H. R. 1776  
further to promote the defense of the United States, and  
for other purposes, viz:

1        On page 2, lines 23 to 25, strike out "government  
2   of any country whose defense the President deems vital to  
3   the defense of the United States" and in lieu thereof insert  
4   "governments of Great Britian, her Dominions beyond the  
5   Seas, Greece, China, and such other foreign countries as  
6   may be invaded or attacked and whose defense is vital to  
7   the defense of the United States".



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## AMENDMENT

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Intended to be proposed by Mr. BRIDGES to the bill (H. R. 1776) further to promote the defense of the United States, and for other purposes.

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FEBRUARY 19 (legislative day, FEBRUARY 13), 1941  
Ordered to lie on the table and to be printed

# H. R. 1776

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## IN THE SENATE OF THE UNITED STATES

FEBRUARY 19 (legislative day, FEBRUARY 13), 1941

Ordered to be printed

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## AMENDMENTS

Intended to be proposed by Mr. BYRNES to the bill (H. R. 1776) further to promote the defense of the United States, and for other purposes, viz:

1       On page 2, lines 16 to 18, inclusive, strike out the  
2 language proposed to be inserted by the committee amend-  
3 ment.

4       On page 2, line 22, after "procure," insert the following:  
5 "to the extent to which funds are made available therefor,  
6 or contracts are authorized from time to time by the Congress,  
7 or both,".

8       On page 3, line 12, after "order" insert the following:  
9 ", to the extent to which funds are made available therefor,  
10 or contracts are authorized from time to time by the Congress,  
11 or both,".



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## AMENDMENTS

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Intended to be proposed by Mr. BYRNES to the bill (H. R. 1776) further to promote the defense of the United States, and for other purposes.

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FEBRUARY 19 (legislative day, FEBRUARY 13), 1941

Ordered to be printed

# H. R. 1776

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## IN THE SENATE OF THE UNITED STATES

FEBRUARY 19 (legislative day, FEBRUARY 13), 1941

Ordered to lie on the table and to be printed

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## AMENDMENT

Intended to be proposed by Mr. LUCAS to the bill (H. R. 1776) further to promote the defense of the United States, and for other purposes, viz: At the end of the bill insert the following new section:

1        SEC. 10. In order to promote national unity and to pro-  
2   vide more effectively for the national defense, there is hereby  
3   established a special joint committee to be composed of the  
4   majority leader and the minority leader of the Senate, the  
5   majority leader and the minority leader of the House of  
6   Representatives, the chairman of the Senate Committee on  
7   Foreign Relations, and the chairman of the House Committee  
8   on Foreign Affairs. The committee shall select a chairman  
9   from among its members. The committee shall, from time  
10   to time, at the request of the President, meet with the Presi-  
11   dent and consult with him with respect to matters relating  
12   to the national defense. The provisions of this section shall  
13   cease to be in effect on July 1, 1946.



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# AMENDMENT

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Intended to be proposed by Mr. Lucas to the bill  
(H. R. 1776) further to promote the defense  
of the United States, and for other purposes.

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FEBRUARY 19 (legislative day, FEBRUARY 13), 1941  
Ordered to lie on the table and to be printed

for legislation or other governmental action designed to integrate Negro citizens into the national-defense program without discrimination as to race or color.

Sec. 2. (a) For the purpose of this resolution the committee, or any duly authorized subcommittee thereof, is authorized to hold such hearings, to sit and act at such times and places during the sessions, recesses, and adjourned periods of the Seventy-seventh Congress, to utilize such voluntary and uncompensated services, and to employ such experts and clerical, stenographic, and other assistants (without regard to the civil-service laws, but subject to the Classification Act of 1923, as amended), as it may deem necessary. The committee may utilize the services, information facilities, and personnel of the various departments and agencies of the Government.

(b) The committee, or any duly authorized subcommittee thereof, shall have the power to require by subpoena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, to take such testimony, and to make such expenditures as it deems advisable. The cost of stenographic services to report the educational material, data, and testimony taken at such hearings shall not be in excess of 25 cents per 100 words.

Sec. 3. The expenses of the committee, which shall not exceed \$25,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

#### ADDRESS BY SENATOR GUFFEY ON BIRTHDAY ANNIVERSARY OF SUSAN B. ANTHONY

[Mrs. CARAWAY asked and obtained leave to have printed in the Record an address delivered by Senator GUFFEY on the occasion of the birthday anniversary of Susan B. Anthony, February 15, 1941, in the crypt of the Capitol, which appears in the Appendix.]

#### ADDRESS BY SENATOR WILEY BEFORE MILWAUKEE ASSOCIATION OF COMMERCE

[Mr. WILEY asked and obtained leave to have printed in the Record an address delivered by him before the eightieth anniversary meeting and dinner of the Milwaukee Association of Commerce at the Hotel Schroeder, Milwaukee, Wis., on February 17, 1941, which appears in the Appendix.]

#### STATEMENT BY SENATOR BONE ON PUBLIC OWNERSHIP OF POWER PLANTS

[Mr. BONE asked and obtained leave to have printed in the Record a statement prepared by him regarding public ownership of power plants, which appears in the Appendix.]

#### PROCEEDINGS OF PRESIDENTIAL ELECTORS' MEETING AND DINNER

[Mr. BARKLEY asked and obtained leave to have printed in the Record the proceedings of the Presidential electors' meeting and dinner held in Washington, D. C., on January 19, 1941, in honor of the inauguration of President Roosevelt and Vice President Wallace, which appears in the Appendix.]

#### ADDRESS BY CARDINAL O'CONNELL ON THE MAINTENANCE OF PEACE FOR AMERICA

[Mr. LODGE asked and obtained leave to have printed in the Record an address delivered by Cardinal O'Connell to members of the Holy Name Society at Boston, Mass., on January 11, 1941, which appears in the Appendix.]

#### ADDRESS BY E. DONALD STERNER ON SUPERHIGHWAY BETWEEN BOSTON AND WASHINGTON

[Mr. BARBOUR asked and obtained leave to have printed in the Record an address delivered by Hon. E. Donald Sterner, State highway commissioner of New Jersey, on January 29, 1941, on the subject of the Boston to Washington, D. C., superhighway as a defense express highway, which appears in the Appendix.]

#### METHODS OF AID TO BRITAIN—EDITORIAL FROM THE NEW YORK DAILY NEWS

[Mr. REYNOLDS asked and obtained leave to have printed in the Record an editorial from the New York Daily News entitled "Better Way to Help Britain," which appears in the Appendix.]

#### PROMOTION OF THE NATIONAL DEFENSE

The Senate resumed the consideration of the bill (H. R. 1776) further to promote the defense of the United States, and for other purposes.

Mr. MEAD. Mr. President, I ask unanimous consent to have inserted in the Record an article by Frederic William Wile in which he points out the magnificent contribution which is being made by the British colonies in their aid of Britain.

Mr. President, I desire to read an excerpt from this article, which goes on to say that—

Canada, with 11,300,000 population, only slightly larger than that of the metropolitan area of New York City, is contributing to the British campaign at the rate of \$3,000,000 a day.

The Dominion is the center of the great empire air-training scheme, which has been spoken of as a \$1,000,000,000 enterprise.

The article further says, Mr. President:

By this spring, Canada will be turning out 25,000 fully trained airmen a year, from more than 100 schools.

The article also states that—

The Canadian Navy has grown from 13 ships, with personnel of 1,700, to 155 ships and 13,000 men.

We find the same situation in Australia, in New Zealand, in South Africa, and all through the British Empire.

Because of the importance of this article as bearing on the present debate, and the comment that has been made about the contribution of the colonies to the aid to Britain, I should like to have the article inserted in the Record.

The VICE PRESIDENT. Without objection, it is so ordered.

The article is as follows:

[From the Washington Evening Star of February 17, 1941]

#### WASHINGTON OBSERVATIONS—DOMINIONS SUPPLY GREAT BRITAIN WITH EVER-INCREASING FLOW OF WAR SUPPLIES

(By Frederic William Wile)

Besides her own prodigiously heroic effort, said now to represent an outlay of \$42,000,000 a day, Britain is, of course, overwhelmingly dependent upon American aid in her struggle for survival and victory, but the support of her overseas dominions is no inconsiderable factor in her total war activities. From Canada, Australia, New Zealand, and South Africa substantial sustenance has steadily flowed, in

manpower and in money, ships, food, munitions, and other supplies. Some striking facts and figures on this score are published by the official British Library of Information at New York. Canada, with 11,300,000 population, only slightly larger than that of the metropolitan area of New York City, is contributing to the British campaign at the rate of \$3,000,000 a day.

The Dominion is the center of the great Empire air-training scheme, which has been spoken of as a billion-dollar enterprise. By this spring Canada will be turning out 25,000 fully trained airmen a year, from more than 100 schools. The Royal Canadian Air Force itself has sent to Europe several efficient squadrons. The Canadian Navy has grown from 13 ships, with personnel of 1,700, to 155 ships and 13,000 men. It will soon be increased to 200 ships and 20,000 men. Its duties include convoy service—3,500 vessels, exclusive of troop ships, have already been conveyed—antisubmarine work, patrol duty off Newfoundland and the West Indies, and destroyer service around the British Isles. More than 50,000 Canadian soldiers have gone overseas and 150,000 are on the active list at home. Canada is shipping huge quantities of supplies to Britain and manufacturing all kinds of munitions and war implements. The British imperial authorities are financing expansion of Dominion industrial plants on an extensive scale and the Ottawa Government is spending \$255,000,000 for the same purpose. During 1941 Canada's production will be 70 percent greater than its World War peak. There continues to be the closest defense working arrangements with the United States.

#### AUSTRALIA AND NEW ZEALAND JOIN UP

Australia, whose 6,867,000 inhabitants are a million fewer than those of New York City, also is making a vigorous war effort. The great Dominion "down under" has called up 200,000 men for home defense and the Australian imperial volunteer force numbers 121,000. Several contingents are in England and Egypt, and, as all the world knows, Australians played a star role in the recently triumphant campaign in Libya. The Australian air force has a personnel of forty-one-thousand-odd and maintains 25 schools whose graduates go to Canada to complete training. The Australian Navy, now on the alert for Japanese moves in the south Pacific, contains 6 cruisers and 5 destroyers, is building new destroyers as well as 50 patrol vessels, and has plans for additional naval harbor facilities at various points. The cruiser *Sydney* recently sank Italy's swiftest warship, the *Bartolomeo Colleoni*. Australians are producing military clothing, small arms, and guns in growing quantities for Britain, India, and New Zealand. All exportable surpluses of wool, meat, butter, cheese, canned and dried fruits, and sugar are sent to Britain.

Neighboring New Zealand, whose population of 1,600,000 is less than that of Detroit, also is doing its bit for the motherland. Its cruiser *Achilles* shared the honors of the victorious naval battle off the River Plata. Other New Zealand warships are on convoy work. Some 21,000 New Zealanders already have gone overseas and are serving in Britain, Palestine, Egypt, and Libya. The Dominion's air force already numbers more than 5,000 men, and when the empire training scheme is fully developed will contribute 3,700 fully equipped personnel annually. New Zealand, like Australia, is a liberal purveyor of food supplies and raw materials for Britain and has a munitions production program under way.

#### UNION OF SOUTH AFRICA'S EFFORT

The Union of South Africa's contribution to the cost of the war for 8 months ended



January 1 was \$131,520,000. Military service for home defense is compulsory, and practically all of the 100,000 men in the fighting forces have agreed to serve anywhere in Africa. Volunteers also are enlisting for service overseas. South Africans are in the forefront of the British drive into Ethiopia and Italian Somaliland. Effective South African air and sea defense forces are at work. The latter patrol more than 2,000 miles of coast line. Factories are turning out explosives, munitions, guns, armored cars, and uniforms, and a purchasing mission now in the United States is cooperating closely with other British agencies.

Mr. CONNALLY. Mr. President, the debate upon this bill has been notable, and I entertain no illusion that I may be able to make any substantial contribution to the discussions which have preceded what I shall have to say. But, as a member of the Committee on Foreign Relations, which sat for more than 2 weeks in the consideration and preparation of this measure, I feel that it is my duty to advise the Senate as to the reasons and considerations which impel me to support the pending measure.

Mr. President, the history of the centuries is dotted by outstanding events that have profoundly affected the course of human civilization. In the Christian era the invasion of Europe by Attila the Hun in 451; the fall of the Roman Empire in 476; the crusading campaign of the Saracens which ended at Tours in 732; the conquests of Ghengis Khan in the thirteenth century; the American Revolution and the establishment of the United States; the Napoleonic Wars; and the World War of 1914-18 are classic examples. In these struggles fundamental forces and far-reaching and elemental powers met and contended for mastery in grim and bitter battle.

The results of these struggles extended far beyond the generations in which they were fought. They affected the course of human history and the life of mankind over long and troubled periods. Today I regard the world and democracy as facing another crisis as fundamental and as vital to the welfare of the human race and the development and advancement of free government as any of these notable struggles of the past.

Free government, toward which mankind has been groping and advancing through the ages, is now face to face with a similar challenge to its continued existence. Powerful and militant forces now arrogantly decree the extinction of freedom and democracy wherever their armies of conquest and plunder can march, wherever their navies can float, and wherever their swarming fleets of the skies can fly.

The dictators, Hitler and Mussolini, and their totalitarian governments, after conquering peaceful and neutral nations in Europe and enslaving their people, whose only crime was that they had possessions and they had freedom, have proclaimed their determination to establish a "new world order." It probably began with the conception of a new European order; but, nourished by conquest and inflamed by ambition, these would-be masters of the world now declare that they propose to establish "a new world order." Nazi-ism and fascism have

leagued their might to enforce with fire and the sword their wills upon the existing world. The United States is a part of the world. Japan has become a member of the Axis. This compact of aggression and conquest is an armed threat to the security of the United States. If Germany prefers Nazi-ism and Italy embraces fascism, that is their right. They have no right to impose their systems upon us by force.

Great Britain, with superb gallantry, in a solemn pledge with fate, is pouring out the blood not alone of her soldiery but of her civilian population in stemming the tide of world dominion and the establishment of a new world order.

Our country tempts the ambition and lust of military tyrants. Our resources of raw materials, compared with those of some of the conquered and subjugated nations, are manifold. The fertility of our soils, our mineral riches, and our vast wealth are alluring to their greed and hunger for conquest. But more, perhaps, even than that, our democratic institutions and system of free government are opposed to their concept of a "new world order," of totalitarianism and personal tyranny. The dictators speak of democracy and free government in America with scorn and arrogant contempt. That attitude reflects what they will do when and if they feel their arms strong enough and their swords long enough to reach into the western world.

The pending bill proposes to furnish supplies and munitions, but not men, to Great Britain and the other free governments which are resisting the aggressors.

Mr. President, I desire to discuss the terms of the bill in reply to many of the assaults which have been made upon it. Through the press and over the air there have been loose, bitter denunciations of the bill and fantastic assertions as to its purposes. A mass of rotund and grandiloquent oratory has been expended in declarations that the bill, because of the authority which it grants, provides a dictatorship, and that its enactment will establish a totalitarian government in the United States. These platitudinous and glittering phrases must be stripped down to the bare facts and to the actual terms of the bill itself in order to properly comprehend the points at issue.

Let us, first, examine the charge that the bill establishes a dictatorship—that it makes the President a dictator over the lives, liberty, and property of the people of the United States. That is a specious and mischievous charge.

No one here wants to create a dictatorship. It is abhorrent to free peoples and free citizens. That charge is intended to lure the guileless into the belief that our liberties at home are in danger from the bill.

Americans, citizens in a free republic, are jealous of their liberty. They do not want that liberty infringed. They live under a written Constitution. They want its terms and processes obeyed, and so the charge that a dictatorship is intended is hurled into their faces as an answer to the pending bill.

What is a dictator? The dictionary defines a dictator as one in whom is

vested supreme authority in any line; one who rules as dictator; one who prescribes for others authoritatively.

Mr. President, I propose to demonstrate that, judged by that standard, there is nothing in the bill which establishes a dictatorship, and that every power that is provided in the bill, if conferred, will be conferred under the Constitution of the United States by the direct representatives of the people in the Senate and in the House of Representatives.

Among the most cherished possessions of a free people are their lives, their liberty, and their property. A dictator or one who is in supreme authority may disregard the rights of his subjects in these priceless possessions. In dictator nations the dictators rule without the advice of parliaments, without any respect for the courts. They rule without any of the restraints of a fundamental written constitutional structure of government. I make the assertion that everything in the bill before us is provided under the meticulous provisions of the Constitution of the United States.

Let us examine the bill in the light of this all-embracing charge of dictatorship. I submit that under the bill the President is given no authority whatever over the life of a single American citizen. If the bill establishes a dictatorship, how can the President, under the proposed law, deprive a single citizen of the United States of his liberty for a single moment? It would create no new crime; it would give the President no authority to create a new crime. Under the bill every citizen would be as secure in his liberty as he is at the present moment. So long as the courts are open and so long as the Constitution survives, the citizen's liberty cannot be infringed. Of course, it confers no power upon the President to affect the life of an American citizen.

I submit that the bill gives the President no power whatever over even the property of a single citizen of the United States, except indirectly through the expenditure of money, and money can be exacted from a citizen only by a tax bill initiated in the House of Representatives and enacted by both branches of the Congress of the United States, representing the people themselves directly. The President cannot exact from a single citizen a single dime under the proposed law except that which is sanctioned by the Congress of the United States.

Whatever power is given to the President to procure arms and munitions or other war supplies must be exercised in the normal, legal way by purchases and by the payment of compensation, as is guaranteed by the Constitution of the United States and laws enacted thereunder.

It has been loosely stated, perhaps on this floor, but certainly in the hearings and in the press, that under the bill the President could seize the property of citizens, could prescribe the terms of production, and would be able to exercise complete and unhindered and unlimited power over the factories and over the people working in the factories because of the employment in the bill of the word "procure." I submit to any fair-minded



lawyer that the language of the bill authorizing the President to procure or to have manufactured articles of defense in nowise changes or modifies any existing law protecting the sanctity of property or providing for the normal processes relating to those subjects.

The liberty and the property and the life of no citizen then are committed under the bill to the will of a dictator—the President of the United States. Whatever may be done by the President under the bill must be done in subordination to the Constitution and the laws of the land. The only discretion, the only power conferred is set forth in detail in clear and unequivocal language in the measure itself. To understand its terms reference must be made to the language, to the verbiage, and to the well-known canons of construction rather than to perverid oratory and the excited denunciations of those who oppose the measure whatever might be its language or whatever might be its provisions.

The major attack is based upon the charge, in addition to that of dictatorship, that the authority is centered in one man, the implication being that it ought to be exercised by a number of men, but these men are not named. Unfortunately, however, for this contention, the Constitution of the United States is the instrument of the people. It was made by the people. It was adopted by the people. It is the structure of their Government. We are sworn to uphold it. The Constitution of the United States makes the President the chief of all the executive power of the Nation. The Chief Executive, therefore, is one man. The framers of the Constitution saw fit to impose the chieftainship of all the executive power in one man, that man to be chosen by the people of the United States. The President, of course, is one man. He is not two or three. The powers which he exercises as Chief Executive belong to the people, and are exercised by him as the agent of the people, whose supreme law has placed in his hands the administration of the laws of the Nation.

Let me suggest at this point that in the election of 1940, under the terms of the Constitution itself, the people of the United States selected the present President for the term which he is now serving. There was a contest during that election, but he it said that both the candidate who was successful, Mr. Roosevelt, and the candidate who was not successful, Mr. Willkie, were practically of the same mind when they stated unequivocally that they were for aid to Britain in this struggle. I shall not weary the Senate by reading the provisions contained in the platforms of the two parties, but each of the major parties carried in its platform a declaration of a desire that this Government extend aid to Britain.

"But," some Senators say, "what kind of aid?" Mr. President, any rational mind ought to realize that if we are to extend aid at all we must extend sufficient aid to be of assistance, to be of help; not extend just a little aid, not merely make a gesture, not just wave a handkerchief, or offer an expression of good will;

but, if we are to extend any aid at all to Great Britain, we must extend her enough aid to strengthen her arm; we must extend her enough aid to combat the warfare upon her commerce and upon her bread line. We must give her enough aid, as she stands courageously and gallantly, upon the ramparts of her own freedom and upon the fortresses of her own life, to enable her to drive back the invader and continue to live as a free people and a free nation.

That is what the American people in both major political parties expressed themselves as desiring and wishing in 1940. I wish to express my gratitude and my appreciation for the splendid gentlemen on the Republican side of the Chamber who, disregarding any partisan consideration or political thoughts about this struggle, are standing valiantly and staunchly in support of the pending bill. I make no criticism of those who disagree with the views which I express. Those who do so have just as much right to express their views and to maintain them and to fight for them as has any Senator in this Chamber.

Adverting again to the statement respecting the authority of the President and a dictatorship, in addition to the general executive powers of the President of the United States, the fountainhead of all the executive power of the Nation, the Constitution—not the Congress, not a political party, not a faction of a political party, not a group, but the Constitution of the United States—makes the President Commander in Chief of the Army and the Navy as well. The Constitution of the United States invests the President with wide and sweeping powers—all the power there is, except that vested in the Senate, in the conduct of our foreign relations, and in the conduct of foreign affairs.

The issues which the bill seeks to meet lie particularly and clearly within the realm of foreign affairs. So, if we are to deal with matters within that realm, where else could we put the authority to deal with them, except in the President of the United States, the constitutional Chief Executive, who administers all the laws enacted by Congress, who is Commander in Chief of the Army, Commander in Chief of the Navy, and the agency that has charge of all the functions of foreign affairs? Where else would we put this authority if we should not lodge it with the President of the United States? Would we put it in Congress? There are only three branches of the Federal Government, the legislative, the executive, and the judicial. Shall we keep this power within the Congress? I have received communications protesting against the bill. Those who sent them say that by the bill Congress abdicates its power. They say, "Keep all this power in the hands of Congress, and let Congress exercise it."

Mr. President, Congress is not an executive body. When we want to buy supplies we adopt a resolution, or turn the matter over to some committee, and then the committee turns the matter over to some individual and he buys the supplies. Congress does not send a com-

mittee to purchase furniture for our offices, or any other articles needed in the conduct of the government. The Congress exercises its legislative power to appropriate, and then directs someone in the executive department, either high or low, depending upon the majesty and the prestige of the particular service that is supposed to be rendered, to execute its command.

Suppose the matter were in the hands of Congress, and we should delegate to the Congress itself the authority to select the airplanes, build the ships, and secure the munitions and all the various equipment. Four or five separate committees would be contending for jurisdiction. That is the first hurdle we should have to meet. The Military Affairs Committee, the Naval Affairs Committee, the Foreign Relations Committee, and the Appropriations Committee would be contending for jurisdiction.

After we should finally settle that argument and get the matter into the hands of one of the committees, Senators know what would happen. There would be a division of opinion. There would be debate. There would be delay. The function is not legislative. It is executive; and none save the Executive can properly exercise the powers which we confer.

There is another department of the Government, the judicial department. Should we vest the execution of such a law in the Supreme Court or in any branch of the judiciary? I think it is utterly inconceivable that any mind could suggest anything so ridiculous.

So, if Congress cannot do it and the Supreme Court or the judicial system cannot do it, there is only one department of the Government left. That is the executive department, whose chief is the President of the United States.

Are we departing in this bill from the normal and everyday method of procuring arms and munitions when we want to procure them for ourselves? Now when we want to build a battleship Congress appropriates the money and we tell the President or the Secretary of the Navy to have the battleship built. We do not do it. We authorize it, and we appropriate for it, and then the matter is turned over to the Executive, who administers the law which Congress has enacted.

That is the method adopted by the terms of the bill. In ordinary times when we want to increase the air force we adopt a brief amendment in an appropriation bill, carrying so many million dollars for so many planes, and that is all Congress ever does directly about the matter. The Secretary of War or the President of the United States is authorized and directed to procure the planes and the equipment and to obtain the men to operate them. Why should that system be discarded in this bill? Why should we adopt some new system? Either we are in error in our normal processes or we are pursuing the proper course at the present moment. No other practicable or reasonable system could be adopted.



Let us see what the bill authorizes the Executive to do. I notice in the minority views that a sweeping charge is made as to what the bill does. On page 1 of the minority views we find the following:

What is this bill? It is a pure grant of power to the President to do as he pleases with any foreign nation, for any purpose, and on any terms he may see fit, to make available to any nation or nations, any part, or the whole, of the military or naval power of the United States.

Mr. President, in answer to the exaggerated, inflated charges that the bill delegates the tremendous power which has been suggested, I shall weary the Senate for a little while in undertaking to point out just what the bill does and what it does not do.

The bill first defines "defense article" as:

Any weapon, munition, aircraft, vessel, or boat; \* \* \* any other commodity or article for defense.

It then provides that—

The President may, from time to time, when he deems it in the interest of national defense—

Whose national defense? Our national defense; the defense of the United States of America; the defense of our soil, our homes, and our interests.

In such a contingency the President may—

authorize the Secretary of War, the Secretary of the Navy, or the head of any other department or agency of the Government \* \* \* to manufacture or otherwise procure any defense article for the government of any country whose defense the President deems vital to the defense of the United States.

He may also sell, transfer, exchange, lease, lend, or otherwise dispose of any defense article to any such government.

Mr. President, up to that point the bill simply authorizes the procurement of munitions of war. Then it authorizes the President, when he shall have made a finding that the defense of any particular nation is vital to the defense of the United States, and that the supplying of arms or munitions to that nation is vital to our own national defense, to lease, lend, or give any such supplies.

However, it is specifically provided that no such disposition of a defense article shall be made by the President except after consultation with the Chief of Staff of the Army or the Chief of Naval Operations of the Navy, or both. But, it is said—and I understand it will be said in the form of an amendment—that, instead of requiring a consultation with the Chief of Staff of the Army or with the Chief of Naval Operations of the Navy, we should require certification by the Chief of Staff or by the Chief of Naval Operations, and that unless the President shall obtain such a certificate he shall be denied the powers conferred by section 3 (a).

Mr. President I submit that such a provision would divert the power of executing the provisions of the bill from the President to the Chief of Staff or the Chief of Naval Operations, men who are not elected by the people, and who hold

no commission under the Constitution save that of Army or Navy officials. Instead of the President exercising the power conferred by the bill in dealing with foreign relations and situations over the world with which he is familiar as Chief Executive and Commander in Chief of the Army and Navy, he would be divested of power to act, and that power would be vested in the Chief of Staff or in the Chief of Naval Operations. In other words, the Commander in Chief of the Army would be taking orders from one of his subordinates. The Commander in Chief of the Navy would be receiving instructions from one of his subordinates.

Mr. WHEELER. Mr. President, will the Senator yield? I was not present when the Senator began his address—

Mr. CONNALLY. I did not make any request. I am glad to yield.

Mr. WHEELER. I should like to have the Senator's views as to how far he thinks the President may go with reference to convoying ships and doing other things which have generally been considered in violation of international law. Does the Senator expect to touch upon that question?

Mr. CONNALLY. I shall; and if I do not, I hope the Senator will remind me to do so. I shall be glad to discuss the question.

Mr. WHEELER. I know the Senator has given some consideration to the subject, and I should like to have his views, because I should like to see wherein he and I differ in that respect, if at all.

Mr. CONNALLY. I thank the Senator. I am kindly disposed toward giving the Senator any information I can, or directing his mind along different channels from those along which it is coursing at the present time.

I submit, Mr. President and Senators, that, in addition, if this bill is enacted the Congress will control the purse strings. It has been said in many quarters and in many ways that Congress turns over to the President a blank check; but Congress will hold the purse strings except in those particulars in which it authorizes the transfer of \$1,300,000,000 out of present appropriations. I shall advert to that in a moment.

The bill also directs that:

The terms and conditions upon which any such foreign government receives any aid \* \* \* shall be those which the President deems satisfactory, and the benefit to the United States may be payment or repayment in kind or property, or any other direct or indirect benefit which the President deems satisfactory.

There are those who challenge that language. They complain that the President, in disposing of this property, has the right to impose conditions upon its use. Well, that is elemental and fundamental. I cannot be compelled to part with something which my country or I own, except upon the terms or conditions prescribed by the vendor or the giver of the property. The President, then, has the power of negotiation and control over the terms and conditions of the gift. Is not that a limitation upon the powers in the bill?

Senators express fear that arms and munitions will be given to all countries on the earth, which presupposes that the President would waste them and dissipate them, and not employ them where they would do the most good for our own national defense and for the defense of countries whose defense is vital to the defense of the United States. I desire to emphasize the fact that before the President may extend aid to any country he must make a specific finding that the defense of such country is vital to the defense of the United States. That is a high responsibility; that is a most sacred obligation; and I deny the charges of those who intimate and who imply that the President of the United States would improperly or would venally or would maliciously embezzle the power which we confer. It is to be assumed that any high officer will exercise the functions of his office under the law and under the Constitution, and conformably with a patriotic and an honest and a sincere intention to execute the will of the Congress.

Furthermore, the President is required from time to time, but not less frequently than every 90 days, to transmit to Congress a report of operations under this act, with the exception of such information as he deems incompatible with the public interest.

Mr. President, if the President of the United States is required—and he is—by this bill to submit to the Congress every 90 days a report of transactions and operations under the bill, and if it should happen that those operations were not in consonance with the interests of the people of the United States, or were not in the interest of our own national defense, or were not providently and honestly and sincerely executed, is there anyone who will not say that on this floor and in the committee rooms there would be a wave of opposition and denunciation of those operations that would reverberate throughout this Republic?

If this bill were enacted, and such reports were made to the Congress, we all know that Senators who are now standing, as they believe, with sword in hand at the gates of the people's liberties, trying to defeat this bill, would not be less vigilant than they now are. They probably would be more vigilant, more militant in seeing that whatever powers were exercised under this bill were exercised strictly in conformity with its provisions, and that nowhere should those operations transgress or exceed the jurisdiction or the bounds of the Presidential authority. That is a distinct limitation upon the so-called transfer of powers to the President.

To recapitulate briefly, I submit that the power given to the President to procure arms and munitions, and then to make them available to foreign countries—and that, in the main, is all the power that is given to the President—is specifically limited in a number of particulars. First, only \$1,300,000,000 worth of munitions and supplies may be transferred by the President out of appropriations heretofore made. He is not directed to do so. He is not directed to



transfer them; but there is a limitation that out of all the moneys which we have appropriated, out of \$13,000,000,000 already appropriated to provide arms and ships and airplanes and munitions and fighting equipment for the United States, one-tenth—10 percent only—of that amount may be transferred by the President of the United States. Yet Senators contend that by that little 10 percent we are stripping the United States of its own vital defenses, we are taking from the ocean our naval vessels, we are stripping the Army of its munitions and its arms and its supplies, and we are reaching up and taking out of the skies the airplanes belonging to the Army and the Navy. One-tenth of what we have already appropriated, and which is in the process of being supplied or manufactured in the years to come, is every dime the President may spend—a blank check for 10 percent.

Mr. President, other than that sum the President may not spend a dollar until after the Congress shall have authorized and appropriated for such further expenditures. The Senator from South Carolina [Mr. BYRNES], familiar with appropriations and authorizations, an expert on finance, for the Committee on Foreign Relations drew and sponsored, together with the Senator from Kentucky [Mr. BARKLEY], an amendment making it absolutely sure that before the President may spend a dime other than the \$1,300,000,000 he must come to the Congress and secure an authorization, and then, perhaps, in addition, an appropriation which shall follow.

We all know the practice in that regard; and yet, in the face of that, some Senators proclaim that this is a blank check; that we open the doors of the Treasury of the United States to the President, and that he may absolutely divest it of the treasures and the savings of our people.

Second. One more limitation—the President must find that the defense of the country to which aid may be extended is vital to the defense of the United States. I submit, Mr. President, that the President is expected—and I believe he will—sincerely and honestly and patriotically to perform his duty under that limitation. To charge otherwise is to charge the President with less patriotism than those who make the charge. It is to charge him with less sincerity than those who blatantly denounce him and the slight grants of authority contained in this bill.

Third. Before taking any action the President must consult with the Chief of Staff of the Army or the Chief of Naval Operations of the Navy, or both. That is an important provision, of course. He must consult; and if he has a Chief of Staff of the Army who in fact disagrees with him, it is presumed that the Chief of Staff will officially disagree with him, and will lay before him all the vital facts relating to the particular article and the military situation abroad; and it is to be assumed that if he has a Chief of Naval Operations who has expert information regarding the particular article or the naval situation abroad, he will submit it

to the President of the United States with his arguments and views.

But, Mr. President, when that shall have been done, it is then the sole responsibility, obligation, and function of the Chief Executive, the Commander in Chief of the Army and Navy, the director of our foreign relations, to make so vital a decision. Mr. President, where else would you lodge such an authority? You would not lodge it in a Cabinet officer; you would not lodge it in some Bureau chief; you would not lodge it in anyone in the executive department except the loftiest authority in that department.

Another limitation is that the President's authority is limited to June 30, 1943, or it may be terminated at any time prior to that date upon the passage by the Congress of a concurrent resolution declaring that the exercise of the powers under section 3 is no longer necessary.

Some Senators contend that that provision is unconstitutional. The Supreme Court of the United States disagrees with these eminent gentlemen. The Senate Committee on Foreign Relations adopted an amendment as a substitute to the amendment which the House had inserted in the bill. We did not regard the language of the House amendment as legally effectuating the purpose intended, but we believed that we drew an amendment, which will be adopted in due course, I assume, by which it is specifically provided that the act shall not be operative after June 30, 1943, or after the passage of a concurrent resolution, the point of legal differentiation being that the passage of such a concurrent resolution is treated simply as an event and not as a legal act of Congress repealing or modifying a preexisting law. If we may terminate this bill by its terms on June 30, 1943, then we may terminate it upon any other happening or any other event which may transpire in the future.

The reason for that is that it is in the act itself; it is a limitation upon the length of time and the length of operation of the act itself, and in no sense a repeal or modification of an existing act. The provision is written in the heart of the measure that the bill shall not last longer than June 30, 1943, and, prior to that date, it shall not last beyond any time after the Congress shall pass a concurrent resolution.

So far as the legal concept of the proposition is concerned, the concurrent resolution might be wholly void; it might have no legal effect whatever; but, treated purely as an event, it would terminate operations under this bill; and the Supreme Court of the United States has held that Congress in enacting legislation has the right to hinge its operation either upon some antecedent event or upon some subsequent event, and that upon the happening of that event, such as a proclamation by the President, if that is provided in the law, the act shall either terminate or shall become operative, as the case may be, as provided in the legislation.

Senators talk of losing our liberty; they want Congress to control. Under this provision respecting a concurrent resolution, the continued operation of this

measure is in our hands, and in no one else's hands; and whenever a majority of the House of Representatives and a majority of those sitting here in the Senate see fit to pass a concurrent resolution as described in this bill, the powers given to the President fall from his hands. Is there any abdication of congressional authority? Is there any surrender of our liberty which cannot be reclaimed? Are we giving anything away of the function which is ours? Are we giving anything away as the chosen representatives of the people that we have not the right to command and control as the chosen representatives of the people?

I have already adverted to the fact that the President must report to Congress at least once every 3 months.

I submit, Mr. President, that, in the face of these limitations and restrictions, the charge that the bill confers unlimited power upon the President is overwhelmingly refuted.

There is nothing in this bill, I will say to the Senator from Montana, which modifies the Neutrality Act with respect to merchant vessels going into combat or war zones. It has been widely asserted that that was true. The Neutrality Act is not repealed or modified in any respect; it is merely suspended to the extent of the powers given in this bill, and that is all. It remains in full vigor and full vitality as to every portion of it, unless some particular portions prevent doing the things which are specified in the bill.

Mr. WHEELER. Mr. President—

Mr. CONNALLY. I yield to the Senator from Montana.

Mr. WHEELER. Will the Senator point out—and I think this is an extremely important matter—in what particular he thinks this bill does modify the Neutrality Act?

Mr. CONNALLY. It modifies it, in the first place, in that the British Government would not have to pay for what they get here in cash.

Mr. WHEELER. To that extent I agree. Is there any other particular in which it is modified? The reason I ask the Senator—

Mr. CONNALLY. I have not time to review the whole Neutrality Act, but if the Senator will ask me about any particular part of the Neutrality Act I shall be very glad to answer.

Mr. WHEELER. Does the Senator think that under this bill the President could, for instance, convoy either American ships or send American ships into foreign waters; or could he, under this bill, or would the bill give him the power, in the Senator's opinion, to convoy British ships?

Mr. CONNALLY. Does the Senator want a frank answer?

Mr. WHEELER. Yes.

Mr. CONNALLY. Under this bill there is no authorization for him to do either, but let me say to the Senator that he does not require any authorization to do that.

Mr. WHEELER. Let me say—

Mr. CONNALLY. Wait a minute; the Senator asked me for an answer. The President does not require any authorization in this bill; he does not need this bill;



if he wanted to convoy American vessels tomorrow, or last week, he has a perfect right to do it. Perhaps it would be more pleasing to the Senator for me to say not the right but the power. He has the power to do it as Commander in Chief of the Army and Navy. What kind of a Commander in Chief of the Navy he would be who could not send vessels of the United States wherever the interest of the United States required? What kind of a Commander in Chief of the Navy would he be if he could be told, "You must not send your vessels here, must not send them there, and must not send them somewhere else"? The makers of the Constitution realized that in time of stress and of struggle, and, perhaps, of war, the Chief Executive of the Nation, as the Commander in Chief of the Army, had to have unified control; there had to be centered military authority to do the things which were necessary. George Washington sat in the Constitutional Convention. The Colonies had struggled through the Revolution under no centralized authority and no Executive. The War of the Revolution was perhaps prolonged 4 or 5 years longer than it need have been if there had been some central authority. Have I answered the Senator's question?

Mr. WHEELER. Mr. President, I think the Senator will disagree with me with reference to the statement I am about to make.

Mr. CONNALLY. I apprehend that I shall.

Mr. WHEELER. I desire to call the Senator's attention to the fact that there is a vast difference between the powers of the President as Commander in Chief of the Army and the Navy in wartime and in peacetime.

Mr. CONNALLY. Well, what is it? Point it out. A great many persons talk about the Constitution in peacetime and the Constitution in wartime. The Constitution means exactly the same thing in wartime and in peacetime.

Mr. WHEELER. Let me say to the Senator that in my own time I expect to point it out; but I wanted to get the Senator's views, because I shall call his attention to some of the most eminent constitutional authorities in this country upon that very subject.

Mr. CONNALLY. To what effect—that it cannot be done?

Mr. WHEELER. To the effect that there is a difference between what the President may do in international affairs as Commander in Chief of the Army and the Navy in peacetime and in wartime. In other words, if I may say so, it is a recognized fact that the President of the United States may not in peacetime have the Army or the Navy commit acts of war. That is recognized by every writer upon international law, and it is recognized by our own Supreme Court, as I shall later show to the Senate. I wanted to have an absolute distinction made.

Mr. AUSTIN. Mr. President—

Mr. CONNALLY. Before the Senator from Montana takes his seat, let me say this: He asked me about the matter of convoy under this bill. If he will look at the bill and read it he will see that the

House put in a provision to the effect that nothing in this bill should permit convoy.

Mr. WHEELER. I understand that.

Mr. CONNALLY. But the Senator need not have asked me that question because it is in the bill. The Senator wanted to know if the President might do it. I think he may do it irrespective of this bill, or any other bill, so long as the Constitution gives him the power to do it.

Mr. WHEELER. I am not saying these things to the Senator in a controversial manner.

Mr. CONNALLY. I thank the Senator.

Mr. WHEELER. But I think they should be said in the interest of clarifying the situation, so that there will not be any misunderstanding in the minds of the administrators of the bill or in the minds of members of the Supreme Court, if any of these matters come before it, as to what was really the intention of the Congress of the United States.

I am very grateful to the Senator, because in his very able address today I think he has cleared up some points in the minds of some persons with reference to this proposed legislation. I think his statements with reference to the provisions of the bill will be extremely helpful, when it comes to the time of executing them, as showing definitely what was in the minds of the proponents of the bill, as well as in the minds of the opponents of the bill.

Mr. CONNALLY. I thank the Senator very much for his gracious remarks. If I have impressed him, I hope he will keep on being impressed. [Laughter.]

Mr. WHEELER. I expect to.

Mr. AUSTIN. Mr. President—

Mr. CONNALLY. I yield to the Senator from Vermont.

Mr. AUSTIN. Just to keep the RECORD straight, the distinguished Senator from Montana [Mr. WHEELER] adverted to the same subject while the Senator from Vermont had the floor on a former occasion and made the claim—if I am correct in interpreting his remarks—that the Congress of the United States had both powers, namely, the power to declare war and the power to wage war. At that time I stated that I agreed with the first corollary, that it is the power and the duty of Congress to declare war, but not the prerogative of Congress to wage war, which is the particular duty of the Commander in Chief of the Army and Navy of the United States.

For the RECORD, and not taking more than a moment, I should like to fortify that position by reading a short sentence.

Mr. CONNALLY. I shall be very glad to have the Senator do so. I think nothing the Senator from Vermont says on this floor needs fortification, but I yield to him.

Mr. AUSTIN. I thank the Senator for his gracious remark and for yielding to me. I desire to quote from Constitutional Powers and World Affairs, by Sutherland, probably one of the greatest authorities.

Mr. CONNALLY. I am very glad to hear from him.

Mr. AUSTIN. At page 74 he says: He—

Meaning the President—

does not, however, command the military forces of the United States as President but as Commander in Chief. The two offices bear no necessary relation to one another, and the power to be exercised in the one office is in no manner amplified, restricted, or affected by the circumstance that the same person also occupies the other office.

And note this:

When war has been declared by Congress, the duty and power of waging war immediately attaches to the office of the Commander in Chief, not to the office of President.

There is more to the same effect.

Mr. CONNALLY. I thank the Senator.

Mr. WHEELER. Mr. President, may I interrupt the Senator briefly?

Mr. CONNALLY. I will yield in a moment. I thank the Senator from Vermont. Let me say to him that in a way Congress has to wage war, in that it has to supply the munitions and the money and the authorizations and the appropriations; but the direction of the war, the course the war shall pursue, is exclusively the prerogative of the Commander in Chief of the Army and the Navy.

Mr. AUSTIN. Yes.

Mr. CONNALLY. I thoroughly agree with the Senator.

Mr. AUSTIN. Of course, the pertinence of this interruption and trying to keep the record straight is to show that it cannot be argued with any justification that the pending bill, H. R. 1776, undertakes to create in the President of the United States a power which does not today exist. That is a power conferred by the people through the Constitution.

Mr. CONNALLY. I thank the Senator.

Just one word and then I shall yield to the Senator from Montana. Allow me to say to the Senator from Vermont and the Senator from Montana that what has been said by the Senator from Vermont was illustrated during the Civil War. Mr. Lincoln was Commander in Chief of the Army and Navy, but Congress thought it ought to run the Army and the Navy, so Congress passed an act providing for the appointment of a committee on conduct of the war. What did it accomplish? It accomplished nothing except confusion—nothing except division of counsel—and finally Mr. Lincoln terminated the committee on conduct of the war. It was not getting anywhere; it was standing in the way; and that is what would happen in this instance. We must put these powers where they belong under the Constitution, and that is in the President of the United States.

I now yield to the Senator from Montana.

Mr. WHEELER. Mr. President, let me say to the Senator that I am thoroughly in accord with the views expressed by the Senator with reference to a time when we are in war. There can be no question in my mind that when we are in war the power to carry on the war, with the exception of the appropriation of money by the Congress, must rest exclusively with the President of the United States.



I call attention, however, to the fact that Sutherland—with whose work I am entirely familiar—points out, as I said to the Senator a moment ago, in the very work from which the Senator from Vermont has just read, that there is a difference between the powers of the President of the United States as Commander in Chief of the Army in time of war and in time of peace.

What we have to differentiate, it seems to me is whether we want to delegate and whether this bill does delegate, powers which would permit the President of the United States in time of peace to do something that would be considered a violation of international law. I contend that under our Constitution and the interpretation put upon it by the Supreme Court of the United States and the interpretation put upon it by almost every constitutional writer in this country, while the President of the United States as such in time of war is entirely responsible for the conduct of the Army and the Navy and the war and everything connected with it, yet in time of peace that is not so; and while, as the Senator says, the President has power to say to the Navy, "Go out and attack another ship," he has not any right under our Constitution to do so. That power must come from the Congress of the United States.

If I may be permitted to interrupt the Senator one moment further, I remember that a very famous judge in my State, in directing a jury, said that a jury has power to turn loose a guilty man. It has power, regardless of the law or the facts, to turn loose a criminal, but it has not any right under the law to do it. It has the power. So I say there is a difference between the power and the right to do those things. [Manifestations of applause in the galleries.]

The VICE PRESIDENT. The occupants of the galleries will be in order.

Mr. AUSTIN. Mr. President, will the Senator yield?

Mr. CONNALLY. I will in a moment. Let me say to the Senator from Montana, in response to his statement about the judge and the jury, that I do not think the judge has any right to say whether a man is guilty or innocent.

Mr. WHEELER. That is correct.

Mr. CONNALLY. He may have his own predilections, his own views, but he cannot pass judgment on the question. I now yield to the Senator from Vermont.

Mr. AUSTIN. Mr. President, I wish to observe for the RECORD that the case to which attention was called, United States against Curtiss-Wright Corporation, relates more particularly to the powers of the President as President of the United States in conducting foreign relations.

Mr. CONNALLY. Yes.

Mr. AUSTIN. In a word, the holding, as stated at page 319 of the United States Reports, volume 299, is:

As Marshall said, in his great argument of March 7, 1800, in the House of Representatives, "The President is the sole organ of the Nation in its external relations, and its sole representative with foreign nations."

Mr. CONNALLY. I thank the Senator.

Mr. WILEY. Mr. President, will the Senator yield?

Mr. CONNALLY. In a moment. What the Senator from Vermont has referred to was clearly brought out in the Committee on Foreign Relations during the hearings.

I yield to the Senator from Wisconsin, but I hope that after this I may be permitted to conclude my remarks.

Mr. WILEY. I have listened with a great deal of interest to the exchange of ideas. Unfortunately, I have been away from the Senate for 2 days, but I expect to read everything that has been said in the debate. I agree with the Senator from Montana [Mr. WHEELER] that there has been much clarification. But I wish to ask a question or two.

The measure before us is denominated an "aid to Britain" bill. I understand the distinguished Senator from Texas to say that there was nothing in the bill which anyone, especially the Executive, could interpret as a direction or an attempt to confer power, in time of peace, on him—the President—to commit acts which would violate, let us say, international law. Or let us put it concretely. There is nothing in the bill which would say to the President, "It is the intent of Congress that you shall convoy our own ships or combatant ships through a war zone." Is that correct?

Mr. CONNALLY. The Senator from Texas stated that, so far as the neutrality law is concerned, there is nothing in the pending bill which authorizes the President of the United States to send American vessels into battle zones or war zones.

Mr. WILEY. Is there anything in the bill from which could be drawn the implication that in providing so-called aid to Britain it is the intent of Congress that the President should do that?

Mr. CONNALLY. I suggest to the Senator to read on page 4, subsection (d), where he will find this language:

Nothing in this act—

"This act." The measure about which we are talking—

Nothing in this act shall be construed to authorize or to permit the authorization of conveying vessels by naval vessels of the United States.

Mr. WILEY. I understand that is one of the amendments inserted by the House of Representatives.

Mr. CONNALLY. That is correct. I do not quite understand what the Senator is asking.

Mr. WILEY. I am trying merely to clear up, if it can be done, the very much mistaken impression throughout the country that in the original bill, and even in the suggested amendment, Congress by this act would define out-and-out aid to Britain, and in such out-and-out aid, until the language just referred to was inserted, was included sending battle-ships through war zones, or conveying England's merchant ships through war zones.

Mr. CONNALLY. Let me say to the Senator from Wisconsin that never has there been anything in the bill authorizing or directing the President to employ the power of sending vessels into the war zones. The language which I quoted a while ago was inserted by the House purely as a precautionary measure, be-

cause of some fear that the people might believe that this will authorize the President to send ships into the war zones. I have not before me a copy of the neutrality law, but the neutrality statute, which was enacted a little over a year ago, specifically provided that no American merchant vessel should go into a war zone or into a combat zone. There is nothing in the bill before us which modifies that statute or in anywise repeals it.

Mr. WHITE. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield.

Mr. WHITE. I wish to make one comment. I agree entirely with the Senator from Texas that no authority is conferred on the President in the bill to convoy ships of the United States or other nations into the combat areas; but it is a fact that, under the Neutrality Act of 1939, the question of combat zones, the existence of combat zones, and the area of combat zones was left wholly within the discretion and judgment of the President of the United States; and tomorrow, not under the pending measure, but under the Neutrality Act, the President could, by proclamation, modify any delimitation of a combat zone, or wipe out every restriction as to combat zones.

Mr. CONNALLY. The Senator from Maine is correct; but if the President should do that, he would go a very great way toward doing things which the Congress has not undertaken to do in the pending bill.

Mr. WHITE. I think that is correct; but, of course, those who fear that our vessels may be sent into the combat zones must base their fears on the authority given to the President in the 1939 Neutrality Act.

Mr. CONNALLY. That is true.

Mr. WHITE. And not on the proposed legislation now before us.

Mr. CONNALLY. Exactly. The Senator from Maine is absolutely accurate in that. So far as the proposed law is concerned, there would be no authority by which the President could send ships into battle zones. But the Senator from Maine is correct in that under the exact terms of the Neutrality Act it is dependent upon the declaration by the President as to where such zones exist; and, of course, under a statute which we enacted, without consulting the Congress, the President could declare by proclamation that the zones were at an end. That is very true.

Mr. President, it has been charged that the bill before us is a war measure, that under it the President could commit some act which might provoke a declaration of war against the United States. That charge implies that the President wants to get the United States into war. It is an attack upon the integrity and sincerity of the President, upon his declaration that he proposes to keep America out of the war.

Of course, as I suggested earlier in the discussion, if we have a President at any time who, regardless of his duty under the Constitution, regardless of the wishes of the Congress, regardless of the wishes of the people, desires to drive the country into war, he may do it, because by the use



of his power over the Navy and over the Army he could commit acts which would put us in such a position in international affairs that we probably could not avoid becoming involved in war. So that question is not before us. We must trust those who under the Constitution are vested with these tremendous powers. They are the chosen servants of the people of the United States. They are not by chance hurled into high station and high responsibility. They are chosen under the Constitution by the will and the suffrage and the desires of the people of the United States. If we do not trust them, whom shall we trust? Shall we go out into the byways and by chance pick out another who will discharge these high responsibilities?

Mr. President, under the Constitution only the Congress of the United States can declare war. Suppose a nation should attack us, should declare war upon us. The course of the conduct of that war would still be in our hands. If we were in such a position that the attack would not be injurious to us, we need not make a similar declaration of war. But without a declaration of war by ourselves we certainly have the superlative duty of self-defense, to employ our Army and our Navy to repel attacks. That would be the act of the United States in such a contingency. This bill, I submit, is not intended to get the Nation into war, but it is intended to keep it out of war. It is the purpose of the bill, by aiding Great Britain and by giving succor, aid, and assistance to those who are struggling against the aggressors, to keep the war in Europe, and keep the invaders away from our own land.

If Britain, without our assistance, cannot resist the tide of aggression, we might as well prepare for an endless struggle over the years, because if Britain is defeated and overwhelmed, and if her navy is conquered, just so surely as the earth circles around the sun, sooner or later the conquering armies, and new navies built from the resources of conquered lands, will sweep across the ocean and attack the people of the United States.

Mr. President, when the Colonies gained their independence and established the United States of America, and later when the Monroe Doctrine was proclaimed, there was created a great zone of the earth's surface known as the Western Hemisphere, dedicated to free governments and democratic institutions. The purpose of this bill is to make secure forever that hemisphere as a sanctuary of freedom into which no alien conqueror shall ever set his accursed footsteps.

Only yesterday morning did the press carry a story of a conspiracy in the Republic of Mexico, directed by Nazi influences, seeking to establish political parties in Mexico for the purpose of stirring up dissension and distrust among the people of the United States, and to create hatred and enmity among the people of Mexico against the people of the United States, dominated and directed and controlled by Nazi influences. We propose that no new order shall be established

in this hemisphere by the sword and by armed force.

Mr. President, to those who oppose the bill I pose this question: If we follow their wishes and defeat this bill, what, then, shall be our course? Shall it be nothing? Shall we collapse in our seats? Shall we close our eyes to the tide of conquest that has already engulfed free countries and free nations in Europe? Shall we close our ears to the oft-proclaimed declaration that the conquerors propose to establish a new world order? Shall we close our ears to the denunciations of our system of government and of our people by the conquerors, whose hands are already steeped in blood and whose hearts are saturated with an intention to destroy free government on the earth?

Mr. President, the Congress of the United States, with the enthusiastic approbation of the American people, has appropriated billions of dollars for strengthening our Navy and for increasing the Army and for the expansion of the air force. Why the expenditure of these billions of dollars if there be not a threat to our safety? Why the sacrifice of all this treasure if there be not a pressing and challenging—yea, a menacing—danger to our sovereignty? Whence does the danger come? Have we spent billions arming against the aggressions of Great Britain upon this hemisphere, or are there poised in this direction the armies and the navies of Great Britain? Are we afraid of Denmark, lying crushed and broken? Are we armed against phantom armies, imaginary navies, sweeping out of the ports of Denmark to assassinate free government in the western world? Are we afraid of crippled and wounded and broken Holland, whose press reports this morning carry the story of the kidnaping of one of her own patriots by the Nazi forces? Are we afraid of the strength of Holland against this western world?

O Mr. President, can we believe that broken and crushed and shattered France can arise and break from her crippled arms the chains that enslave her and attack us? No; it is not from these quarters that the danger lies. It is not from Austria, except as she has become a part of Germany; it is not from Czechoslovakia; it is not against the nations I have mentioned that we have armed and prepared ourselves for self-defense.

Senators who are now opposing this bill voted for many of the measures of self-defense. Why did they do it? Did they want to pour out recklessly and without measure the wealth and the treasure of the United States to arm when there was no danger? Shall we arm and cry "wolf" when there is no wolf?

Mr. President, the people of the United States know the Congress knows that we armed and are arming now upon the seas and in the air and upon the earth in order to protect America and the Western Hemisphere against the most cruel, the most ruthless, and the most cold-hearted military machine that ever stalked its way across the annals of war.

Again I ask Senators, if we do not pass this bill, what do they want to do? What shall we do? Why have we provided for the greatest Navy that has ever in all the history of the human race lifted its flag upon the far-flung seas? Is there no danger? The cold-blooded dictators, intoxicated by conquest, with their ambitions fanned to fury by the lust for power and mastery of the human race, and backed by the most powerful and relentless military machine known to history, do threaten the security and safety of the democracies. They await only the moment of their choice to strike down free government and democracy wherever it lives. This bill is America's answer to their challenge. We propose to keep the war away from our shores. We propose to preserve our own freedom and that of the western world.

There are those—including, I believe, the Senator from Montana [Mr. WHEELER]—who say that the bill is violative of international law. Where is there any international law which the dictators observe? Their international law is the law of the sword. Their statutes are the statutes of force, cruelty, and destruction.

Prior to the war now raging, a council of distinguished international lawyers met in Budapest. In considering the Kellogg-Briand Pact, that council of international lawyers found that under the specific provisions of that pact any nation could supply arms and munitions to any other nation when it was attacked by a signatory to the pact.

Italy and Germany were signatories to that pact. They agreed that they would not employ war as a national policy, and when they agreed to the terms of that pact they agreed that if they should attack any other nation in violation of the Kellogg-Briand Pact, any other nation which was a signatory to the pact might supply arms and munitions to the nation attacked or invaded. So, Mr. President, under international law—if international law still survives—we have a right to enact this particular measure without infringing upon international law.

We all know what would be the result if Germany, Italy, and Japan should conquer the British. We know that immediately Hitler and Mussolini would seize all the possessions of Great Britain in South and Central America. They would take over stocks and bonds and possessions of commercial enterprises in South and Central America. If that were done, it would not be long before they would control—perhaps not by force of arms at the moment—the economy and the commerce and business of Central and South America. They would place the United States under a galling commercial and economic bondage. I believe that if the dictators should conquer Great Britain and deprive her of her fleet and Great Britain should go down in wreckage and ruin, sooner or later the dictators would first attack Central and South America, and ultimately the United States of America itself. They would acquire the shipbuilding resources of Europe, which are two or three times those of the United States.



Great Britain is a great seafaring nation with extensive facilities for ship-building. Holland is a seafaring nation. Norway, Denmark, and France are seafaring nations. Who thinks that Mr. Hitler would not, if he could, employ those facilities and resources to build not alone a great commercial fleet but also a great naval fleet to attain mastery of the world?

Mr. President, I shall not spend much time in denunciation of Hitler and Mussolini. Anyone who will read, in the light of events, the speeches of Hitler with reference to his intentions as to Poland and Czechoslovakia will conclude that no one can trust him, and that he has broken every solemn pledge he has made looking to the peace and safety of Europe. So we cannot trust him, and we cannot hinge our own safety on any assurance or guaranty which he may give.

On the 21st of May 1935, Hitler said:

Germany has concluded a nonaggression pact with Poland which is more than a valuable contribution to European peace, and she will adhere to it unconditionally. \* \* \* We recognize the Polish state as the home of a great patriotic nation with the understanding and the cordial friendship of candid nationalists.

In the face of that declaration, where is Poland now? She is stripped of her wealth, stripped of her military power, and lies crushed and broken under the heel of the conqueror.

On the 1st of May 1936, Hitler said in an address:

The lie goes forth again that Germany, tomorrow or the day after, will fall upon Austria or Czechoslovakia. I ask myself always: Who can these elements be who will have no peace, who incite continually, who must so distrust, and want no understanding? Who are they? I know they are not the millions who, if these inciters had their way, would have to take up arms.

Again, as showing the progress he was making, and that after one victory he contemplated another, on February 20, 1938, he said:

The Polish state respects the national conditions in this country, and Danzig and Germany respect Polish rights. Thus it has been possible to find the way to an understanding which, emanating from Danzig, in spite of the assertions of many mischief makers, has succeeded in removing all friction between Germany and Poland, and made it possible to work together in true amity.

There were a number of other addresses in the same tenor, and with the same meaning.

Mr. President, the conquest of Great Britain carries with it not only economic possibilities but possibilities of territorial conquest. Who is there who does not believe that Hitler, if he should triumph over Great Britain, would seize territorial possessions in the Western Hemisphere, including some of the islands, if he should be able to seize them against our opposition? Who can envision the mighty military machine and the great naval establishment which Hitler and Mussolini would create if they should be successful and triumph over Great Britain and her Allies?

The pending bill is predicated upon our national self-defense. Every power which is delegated or given to the Presi-

dent is predicated and based upon his first finding that whatever he may do must be in the interests of our national defense or in the defense of some of the countries whose defense is vital to the defense of the United States.

However, Mr. President, while my attitude is of course motivated by my interest in and by my affection and love for my own country, I wish to say that we cannot adopt a policy of absolute isolation. We cannot isolate ourselves from the fundamental transactions in a great world. We cannot wrap ourselves about in a cloak of indifference to the fate or the fortune of the rest of the world. The oceans that surround us do not belong to any particular nation; they belong to all the nations of the earth; and under every tenet of international law we have the right to go out upon the high seas, because we are a Nation, because we are a people, because we have the right to the public highways of the seas. Shall we ignore and be indifferent to what transpires upon these seas?

Mr. President, can we be indifferent to the fate of other nations? Every time a free nation goes down in ruins the repercussions cross the ocean and beat upon our own shores. Every time liberty in a nation is destroyed it weakens the fabric and the ability of every other free government to advance democracy and to defend itself. Are we indifferent to what happens to the rest of the world? We are a great Nation; we are a great people; but we cannot be indifferent to cruel conquests; we cannot be indifferent to the extinction of free government wherever it may exist; we cannot close our eyes to the fate and to the fortunes of great peoples whose ideals and whose ways of life are similar to our own.

Mr. President, do we not in our country owe some debt of gratitude to democracy and to free government? The conception of liberty gave us our freedom and our liberty; it gave us the Constitution of the United States; it gave us the great document which contains the Bill of Rights, and contains the statement of those fundamental privileges and those fundamental guaranties which make American life what it is.

Free government and democracy gave us the guaranty of trial by jury, so that no potentate and no dictator may consign a citizen of the United States to prison until his own countrymen and his own peers pass upon his guilt or innocence in a court of law.

Free government and democracy gave us the right of free speech—not alone the right to think, not alone the right to have convictions, but the right to utter those convictions, to utter them without the censorship of any monarch or any master, the right to impress upon our own fellow citizens our views and our thoughts and our convictions. Democracy and free government gave us the freedom of the press—freedom to print the truth without the dictation of any suzerainty or any functionary or any bureaucrat in all the land—the right to print and to speak the truth in the public press.

Yea, Mr. President, more than that, we owe our freedom of worship to democracy and free government. We owe

to that great principle the priceless privilege of erecting our own altars, worshiping in our own way, irrespective of any ecclesiastical authority or any ecclesiastical power. We owe something to democracy and free government. Under its blessings we have become a great nation. Under its terms invention and initiative have prospered and progressed, until today we are the greatest industrial nation on the face of the globe.

These things could never have flourished, they could never have grown and developed, except under the blessings of free government, where men's minds and men's imaginations were unleashed and given the freedom which made it possible to establish and to advance the United States of America. Pray God that a similar freedom and a similar democracy may be given to every people capable of exercising the powers of government.

Following our great example, the republics to the south, whose safety we are now pledged to defend, catching the vision of Washington, secured their own independence. Shall we let them be weakened in their conception that we are the great exemplar of free government and democracy on the earth?

Mr. President, we ought to be united on this bill. When it comes to foreign affairs, when it comes to the time that America looks out upon the world, when America stands with her back to her own land and faces hostile influences and hostile powers we ought, if we can, to be a united people. In this hour of consideration of this bill I hope Senators will be tolerant and, if consistent with their own deep convictions, will support the bill, in order that we may present a united front to all the world, a united front to those who would destroy democracy and free government, and a united front to those who are rallying and defending and fighting for their lives and for free governments.

Just before the Declaration of Independence was signed, John Hancock urged that all Members of the Congress should stand together, should hang together. Wise old Benjamin Franklin said, "Yes, we must indeed all hang together or most assuredly we shall all hang separately." If the democratic and free peoples do not hang together they shall hang separately.

Mr. President, I urge every Senator not to give consideration to imaginary fears, but to look at the great issues here involved, and to approach this bill with broad charity and with understanding.

In the debate the other day some reference was made to my native State. In 1836, while the Alamo was under siege by an overwhelming Mexican army, less than 200 Texas patriots were assembled in that old mission which they had used as a fortress. To remain in that mission and fight the aggressors probably meant the death of every soldier within the walls. Finally Travis, the commander of the garrison, knowing the fortune that faced him, and aware of the dangers that trooped all about, dramatically drew his sword, marked a line across the floor, and said, "All who want to fight for liberty and for the freedom of Texas, who want to stay here with me and meet the fate



that awaits us, cross that line." They all crossed save one. That one was Bowie. He was stretched upon a bed of illness, but, with a courageous heart and a fearless mind, he said, "Men, lift me across the line," and his comrades carried him across the line. They all gave up their lives in cruel martyrdom, slain by militant forces which would destroy free government and liberty and install in its place military dictatorship. That is the issue before the world today. As for me, I shall cross the line.

Mr. BARKLEY. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Ellender	Murdock
Aiken	George	Murray
Andrews	Gerry	Norris
Austin	Gillette	Nye
Bailey	Glass	O'Mahoney
Ball	Green	Overton
Bankhead	Guffey	Pepper
Barbour	Gurney	Radcliffe
Barkley	Harrison	Reynolds
Bilbo	Hatch	Russell
Bone	Hayden	Schwartz
Brewster	Herring	Sheppard
Bridges	Hill	Shipstead
Brooks	Holman	Smathers
Brown	Hughes	Stewart
Bulow	Johnson, Calif.	Taft
Bunker	Johnson, Colo.	Thomas, Idaho
Burton	Kilgore	Thomas, Utah
Byrd	La Follette	Tobey
Byrnes	Langer	Truman
Capper	Lee	Tunnell
Caraway	Lodge	Tydings
Chandler	Lucas	Vandenberg
Chavez	McCarran	Van Nuys
Clark, Idaho	McFarland	Wallgren
Clark, Mo.	McKellar	Walsh
Connally	McNary	Wheeler
Danaher	Maloney	White
Davis	Mead	Wiley
Downey	Miller	Willis

The PRESIDENT pro tempore. Ninety Senators have answered to their names. A quorum is present.

Mr. BAILEY. Mr. President—

The PRESIDENT pro tempore. The Senator from North Carolina is recognized.

Mr. BAILEY. Mr. President, I must make a request not unusual in the current debate, but unusual for myself, and which I regret to make. I hope I shall not be interrupted, in order that I may maintain the continuity of my argument, and also in order that I may not remain on the floor more than 60 minutes.

Mr. President, the question which we have here to resolve is singular and extraordinary. It arises in singular and extraordinary circumstances, without parallel and without precedent in all the history of our land and perhaps of others. In order that we may resolve this question, we must apprehend to some degree those circumstances; and while they are pretty well understood, I think, throughout our land, and certainly here, the character of those circumstances is such that they cannot be too frequently repeated. We must be mindful of them until happily they shall have passed away.

In brief, what are those circumstances? There is a world war, and there is a world revolution attending it and complicating it. On one side in that war are the Axis Powers, three in number. The Axis powers deliberately propose world revolution

and a new world order, which they assume they may impose upon all the world. On the other hand, standing now almost alone, is Great Britain, and with her the commonwealth of nations described in picturesque terms, which I like, as "the old lion and her cubs," practically without an ally now, and at bay.

The Axis Powers deliberately inform us of their philosophy. They say the state is everything; the man, the individual, is nothing. Great Britain today stands, and historically has always stood, for the rights of man, for the man in all his essential being, free and independent of anything like the tyranny or the oppression of the state.

Such are the terms of our situation; and it comes to us now, as one of the greater nations involved, and happily separated by a great sea from the actual scene of conflict; to determine our course; to say here in the Senate of our country what in such circumstances is best, what is the wisest course for the security of the 130,000,000 people whose welfare, whose rights, and whose destiny by their sufferance and their will we hold in trust.

America—if I may use the words of one who has recently been exalted to the Vice Presidency of our country—must choose, and America must choose now. Not to decide now is to decide. Not to choose now is to choose.

We have made one decision. We have determined fully to arm our country; and that determination is derived from precisely the circumstances which I just now undertook to outline so briefly. In ships, in planes, and our sons in the selective draft, in industrial production and in fortresses, our country, through our President and Congress, has been moving as it has never moved before; has been spending as it never spent before. That decision has been made. We intend to defend our land to the last dollar and to the last man; and that intent is an intention to defend against the Axis Powers and their philosophy.

I am happy to say that in that decision the country is unanimous. It may not have been unanimous when the selective draft was ordained by law, but happily the draft was ordained prior to the election. So far as I know, no political party challenged the wisdom of that action. So far as I know, notwithstanding the inconveniences, notwithstanding the disruptions and the hardships, throughout the country there is a unity in the most extraordinary measures of national defense in our entire history.

There is another decision to be made, and to be made now; and that decision likewise is a decision with respect wholly to the national defense. We must choose now between two alternatives. We may go on as we are, building defenses at home, selling to Great Britain such goods as we may spare and such as she may be able to purchase and transport across the sea, and selling to other nations likewise, on the cash-and-carry plan; and, taking that choice, we may take our chances in the great issues that are to be resolved in the present World War and

world revolution. We cannot escape. We are in the world. We are a part of it.

Mr. President, that is one horn of our dilemma. The other is this: In addition to our policy of unlimited defense at home, we may intervene in this war with aid to nations resisting the triple Axis, the totalitarian powers, in materials and credits and other assistance, and likewise take our chances.

For none of us has assurance of the outcome, none of us can say that, do what we may, all will be well. But I take it that any of us can say that the chance is better in adding to the power of England by our material aid, that adding that to our defenses we are at least likely to be in better position, at least there is a better chance of an ultimate deliverance for us than there would be should we continue the present policy, awaiting the outcome of events, to meet any situation as it may arise.

Mr. President, I wish to consider what are the probabilities in the first choice. Suppose we defeat the pending legislation and undertake to go on as we are. Agreed, that after a time, not now, we will have built up great home defenses. Agreed, that in 2 or 3 years we will have a two-ocean navy—not now. Agreed, that we will have on our soil a great army of magnificent and well-trained men. And agreed, that in due course our production will be brought up to the necessary maximum—I raise the question, in such a situation, is there reasonable assurance for the security of the American people?

Mr. President, this question presents two other questions.

The first question is: Can Britain outlast and overcome the Axis Powers—Germany, Italy, and Japan? My judgment is worth nothing, I know, except to myself. If I could lie down tonight with the assurance that Britain could prevail without our aid, I should be a very happy man. I thought last spring, and I believe nearly everyone else thought, that Britain and France would be equal to the ordeal. But France has gone. What was described as the finest army on earth is in practical slavery. The Maginot line and all its guns belong to Germany and to Italy. France is as helpless as the Confederate States were in the days of reconstruction, and I take it that by now everyone knows how desperately helpless those States were.

Great Britain tells us, in every language that we know, and in every message that crosses the sea; in the words of her late Ambassador, Lord Lothian, almost his last words; in the words of the representative of this Government; in the words of Britain's great Prime Minister—that she gravely doubts that she can hold out many months without our aid.

Mr. Hitler has conquered all Europe save Russia; and Russia appears to have a working agreement with him; she is not standing in his way. Mr. Hitler is well equipped, magnificently well equipped. He has now the greatest army on earth, in numbers and in equipment. And I would not discount the virtue, in the ancient use of that word, of the German people. I do not know that a higher tribute has ever been paid to a



conquered people than that which Julius Caesar paid to the ancestors of the Germans after he had whipped them in the most desperate of his battles, after he had reduced the number of their senators from 500 to 3, and their army from 60,000 to 500. He took pains in his Commentaries to say that braver men and more capable in war had never lived.

Hitler has aircraft and the means of producing aircraft. He is building ships. He has munitions and the means of manufacturing munitions. And our Department of Agriculture tells us in its latest report that he has plenty of food for at least a year to come.

Hitler has the channel ports. If Emperor Wilhelm had gotten the channel ports in 1918, in the hour when the British general cried out to the world that England was fighting with her back to the wall, it would have been all over then.

Hitler has not only the channel ports, he has the Atlantic coast of Europe from the Arctic all the way to Portugal.

In brief, if I may employ Napoleon's words that Belgium is a pistol pointed at the heart of England, Hitler is in possession of the pistol, and it is pointed at the heart of England. He is moving now toward Gibraltar, and also toward the Suez. He is moving in the air with his bombers over the waters of the sea between Gibraltar and the Suez, the great gateways and channel of commerce of the world, and he himself informs us that he is likewise moving against the British Isles. A dark story, but a true one. No propagandist brought that home to us. That is probably the most dreadful reality in 500 years of human history.

But it is not the whole story. His ally and Axis partner in an offensive and defensive alliance with him, Japan, has occupied nearly all the coast of China, and at this moment is moving on the Gibraltar of the Orient, Singapore. If Britain should fall before the guns of Hitler from the channel, from land or air, or if Gibraltar or Suez should fall, or if Singapore should pass, the Orient, with one stroke—China, the far Pacific, the Dutch East Indies, and the South Seas—would pass from hands friendly to us and into the hands of the Axis Powers.

The totalitarian forces are probably superior in number and superior in position, and Britain stands practically alone. We are not her ally. She is simply our customer for cash.

Now, Mr. President, I wish to make one remark of some great interest to myself. The Axis movement is not a divisible movement. The totalitarians are moving together, and they are moving together now with a view of finishing Britain and the world off at the earliest possible moment. That is the situation. It is their theory of the war that the sooner they finish it, the sooner they put on the full power of their attack, heading off any aid from this country, or any timely aid, the better for them, the surer the consequences; and if they should win, there would be amongst them such a unity that they would divide the world between themselves. Japan would have the Far East and the South Seas for her

dominions. She would have her new order in the East. Germany would have all Europe—all of it, save Russia—and the control of the Atlantic coast, at any rate, of Europe, from the Arctic to Gibraltar; and, in addition to that, Germany and Italy together would have the control of the Mediterranean and the greater part of the Continent of Africa.

Mr. President, the simple question now arises: Are we capable of sitting here as representatives of a great country—we, as Senators, as custodians of the security of that country—are we capable of sitting here with money, and guns, and planes, and ships, in the light of the picture I have drawn—and it is not exaggerated—and saying, "We will build up our defenses here at home; we will bide our time; we will let the world wait; we will take the chance of being the victim of a totalitarian triumph in which the world will be divided amongst three nations, not one of which has ever cared for the rights of man?"

Mr. President, I do not think that Great Britain is equal to such a situation; but if I thought she were equal to it, I would not be willing for my country to hide itself behind the baggage, as the camp followers did in the days of Julius Caesar.

I think I have said enough of that. Great Britain's funds are exhausted. She has put up as magnificent a fight as Greeks or Romans ever put up. I agree with her Prime Minister that if England should live a thousand years the latest generation would say that these days of England were her finest days.

Mr. President, I am unwilling to take the chance. I am unwilling to refuse credit to Great Britain. I am unwilling to refuse to put weapons in her hands. I am unwilling for my country to paint that picture of herself for her children and all generations to see in time to come.

We come now to the second question. Suppose Great Britain should fall. What would be our situation? That is our question. We should then have over here a lone republic in a totalitarian world. I know there are republics to the south of us. I would not say anything that would offend any one of them, but they would be utterly dependent upon us. They know it, and we know it. I know that certain member nations of the commonwealth of nations, such as Canada, Newfoundland, and Nova Scotia, might survive. I could not give guaranties for Australia, New Zealand, and South Africa.

But with allowances made for the statements by way of exception, if England should lose in this war, if England should sink out of sight, if England should yield, your country and my country would be to all intents and purposes a lone republic in a totalitarian world. As I have said, Germany would be in control of Europe and the far Atlantic. Germany and Italy would be in control of the Mediterranean and of Africa, the gates of Gibraltar, and the gates of Suez. Japan would be in control of Asia, the western Pacific, and the South Seas. England would be under the heel of the conqueror, and her fleet heaven only knows where—probably where the French Fleet is, de-

feated, divided, or destroyed. In those events your country and my country would live and move and operate in this world, in which we have been so happy, so powerful, and so free, at the sufferance of Adolf Hitler. Our competition would be totalitarian competition, and every worker in America would be reduced to the level of the German workers. We should live and die, sleep and wake, never knowing when the totalitarian powers would proceed to take us, with a mightier fleet, a greater army, and equal wealth. In such circumstances, Mr. President, we should become not only an arsenal of democracy, but an armed camp; and the America that was, the America which our fathers knew, and the America which is ours today, would pass from the face of the earth.

Complaint has been made of the militarization of our land. Should England fall, what we have done so far would scarcely be the dot of an "i" compared to the necessity for militarization here. We should require a standing Army like that of Germany, or better. We should require a fleet equal to the Japanese Fleet, the German Fleet, the Italian Fleet, and such remnants of the French Fleet as would remain. The money cost would be immeasurable, but the cost to the life and the way of our Republic would be utterly unspeakable. Our standard of living would go in a moment.

Something has been said about dictatorship in the bill. The Senator from Texas [Mr. CONNALLY] very eloquently pointed out that the bill does not affect one right established in the Bill of Rights of our Constitution. But let the events to which I have referred occur—and they are well within view, well within reason. Let America find herself a lone Republic in a totalitarian world, and the question will not be one of maintaining rights. The question will be one of uniting this people in order to save them alive. They will be fighting for existence, and not for the great liberties to which this country was dedicated, and to which every man of us is so devoted. Under those circumstances totalitarian pressure would be absolutely intolerable, and the isolationists would have their way. That may be some comfort to them. We should be isolated indeed!

Mr. WHEELER. Mr. President, will the Senator yield?

The PRESIDENT pro tempore. Does the Senator from North Carolina yield to the Senator from Montana?

Mr. BAILEY. I asked that I be not interrupted, but I would not refuse to yield to my friend.

Mr. WHEELER. I assume that the Senator has changed his mind from the view which he took when the repeal of the arms embargo was under consideration, because if I correctly recall, at that time he stated that this was not our war, and that we should be the biggest fools in the world, or words to that effect, if we should get into it. Has the Senator changed his views?

Mr. BAILEY. I am glad my friend asked me that question. My mind has changed about this situation and against all the wishful thinking of which I was



capable. It has utterly changed, and the gravest facts have wrought that change. When the war first broke out I hoped and prayed to God that it would not be our war. When the war first broke out I was devoted to the Neutrality Act. I know now that I am advocating its repeal in part. I am now advocating intervention now; and I wish to say to the distinguished Senator, as Paul said in his famous trial:

I would to God that not only thou, but also all that hear me this day, were both almost and altogether such as I am, except these bonds.

Mr. WHEELER. Mr. President, if I understand the Senator correctly, he actually is advocating that we go to war?

Mr. BAILEY. I am not advocating that we go to war; I am advocating intervention. But do not misunderstand me, I am advocating intervention with all its implications. I am not hedging. All my life I have looked a thing in the face and argued it as it is.

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. BAILEY. I yield.

Mr. WHEELER. Of course, if I held the views the Senator has expressed, I would myself stand on the floor and say that the thing we ought to do is to declare war, and declare it now. Let me say to the Senator that I think it a cowardly thing to do, as some say, "Buy time at the expense of the English people." If this is our war, we ought to be in it. However, I do not agree that it is our war. I agree with what the Senator said in October 1939, that it is not our war. I still subscribe to that view.

Mr. BAILEY. I think a great deal of my friend. He has painted a curious picture of himself here, however. All the events since September 1939 have not changed his mind. I believe he is the only man in America who has not adjusted himself to the new circumstances that have developed since then. I admire him for the tenacity with which he holds to his views. However, I shall come to the point which the Senator made just now about declaring war.

To proceed with my argument for the present and to sum up the matter, to go on as we are now going is to invite the triumph of the totalitarian powers and all the consequences. I do not think we can get around that proposition. I said just now that America must choose. I think, in that matter, all Americans except the distinguished senior Senator from Montana have chosen. If I apprehend the meaning of the last campaign, if I apprehend the statements in the Democratic and the Republican platforms, if I apprehend what President Roosevelt said as a candidate and what his opponent said as an opposing candidate, if I apprehend what the distinguished Senator from Michigan [Mr. VANDENBERG] said yesterday, and if I apprehend the meaning of the amendment offered by the senior Senator from Ohio [Mr. TAFT] to this bill, the question of aid to England is no longer seriously challenged here or anywhere else. The American people, with every opportunity to decide and to protest, have given as-

surance that they desire that their country, for their sakes, shall resist the totalitarian powers with material aid to Britain and other nations.

It becomes me to say that in following this course we may not win. We cannot have any assurance of victory in the fortunes of war; but, on the other hand, in this course lies the only hope of escaping war, and our best hope of escaping what is worse—defeat in war!

Now, Mr. President, I come to the objections.

Some say what is proposed by the bill is intervention. It is. I think that is what my friend, the senior Senator from Montana [Mr. WHEELER] wished me to say. It is intervention. It is not neutrality. It is the reversal of the policy which we laid down in the Neutrality Act, and for which I stood here and spoke in great sincerity and in all earnestness. It is intervention. We may not regard it as war, and intervention is not necessarily war. There is a difference between intervening and being an armed belligerent. However, it is not to be denied that the totalitarians may regard it as an act of war.

What of it if they do? The totalitarian powers are not moved by provocation. Provocation means nothing to them. They will move without provocation just as quickly as with provocation; and they have done it over and over again. What provocation has Greece given? Italy is moving on Greece. What provocation did Holland or Denmark give? Or Norway?

It is my judgment about the totalitarian powers that they will fight this country when they think they can whip us, and not before. I do not look to them to say that this is an act of war, because it may not pay them to do so. Nevertheless, if we were as peaceful as lambs and as harmless as doves; if we were to appease them with everything we had, they would not hesitate to attack us. We stand in the way. Here is the American ideology. The thing that will destroy Hitler is the idea, not the Army, after all, and he knows it. The Hitler regime will never live in a world in which the flame of liberty is kept alight, and he will attack us because we believe in liberty, if for nothing else. So much for that.

I am hoping that intervention may not mean war, but I am ready if intervention does mean war. I take it I have answered the Senator. I am not holding back. I abhor the idea of war. I am not one of those who will hold out the flattering hope that we can fight a war of limited liability. I think it might be well for Mr. Hitler and Mr. Mussolini, and the war party in Japan to know that there is a country in the world left that will not stop short once the gage of battle is thrown down—not short of the last dollar and the last man.

Again the objectors to the measure say that it violates international law. I say Mr. Hitler would not say that to us. I do not think that Mussolini, who attacked Ethiopia in her poverty and helplessness, even Mussolini, would talk about international law. I do not have any regard for Hitler, but I do not believe Hitler would come over here and say that we

were violating international law; and I question whether we are.

International law is not derived from sovereignty; it has no sanction. International law is not laid down; international law is derived from contract, which makes all the difference in the world, because a contract rests upon mutuality. We owe no obligation of international law to international outlaws—none whatever. Paint the picture of Mr. Hitler coming over here and saying to the United States, "I invoke international law in my behalf; tie your hands with international law and let me have my way." No, it remains for the Senators of the United States to say that.

It is said that the passage of the bill will lead to war. I do not know whether it will or not. I think those who predict that it will lead to war are in a pretty safe position, because there is a great deal of probability that war is coming, either course we take, and, when it comes, those who say it will come on account of this proposed act will say, "Now, it has come on account of the act." Those who take the affirmative have to take the responsibility for events. The man who takes the opposition side is always in a fortunate position; he is not responsible for anything; he can always say, "I did not advocate it." I question whether the passage of the pending bill will lead to war, and I say its object is to head off war. We hope to enable England to win the fight with ships and men and planes, and, what is more, up to now it is a war which so far as England and Germany are concerned, is not dependent upon the foot soldier. I agree again that, in the last analysis, the foot soldier cannot be dispensed with; he cleans up and he occupies, but, so far, this is a war of air and of sea and a war of diplomacy and of morale.

It is a remarkable thing to me that, after all that tremendous attack in Europe last year, that triumphant attack, Mr. Hitler reported that the Germans had lost only 56,000 men. It is remarkable to me that, after the collapse in Belgium, and the Belgian Army of 500,000 men was surrounded, and the British, after a tremendous campaign, were driven into the sea at Dunkirk—it is remarkable to me that out of an army of 360,000 there were 300,000 of them on the shore who crossed back to their native land.

I seriously question whether anything will happen to require our soldiers in any foreign land or even here to form in battle array; but if anyone asks me if this bill is intervention, I shall answer that, in my honest judgment, it is intervention; if anyone asks me if Mr. Hitler and Mr. Mussolini, still blockaded, are going to declare war upon us, I shall say I do not know; but if anyone asks me what we will do when Japan and Germany declare war upon us, I shall tell them we will fight to the last man, to the last dollar, to the last drop of blood; and I think they ought to know it.

It is my judgment that, as to the threat of war, the only way to put that threat out of our way is to aid Great Britain with every dollar we can spare and every plane we can manufacture



and every warship we can spare also—I say “spare” consistent with our home defense—in order that she may stop the totalitarian powers in their tracks. If they shall be stopped, then we will not have to deal with them; if they shall not be stopped, we will deal with them of necessity, and at a great disadvantage—a lone republic in a totalitarian world!

I wish to pay a little attention to the analogy drawn by Dr. Hutchins, president of the University of Chicago, in the minority views. It is rather singular to me, coming from a scholar who says that if your house is afire—let me read it; I think I had better quote it exactly. Here it is:

But can we stay out?

This is Dr. Hutchins speaking—

We are told it is too late. The house is on fire. When the house is on fire you do not straighten the furniture and clean out the cellar, or ask yourself whether the house is as good a house as you would like. You put out the fire if you can.

Then he adds,

But the house is not on fire!

If the house of this world and the house of human liberty is not on fire, then I do not know anything about it. If my neighbor's house is on fire, I do not sit still and wait for his house to burn down and the fire to spread and destroy my house, if I have anything whatever in me, but I will go for my own sake, if not out of considerations of ordinary decency, to put out that fire.

Then one of the witnesses said—I do not think any Senator said it—that we ought to have a negotiated peace. Senators, I bring you the assurance that you can have peace, if that is what you want. You can have it, but it will be Mr. Hitler's peace; it will be a Nazi peace. All you have to do is to stand from under and let England down to a negotiated peace. It will be very delightful, will it not? We will have peace all right. France has peace right now; she is not fighting. It is a great peace in France. People in their graves have peace, also, I understand. Peace! What is peace? I imagine, my friends, that there is more peace in London tonight, under the German bombs, than there is in all the surrendered capitals of Europe, more peace in London under the German bombs than in Paris!

I do not want any Hitler peace. Do we suggest a negotiated peace? With whom do we tell Great Britain she must deal? To whom do we tell her to go? Go to Mr. Hitler and negotiate a peace with Mr. Hitler? That advice was given to us by a great flier, a master of aircraft, and a child in statecraft, a good man—I honor him—but think of it! What sort of peace was he cutting out for the world, for Great Britain, for us? Negotiate with Hitler.

Well, I think Mr. Chamberlain once negotiated a peace with Hitler—the peace of Munich. Poor man! He came all the way back to the British Parliament, his face aglow—“Peace in our time.” That was his peace. That was descent to hell; that is what that was. And will you tell me how long a peace with Mr. Hitler would last?

There is not a nation in Europe that would take Mr. Hitler's word. Mussolini does not. Stalin does not. Yugoslavia does not; and in view of Mr. Hitler's own record, I think he would be the first to laugh if any nation believed him. Mr. Hitler belongs to the ancient tribe of warriors of whom hostages were always demanded. He does not know anything about moral obligations. Read your campaigns of Caesar. When Julius Caesar dealt with the forebears of the Germans and conquered them and they came begging for peace and surrendered themselves to him, did he sign a pact with them? No; he took the children of their senators; he took the old men; he took the favorite sons; and said, “Now, you keep your word or there will be blood.” Hitler knows no law but force, no restraint but violence and fear.

Mr. Hitler has no sense of moral obligation; and I do not think it is necessary for me even to dwell on that subject. Did he keep his word with Poland? Did he respect the treaty of friendship of Norway? I suppose that in all the world's history there was never a more contemptible piece of treachery than was perpetrated against that unoffending land. Taking advantage of her comity and her hospitality, he infiltrated a friendly land with “fifth columnists” and Quislings. A peace with Hitler? It is a contradiction in terms. Negotiations with Hitler? It is a subject of ridicule. He does not negotiate. He sends to Yugoslavia and says, “Let me go through to attack Greece, or I will overrun you.” He says to Dollfus in Austria, “Do my will, or I will assassinate you.” He is saying to France today, “Bend the neck beneath my foot, do my will in Africa, or I will exterminate you with torture unspeakable.”

There are objections to the methods set up in the bill—not to the policy. I think most Senators are for the policy of aid, even if it does mean intervention. I do not know that it can be said that the aid provided in this bill is intervention and that the aid proposed by the Senator from Michigan [Mr. VANDENBERG] or the Senator from Ohio [Mr. TAFT] is not intervention. I think they are all in one class. For when a neutral nation alters its policy so as to aid one belligerent or injure the other—that is intervention.

It is said, however, that this bill must not be supported because it delegates to the President too much power.

The pending bill does not delegate to the President any legislative power. We have had quite a battle here about the delegation of legislative power, law-making power. This bill does not give the President any additional law-making power. He has none. What does it do? It enlarges the Chief Executive's constitutional defense powers and provides for their appropriate implementation.

Let us not forget, Mr. President, that this bill is not in the domain of economics, or even of civil policy. The bill is in the domain of the national defense. If I read the Constitution aright, the Congress provides for the national defense, but the President performs and executes the national defense. I do not think it is given to any board or any staff or any committee, and God forbid that it ever

shall be. When we get to running our national defense with a board or commission, school is out. The war is over. There is no defense. We cannot tie the hands of the Commander in Chief of the Army and Navy in a time like this and direct him to go ahead with the national defense; we cannot tie him up in red tape and hope that he will get anywhere.

But it is said that the bill will give the President dictatorial powers. Well, he will not be able to dictate to us any legislation. He may make recommendations, as he always has. He will not be able to dictate to us any appropriations. He may make recommendations on the subject, but he will not be able to put his hand in the Treasury unless the Congress consents. What decrees do we authorize the President to issue, if he is to be a dictator? Dictators proceed, making the law as they go and of their own will.

I raise the question, What sort of powers does the President of the United States have as Commander in Chief of the Army and Navy? I hesitate a little bit to use the word “dictatorial”; but read the Constitution. He has absolute powers, restrained only by his oath of office and the congressional hold upon the purse strings. Read it for yourselves. That is so of necessity, Mr. President. The Commander in Chief of the Army and Navy, conducting the national defense, would be in a bad fix if he had to run down to Congress every day or two to find out what he could do next. That is not the way nations are defended. I think our trouble here has been wholly that we have been arguing about powers given the President as if they were civil powers. They are defense powers. Read your Constitution. The President executes and performs the national defense. We provide the money; we make the appropriations.

What did Mr. Lincoln do? He called upon the Congress for 400,000 men and \$400,000,000. He got them, and he conducted a great war. He came to the Congress again and again. Nobody said he was a dictator. He was Commander in Chief of the Army and Navy, and he removed generals at will until he found the best one. Let us dwell a little bit on this matter of how we undertake to hamper the President of the United States, whoever he may be, as Commander in Chief of the Army and the Navy, as the executor and performer of the national defense.

With all due respect, the Senate cannot conduct a war, and I do not think it can manage an army or navy. Let me add to what the distinguished Senator from Texas said this morning about our executive powers, the statement that we operate the restaurant downstairs and the barber shop; and I believe that is the end of it. [Laughter.]

But there is something more to be said about this matter. On the unusual powers proposed to be granted we have imposed appropriate limitations. We have imposed time limitations; we have imposed money limitations. We have imposed purse limitations—and that is the great power of the Congress. We have imposed convoy limitations; we have imposed the power of the concurrent resolution, revocation of the whole



act—and I think that is constitutional, after careful study of it. We have imposed information limitations. We did all this with our "dictator." I think we are doing very well, Senators.

Here he was, elected a third time, having drunk deep of the strong wine of political victory—here he was in a great emergency, and we dared impose six great limitations upon him. Let me say now that when we get a dictator in this country, if I am a Senator, I am not going to undertake anything like that with a dictator. I know exactly that my head would fall into the basket.

I wish to say a word about this more seriously. The President might have insisted upon less by way of restraint. So far as I know, he has fallen in with these measures of restraint without protest, and quite freely. I will agree that he likes power; most men do. I will agree that perhaps he is greatly tempted now; he would be a very extraordinary man if he were not tempted under such circumstances. But I think he has accepted these restraints—and not resisted them in any way—because he very earnestly desires the indispensable national unity. I consider his attitude one of overture for unity. And I commend him for it.

Finally it is contended that Great Britain should state her objectives; that we should know what Great Britain means. We are not doing Great Britain any favor in this matter. We are defending ourselves, and we have no right to demand that she tell us anything. I am not advocating the enactment of the measure before us because I love England. I do not know that it could be said that I ever did. I am of the English breed, and the English inheritance; but I am a citizen of the United States and all my loyalty is to this country. I am not motivated by any sentimental consideration in this matter, even if the Magna Carta did come from England. I am motivated solely by the necessities of our national defense.

But if gentlemen desire to know England's objective, I think I can tell them now. England is fighting for her life, and that is enough for me to know. If she loses, I dare not undertake to measure what the loss will be to us. If she preserves her life, I do know that we will be spared much that is intolerable even to think of.

Then it is said we should state our objectives. My present objective is just this, to defend this blessed country to the extent of our capacity against all who would lay hands upon it, and most of all against those who would lay unholy hands upon it. My objective, the motivating impulse in my mind, is that we shall do our part, whatever it may be, to stay the progress of the Axis Powers as they undertake to divide the world amongst themselves, as they proceed openly, with the avowed purpose of erecting their power and their state above the rights of men everywhere, above the sanctities and the dignities of the human being; as they proceed on the theory that the state is all, that man is nothing; as they proceed to destroy the soul of civilization.

Mr. HILL obtained the floor.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. BARKLEY. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Ellender	Murdock
Aiken	George	Murray
Andrews	Gerry	Norris
Austin	Gillette	Nye
Bailey	Glass	O'Mahoney
Ball	Green	Overton
Bankhead	Guffey	Pepper
Barbour	Gurney	Radcliffe
Barkley	Harrison	Reynolds
Bilbo	Hatch	Russell
Bone	Hayden	Schwartz
Brewster	Herring	Sheppard
Bridges	Hill	Shipstead
Brooks	Holman	Smathers
Brown	Hughes	Stewart
Bulow	Johnson, Calif.	Taft
Bunker	Johnson, Colo.	Thomas, Idaho
Burton	Kilgore	Thomas, Utah
Byrd	La Follette	Tobey
Byrnes	Langer	Truman
Capper	Lee	Tunnell
Caraway	Lodge	Tydings
Chandler	Lucas	Vandenberg
Chavez	McCarran	Van Nuys
Clark, Idaho	McFarland	Wallgren
Clark, Mo.	McKellar	Walsh
Connally	McNary	Wheeler
Danaher	Maloney	White
Davis	Mead	Wiley
Downey	Miller	Willis

The PRESIDENT pro tempore. Ninety Senators having answered to their names, a quorum is present.

Mr. HILL. Mr. President, in one democracy after another, at the time when their defenses were crumbling before the Nazi onslaught, the people have cried out in anguish and in despair, "Why were we not told these things before it was too late? Why did we not know them in time to take the necessary action?" This has occurred nine different times. It happened in Austria, in Czechoslovakia, in Poland, in Norway, in Denmark, in Holland, in Belgium, in France, and in Britain.

Long ago it was written, "Where there is no vision the people perish." There are people in the United States today who either do not see or will not see. They talk about war in Europe and in the Orient as if we in the United States enjoy an absolute freedom of choice as to whether we will become involved. They proclaim that we are secure in our continent and that our country is free from any entangling alliances and should remain so.

George Washington in his Farewell Address warned us against permanent alliances but admonished us that there might be times when a temporary alliance would be to our interest. He did not hesitate to enter into such an alliance with the French in order that America might gain victory and win her independence in the Revolutionary War.

It was Thomas Jefferson who gave us the oft-quoted phrase "no entangling alliances," and yet we find that Thomas Jefferson, in 1914, declared, "It cannot be to our interest that all Europe shall be reduced to a single monarchy even should military intervention be necessary to prevent it." We recall that these words were written by Thomas Jefferson when Na-

poleon Bonaparte was bestriding Europe like a colossus, and although Jefferson was by far the greatest pacifist of all the founding fathers, he tells us that we had better engage in a military intervention in Europe than have Europe under the domination of a single power.

Napoleon Bonaparte sought the domination of Europe, and in all his 17 years of conquest he was not able to fire a single gun anywhere in all the British Isles. Adolf Hitler seeks not alone the domination of Europe but the domination of the entire world, and is able to send at will his bombers and attack planes to any point in the British Isles. Hitler has declared:

Can a dynamic revolution stop at a sharing of the world? Must not the struggle continue until the final world dominion of a single nation? At the back of Germany's continental empire stands the will of absolute dominion of the world, the technical means of which are no longer lacking, as hitherto.

Hitler proclaims the Germans as the master race of the world, dominating the world with all other races subservient to the Germans, and Hitler knows that modern technology has given him means and instrumentalities for conquest such as no other conqueror ever even dreamed of. The captive Marshal of Vichy, poor Petain, confirms the thought of Hitler of German mastery when, a few days ago, he declared that the French people must return to their peasant and agricultural character.

We are witnessing today the greatest naval war of all time. Adolf Hitler struggles to control the seas, for unless he controls them and is able to bring the necessary raw materials to Europe he will be strangled in the end, and until he controls the highways of the oceans he cannot hope to control the world.

North America has been invaded three times: In the Revolutionary War, in the War of 1812, when we witnessed the shame and humiliation of the burning of the National Capitol and the White House, and in 1859, when Napoleon III invaded and conquered Mexico. Each time the British Navy was either against us or, as in 1859, did not stand with us. As long as the British Navy, holding the gateways to the Atlantic, has stood with us there has been no invasion and no danger of invasion of our continent.

If, however, Britain goes down and the British Navy goes down with her, the United States Navy will be greatly inferior to the combined navies of the Axis Powers, and our shipbuilding capacity will be only about one-seventh of the capacity of the Axis Powers. The United States will find itself within the jaws of a gigantic pincers movement. One jaw will be in Japan and the other in the world-conquering Germany, while South America will be the handle through which the pressure will be applied to us. This pressure may easily take three forms—military, economic, and political.

From a military standpoint it is closer from Dakar on the West Coast of Africa to Brazil than it is from San Francisco to Honolulu; and it is easier for the United States Navy to fulfill a mission in far-off Manila than it would be for our



Navy to operate successfully in the 1,500 miles of water south of the bulge of Brazil.

We are told that we need not be concerned about our Navy being inferior to that of the Axis Powers because air power will make up the deficiency; but we are also told by the same authority that this air power must have essential overseas bases in South America. And yet those overseas bases cannot be held and supplied unless we have command of the seas. There are no overland connections, no railroads or motor highways from the United States to the South American continent by which we can reach these essential bases. Without command of the seas there is no way whereby we can hold and supply and operate the South American bases. As Mr. Walter Lippmann so well says—

If Britain, fighting for her life and fighting alone, can do what she has done in the eastern Mediterranean what could the German air force do if Hitler were the undisputed master of Europe and on the sea supreme with his Japanese ally, with his Italian ally, with all the ships and shipyards of Britain, France, and Europe? If Britain can control the seas and dominate the air thousands of miles from London just how would the one-ocean Navy of the United States hold those South American air bases which are essential?

South America's main products are oil, copper, cotton, beef, wool, hides, wheat, corn, and coffee. Of these products the only one for which the United States has any need is coffee. On the contrary every year Europe purchases South American products in the amount of \$2,500,000,000. Europe in fact provides a market for between 70 percent and 90 percent of the exports of most of the South American countries. The United States has no market for these products unless they are to be brought here in competition with our domestic products, and we well recall the howl that went up about a year ago when the Navy proposed to buy a little Argentine beef.

Foreign-trade figures disclose that practically all needs of a German-European empire could be met outside the United States. In fact, with the single exception of tobacco, there is not a product that such an empire could not obtain in sufficient quantity elsewhere than in the United States.

I do not believe that the United States can remain free and that her people can retain their free way of life if our country is forced to live in an economic orbit with a German-European empire. Under such an empire there would be only two places with which to do business. One place would be Berlin, the other Tokyo. In competition with a population three times our own; with cheap, if not slave, labor; with controlled prices; with no monetary exchange; with subsidized exports; with technology highly developed and industrial capacity far in excess of our own; with cut-throat German barter methods; with a German system of trade under which blackmail is levied by the strong against the weak, the United States would be forced to such regimentation of its national life that the liberty of its people would be only a memory. The social gains of the

past would be lost, the burden of armaments would be staggering, and our efforts to raise our standard of living would be supplanted by the necessity of raising our standard of armaments.

There are already so many Germans in South America that it is said that if Britain goes down Hitler can take some of the South American countries by telephone. If Britain goes down, South American ports will be crowded with German ships. Nazi commercial, technical, and eventually military advisers will be in every South American republic. To keep in the good graces of the Nazi representatives will be a necessity for every South American government, and the end will be a series of Nazi States south of the Rio Grande. This means German control, and German control means German military and air bases. German bases in South America mean a Damoclean sword over the heads of the people of the United States. To keep this sword dripping with the blood of European peoples out of our hemisphere and yet, if possible, remain out of war ourselves, is the transcendent challenge to every American citizen at this hour.

As long as Britain survives and the British Navy continues to hold the gateways of the Atlantic, the Nazi powers cannot come to this hemisphere; but Britain will have to stop fighting unless the United States sends her supplies and equipment of all kinds in increased quantities. Britain's own factories plus those of the empire and the rest of the non-Axis world are not a match for Germany's. To send supplies and to send them as quickly as possible is the wise, the urgent, the American thing to do. It is the thing that self-interest, self-defense, and self-preservation demand. To this end the pending lend-lease bill should be passed at once.

It is suggested that instead of passing the bill we simply give Britain some cash money with which to purchase supplies. Some have suggested that we give Britain \$2,000,000,000. It is strange how some persons seem to think that money is the cure for all problems. Those who make such a suggestion say that they are for aid for Britain. I wonder what kind of aid they are for. Simply to give aid without giving sufficient aid to meet the compulsion of the hour would be disastrous and would prove worse than no aid at all. We must give whatever aid may be required to enable Britain to win the last battle of the war and to rid the world of the Nazi tyrants.

Mr. Fritz Sternberg, in his challenging volume *Fivefold Aid to Britain*, tells us that German military expenditures at this time are at the rate of about \$2,000,000,000 a month, and that Britain's military expenditures at this time are at the rate of about \$1,250,000,000 a month. If these figures be even approximately correct, then those who talk of a \$2,000,000,000 gift to Britain either do not want to give Britain any real and effective aid or else they are woefully lacking in any knowledge of the needs of the situation.

But, Mr. President, all the cash money in the United States cannot by itself do the job. The passage of the pending bill

can and will do at least the immediate job, for it will create order out of the disorder which has existed for nearly 2 years in the manufacture of munitions in our country. By giving us a single purchasing agent, the Government of the United States, it will put an end to the confusion which has resulted from a dozen different purchasing missions, all competing with each other and all trying to buy arms in our markets—a confusion that has produced delay and interfered with America's preparedness. To pass the bill and end this confusion will give us efficiency, economy, and, best of all, speed in our production.

The passage of the bill will bring about the much-needed coordination of British and American specifications and contracts and the determination of priorities as between Britain and the United States, as between the Army and the Navy, at the moment when relative needs can best be determined, and that is the moment of delivery of the goods rather than the moment, perhaps months ahead, when the orders are placed.

The passage of the bill insures that the distribution of all American-made weapons will be in the hands of men whose sole interest is the security of the United States. It will immediately stiffen the British morale to meet the Nazi onslaught. It will bolster the opposition to Hitler throughout Europe, including the conquered countries. Every riot, every uncertainty in Europe, is a drain on Hitler's military strength. On the military side, the passage of the bill will enable the British to reapportion their strength, to put into action more of their first-line strength, especially in the air, with the confidence that their equipment will be replaced.

Most important of all, the passage of the bill will enable Britain to fight on and give us the time, the precious time, so necessary for building our ships, our airplanes, our tanks and guns, our bases, and other means of defense. It will be from 4 to 5 years before we can have our two-ocean navy, and it will be at least from a year to a year and a half before we can have anything like an adequate air force or an adequate army.

If the bill passes, and Britain survives the crisis of the coming spring and summer, the probability of the defeat and disintegration of the Axis Powers will be strong, indeed. Without sea power, and with control of the air against them, the armies of the Axis Powers cannot indefinitely hold even the European Continent in subjection. Sooner or later the inevitable reaction against Nazi slavery and Nazi barbarism will come, and with it the downfall of the Nazi tyrants.

There are those who talk as if there were something new or unusual or unprecedented about a connection between Britain and the United States. The truth is that the connection between Britain and the United States has been a continuing development since the defeat of the Spanish Armada at the end of the sixteenth century gave to English-speaking people control of the North American region. Since that time, English-speaking peoples on both sides of the North Atlantic have in the end always stood



together to keep other military powers out of this region and to defend it against the entrance of any other military power. It was to this end that the wars were fought which are known in our history books as King William's War, Queen Anne's War, King George's War, the French and Indian wars, and the quasi-war with France.

As Mr. Walter Lippmann tells us:

What we see today is what the British and the Americans have always in the end been compelled to see—that both must survive and be strong or neither can be truly secure and independent. When the British and the Americans have seen this truth clearly, both have profited immensely; when they have lost sight of it temporarily, they have suffered seriously. They saw the truth clearly in the first phase of Napoleon and we obtained Louisiana. They saw it clearly in the Caning-Rush negotiations; the Monroe Doctrine was promulgated and Latin-America was guaranteed its independence. The British did not see it clearly in 1859, and Louis Napoleon was permitted to invade Mexico. They did not at first see it clearly during our Civil War and the British ruling class very nearly connived at the destruction of the Union. They saw it clearly in 1898 and stood between us and the intervention of Germany on the side of Spain. In 1917, but only when the situation was grave, we saw that the survival of Britain was an American interest. In 1941 once more, but again slowly, dimly, and tardily, we see that the survival of Britain is an American interest. The testimony of experience is more revealing than abstract theorizing, private wishing, and ancestral prejudice; that testimony is conclusive that the North Atlantic Ocean joins the British Isles and North America in one inseparable system of security.

But, Mr. President, it is said—and the assertion has been carried to the four corners of the Nation—that the bill would make the President of the United States a dictator. How absurd; how ridiculous is such a statement. The cry of dictatorship is the same old cry that we have heard time and again from Washington's day, through Lincoln's time, to this good hour. We heard it from one end of the country to the other in opposition to the Roosevelt reorganization bill. That bill was passed less than 2 years ago, and yet how many today even remember that there ever was such a bill?

There is but one lawful way to have a dictator in this country, and that is to repeal the Constitution of the United States. Is there anyone who would seriously contend that this bill would repeal that document? When the bill passes, the structure and the machinery of our Government, resting upon the sacred tripod of legislative, executive, and judicial power, will be exactly what they are today. When the bill passes, the Congress will continue to function and to exercise its full powers under the Constitution just as it exercises them today. The Congress exercises extraordinary power in writing the policies and purposes embodied in the bill into law, and, since the Congress cannot execute or administer the law, so it does what has to be done and what always has had to be done under our constitutional system: it gives the Chief Executive the power to execute and administer the law so as to carry out the policies and purposes of the Congress.

When the bill passes, every citizen in our broad land will enjoy exactly the same civil rights, exactly the same personal rights of liberty and of freedom and exactly the same rights of property that he enjoys today and every court in the land from the Supreme Court of the United States to the lowest court will be clothed with the same power they are clothed with today to protect the citizen in the enjoyment of those rights.

Mr. President, in the beginning of our history John Marshall declared that the President is the sole organ of the Nation in its external relations, and its sole representative with foreign nations. The Supreme Court of the United States once again in 1936 affirmed the decision of John Marshall. It is true that the pending bill does add to the power of the President. It adds to his power to coordinate and strengthen the means and instrumentalities of our defense and to make more secure our defense, but it adds nothing to the power he already possesses that might lead us into war. Without the passage of the pending bill, without any act of Congress whatever, the President of the United States, under the Constitution of the United States, is the Commander in Chief of the Army and the Navy, and as such Commander in Chief, without consulting Congress or anyone else, if the President wished to take this country into war he could send the Army and Navy straight into the war zone.

President Jefferson sent warships into the Mediterranean against the Barbary States without any authority from Congress. President Polk ordered the Army to fight the Battles of Palo Alto and of Resaca de la Palma before the passage by Congress of an act recognizing a state of war to exist between Mexico and the United States. President Lincoln proclaimed the blockade of the Confederacy without one word from Congress. President Wilson twice invaded Mexico, once by land and once by sea, without a declaration of war, and many other Presidents have, without congressional authority or consent, used the Navy and the marines in South America and in the Far East for war-like acts.

The President has told us that he will keep our boys at home and that, above all else, he seeks to keep our country out of war. It is to this end that he seeks the passage of the pending bill. It is to this end that I support and urge the passage of the bill, for the bill gives us our best and surest hope that Britain and the British Navy will survive, and that we will have the necessary time to make America strong and to keep America free.

Hitler has called us the decadent democracy of the West. As has been well said, he has built his world picture and his world ambitions on the conviction that something which was once great in France and England and America has come to an end. England has proved that for one country at least that conviction is wrong. The people of America will prove that conviction wrong as to them.

The people of America have the vision to see that when Germany dismantled

Czechoslovakia it struck down a bastion of Britain, and that if Germany defeats Britain it will destroy an outpost of American safety. They have the wisdom to understand that no war is foreign if it affects the vital interests of the United States. They have the intelligence to know that appeasement settles no question and only invites one surrender after another. They have too much pride in their sense of right, of justice, and of decency to encourage or be a party to a peace dictated by Adolf Hitler.

The American people love liberty too well and revere freedom too much not to be ready to make all sacrifices, to do all things necessary to keep Adolf Hitler out of the western world. The American people know that to do less is to forget Yorktown and Gettysburg and to start fighting for our existence as a free nation all over again. The American people will prove that America is still great, and that they are still worthy of the heritage won for them by Washington and preserved for them by the sacrifices and the blood of our patriots.

The PRESIDENT pro tempore. The Chair understands that an order was made that committee amendments shall be first considered.

Mr. BARKLEY. That is correct.

The PRESIDENT pro tempore. The first committee amendment has been stated.

Mr. McNARY. Mr. President, may I ask the able Senator from Kentucky if this concludes the program for today so far as speeches are concerned?

Mr. BARKLEY. Yes; so far as I am concerned. I have conferred with Members on both sides, and I thought we could dispose of the three committee amendments before adjourning today.

Mr. McNARY. That may be; but I should feel much happier if we had a quorum present.

Mr. BARKLEY. I have no objection to securing a quorum.

Mr. McNARY. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Ellender	Murdock
Alken	George	Murray
Andrews	Gerry	Norris
Austin	Gillette	Nye
Bailey	Glass	O'Mahoney
Ball	Green	Overton
Bankhead	Guffey	Pepper
Barbour	Gurney	Radcliffe
Barkley	Harrison	Reynolds
Bilbo	Hatch	Russell
Bone	Hayden	Schwartz
Brewster	Herring	Sheppard
Bridges	Hill	Shipstead
Brooks	Holman	Smathers
Brown	Hughes	Stewart
Bulow	Johnson, Calif.	Taft
Bunker	Johnson, Colo.	Thomas, Idaho
Burton	Kilgore	Thomas, Utah
Byrd	La Follette	Tobey
Byrnes	Langer	Truman
Capper	Lee	Tunnell
Caraway	Lodge	Tydings
Chandler	Lucas	Vandenberg
Chavez	McCarran	Van Nuys
Clark, Idaho	McFarland	Wallgren
Clark, Mo.	McKellar	Walsh
Connally	McNary	Wheeler
Danaher	Maloney	White
Davis	Mead	Wiley
Downey	Miller	Willis



The PRESIDENT pro tempore. Ninety Senators having answered to their names, a quorum is present.

The question is on agreeing to the first amendment of the Committee on Foreign Relations.

Mr. VANDENBERG. What is the amendment?

The PRESIDENT pro tempore. The amendment will be stated.

The CHIEF CLERK. In section 3, page 2, line 16, after the word "defense", it is proposed to insert "to the extent to which funds are made available or contracts are from time to time authorized by Congress", so as to read:

Sec. 3. (a) Notwithstanding the provisions of any other law, the President may, from time to time, when he deems it in the interest of national defense, to the extent to which funds are made available or contracts are from time to time authorized by Congress, authorize the Secretary of War, the Secretary of the Navy, or the head of any other department or agency of the Government—

And so forth.

Mr. BYRNES. The amendment to be acted on is the first amendment of the committee, I understand, which appears on page 2, line 16. The amendment, which was adopted by unanimous vote of the committee, as I recall, has for its purpose a limitation upon the amount of money which could be spent hereafter for any of the defense articles provided for in the bill. The purpose of the language was to require that the President submit to the Congress an estimate for an appropriation of the amount of money desired for the purchase of defense articles. The report of the committee declares that it was not intended to apply to defense articles now on hand, or those which might be secured by reason of the expenditure of funds already appropriated by the Congress.

I ask that instead of the amendment now printed in the bill the Senate consider the amendment which I send to the desk.

The PRESIDENT pro tempore. The clerk will state the proposed amendment to the committee amendment.

The CHIEF CLERK. In lieu of the language now in the bill—

Mr. WHEELER. Mr. President, before that is submitted, let me say that there are many Senators who are interested in the amendments who certainly did not understand that they were to be taken up tonight. The general understanding, at least among those on our side, was that the amendments were not to be taken up until after the general debate was out of the way. I suggest that there is being submitted, at this late hour of the day, a complete rewriting of an amendment.

Mr. BYRNES. I may say to the Senator that it is not a complete rewriting; it is an amendment proposing the insertion of the words "or both" at the end of the committee amendment, in order to make sure that the limitation shall apply to contracts and appropriations. I am sure the Senator from Montana, and others who hold his views, will be in accord with the amendment.

Mr. WHEELER. As the Senator explains it, I am quite sure that that is an

accurate statement. The only point is that there are some Senators not now present who may be interested in it, and I do not wish to agree to the amendment unless they can later present an amendment to the amendment if they desire.

Mr. BYRNES. I should be entirely of the opinion of the Senator, that if any Senator desired to move to reconsider and offer an amendment to the amendment, he should be allowed to do so.

Mr. CLARK of Missouri. Mr. President, will the Senator from South Carolina yield?

Mr. BYRNES. I yield.

Mr. CLARK of Missouri. It seems to me the objection of the Senator from Montana goes to the question of taking up the committee amendments this afternoon at all.

Mr. WHEELER. That is correct.

Mr. CLARK of Missouri. The Senator from South Carolina was kind enough to submit to me the two amendments which he wishes to propose, and I do not think there is anyone on either side of the whole proposition who would not agree that the two amendments to be proposed by the Senator from South Carolina to the committee amendment, if they have any effect at all, improve the committee amendment. As I understand, the Senator from Montana is objecting to taking up the committee amendments this afternoon at all—

Mr. WHEELER. That is correct.

Mr. CLARK of Missouri. Due to the absence of certain Senators who were not informed that the committee amendments would be taken up this afternoon.

Mr. WHEELER. Yes. I should prefer that they not be taken up. I appreciate the fact that I cannot prevent their being taken up, unless I should wish to talk upon extraneous matters, when I do not desire to do so, but if they are to be taken up, they should be taken up only with the understanding that they may be reconsidered if any Senator desires to offer an amendment to either of the amendments, so that the opportunity will not be precluded. There are Senators on our side who are opposed to the bill in general, or who desire to offer amendments, who did not understand that the committee amendments would be taken up at this time.

Mr. BYRNES. I have no objection to the understanding suggested.

Mr. BARKLEY. Mr. President—

Mr. BYRNES. I yield to the Senator from Kentucky.

Mr. BARKLEY. There is no objection to the course suggested. We are not trying to preclude any Senator from the right to offer amendments, and if any Senator desires that the amendments shall be reopened later, we shall have no objection.

On the question of taking up the amendments, however, I wish to say that the Senator from Montana and the Senator from Missouri and others opposing the measure, and some of us on this side, tried to arrange a program by which the debate would be carried on in an orderly way, by the proponents of the bill taking the time on Monday, and the opponents of the bill occupying the time Tuesday.

Yesterday afternoon, when it looked as if we might run out of speakers earlier than we should adjourn, I spoke to the Senator from Missouri and the Senator from Montana with the suggestion that, if that happened, we could take up the committee amendments, and not delay, and not have to adjourn earlier than we should, because I could conceive of no objection to the amendments. I made the same suggestion today, and I understood the Senator from Missouri to agree that we could pursue that course, and that the Senator from Montana agreed to that.

I think it will take but a few minutes to dispose of the amendments; and if later on any Senator desires to reopen either of them for the purpose of offering an amendment, there certainly will be no objection to that course.

Mr. WHEELER. I thank the Senator very much. I am sure there is no intention on the part of the Senator from Kentucky to shut off anyone.

Mr. BARKLEY. No; and I am not taking snap judgment on anyone; but I feel there is yet some time today in which we might dispose of these amendments.

Mr. CLARK of Missouri. If the Senator from South Carolina will yield to me, I should like to say that it seems to me the committee amendments are so innocuous and so completely without effect on the general purposes and purport of the bill, that I cannot conceive of anyone seriously opposing them, or of any amendment which would make them effective to improve the bill.

Mr. BYRNES. With that statement, I understand no one has any objection.

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. BYRNES. I yield.

Mr. WHEELER. If the Senator will pardon an interruption, there is no disposition on the part of anyone on our side to filibuster the bill in the slightest degree.

As the proponents of the bill know, Senators are a good deal like lawyers when trying lawsuits. Often a lawyer does not prepare his case until 2 or 3 days before it goes to trial.

The opposition is now called upon to speak. We are going to do the very best we can to have Senators who wish to speak against the bill have their speeches ready; but I do not think the Senate should be compelled to stay in session for long hours during the day. I do not think Senators should be forced into the position of speaking when they are not prepared. If a Senator is not prepared to speak today, he should be given another day to prepare.

Mr. President, if there were a disposition on the part of the opposition to filibuster on the bill, if there were an attempt to do so, then I would say that the proponents would be entirely justified in trying to hold night sessions. But under the conditions that exist I believe the Senate will save time in the long run if we adjourn a little earlier, and give Senators who wish to speak an opportunity to prepare their speeches. I am sure that all the speeches of Senators who wish to speak on the bill generally, will



be concluded not later than the middle of next week.

If we remain in session one or two days longer we shall not jeopardize the bill. We shall not jeopardize the defenses of the United States, nor jeopardize England, if Senators talk a day or so longer.

Bearing those things in mind, I hope that our leader, who I am sure wants to be fair in this matter, will assist those of us who are trying to help in getting ready the speeches of those who are opposed to the measure. I hope the leader will assist us by letting us have a little more time.

Mr. President, my friend, the leader, knows that it is extremely difficult at times to get Senators to be ready at the proper time. We do not want to be driven, and if we are it will result in forcing some of us to delay in other ways, and that we do not want to do. We wish to talk about the bill, and confine the talk at all times to the merits of the bill, and not to indulge in extraneous matters, but we may be compelled to do so if any action is taken to force us into long hours of debate.

Mr. BARKLEY. Mr. President, I do not wish to take the time of the Senator from South Carolina—

Mr. BYRNES. I yield to the Senator from Kentucky.

Mr. BARKLEY. In the first place, we have all been quite reasonable in our attitude toward one another. We have been meeting at 12 and adjourning, except on one day, at 5 o'clock. One day we were in session until 5:30. I think all Senators, on both sides of this question, will agree that when we have up for discussion a measure so important as this, the Senate ought not to adjourn at 4 o'clock, and suspend consideration of the measure.

There has been no suggestion that anyone thought of a filibuster. I will say to the Senator from Montana, I have never, in anything I have said or even thought, entertained the idea that anyone was trying to filibuster or delay consideration of the bill. I do not want to compel the Senate, and unless a majority is willing, I cannot compel the Senate to stay here until we have done a reasonable day's work.

The very thing I was trying to do this afternoon was to forego the necessity of holding another session on some other day, by disposing of the three committee amendments, to which it seems to me there is no opposition. I can say to the Senator from Montana that upon the conclusion of the consideration of these three amendments it is my purpose to move that the Senate take a recess until 12 o'clock noon tomorrow.

So far as the debate is concerned, I think I ought to say to the Senator from Montana that this is the only measure of any great importance, aside from the legislation increasing the debt limitation, which was passed in 2 or 3 hours, and an appropriation measure or two, that has been before this session of Congress. The committees are not busy. We have no other legislation on the calendar. This measure is all we have to work on until it is disposed of. Every Senator, regardless of the side he occu-

pies on this question, has known for weeks that this bill was coming up. The committee held hearings for nearly 3 weeks, and most Senators have known whether they were going to be against the bill or for the bill, and whether they intended to speak.

I realize the truth of what the Senator from Montana has said, that it is difficult to goad Senators to have their speeches ready in time, but, with no other bill before the Senate and no other bill in the mind of the people of the country that even approaches this one in importance, regardless of the opinion anyone has of it, it seems to me Senators who intend to speak—and I am not attempting to lecture any of them—ought to get their speeches ready, and not compel the Senate to adjourn in the middle of the afternoon in order for some Senator to have another day in which to prepare his speech, and that has not been done.

Those who have not yet spoken, if I may say so, have had as much time, and the same opportunity to prepare their speeches, as those who have spoken, and the fact that they have not spoken has given them a little more time in which to prepare themselves than those who have spoken heretofore.

So far as I know there will be only one or two more of what may be called set speeches on the side of the proponents of this measure. I have no way of knowing how many there may be in opposition. But I hope that we may continue, as we have up to now, and cooperate in the friendliest spirit, without any Senator even suspecting that someone is trying to force him to do something that is unreasonable or unfair.

I do not want the Senator from Montana or any other Senator to assume, merely because I am trying to have three committee amendments disposed of now, because no Senator is ready to speak, and we might save that much time and give Senators more time in which to prepare, that we are trying to suggest or even think of any program that would force any Senator to do an unreasonable thing.

Mr. WHEELER. I thank the Senator from Kentucky, but, if I may, with the permission of the Senator from South Carolina, I wish to say one more word. The Senator from Kentucky calls attention to the fact that the bill has been before the Congress for some time, and that is true. On the other hand, there are Members of the Senate who are not on the Foreign Relations Committee. A great deal of testimony was taken before the House committee and before the Senate committee, and, strange as it may seem, some Members of the Senate with whom I have talked, and who want to make speeches, have told me that they wanted an opportunity to read the testimony. It can readily be understood that when the Senate is in session from 12 o'clock until 5 it is difficult, after a strenuous session, to go home and read the testimony and prepare a speech.

Mr. President, this is one of the most important measures that has been before the Congress of the United States in my 18 years in the Senate. I think it is a measure which ought to have the best

thought of the Members of the Senate, and I think Senators should be accorded some consideration in preparing their speeches, and that no attempt should be made to try to force them to make speeches before they are thoroughly prepared.

Mr. ADAMS. Mr. President, will the Senator from South Carolina yield to me for just a moment?

Mr. BYRNES. I yield.

Mr. ADAMS. I hope the Senator from Kentucky will at least make an exception of one committee when he says that the committees of the Senate are not working. I happen to be on a committee that held one session this morning and another this afternoon. We had sessions yesterday. Today we have reported, and there is on the table the deficiency appropriation bill covering relief. So there has been some industry and some occupation on the part of members of that committee.

I wish to add one other word, if I may, and that is that I feel personally somewhat like a maverick here. I have heard the statement that speeches have been made and are to be made on both sides by those who are for and by those who are against the measure. There is at least one Member of the Senate whose mind is not made up on this bill. I happen to be that one. I have been eager to obtain the advice and receive the enlightenment which comes from the debate on the measure. Perhaps I am the only Senator who does not know what his position will be, but when the Senator says "both sides," and when he speaks of those who are proponents and those who are opponents, I want him to know that there is one Senator who is honestly trying to make up his mind how to vote for the welfare of his country.

Mr. BARKLEY. I did not say that every Senator knows how he expects to vote. What I said, or what I thought I said, was that most Senators who intend to speak on the bill know on what side they intend to speak.

Mr. ADAMS. When I shall have been definitely persuaded by one group or the other I may wish to add a word or two to that side, once I shall have been chosen on that team or enlisted on that side.

Mr. BARKLEY. I am sure we are all anxious to hear what the Senator from Colorado may have to say.

I wish to make an exception of the Appropriations Committee. It is always busy. What I meant was that in the main the major legislative committees are not now very busy, and Senators can devote themselves to the bill.

The PRESIDENT pro tempore. The amendment in the nature of a substitute offered by the Senator from South Carolina [Mr. BYRNES] for the first amendment reported by the committee will be stated.

The CHIEF CLERK. On page 2, in lines 16 to 18, both inclusive, it is proposed to strike out the language proposed to be inserted by the committee amendment; in line 22, after the word "procure", to insert "to the extent to which funds are made available therefor, or contracts are authorized from time to time by the



Congress, or both"; and on page 3, line 12, after the word "order", to insert ", to the extent to which funds are made available therefor, or contracts are authorized from time to time by the Congress, or both."

The PRESIDENT pro tempore. Without objection—

Mr. VANDENBERG. Mr. President, it will be fairly easily done, but not quite that easily.

The PRESIDENT pro tempore. The Chair thought the Senator was in complete agreement with what has been suggested.

Mr. VANDENBERG. I am sure the Chair thought so.

I wish to ask the distinguished Senator from South Carolina for an interpretation. As I understand the substitute amendment as offered, it applies only to subparagraph (1) and subparagraph (3) of section 3, and does not apply to subparagraph (2), whereas as reported by the committee the limitation would apply to all subparagraphs. Is that correct?

Mr. BYRNES. Mr. President, that was the cause of the discussion at the conclusion of the committee meeting. There was a difference of opinion, and the report of the committee, as submitted by the Senator from Georgia [Mr. GEORGE] declared that it was the intention that the amendment should not apply to subparagraph (2), the limitation in subparagraph (2) being \$1,300,000,000. among the draftsmen as to whether or not the limitation so applied, and in order to carry out the purpose of the committee the substitute is offered.

There was also a question as to whether or not, in the form in which the amendment was originally offered, it would apply to the repairs authorized by subparagraph (3). The substitute is offered to make certain that any amount spent for repairs shall likewise be limited to the appropriations hereafter made by the Congress, or contracts hereafter authorized.

Mr. VANDENBERG. If the amendment should stand as originally reported, is it not a fact that the President would not have authority to sell, transfer, exchange, lease, or otherwise dispose of any of the articles of defense—assuming that any such transaction would be a matter of contract—without a specific authorization by Congress? In other words, if he should desire to dispose of 50 more destroyers in a contract, he would have to bring that contract back to Congress for authorization. Would not that be the effect if the original language applies to subparagraph 2?

Mr. BYRNES. As I say, that argument has been made. It was urged on the other hand that the limitation of \$1,300,000,000, which was adopted by the House and agreed to by the Foreign Relations Committee of the Senate, applied to all defense articles on hand, or which could be purchased out of appropriations heretofore made. That is my view. However, there was discussion as to whether or not there would be a conflict between the limitation of \$1,300,000,000, as to articles on hand and the limitation as to new appropriations, notwithstanding the declaration in the report of the majority of the committee that the

amendment in section 3 (a) had no reference to defense articles already on hand. Instead of leaving the matter to interpretations to be placed upon the report of the committee, I deem it wise that the Congress should say in the bill itself, and not in a report, what is the intent of the Congress.

Mr. VANDENBERG. Mr. President, I completely agree with the able Senator from South Carolina that the bill ought to say what is meant, and, if there is any doubt about it the matter ought to be clarified. However, I think there is a distinct issue drawn between the substitute offered by the able Senator from South Carolina and the amendment reported by the committee. It seems to me perfectly obvious that the amendment reported by the committee would not permit the President to sell, transfer, exchange, lease, lend, or otherwise dispose of any of the articles of defense by contract unless the contract were authorized by Congress. I am now speaking about equipment on hand within the limitation of \$1,300,000,000.

If I correctly understand the bill as reported by the committee, the President may dispose of \$1,300,000,000 worth of existing defense equipment on contracts to sell, transfer, exchange, lease, lend, or otherwise dispose of, so long as those contracts are approved by the Congress. But under the language of the substitute subparagraph (2) is eliminated from the restriction, and the President is permitted to make contracts to sell, transfer, exchange, lease, lend, or otherwise dispose of \$1,300,000,000 worth of equipment without the contracts being authorized by Congress.

It seems to me that there is a very definite and specific issue, the issue being whether or not the limitation of \$1,300,000,000 upon the disposition of existing equipment is enough in the eyes of the Senate, or whether, in addition, the Senate desires to insist that contracts for the sale, transfer, exchange, lease, or lending of this material must be authorized by the Congress. I think that raises a very fundamental question of difference. I agree with the Senator that the question should be settled by the Congress, so that there will be absolutely no doubt about it. The fact that the report of the Foreign Relations Committee exempts subparagraph (2) from the amendment written into the body of the section is in no sense controlling. It certainly is not controlling upon me as a member of the Foreign Relations Committee. When I supported the amendment I considered and expected that it was a limitation upon the entire section. Now we are asked to eliminate part of the section from the limitation, and I am opposed to the substitute.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. BYRNES. I yield.

Mr. TAFT. I should like to ask the Senator from South Carolina a question.

What kind of an appropriation does the Senator envision, after the bill is passed, for the purpose of manufacturing British material? Would such an appropriation be an appropriation to a

specific country, or would it be simply a wide-open appropriation for the purposes of the bill? What sort of an appropriation does the Senator contemplate would be necessary if the amendment should be agreed to, before anything could be manufactured?

Mr. BYRNES. Mr. President, I have no information as to the form in which any estimate for funds would be submitted by the Executive to Congress. I have no more information than has the Senator from Ohio. I do not know that anybody could give the Senator that information before the bill is passed, or that anyone has determined it. As the result of this language an estimate will have to be submitted to the Congress to provide for whatever funds and whatever contract authority are needed; but I have no idea in what form it would come, or in what detail.

Mr. TAFT. What is the Senator's idea of the status of an appropriation made after the passage of this bill—for example, a deficiency bill—as to any funds appropriated this year for the Army and Navy of the United States? As I take it, with the suggested change—and possibly even without the change, because I think it is ambiguous—there would be no limitation whatever on the President's power, without further appropriation, to transfer any part of the Army or Navy equipment of the United States. Is that a correct interpretation?

Mr. BYRNES. There is a limitation, as, of course, the Senator knows.

Mr. TAFT. No; I say, as to an appropriation after this time, outside the \$1,300,000,000 limitation, which applies only to past appropriations.

Mr. BYRNES. The language of the House amendment is:

The value of defense articles disposed of in any way under authority of this paragraph, and procured from funds heretofore appropriated, shall not exceed \$1,300,000,000.

Therefore, under the language of the House amendment, any funds appropriated prior to the date of the approval of this bill would be included in the limitation of \$1,300,000,000. As to any funds appropriated after the date of the passage of the bill, the President would have to submit to the Congress an estimate for them.

Mr. TAFT. Why? Under what provisions of the bill?

Mr. BYRNES. Because, if these amendments are adopted, to manufacture or procure defense articles, funds are available only to the extent to which appropriations are granted by the Congress or contracts are authorized.

Mr. TAFT. Yes; but suppose tomorrow we should appropriate for Army equipment or guns of some sort—ammunition, we will say, for the American Army. There is no limitation that I can see on the President's giving any of that ammunition to the British without further appropriation by Congress. There is no limitation on any such gift.

Mr. BYRNES. Yes; there is.

Mr. TAFT. Why?

Mr. BYRNES. I ask the Senator again to read the language on page 3, line 7:

The value of defense articles—



Any article included in the definition of a defense article—

disposed of in any way under authority of this paragraph, and procured from funds heretofore appropriated—

That is, if we should pass a bill tomorrow, and it should be signed by the President before this bill is signed by the President, then it would be "heretofore appropriated," and would be included in the defense articles upon which there is a limitation of \$1,300,000,000. If the appropriation bill to which the Senator refers as pending should not become law until the day afterward, it would be different.

Mr. TAFT. And as to all appropriations after this there is no limitation in the bill?

Mr. BYRNES. Except that the language on page 2 provides that if the President uses money for manufacturing in arsenals, factories, or shipyards for the purpose of disposing of the article to a foreign government, an estimate for the money must then be submitted to the Congress.

Mr. TAFT. However, if the President orders the article for our Army and gives it to a foreign government, as we have been doing right along, then there is no limit on his power to transfer to a foreign government equipment ordered for the American Army.

Mr. BYRNES. I shall not enter into a discussion with the Senator about whether or not we have been heretofore giving away property.

Mr. TAFT. I did not mean giving away property; I meant selling it, as a matter of fact.

Mr. BYRNES. The Senator said "giving away." There is no question between us on the matter of selling. It has been sold or exchanged, as in the case of bases.

Mr. TAFT. But it seemed so clear to me that I wanted to be certain that it was also the Senator's interpretation that as to money hereafter appropriated for the Army or the Navy there is no limitation on what the President may transfer, and there is no necessity for any appropriation except the appropriation for the American Army or Navy.

Mr. BYRNES. That is not in accord with my interpretation of the language of section 3 of the pending bill.

Mr. TAFT. I cannot even understand the basis of the Senator's refusal to agree with my statement, because it seems to me so obvious.

Mr. BYRNES. I regret that I cannot agree that it is so obvious. The only object I had in originally offering the amendment was to provide that after the passage of this bill the President should have to come to Congress for any appropriation or for any power to contract for defense articles to be disposed of under the provisions of the bill. That was the object of the amendment I offered.

Mr. TAFT. I offered in the committee, as the Senator remembers, an amendment which attempted to accomplish the limitation. The amendment is on the table, and reads in part as follows:

No money shall be expended or contracted to be paid under the provisions of this act,

and no defense article shall be disposed of to any foreign government—

That is, under the provisions of section 2—

except in pursuance of an appropriation or contract authorization made by Congress.

That seems to me clear language; but, as the bill is drawn, it seems to me perfectly clear that it is wide open as to any articles hereafter appropriated for, for the Army or Navy.

Mr. BYRNES. Mr. President, I construed the Senator's amendment as being in conflict with the House amendment putting a ceiling of \$1,300,000,000 upon defense articles which are now in existence, or which may be procured out of funds heretofore appropriated.

Mr. JOHNSON of California. Mr. President—

The PRESIDENT pro tempore. Does the Senator from South Carolina yield to the Senator from California?

Mr. BYRNES. I yield to the Senator.

Mr. JOHNSON of California. The vice of the situation which we now confront is apparent. The Committee on Foreign Relations agreed upon an amendment. They presented the amendment in this bill. Now there comes, suddenly, without the others of us seeing it—I presume some of the Members perused it—another amendment which deals with the subject concerning which there is a dispute, and concerning which there are different constructions.

What is the use, at the fag-end of the day—it is now 4 minutes to 5 o'clock—of taking up this amendment and endeavoring to shunt it through at this particular hour? Why should it be said that it is essential that we adopt this amendment now? That is a favorite expression with us—"do it now." I submit to Senators, however, that we should make more progress by letting this matter go over and letting it take its regular course.

In relation to that course I want to say just a word. We had an arrangement—at least, some of us supposed we did—whereby on certain days the debate was to be carried on first by the proponents. That debate was carried on. It was well done. Then we next gave a day, yesterday, to the opponents of the measure. They carried on until after 5 o'clock, and this was the day that was appointed for the proponents to carry on, not the opponents, but the proponents were at fault today in not taking up all the time. Now, why spend the rest of the evening in settling an amendment upon which there is not agreement, and which is at variance with the amendment originally presented to the Senate by the Foreign Relations Committee? I cannot see the use of it.

Mr. BYRNES. Mr. President, let me say to the Senator from California that I know nothing about any agreement as to the time because I have not personally had any discussion about the debate with anyone who is engaged on either side of the controversy.

Mr. JOHNSON of California. I could as well say to the Senator that I do not know anything about it, either, beyond what I have learned in merely talking to my fellow Senators.

Mr. BARKLEY. Mr. President, I do not wish to consume any more time about the matter, except to say that last Friday, as I learned from the press, there was held in the office of the Senator from California a meeting of those opposed to the bill. Following that meeting the Senator from Montana and the Senator from Missouri came to my office, as representatives of the group who had met in the office of the Senator from California, to try to work out a program for the debate.

Mr. JOHNSON of California. And that they did.

Mr. BARKLEY. They did for Monday and Tuesday; that is all. It did not extend beyond last night. But, so that we might proceed in order, we did assume the right to occupy the day today.

Mr. JOHNSON of California. Yes.

Mr. BARKLEY. There was no agreement that if regular set speeches ran out about 4 o'clock we would have to adjourn. All we asked was that the committee amendments might be taken up. Of course, it is 5 o'clock. There has been considerable conversation going on, and the hour of 5 o'clock has arrived. I supposed that if I had the notion to say that which I would not say, that the object of those who have objected to taking up the amendments this afternoon has been accomplished, I would probably be telling the truth, but I am sure—

Mr. JOHNSON of California. No; I wish to deny that.

Mr. BARKLEY. I said I would not say that, because I do not think it is true; but if I wanted to say it, I might say it. But I am not saying it. [Laughter.]

Mr. JOHNSON of California. The Senator might say it and apply it to some, but he could not apply it to the Senator who is now speaking.

Mr. BARKLEY. I would never apply anything to the Senator from California that was not of the highest character.

Mr. JOHNSON of California. Of course not. I recognize that, and I recognize the generosity of the Senator from Kentucky. But now an amendment is brought in—and I have been sitting here listening to it—which is at variance with the amendment which the Committee on Foreign Relations presented to this body, and we are confronted by that amendment at 2 minutes after 5. It seems to me we should postpone further discussion of it.

Mr. BARKLEY. So far as I am concerned, I have no objection to postponement of the consideration of the amendment, but all it does is to clarify, to make clearer and plainer—if anything, more binding—the amendment which was agreed to in the committee.

Mr. VANDENBERG. Mr. President, I cannot agree to that interpretation of the proposed substitute amendment.

Mr. BARKLEY. I do not agree with the Senator's interpretation of what the



committee did in the first instance. It was never the intention of the committee, or of those who drew the amendment which is now in the bill as the committee amendment, to apply it to the \$1,300,000,000 which the House of Representatives placed as a limitation on the amount which could be sold, loaned, or otherwise disposed of, of the materials which can be produced out of appropriations already made.

Mr. VANDENBERG. I do not know what the intention of the gentlemen was when they proposed the amendment, but I know what they did was to apply it to the entire section.

Mr. McNARY. Mr. President, let me suggest to the Senator from South Carolina, who has the floor, that the Senate recess at this time until tomorrow.

Mr. BYRNES. Mr. President, I think it is evident that there will be considerable discussion, and if it has been the intention of the Senator from Kentucky to take a recess at 5 o'clock, it is useless to proceed further.

Mr. BARKLEY. I have no desire to continue the session longer, but I hope that by the time we reach this amendment again Senators will understand it. [Laughter.]

Mr. VANDENBERG. That is mutual.

#### EXECUTIVE SESSION

Mr. BARKLEY. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

#### EXECUTIVE MESSAGE REFERRED

The PRESIDENT pro tempore laid before the Senate a message from the President of the United States nominating G. Howland Shaw, of Massachusetts, to be an Assistant Secretary of State, which was referred to the Committee on Foreign Relations.

#### EXECUTIVE REPORTS OF COMMITTEES

Mr. WALSH, from the Committee on Naval Affairs, reported favorably the nomination of Ralph A. Bard, of Illinois, to be The Assistant Secretary of the Navy.

Mr. McKELLAR, from the Committee on Post Offices and Post Roads, reported favorably the nominations of several postmasters.

Mr. GREEN, from the Committee on Foreign Relations, reported favorably the nomination of Alexander C. Kirk, of Illinois, now Envoy Extraordinary and Minister Plenipotentiary to Egypt, to be also Envoy Extraordinary and Minister Plenipotentiary to Saudi Arabia.

The PRESIDENT pro tempore. The Chair is informed that there are no nominations on the calendar.

#### RECESS

Mr. BARKLEY. As in legislative session, I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 5 minutes p. m.) the Senate took a recess until tomorrow, Thursday, February 20, 1941, at 12 o'clock meridian.

#### NOMINATIONS

Executive nominations received by the Senate February 19 (legislative day of February 13), 1941, as follows:

##### ASSISTANT SECRETARY OF STATE

G. Howland Shaw, of Massachusetts, to be an Assistant Secretary of State.

## HOUSE OF REPRESENTATIVES

WEDNESDAY, FEBRUARY 19, 1941

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Our Heavenly Father, we pray that we may be most grateful for the mission of Thine only-begotten Son, Thy pattern of what a man should be, showing us the way to travel the highways of this life. Let our courageous might reach His way, His truth, and His life. Grant that we may not willingly allow a day or night to pass unhallowed by the memory of what our holy Saviour hath done. Enable us, blessed Lord, ever to maintain a humble independence, ever seeking to follow Him who mocks no hope of the pure in heart and chills no love bending over human suffering. Keep us steadfast to the eternal truth that a great life need not be brilliant, illustrious, or heroic, but the seal of the "well done" gives entrance to a realm lifted high above all years. Bring into our hearts a sweet contentment, making us mindful that there are no failures if we blend into our daily conduct the virtues of our Master's earthly life. In His holy name. Amen.

The Journal of the proceedings of yesterday was read and approved.

#### MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Latta, one of his secretaries.

#### MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had agreed without amendment to a concurrent resolution of the House of the following title:

H. Con. Res. 16. Concurrent resolution authorizing the Select Committee Appointed to Investigate the Interstate Migration of Destitute Citizens to have printed for its use additional copies of each part of the hearings held before said Committee on Interstate Migration.

#### ASSISTANT CLERK TO THE COMMITTEE ON WAYS AND MEANS

Mr. COCHRAN. Mr. Speaker, by direction of the Committee on Accounts, I submit a privileged resolution and ask for its immediate consideration.

The Clerk read as follows:

House Resolution 93 (Rept. No. 122)

Resolved, That until otherwise authorized by law there shall be paid out of the contingent fund of the House of Representatives the sum of \$3,000 per annum, payable

monthly, as compensation to an assistant clerk to the Committee on Ways and Means, to be appointed by the chairman thereof.

The resolution was agreed to, and a motion to reconsider was laid on the table.

#### CLERK-STENOGRAPHER FOR THE COMMITTEE ON RULES

Mr. COCHRAN. Mr. Speaker, by direction of the Committee on Accounts, I submit the following privileged resolution and ask for its immediate consideration.

The Clerk read as follows:

House Resolution 81 (Rept. No. 123)

Resolved, That the Committee on Rules is hereby authorized to employ, during the Seventy-seventh Congress, a clerk-stenographer to be paid out of the contingent fund of the House at the rate of \$1,800 per annum.

With the following committee amendment:

At the end of line 4, after the word "annum", insert "to be appointed by the chairman thereof."

The committee amendment was agreed to.

The resolution was agreed to, and a motion to reconsider was laid on the table.

#### FRANK W. COLLIER AND JOHN ANDREWS

Mr. COCHRAN. Mr. Speaker, by direction of the Committee on Accounts, I submit the following privileged resolution and ask for its immediate consideration.

The Clerk read as follows:

House Resolution 52 (Rept. No. 124)

Resolved, That the Clerk of the House is authorized and directed to pay, out of the contingent fund of the House, until otherwise provided by law, additional compensation at the rate of \$480 per annum to each of two of the minority employees of the House, Frank W. Collier, heretofore designated pursuant to the House resolution of December 11, 1931, to receive compensation at the rate of \$2,820 per annum, and John Andrews, heretofore designated pursuant to the House resolution of January 5, 1937, to receive compensation at the rate of \$2,820 per annum.

With the following committee amendment:

Strike out all after the resolving clause and insert:

"Resolved, That there shall be paid out of the contingent fund of the House, until otherwise provided by law, additional compensation at the rate of \$180 per annum to each of the two minority employees of the House receiving \$2,820 per annum as appropriated for in the Legislative Appropriation Act, fiscal year 1941."

The amendment was agreed to.

The resolution was agreed to, and a motion to reconsider was laid on the table.

#### MESSAGE FROM THE PRESIDENT OF THE UNITED STATES—ANNUAL REPORT OF THE GOVERNOR OF THE PANAMA CANAL (H. DOC. NO. 3)

The SPEAKER laid before the House the following message from the President of the United States, which was read, and, together with the accompanying papers,



referred to the Committee on the Merchant Marine and Fisheries, and ordered printed:

*To the Congress of the United States:*

I transmit herewith, for the information of the Congress, the Annual Report of the Governor of the Panama Canal for the fiscal year ended June 30, 1940.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, February 19, 1941.

#### LEAVE OF ABSENCE

Mr. BELL. Mr. Speaker, I ask unanimous consent that my colleague the gentleman from Missouri [Mr. SHANNON] may be given an indefinite leave of absence on account of illness.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

#### EXTENSION OF REMARKS

Mr. HOUSTON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a brief editorial.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. BEITER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a letter written by E. B. Crosby, director of the National Seaway Council, and a reply by the Honorable Frank J. Caffery, a member of the Assembly of the State of New York.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. TREADWAY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a radio address I delivered recently.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a speech.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

#### PERMISSION TO ADDRESS THE HOUSE

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent that on Wednesday next at the conclusion of the legislative program for the day I may address the House for 10 minutes.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

#### EXTENSION OF REMARKS

Mr. DONDERO. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD and to include therein a concurrent resolution passed by the Michigan Legislature in regard to the subject of the quota on domestic production of sugar.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. LEAVY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include

therein an article from the Survey Graphic dealing with the western domain.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

#### THE SUGAR SITUATION IN THE UNITED STATES

Mr. CRAWFORD. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. CRAWFORD]?

There was no objection.

Mr. CRAWFORD. Mr. Speaker, following the remarks of the gentleman from Michigan [Mr. DONDERO], in which he said he would introduce Senate Resolution No. 17 with reference to sugar-beet acreage, may I say that the situation in the Far East does not look at all good. The Philippine Islands supply to our market something like 750,000 tons of sugar per annum. In the event this supply is cut off we may expect the price of sugar to advance anywhere from \$1 to \$3 per hundred pounds and, in my opinion, the Department of Agriculture should give very serious consideration to letting the farmers of the United States produce more sugar, planting very soon, harvesting next fall, as a hedge against an undue price on sugar which will cause the administration much trouble if it takes place. [Applause.]

[Here the gavel fell.]

#### EXTENSION OF REMARKS

Mr. VAN ZANDT. Mr. Speaker, I ask unanimous consent to insert in the Appendix of the RECORD my own remarks on the subject, There Is Not Room for Both the Railroads and the St. Lawrence Seaway Project.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania [Mr. VAN ZANDT]?

There was no objection.

Mr. ANGELL. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD on two subjects; in one to include a short memorial from the Oregon Legislature and in the other to include two short editorials.

The SPEAKER. Is there objection to the request of the gentleman from Oregon [Mr. ANGELL]?

There was no objection.

Mr. GEHRMANN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a letter from Father Obert, of my district.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin [Mr. GEHRMANN]?

There was no objection.

Mr. HOBBS. Mr. Speaker, I ask unanimous consent to insert in the Appendix of the RECORD a poem by an Alabamian.

The SPEAKER. Is there objection to the request of the gentleman from Alabama [Mr. HOBBS]?

There was no objection.

#### ADJOURNMENT OVER

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that when the House adjourns tomorrow it adjourn to meet on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts [Mr. McCORMACK]?

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, and, of course, I am not going to object, may I ask the gentleman from Massachusetts if he has his program ready for next week for the information of the House?

Mr. McCORMACK. Monday will be District day, and there are some matters to be taken up then. I am informed by the chairman of the District Committee.

Mr. MARTIN of Massachusetts. The gentleman does not happen to know what District bills will come up?

Mr. McCORMACK. No; but I understand they are noncontroversial and that they will not take very long. That is the information I have received.

On Tuesday there will be considered a bill from the Naval Affairs Committee, H. R. 3155. This is the bill we intended to take up tomorrow, but I intend now to have it taken up Tuesday if a rule is reported out on Monday, as I expect.

On Wednesday I am hopeful that a supplemental appropriation bill will be reported out relating to some appropriations for national defense covering recommendations that have been made, particularly in relation to the Army. Then there is a bill that I referred to last week that I was hopeful would come up this week, from the Ways and Means Committee, amending the relief provisions of the excess-profits law. This is urgent in order to bring relief to certain corporations, as intended. This had to be clarified. There is some difficulty in connection with the drafting of the bill. I understand there are no differences in the committee and that probably it will not take very long. It is noncontroversial. I will give this bill as early a right-of-way next week as is possible.

At the present time that is all I know of. Perhaps some other matters may develop, but that is the only definite information that I can convey to my friend from Massachusetts at this time.

Mr. HOFFMAN. Mr. Speaker, reserving the right to object, the gentleman has stated the program for next week, and I understand that; but after next week, has the gentleman any idea about a bill that we have read about in the papers to regiment the women for national defense? Is there any such legislation coming up?

Mr. McCORMACK. I have no knowledge of what the word "regiment" means as used by the gentleman.

Mr. HOFFMAN. Well, draft, enlist, organize, and for the purpose, in this instance, for national defense.

Mr. McCORMACK. I do not know what "regiment" means in a representative government; but trying to read my friend's mind and to place myself in his position—

Mr. HOFFMAN. There may be nothing in it.

Mr. McCORMACK. I have no more knowledge of that than stated. I challenge any statement that regimentation will go on in this country of any of our citizens. Of course, progress to the gentlemen may mean regimentation, and











as follows—and I think it is important that I present this material, so that the businessmen of the United States may know that there is no necessity for them to be racketeered in connection with the things which are going on in respect to the defense program. Mr. Knudsen says:

I have been advised that the Department of Justice has received several complaints about this practice of attempting to secure Government contracts upon the payment of a commission and that they have started an investigation of several cases.

Then he suggests that I discuss the matter with the Department of Justice, and continues:

I believe such practices should also be brought to the attention of the War and Navy Departments and the other governmental procurement agencies so that they may work out and publish a joint statement warning manufacturers against such concerns.

I am informed—

Says Mr. Knudsen—

that in order to prevent the very practice about which the Pontiac group has complained the War Department has included the following provision in its standard form of contract.

Now I read the provision which the War Department has put into its standard form of contract:

The contractor warrants that he has not employed any person to solicit or secure this contract upon any agreement for a commission, percentage, brokerage, or contingent fee. Breach of this warranty shall give the Government the right to terminate the contract, or, in its discretion, to deduct from the contract price or consideration the amount of such commission, percentage, brokerage, or contingent fees. This warranty shall not apply to commissions payable by contractors upon contracts or sales secured or made through bona fide established commercial or selling agencies maintained by the contractor for the purpose of securing business.

Then I referred the whole matter to the Department of Justice, and I have a letter this morning from Attorney General Jackson substantially in harmony with the suggestions submitted by Mr. Knudsen. Apparently the Department of Justice is upon the trail of some of those who are undertaking thus to exploit the defense program. Inasmuch as Mr. Jackson's letter is substantially the same as that of Mr. Knudsen, I am content merely to ask that it be printed in the RECORD.

The sum total of the whole thing is that the American businessman does not need to employ these Washington racketeers in order to obtain fair consideration in respect to these war contracts. There may be and undoubtedly are perfectly legitimate business representatives in Washington, and I am distinctly discriminating between them and the group and type of which I complain. But, so far as the latter are concerned, they are plain and simple parasites, and the American businessman should know that it is not necessary for him to be mulcted by them.

I ask that Attorney General Jackson's letter be printed in the RECORD at this point.

The VICE PRESIDENT. Is there objection?

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

FEBRUARY 19, 1941.

HON. ARTHUR H. VANDENBERG,  
*United States Senate.*

MY DEAR SENATOR:

The Department has been advised that the War Department on December 19, 1940, directed that there be included in all negotiated national-defense contracts of the War Department for supplies as well as for construction, whether on a lump sum or a cost-plus-a-fixed-fee basis, a provision similar to the one set forth in the letter to you from Mr. Knudsen.

The Department is also advised that on November 19, 1940, Acting Secretary of War Robert P. Patterson made public the following statement in reference to contracts:

"Rumors have come to the attention of the War Department that various persons are holding themselves out as possessing influence with the Department or with officials in the Department and are offering to sell their services to business concerns in the matter of obtaining contracts.

"There is no truth in representations of this sort, and business concerns are cautioned against having dealings with persons who make such representations or offer such services.

"Notice is directed to the fact that the forms of contract to be signed by contractors contain a warranty by the contractor that he has not employed any person to solicit or secure the contract on any agreement for a commission, percentage, brokerage or contingent fee, together with a further provision that breach of this warranty shall give the Government the right either to cancel the contract or to deduct the amount of such commission, percentage, brokerage or contingent fee from payments due the contractor. The Department will enforce this provision in all cases that come to its attention."

The Federal Bureau of Investigation of this Department is at the present time conducting investigations in cases where certain individuals have stated that they are able to secure defense orders for their clients and the activities of the individuals connected with the Manufacturers Bureau will be considered in connection therewith.

With kind regards,  
Sincerely yours,

ROBERT H. JACKSON,  
*Attorney General.*

[Enclosure No. 30366.]

#### ATTITUDE OF ILLINOIS LEGISLATURE TOWARD NATIONAL DEFENSE

Mr. LUCAS. Mr. President, I desire to pay a well-deserved tribute to Democratic and Republican members of the State Legislature of Illinois who only last week defeated a resolution which had for its purpose the defeat of the so-called lease-lend bill, which is now before the Senate of the United States. Partisan on most matters, as Democrats and Republicans are, these men in Illinois took a realistic view of the situation and decided that a resolution of that type had no place before that body.

While I am on my feet, I want especially to single out those Republican members of the Illinois State Legislature who were primarily engaged in leading the fight to send the resolution back to the committee of its origin. Those Republicans, taking such a position in this

crisis, have rendered a distinct and high service, if you please, to Illinois and to the Nation.

Mr. President, I ask unanimous consent to insert in the RECORD at this point as part of my remarks an editorial headed "That O'Neill Resolution," published in the Illinois State Register of February 16, 1941.

The VICE PRESIDENT. Without objection, it is so ordered.

The editorial is as follows:

[From the Illinois State Register of February 16, 1941]

#### THAT O'NEILL RESOLUTION

The action which the Illinois house took on the resolution introduced by Lottie Holman O'Neill, Republican, in a futile effort to place the house on record as urging the National Congress to defeat the lend-lease bill, is not without deep significance.

Republicans voted unanimously to return the resolution to a Republican committee which had sponsored it, insofar as debate on the floor is concerned. House Democrats were ready to meet it. They knew that it had no place in that body. Some of the Republicans sensed that fact, too. They realized that a tactical error had been committed in voting the resolution out, so the best strategy was to vote it back to its source and let it perish in innocuous desuetude.

Republicans who had the courage to thwart the folly of passing the O'Neill resolution have rendered a service to their State and Nation. They have prevented an action within their own party which would have brought disastrous repercussions to that party. They have made a substantial contribution to national unity.

Governor Green came quite close to this fundamental in his Lincoln Day address. Certainly he has placed no obstruction in the path of proper procedure when the Federal Government adopts its course through Congress.

Once adopted, that course should appeal to patriotism, tolerance, and Americanism. That course should be sustained by the utmost unity.

That type of unity is the most effective national defense possible in this hour of peril.

What Congress should do in determining an international policy is not a question for our State government to say, but our State government can, and we believe will, help in establishing the maximum defense of America by contributing to effective national unity, without which our defenses will crumble.

#### PROMOTION OF NATIONAL DEFENSE

The Senate resumed the consideration of the bill (H. R. 1776) further to promote the defense of the United States, and for other purposes.

Mr. REYNOLDS. Mr. President, before submitting my remarks to this body I respectfully ask of my colleagues that I not be interrupted until after I shall have concluded making my observations in order that the continuity which I sought in the preparation of these pages before me may not be affected. At the conclusion of my remarks on H. R. 1776 I shall be glad to endeavor to answer any questions which any of my colleagues may care to ask or to provide full information upon or explanation of any particular phase of my remarks.

Mr. President, Members of the United States Senate, and fellow countrymen,



this is the 20th day of February 1941. Since last Monday, February 17, we have been engaged in the discussion and debate of a bill entitled "A bill further to promote the defense of the United States, and for other purposes." I daresay, in the outset, that this body has had before it but few bills that have actually received more genuine, sincere thought and consideration on the part of the Members of this body than H. R. 1776, now before us. I daresay that very few bills, if any, have ever been considered by the Senate of the United States during our tenure of office that commanded more conscientious attention and consideration than this bill, due to its immense importance to the one-hundred-and-thirty-odd millions of people constituting the population of our country. I daresay that its implications are probably more far reaching than those of any bill the Senate of the United States has been called upon to consider since the last World War.

In addressing the Members of the Senate I likewise saluted my "fellow countrymen" for the very reason that I am in high hope that my remarks may, at least in part, reach the ears of some who are not members of this body, and that when these remarks have been reduced to print I may be so fortunate as to have those pages read by some of our citizens, in order that my constituents of North Carolina and the American people as a whole, for whom we all have the profoundest respect, may be thoroughly advised as to my position upon this all-important issue, an issue which I believe to be of vital interest to our country.

My remarks are being recorded by the official reporter of this body, the United States Senate. They will be reduced to print. For that I am glad, because I want those printed words to stand as a record of my position upon this most vital question. Behind this position I shall stand, as to the best way to defend, preserve, and protect the fundamental principles for which our forefathers fought, and which principles were so clearly defined in the Declaration of Independence of 1776.

This bill bears the same number as the year in which our Declaration of Independence was signed, namely, 1776. In passing, I may mention the fact that my State of North Carolina provided three of the signers of this historical document—Joseph Hewes, William Hooper, and John Penn. At this juncture may I digress to say that, in my opinion, this bill, known as the lend-lease bill, No. 1776, has a double significance in that the first 1776 was the year of our Declaration of Independence, and now this bill, numbered "1776," acknowledges our dependence. On the one hand we have our Declaration of Independence of the year 1776, declaring our independence, while on the other hand this bill, No. 1776, if passed, admits and signifies our dependence upon the British Empire. I make this statement because, among other reasons, our present Secretary of the Navy, Hon. Frank Knox, virtually acknowledged that we are absolutely dependent upon Great Britain for our future safety and protection. My recollection is that he stated to the Foreign Relations Com-

mittee that if England falls we fall, thus clearly admitting that our life and our future depend entirely upon Great Britain, from whom we obtained our independence after a bloody war during a period of 8 years' duration.

I respectfully beg to differ with Secretary of the Navy Knox and others who share his opinion in respect to our being dependent upon the British Navy for our safety and preservation. I shall unhesitatingly go further in asserting that if American men and women are so weak and so unpatriotic that they must depend upon any other nation of people as their first line of defense, they no longer deserve the respect of other nations. The truth of the matter is that Great Britain is more thoroughly dependent upon the United States than is the United States dependent upon Great Britain. In proof of this statement I remind the Senate of the historical fact that during the Napoleonic wars of 1792–1815 between England and France, when Napoleon was preparing an invasion of England, the British called upon the United States for all-out aid, fearing then conquest by Napoleon, who commanded the French forces. I shall later return to this particular episode.

In World War No. 1 of 1914, between Great Britain and her allies and Germany and her allies, after 3 years of fighting the backs of Great Britain and her allies were to the wall, and it was then that England again called upon the United States to save her from defeat. Historians tell us that had it not been for the aid then rendered Great Britain by our country she would surely have gone down in defeat. I shall later return to this particular point.

Now comes 1941. Great Britain, with her ally, Greece, is at death grips with Germany and Italy. Her back is again against the wall. She is again seeking our aid. She is once more beckoning to us from abroad. She admits that unless we again go to her immediate rescue she is lost.

In the face of these indisputable and historical facts I ask, Who is dependent upon whom? Are we and have we been dependent upon Great Britain for our continued existence? In view of the fact that we are constantly being called upon to give assistance to Great Britain in the form of energy, wealth, and the blood of our men in order to maintain the British Empire, it seems to me that Great Britain should acknowledge—if some Americans will not—that she is dependent upon us to maintain her world-wide empire rather than that we are dependent upon her for our continued existence. As to who is right or who is wrong—as to whether I am correct or whether those who hold the opposing view are correct—I submit as evidence only the facts as revealed by undisputed history.

Before discussing the bill now before us, H. R. 1776, which would provide all-out aid for Great Britain, let us return to the years 1808 and 1809, during the war between France and England. At that time Napoleon was the "Hitler" of Europe. He was despised, detested, and feared as an aggressor and as a con-

queror, as Adolf Hitler is today. That was approximately 132 years ago. Napoleon's legions were experiencing victory after victory. He had threatened and was planning an invasion of the British Isles. The British then feared the destruction of their empire by Napoleon, the then "Hitler" of Europe. As a result, England sought all-out aid from our country. At that time there was heated discussion of this question in the Senate of the United States. The people of the young American Republic were alarmed. They feared the downfall of the British Isles. They feared their conquest by Napoleon. Sympathetic Americans and the British spoke of Napoleon as the most ruthless tyrant that had stalked the European Continent since the fall of the Roman Empire. He was referred to as a murderer, an aggressor, and a tyrant, and as one who then sought the conquest of the world, as Hitler is spoken of today, with his boasts of world domination. The debate raged. Some Senators then favored all-out aid for Britain to save her empire. Then, as now, some Senators opposed.

Senator Pickens, of South Carolina, then a Member of the United States Senate, in the Senate Chamber here at the Capitol, said, in part:

If that power [France] swayed by that satanic genius, Napoleon, should win, would she not take Nova Scotia, Canada, Louisiana, the Antilles, Florida, and South America? After these conquests, would not the United States, the only remaining republic, be conquered?

Today it is argued by many sincere and conscientious men and women in the United States that if Hitler succeeds in invading England he will immediately launch a physical attack against the Western Hemisphere. They say that with the fall of Great Britain Hitler and his legions will proceed to take South America and then Central America, followed by a vicious, murderous attack on the United States. The same arguments used 132 years ago, designed and calculated to create fear in the hearts of the American people, are being employed today in this country. Even Mr. Wendell Willkie, the Republican candidate for the Presidency of the United States in the campaign of 1940, in testifying before the Foreign Relations Committee of the Senate here at Washington, stated that if Hitler won he would launch an attack upon this country within 30 to 60 days. Mr. Willkie is an alarmist, and certainly no weight will be attached to his testimony. He made the statement—ridiculous in the eyes of every military man—that if we aid Great Britain to the extent of providing planes for her with which she can attain supremacy of the air, she will be able to reconquer all the territory taken by Hitler. Of course, we all know that Europe cannot be conquered from the air. To conquer or to reclaim conquered territory the foot soldier of today is just as necessary as was the foot soldier of Napoleon's day. Indeed, it would be easier to conquer a country by radio waves—by propaganda—than it would be to conquer or reconquer a territory without the actual employment of soldiers on the ground.



However, Mr. President, in those days, 132 years ago, there were in the Senate of the United States and elsewhere men who did not believe that our first line of defense was the British Navy, or that it was anywhere in Europe. There were those who firmly believed that our first line of defense was our own shores, in our own section of the world. There were those who believed that we should not meddle in Europe's affairs or participate in its wars—wars for conquest of territory or wars for the supremacy of the seas. At that time one American patriot, the second President of the United States, John Adams, who did not share the view of Senator Pickering, of South Carolina, and who had firmly embedded in the very depths of his heart the principle of "America first," said:

Our gazettes and pamphlets tell us that Bonaparte \* \* \* will conquer England and seize command of the British Navy and send I know not how many hundred thousand soldiers here and conquer from New Orleans to Passamaquoddy. Though every one of these bugbears is an empty phantom, yet the people seem to believe every article of this bombastical creed and tremble and shudder in consequence. Who shall touch these blind eyes?

That is what he said 132 years ago, when the people of America were as afraid of conquest by Napoleon, the then Hitler of Europe, as they today are of physical conquest by Hitler of Europe.

From this it is easy to see that the same arguments that were presented in 1808 to 1809 to embroil us in the wars of Europe were successfully employed to involve us in World War No. 1, 1914 to 1918, and are today utilized to force us headlong into World War No. 2.

Let us revert to the last World War, which began in 1914. Three years passed, and 1917 arrived. The war was on in full blast. Great Britain's back was to the wall as never before. As in 1808, she called upon the United States for aid. Propaganda was employed more thoroughly than ever before in the history of the world. The radio then was not the powerful instrument in the spread of propaganda that it is today; but the pamphleteers, the printers, and the distributors of circulars were busy. Our newspapers and our magazines were literally filled with propaganda designed to involve us in the war. America was frantic. In 1917 its people were told, as they were told 132 years before, that if America did not come to the aid of Britain she would crumble; that the British Empire would be destroyed. The Hitler of 1914 to 1918 was none other than the German Kaiser, hated and despised and loathed, and described as a murderer of children, a rapist of women, a blood-thirsty aggressor. The war cry then was, "Down with the Kaiser!" We said we had no quarrel with the German people, or with their allies, for that matter, and that our quarrel was with the Beast of Berlin, who was then the Kaiser, as today many say we have no quarrel with the German people and their ally, but only with Hitler, the Beast of Berlin of today. It was Napoleon in 1807. It was the Kaiser in 1917. It is Hitler in 1941.

In 1917, when it was hoped to draw us into a war that was not ours, the propagandists said that American soldiers were being called upon to save democracy, to save Christianity, to preserve civilization, and to stop all wars for all time. Those were the battle cries. Those assertions were quite sufficient for the American people to rally and to fight because they believed that they were rallying to the banner of democracy, the banner of Christianity, and the banner of civilization. They fought to end all wars for all time, in order that the world might, after the destruction of the Kaiser, the Beast of Berlin, live in tranquillity and peace—"Peace on earth, good will toward men"—men of all the earth. We entered that war, after slowly but surely taking steps toward war before the sinking of the *Lusitania*, and then in we plunged.

Let us see whether the objectives which we sought were attained. We entered the war on April 6, 1917, and participated until the day of the armistice November 11, 1918, a bare few months in comparison with those who had been fighting through the years, from August 1914.

I ask, did World War No. 1 save democracy? Let us look at the results. There was a revolution in Russia. The Czar and all the members of the royal family, hundreds of the royalty and many thousands upon thousands were brutally and cruelly murdered, and there was set up in Russia a communistic dictatorship, today directed by Stalin, the dictator, said to be the most cruel in all the world.

Then, in 1924, Italian Black Shirts marched southward to Rome, Italy's capital, and set up a Fascist form of government, today headed by Mussolini, who in World War No. 1 fought in part on the side of Great Britain. Radical changes after World War No. 1 were brought about in all parts of Europe; and history reveals that, instead of World War No. 1 strengthening democracy, to the contrary, it weakened democracy throughout Europe and the world. Instead of strengthening democracy, as many contended in 1917 it would, history reveals that World War No. 1 weakened democracy and set it on the road to communism, fascism, and nazism, such as they have today in Russia, Germany, and Italy. So much for the preservation of democracy for which American youth fought, bled, and died.

Now, I ask, Did World War No. 1 save Christianity? Since the end of World War No. 1 one of the most vicious assaults ever recorded in history has been made upon Christianity by mass massacres and in other ways. Ambassador William Bullitt himself, several years ago, before a congressional committee in Washington, in testifying and in answer to a question directed to him by myself, stated that from three to four million Russian peasants were starved and murdered in the Ukraine section of Russia, which is immediately north of Odessa on the Black Sea. The world knows that in the Soviet Union religious worship is

prohibited to its 180,000,000 people and that the churches of the Lord have been destroyed, razed to the ground, or used for granaries in that vast Russian territory which covers one-sixth of the earth's surface and is ruled over by that despot, Joseph Stalin, to whom today we are making violent, ardent love.

In Spain there was fought a revolution, some say, between the godless and those who worshipped the Almighty. Christians and Jews alike were murdered. Synagogues and temples of worship were burned and destruction of anything godly was rife. So in many other parts of the world vicious assaults were made upon Christians and those who desired to worship in the faith of their respective religions. I leave it for you, and you, and you, to say whether our participation in the last World War served to preserve or to strengthen Christianity.

Now as to civilization itself. From all evidence as recorded by modern-day historians, a solar-plexus blow to civilization was delivered after World War No. 1. Never before have we witnessed such dark, chaotic, unbelievable conditions as the 2,000,000,000 people of the world are experiencing today, at this very hour, when attempts are being made to draw the people of this continent into another bloodthirsty war, designed to maintain—what? The status quo, or to save an empire whose yoke we cast off in 1776, and which empire over the years has called upon us to save it at the expense of the wealth and blood and sorrow and distress of the American people.

Finally, as to stopping all wars for all time, we were actually told in 1917 that with the successful termination of World War No. 1, with Great Britain as victor, there would be no more wars. The American people as a whole are idealistic. They are the biggest-hearted and the most sympathetic people upon the face of the earth, as evidenced by their charity in every direction, even though in many instances that charity does not begin at home. They believed what they heard, what they were told, and what they read—at least, many of them did—and that evidently was the great majority at that time. So I ask, Did World War No. 1 stop all wars for all time? Let us see.

Since the last day of the World War on November 11, 1918, wars and revolutions have raged throughout the earth—in China, Manchukuo, Spain, Ethiopia, and even in our own Western Hemisphere, in Bolivia and Paraguay; and as a result of these wars and revolutions which have taken place since the last World War it is estimated that more than 5,000,000 people have actually been killed, and millions of noncombatants—children, old men, and old women—have starved, suffered, and died. These facts cannot be disputed. So we know that World War No. 1 did not by any means stop all wars for all time, as it was claimed that it would.

Now, let us see something about the cost of war. It has been repeatedly



stated that we are already in the war. Therefore, if we are already in the war, surely those who are to pay for the war are desirous of directing inquiries as to what our last adventure in war cost. Let me say that if we are in the war, it may be and is directly attributable to the lifting of the arms embargo in 1939, because if the arms embargo had not then been lifted this very issue would not be before us today, and we should not be so close to war. So let us consider now, if you please, the cost of war.

Our brief participation in the last war, from April 6, 1917, until the day of the armistice, November 11, 1918, has so far cost the American taxpayers approximately \$57,000,000,000, and competent authorities tell us that before we shall have finished paying in full for our part in that war it will have cost the American taxpayers and their sons and daughters and their grandchildren and great-grandchildren no less than \$100,000,000,000. Here I want to say that even before we have paid for the last war there are many persons in this country who think we ought to go into this war right now.

The World War ended. When it did, we had approximately 2,000,000 troops in Europe. They finally were returned to our shores, all with the exception of those who are buried in French soil, and for which we paid annually to the Republic of France rental for the ground space, the earth, wherein our heroes of that war lie today, and whose last resting place is marked by a simple wooden cross.

Since then, instead of paying rental, we have purchased the ground wherein rest our soldiers of that war.

In combat during the World War we had killed only 50,000 men, and wounded only 234,300 men. Despite the fact that we only had 126,000 casualties in killed and those who died of disease and accident, and 234,300 men wounded, the United States is paying to those who suffered wounds in that war, and to the dependents of those who were killed in that war, more than \$254,000,000 annually. Today there are in our veterans' hospitals, receiving treatment at the expense of the United States Government, as rightly they should, approximately 66,000 veterans—more veterans of the last World War than were killed in action; and today, 22 years after the end of World War No. 1, there are more veterans of that war seeking admittance for hospitalization than there are accommodations available. This is the condition which exists virtually a quarter of a century after the end of the other war, in which we sought to destroy the Kaiser, who now from his estate in Holland watches the progress of the present war.

Let us see something about the interest in this matter of the veterans of World War No. 1. Let us take into consideration their interests.

If we permit ourselves to become involved in the present war in Europe, a war waged on the one hand by Hitler literally to steal more territory, which can be accomplished only by mass murder, and on the other hand by Great Britain to maintain the status quo by preserving for her all of her territory,

which covers a large portion of the earth's surface, I am of the opinion that we shall be directly contributing to the destruction of American democracy. Upon the shoulders of the American taxpayer billions of dollars in additional indebtedness will be placed; our Nation will be virtually bankrupt; we shall be responsible for the unwarranted murder of American soldiers; and we shall wind up with chaos, crape, poverty, disease, pestilence, unemployment, perhaps revolution, and serious assaults will be made on our present American way of life, if indeed it shall not be absolutely destroyed.

There are today 537,806 veterans or dependents receiving compensation and pensions as a result of the last war. If we become involved in this war, there will not be merely 50,000 dead and 234,000 wounded but the probabilities are that there will be hundreds of thousands dead and millions wounded. Every one of those wounded soldiers, and every widow of a soldier, and his dependents, will be entitled to compensation, as are the soldiers of the last war.

Mr. BONE. Mr. President, will the Senator yield?

Mr. REYNOLDS. If the Senator will pardon me, I should rather not be interrupted, because I am trying to maintain some continuity.

Mr. BONE. I should like to have the Senator explain how the capitalistic system could exist and face the impact of that debt.

Mr. REYNOLDS. I shall be happy to refer to that at the conclusion of my speech.

With the finances of the Government in the condition in which we find them today, with a deficit of billions of dollars added to the one hundred or one hundred and fifty billions the Government will owe at the end of this war, if we get into it, it will mean that the veterans of World War No. 1, and the widows and dependents of veterans of that war, will suffer a marked reduction in the amounts of money they are drawing monthly now, because the veterans of the present war, into which we are likely to be drawn, and their dependents, will be entitled to the same consideration accorded the veterans, their widows, and dependents, of World War No. 1. In other words, a veteran today drawing \$100 monthly would probably experience that monthly payment being cut down to \$15 or \$20 and in all probability much less.

After the conclusion of World War No. 1 we were referred to as *Shylocks*. We had advanced to Great Britain and her allies approximately \$22,000,000,000. Enthusiastic about the victory which we had aided in attaining, and being the big-hearted people that we are, we literally cut in half the indebtedness of the Allies, reducing it from \$22,000,000,000 to \$11,000,000,000, and of that sum not one penny of principal has been liquidated, and only a few dollars have been applied to the millions of dollars of interest that we should have been paid. Neither France nor Britain has even offered to cede to us any of their possessions in the Western Hemisphere to be applied on their World War No. 1 indebtedness, de-

spite the fact that we need some of their island possessions in the Caribbean, such as Trinidad and Martinique, and in the Atlantic, such as Nassau, Bimini, Bermuda, and Newfoundland, as outposts, as well as a corridor over British Columbia, I might add, to provide us with a military and commercial highway from Seattle, via Vancouver, the capital of British Columbia, to Juneau, the capital of Alaska.

In further pursuance to our participation in the last war, and in appreciation of those whom we saved, let me call to the attention of the American public a statement alleged to have been made by Winston Churchill, the Prime Minister of England, to Mr. William Griffin, the editor and publisher of the *New York Enquirer*, of New York City, at London, after the end of World War No. 1, which statement Editor Griffin declares to be true. In a conversation which took place between Editor Griffin and Prime Minister Churchill in London, Mr. Griffin says that the Prime Minister stated that—

America's entrance into the war was disastrous not only for your country but for the Allies as well, because had you stayed at home and minded your own business we would have made peace with the Central Powers in the spring of 1917, and then there would have been no collapse in Russia, followed by communism; no breakdown in Italy, followed by fascism; and nazi-ism would not at present be enthroned in Germany. If America had stayed out of the war and minded her own business, none of these "isms" would today be sweeping the Continent of Europe and breaking down parliamentary government.

That is what Editor Griffin stated Winston Churchill said. Mr. Churchill denied it, and Mr. Griffin brought suit against Mr. Churchill, which suit, I am informed, is at this time pending in New York.

Now let us return to the bill before us, and endeavor to analyze it as I see it.

To repeat, the bill is entitled "A bill to further promote the defense of the United States, and for other purposes." The bill before us, now under discussion, is generally known to the American public as the lend-lease bill. I read now from the bill:

An act to promote the defense of the United States.

Let us see as to whether or not the terms of the bill entitle it to be designated as "an act to promote the defense of the United States." It is a bill—

To manufacture in arsenals, factories, and shipyards any defense article for the government of any foreign country.

To sell, transfer, exchange, lease, lend, or otherwise dispose of (which means to give) to any such foreign government any defense article.

To repair, outfit, or recondition any defense article for any such foreign government.

To communicate to any such foreign government any defense information.

To release for export any defense article to any such foreign government.

It goes on further to state in section 6 that—

There is hereby authorized to be appropriated from time to time out of any money in the Treasury \* \* \* such amounts as may be necessary to carry out the provisions and accomplish the purposes of this act.

All of which means that all these articles of defense and maintenance which



the bill proposes to sell, transfer, exchange, lease, lend, or give to Great Britain and other foreign countries are to be paid for by the taxpayers of the United States of America, which may amount to billions of American dollars.

Section 3 of the bill provides that, "Notwithstanding the provisions of any other law, the President may" do so and so. This virtually means that the President has a right, according to my interpretation, to declare null and void, destroy, repeal certain laws without the consent of Congress, such as the Neutrality Act.

It strikes me from a reading of the bill and from analyzing it that instead of the bill being entitled "A bill further to promote the defense of the United States, and for other purposes," it should be entitled "A bill for other purposes"—or, in other words, a bill for the defense of the British Empire at the expense of the lives of American men and at the expense of the American taxpayer, and for the preservation of the British Empire, without any consideration for the preservation of the United States. It should be referred to not as the lend-lease bill but as the lend-lease-give bill.

Mr. President, before we decide, by the passage of this bill, to give our defense articles, which we so badly need here at home, to Great Britain, let us consider our own plight, our present condition. If a man were told that just without the threshold of his home there were armed burglars bent upon robbery and murder of those in his home, I wonder whether he would be so foolish as to take his arms and munitions around the corner and give them to a neighbor who was being assaulted or expected to be assaulted. It seems to me his interest would lie in protecting his blood and kin, the members of his own family right there in his own household.

We have just voted to increase the national indebtedness to sixty-five billions, by far the highest that this country has ever known, and perhaps exceeding the national indebtedness of any other country of the world during peacetime or any other time. We have not yet paid our debts incurred as a result of the last World War, in which we participated. We have millions of unemployed despite our immense national-defense program, the largest any country of all the world at any time has ever undertaken in peacetime. We have millions unemployed, despite the fact that we have approximately 3,000,000 persons on the W. P. A. rolls, despite the fact that an estimated 4,000,000 are employed by the Federal, State, county, city, and other local governments, despite the fact that we have 300,000 young men in the C. C. C. camps, and despite the fact that millions are being provided with direct Federal, State, county, city, group, and individual relief.

Mr. President, why do we not think about our own unfortunates, our own poor unemployed here at home? Why do we not think more of charity to our own instead of to others?

This morning I read the Merry-Go-Round column by Drew Pearson and Bob Allen, a column which is published daily

in the Washington Times-Herald. It deals with our present condition. I wish to read the portion that comes under the heading "Defense Grapes of Wrath":

California no longer has a copyright on the Grapes of Wrath. Its drama is being reenacted the country over as a great foot-loose army of migrant workers moves on defense centers in quest of jobs.

It is one of the most serious problems faced by defense executives. Yet they have done relatively little about it. Over 3,000,000 destitutes, mainly from rural sections, have hit the road in the last 6 months looking for defense jobs. Seven cities alone—Charlottesville, Ind.; Corpus Christi and Orange, Tex.; Radford, Va.; Detroit; Boston; and the Norfolk-Newport News, Va., area—have attracted more than 250,000.

Only a fraction find steady employment. The rest eke out a half-starved, hand-to-mouth existence, depending largely on odd jobs and private charity. Many States have "settlement laws" which bar migrants from relief until they have lived a certain length of time in the State.

An example of what footloose job hunters are up against is the Lockheed aircraft plant at Burbank, Calif., where the average weekly number of job applicants is 2,050, of which 1,450 are turned down for lack of training. Lockheed officials estimate 75 percent of those rejected are from outside the State.

The unemployment crisis is so acute in some Texas towns, where cantonnement construction is under way, that migrants assemble each day in "bull pens" (vacant lots) to be hired. A "bull pen" in Brownwood, Tex., site of a National Guard camp, averages from 500 to 1,000 jobless a day.

Living conditions of the tent-town wayfarers are unbelievably bad and, due to housing shortages, are not much better for those lucky enough to find work. At Mineral Wells, Tex., where Camp Walters is located, many workmen sleep in crowded dormitories, equipped with one shower, four water faucets, and one toilet for 60 men.

United States Public Health officials are at a loss to explain why the lack of proper sanitation among defense migrants has not resulted in widespread disease. However, only two minor epidemics of flu, in Louisiana and Texas, have been reported so far.

I add, unfortunately, such are conditions here at home.

We are referred to as the richest nation upon the face of the earth. We have many persons wealthy in their own right, among whom are innumerable millionaires, some of whom made their fortunes out of the last war. On the other hand we have the great masses, constituting the millions upon millions of God-fearing, hard-working men and women who earn their living from day to day by the expenditure of their energies and by the sweat of their brows, as clerks in stores, in small businesses, and in factories. These millions constituting the masses are after all the ones who will be called upon to pay the price of war if unfortunately we become involved in this one. So it is of them that I think. It is within them that my interest lies, because their interest is America's interest. America's interest is their interest. The first and only interest that I have in this bill is the interest of the United States of America. I owe allegiance only to the United States and to no other country upon the face of the earth. With me it is America first, last, and always. I think that before our masses, including the sharecroppers of the South, the laborers in our

textile plants, the small wheat farmers of the Middle West, the white-collared men of the stores and offices, and the women of the mills and shops, are called upon to pay for a war in Europe, which I declare is not theirs, the British Empire and its people, with their nobility, their millionaires, their estates in England, Canada, Australia, New Zealand, South Africa, India, and every other part of the world where the British flag remains supreme, should be called upon to strip themselves of their hunting lodges and castles, their hounds and their falcons, their horses and their dogs, their jewels, their cash, and their securities. Before the one-gallused, overall-clad farmer or laborer of this country is called upon, with all of us, to pay by way of increased taxes in the form of income taxes, contributions, and perhaps eventually in the form of a general sales tax throughout the Nation, which will reach all from the poorest man to the richest, British citizens of great wealth should be asked to contribute. Why should a poor cotton farmer of the South, or an humble wheat producer of the West in America be called upon to pay for the war in Europe, while those possessed of great wealth throughout all the British Empire are continuing to enjoy their comforts in their castles, their sport in their lodges, their horses following the hounds, their costly motors on the highways, their jewels on their gowns, their fabulous incomes from their stocks and bonds, while the little men in America, those whom we have forgotten for the time being, are being called upon to fight somebody else's war and either give their blood for somebody else's cause or deny themselves and their families the comforts, and perhaps even the necessities of life?

I know that today many fear to make mention of the riches of the British Empire, which calls upon us to pay for her war. But I hesitate not, because I am interested in my country. I am more interested in my country, which I love, than I could ever be in myself or any ambition I might ever have.

This is a serious hour to every man, woman, and child, and to their offspring in the generations to follow. This war is being waged on the one hand by Great Britain. That means the British Empire. The British Empire means territory in every section of the world, including Canada, Australia, New Zealand, South Africa, and India. It is said that the richest men of all the earth, not even excepting our own Henry Ford, are to be found in far-away India, a country having a population of 375,000,000, most of whom are Hindus. The leader of millions of them is a man by the name of Gandhi, who for years has been seeking the freedom of his people as we sought freedom from Great Britain prior to the Revolutionary War.

In India there are the kings, known as the maharajahs, possessed of billions in estates, cash, securities, jewels, and what not. In Canada there are immense ranches, and there are millionaire munitions manufacturers who today are turning out arms and implements for their own Empire, and are demanding



"cash on the barrel head" in payment, while we are being asked to lend, to lease, and to give—and virtually being frightened into it—when no such request has been made by Great Britain of Canada.

In addition to the great wealth to be found in the Empire, Secretary of the Treasury Morgenthau tells us that Great Britain has about \$3,000,000,000 here—although many well-informed financiers say that this figure is nearly ten billion.

They want us to give them something. Let me digress at this point long enough to give a homely illustration. Many of my colleagues walk daily from the Capitol down Pennsylvania Avenue. Many of them are accosted by poor, unfortunate men who are hungry, destitute, and shelterless. If some afternoon, after the close of the day's session of the Senate, some Senator should be approached on the avenue by a poor, ragged, unfortunate beggar—one of the millions spoken of by Drew Pearson and Bob Allen—and the approach by that unfortunate man were to be made with an empty outstretched palm in the right hand and a \$10 bill in the left, the Senator would not be so hasty about giving him a quarter for a sandwich and a cup of coffee after seeing the \$10. Nor would he, with a \$10 bill exhibited, make a request for a quarter. He would put the \$10 bill in his pocket; and it is perfectly reasonable to believe that those who are calling upon us to give are not going to evidence the tremendous wealth of which they are possessed.

At any rate, untold billions can be secured by the British Empire from her dominions and colonies; and why should not Holland and Belgium contribute some of their billions in the Dutch East Indies, in Borneo, half of which is owned by Great Britain and half of which is owned by Holland; in Sumatra, Bali, Java, the main islands of that group? Why, then, should not Holland and Belgium contribute some of their billions in the Dutch East Indies, Africa, and elsewhere, where are to be found great quantities of rubber, tin, and oil?

Here let me digress again to call attention to a matter pertaining to the riches of Great Britain. In South and Central America—here in the Western Hemisphere—the British have tremendous investments in railroads, meat plants, docks, electric-light companies, street railways, textile plants, shipping lines, and a hundred and one other financial interests. British investments in that part of the world to the south of us are tremendous. As we all know, the British were largely responsible for the development of the Argentine; they have big investments in Chile; they have mining and oil interests from Mexico southward. Why should not they be called upon to turn over to us their stocks and bonds in these innumerable mammoth enterprises as security for the loans we are proposing to make, or in payment of the goods and implements of war that we are proposing to give? Or is it that we simply want to give away everything we have—give away the money and the property of the American people—in

many instances without the consent of people who are just as much interested in the financial condition of our Government and the preservation of our Government as are those who want to give everything we have to those who again ask for all-out aid?

Mind you, Madam President and Senators, in reference to the investments in that portion of the world in this hemisphere, Senators who have traveled in South America and Central America have observed British investments and the development thereof on every hand, not only in Mexico, where millions upon millions are sunk in oil and mining enterprises but in the countries of Central America, and in virtually all the countries of South America, principally, according to my observation, in Peru, in Chile, in Argentina, in Brazil, and even in the smaller republics of Paraguay and Bolivia. Yet some seem to be blinded to the security that our friends across the seas are in a position to give.

Mr. VANDENBERG. Madam President—

The PRESIDING OFFICER (Mrs. CARAWAY in the chair). Does the Senator from North Carolina yield to the Senator from Michigan?

Mr. REYNOLDS. I yield.

Mr. VANDENBERG. I am sorry; I had forgotten that the Senator asked not to be interrupted.

Mr. REYNOLDS. I did ask not to be interrupted; but if the Senator wishes to ask a question, I shall be glad to have him do so.

Mr. VANDENBERG. It occurred to me that it might illuminate the Senator's point if I pointed out that even Mr. Morgenthau reported to the Foreign Relations Committee that the investments of the United Kingdom in Central America and South America alone probably have a knock-down value of \$4,000,000,000.

Mr. REYNOLDS. \$4,000,000,000?

Mr. VANDENBERG. Yes.

Mr. REYNOLDS. I thank the Senator very much. I thought the amount exceeded that figure. I am very grateful to the Senator for his statement.

All these requests are being made in the face of the fact that Great Britain and other European countries have absolutely refused to pay or to consider paying any part or parts of the interest on the billions of dollars we let them have during World War No. 1—and this further in the face of the fact that Great Britain, Holland, and Belgium have billions scattered over the face of the earth. It is interesting to note that notwithstanding the reported scarcity of ships in which to carry munitions and planes from this country to Great Britain, she continues her normal commercial trade with South America in nonessential war materials.

Some will argue—and do, for that matter—that Great Britain favored us by giving us the privilege of constructing at our own expense outposts on the islands of Trinidad, Jamaica, and Newfoundland; but it must be remembered that on these islands we shall be called upon to purchase from the owners of the land acreage sufficient for the construction thereon of these outposts, fortifications, and air

bases. It must be remembered that millions of American dollars are to be paid for the construction of these outposts on some one else's territory—on Great Britain's territory—that in the construction of the outposts nationals of Great Britain will be provided employment, and that in the maintenance of the outposts the millions we shall spend annually for the upkeep of the posts and their personnel in the form of soldiers, sailors, and aviators will benefit the populations of those British Isles. Last, but by far not least, we must remember that the outposts which we are to construct at the expenditure of millions of our own money are our outposts on lease, but, on the other hand, they are for the protection of British property itself.

We, of America, rather felt that another war was going to take place in Europe. I think all of us did. The one that is raging there today is not really one between the totalitarian states and the democracies. It is a war in which we find on one side Great Britain, a democracy, and her ally, Greece, which is a dictatorship. When, several years ago, the Grecian people were privileged to decide by plebiscite whether they desired a dictatorship or a republic, they voted 10 to 1 for the dictatorship; whereas, on the other hand, we find only totalitarian states, Germany and Italy.

We in America rather felt that there would be another war in Europe, another war for power and supremacy of commerce. We knew it was coming, but we did not know when. It came in 1939. I did not expect it until 1940 or perhaps 1941. But, anyway, it came.

Prior to the breaking out of the present war, the British people themselves knew that another world war was coming, and they knew that it would be a war similar to World War No. 1, a war for power and for the supremacy of commerce and the seas.

In this connection I might add that several weeks ago there appeared before the Foreign Relations Committee of the Senate Gen. Robert Wood, who is chairman of the board of directors of Sears, Roebuck & Co. Many Senators were present and heard his statement. General Wood served overseas during the World War. He is a member of the American Legion. He served as Quartermaster General of the United States Army during that war. He—Gen. Robert Wood, World War hero, American—testified before the Foreign Relations Committee as follows:

In 1936 I was a luncheon guest at the home of Prime Minister Churchill in his house in London, England, at which time Prime Minister Churchill told me that Germany was getting too strong, and that Great Britain ought to crush Germany.

As will be noted, that statement made by Prime Minister Churchill was made only 3 years before the beginning of the present war, which broke out in Europe on September 3, 1939.

That was perhaps the most important statement made by any witness who testified before the committee of either the House or the Senate interesting itself in foreign relations. Why? Because it proved that this war is a war for power,



for supremacy of the seas, and the balance of power in Europe. General Wood stated that in 1936—I repeat it because of its importance—that when he was a luncheon guest in the home of Winston Churchill, Prime Minister of the British Empire today, in London, England, Winston Churchill told him that Germany was becoming too strong and she ought to be crushed. What did he mean by that? Let us see.

The British people, as a result of their experience in the last war, felt that there was going to be another World War. They recognized that Germany was becoming too strong, in fact so strong that there was danger of the balance of power in Europe being wrested from them by Germany, and that, I contend, was the thought in the mind of Winston Churchill at the time of his conversation with General Wood, and, no doubt, was responsible for the statement which he, Prime Minister Winston Churchill, made to General Wood to the effect that Germany was becoming too strong and had to be crushed.

The British people as a whole, as a result of their experience during World War No. 1, recognized the power and the tremendous benefit of propaganda. We here certainly recognize it. They had during the World War perfected propaganda, so to speak, that had succeeded largely in propagandizing the American people into that war in which we participated. So they talked about it; they thought about how they would make utilization of propaganda when England again became involved in a war in Europe. They figured on how it would be possible to propagandize us and to take us into another one of their wars. In these discussions pamphlets were written and books were printed. I have one in mind [exhibiting], a volume entitled "Propaganda in the Next War." It was written by an Englishman whose name is Sidney Rogerson, and published by Capt. Geoffrey Bles, of the British Army. I am told the book has been withdrawn from sale in America since the beginning of this war. The authors of this volume, in part, state, page 146—listen to what these British Army gentlemen say about us in this book, which was written by English Army officers and published in London, England, by the British press—

The American is the great champion of the oppressed—

And he is—

which may explain why he is so frequently taken in by the "hard luck" story of London confidence tricksters.

We are big-hearted. I hope we will not continue to be so big-hearted as will finally result in our entire destruction.

On page 152 these British authors state in this book published in England:

If anything is certain about the next war—

That is the one that is now raging—it is that we shall have France as our ally in chief, if not as our only certain ally outside the British Empire.

France was her ally.

These men seem to know what they were talking about.

At page 148 these gentlemen of London say, in talking about America:

Though we are not unfavorably placed, we shall require to do much propaganda to keep the United States benevolently neutral. To persuade her to take our part will be much more difficult—so difficult as to be unlikely to succeed. It will need a definite threat to America—a threat, moreover, which will have to be brought home by propaganda to every citizen before the Republic will again take arms in an external quarrel. The position will naturally be considerably eased if Japan were involved; and this might, and probably would, bring America in without further ado. At any rate, it would be a natural and obvious object of our propagandists to achieve this, just as during the Great War they succeeded in embroiling the United States with Germany.

In pursuance of this paragraph from the book entitled "Propaganda in the Next War," on page 150 thereof we find the following statement:

They—

Meaning the United States—

should be the first to be allowed to "shoot" pictures of air raids in order that a proper volume of pictorial "horror" will be available in one of the few countries where "atrocious propaganda" will still be operative.

This book was published in London by Geoffrey Bles, No. 37 Essex Street, Strand, London, England. Up at the top here I read:

The Next War. A series edited by Capt. Liddell Hart.

And this book, entitled "Propaganda in the Next War," by Mr. Sidney Rogerson.

These British Army men, the authors or editors of this publication, further state:

There remains the United States—the great neutral.

In the next war, as in the last, the result will probably depend upon the way in which the United States acts, and her attitude will reflect the reaction of her public to propaganda, properly applied.

The British Army officers who authored this book were right when they stated that America is the great champion of the oppressed, and that we fall for hard-luck stories. They said, you will note, that we should be the first to be permitted to make pictures of the horrors of war, which pictures have been made in abundance and published generally throughout the United States, such as motion pictures and still photographs made by Mr. Quentin Reynolds, a magazine correspondent, who prefaces his lectures by stating that he is neutral, but all who have heard him state that he makes the strongest plea for our entrance into the war that they have ever heard.

British propaganda has swept the American people off their feet. As stated by the British authors of the book from which I have just quoted, we are more subject to propaganda than are the peoples of any other nation of the world, because of our charity and consideration for others and our big-heartedness.

Propaganda, as we all know, is a powerful weapon, and may be used as a keen, vicious instrument. Today, patriotic Americans who believe in the American way of life, who consider America first,

who are interested only in the defense, protection, and preservation of Americanism, are branded by some as dupes and "fifth columnists."

Thomas Jefferson once said:

For us to attempt to reform all Europe and bring them back to principles of morality and a respect for the equal rights of nations would show us to be maniacs of another character.

Today it has become a major crime in the United States of America to be an American. Those who speak and act as Americans should be instantly pounced upon and then sneered at as dupes or agents of foreign powers, hostile to the Republic. They are immediately branded as being un-American. They are declared to be pro-German, and some go so far as to say that they are traitors.

This mode of attack upon American patriots in thought and deed is nothing new. It was put into ruthless operation in the Revolutionary War against George Washington and those who, under and with him, were risking their lives and everything they had to the end that America should be emancipated from trans-Atlantic chains and enabled to live her own life in her own way, safe from all foreign interference and all foreign influences.

If we are drawn into this war, Americans should not blame Britain, but should blame themselves. If we were in Britain's place we would do everything in the world that we could to bring in this country or any other country, by propaganda or otherwise, to save our own hides.

We Americans are entirely too prone to blame Britain for the brutal warring campaign to which our country is being subtly subjected. Instead of blaming Britain, should we not rather condemn ourselves? If we were as true to our own interests in all things and at all times as Britain is to hers, we should not be confronted with the fateful crisis which we are now facing. Therefore, instead of blaming Britain, let us give her the high credit that is her due. Let us merely take a leaf, or rather many leaves, out of her book, and apply to our own land the mighty lessons which they teach. In our efforts to succor America, it is vital to bear in mind that when Britain seeks to have us fight her battles and pay her war losses she is actuated solely by an anxiety to do what will redound to her own benefit. We must honor her for eternally serving her own interests. If we allow ourselves to be exploited by her, the fault lies with ourselves, and the remedy likewise lies with ourselves. So let us stop blaming and scolding and denouncing Britain, and profit by her example of self-loyalty to the fullest extent.

Our first line of defense is here at home, not thousands of miles away. And the simple truth of the matter is that Britain herself does not believe that our first line of defense is "over there." She does not believe some of the things she is telling us, and she rightfully holds in contempt all those who do believe them.

I confess to the accusation that I am an isolationist. I believe that we should look after America first. I believe that we should first settle our problems here



at home. I believe that all of our energies should be expended in the interest of our country. Some call us continentalists, some appeasers, some "fifth columnists," some traitors, some pro-Nazis, but whatever they call us, because we are interested in America first, our view upon the issue of saving America for Americans still prevails in our hearts and minds.

Now, let us see as to whether or not we have actually been swept off our feet by the hurricane of propaganda. On the 31st of August 1935 the world was at peace. Some black clouds were hanging over Europe. There were rumblings of another war to come. We in America remembered the cost of our participation in the last war. We wanted to stay out of any future wars of Europe, recognizing then, in August of 1935, that the quarrels of Europe and the wars in Europe for power and supremacy were none of our wars.

On August 31, 1935, we passed what is known as the Neutrality Act, and amongst other things that Neutrality Act, that law, recommended by the President, sponsored and signed by the President, prohibited our selling any arms, ammunition, or instruments of death to any country which in the future might become involved in war, and be designated as a belligerent. That was fine. I voted for it. The majority of the Members of this body voted for it. The majority of the Members of Congress voted for it. Ninety-five percent of the American people were for it. The President of the United States not only advocated the passage of the bill but made statements favorable to the bill, and signed it. We were then on an even keel. We then had all our wits about us. We were not then being propagandized. We felt safe after the passage of that bill, realizing that our sale of war materials to the nations at war in Europe in 1914 to 1917 was largely responsible for our being drawn into the war.

Then came World War No. 2, which broke out in Europe on September 3, 1939. England declared war on Germany at 11 o'clock in the morning of that day, and England's proclamation was followed by a declaration of war by France at 3 in the afternoon of the same day.

Immediately after the declaration of war on September 3, 1939, the President of the United States called a special session of Congress, which convened in Washington in September of 1939, less than a month after war had been declared in Europe. The President then suggested and recommended a repeal of the law which prohibited us from selling arms, ammunition, munitions of war, and instruments of death to nations at war. Propaganda had then hit this country. We were being subjected to propaganda. In this body, the Senate of the United States, we debated for weeks the question as to whether or not we would repeal the law passed in 1935 prohibiting the sale of arms and munitions to nations at war. Propaganda developed terrifically and rapidly. Pressure was brought to bear from every hand. To make a long story short, the Congress of the United States voted to repeal that law, a

law it had passed in 1935, thereby voting to place instruments of death in the hands of those at war in Europe.

I voted against the repeal of that law; and I wish to say now that if we are in the war, as some have said we are, we are in it for the sole and only reason that we lifted the arms embargo. I voted against the repeal of the arms embargo despite terrific pressure. I voted against the repeal of the arms embargo which we had established by law 4 years before, when the world was at peace; and I felt then as I do now, that if we should repeal the law lifting the arms embargo and again engage in selling war materials to warring nations in Europe it would simply mean that we would open the gates and take the step that would set us on the road which would lead to war, and I so stated my position at that time.

Remember, everything was quiet, peaceful, serene, and lovely in the summer of 1935. There were no wars raging in Europe. There was no propaganda here; and by the arms-embargo legislation we said, "We shall never again sell arms to any warring nation." We said, "That got us into trouble before, and it will get us into trouble again." So in the summer of 1935, when we were at peace with the world, and the world was at peace with itself, and we were on an even keel and had our wits about us, we said, "Let us protect ourselves so that we will not be swept off our feet when war does come." But, unfortunately, it did not have that effect, for less than a month after the declaration in Europe of the present World War, World War No. 2, on September 30, 1939, we were called upon to repeal—and we did repeal—the law we had passed for our safety. Why? I voted against the repeal of that law.

Since the repeal of the arms embargo, since we, by those actions and votes in 1939 decided to sell arms to a nation at war, we have, step by step, been proceeding down the road which leads to war, daily getting nearer and nearer to the brink of war.

Mr. President, I wish to repeat that I felt then and feel now that when we lifted the arms embargo we opened the gate and took the step which actually put us on the highway leading directly to war.

Some say that if this bill shall be passed we will topple over into the abyss of the war itself. Again I say that I contend now that had we not nullified the neutrality law of 1935, had we not in 1939 lifted the arms embargo, permitting us to sell implements of death to nations at war, today we would not be in the position in which we now find ourselves—perilously, dangerously close to war.

Some say that the passage of this lend-lease-give bill for the benefit of Great Britain will not take us any closer to war. I do not know. I have only my opinion.

Some say that the passage of this lend-lease-give bill will not get us into war. I do not know. Some say that the passage of this lend-lease-give bill will get us into war. That I do not know. It remains to be seen whether the passage of the bill will get us into war. But I do

know that we cannot strengthen our own defenses by giving, lending, or leasing to any nation our implements of defense.

Mr. President, I, like you and every Member of this body, have been more thoroughly concerned about the great question before us today than I have been about any other question that has ever brought real, serious, troubled concentration to my mind. In considering this matter I, like you, have absolutely eliminated any thought of what might be said about how we vote. That does not matter to you and it does not matter to me, because we, as Senators, shall be here only a short time and are quickly forgotten. I recall honorable men, great patriots of this country, who during my tenure of office gave their lives in behalf of our country, who died serving the people, and the week after they died one never heard their names mentioned. We as Senators may amount to a great deal in our own respective opinions. We may like to have our pictures published in the newspapers, and to be pointed to, and to have it said about us, "There goes a Senator." We know how short are our lives, but every one of us who loves his country is desirous that it shall live on and on forever, and I know that everyone in this body has prayed that the great Almighty God above would lead him in the right direction, to act solely in behalf of and for the welfare of his country.

Mr. President, after pondering for weeks and listening to all the evidence and the many eloquent speeches from Members of this distinguished body, all of whom I admire and whose sincerity I deeply appreciate, I pray to the great God above that we shall never lose our American form of democracy. If ever I was impressed with the worthwhileness and the benefits of American democracy, free speech, and the fairness of American people in debate, I have been impressed with them during the continuation of consideration of the issue before us. The debate has been orderly and friendly, because we in America recognize that every man is entitled to his opinion about every question, and it would not be the American form of debate unless there were differences of opinion. But we all earnestly hope that those differences of opinion will serve to aid us, whether we are on one side or the other, to find the best answer to the question, the answer which will best serve our country and our people. That is all we seek.

I wish to compliment our leader. I am not throwing any bouquets. I feel the urge to speak of him because I think he is deserving of that which I am about to say. The same sentiments have been expressed many times. Although I do not share his views, I know that he is as conscientious in his position as I am in mine, and he has been as fair with those on the other side as any man could possibly be. He has shown us every possible consideration. As a result of the fairness which he has shown, his friendly feeling toward those who do not share his views, and his brotherly love for those who are likewise interested only in the cause of America, I think that after we have spoken our parts and made a record of our stand upon this all-im-



portant matter the vote should be cast. So far as I am concerned, I shall be ready to vote when the leader of the majority and the leader of the minority agree that the vote should be taken.

The question with me is, Would the passage of this bill take us closer to war? I do not know. There is an honest difference of opinion upon this subject; but, insofar as I am concerned, I am not willing to take the chance of moving my country closer to a war which is not ours. Therefore I shall vote against the bill.

If, after the passage of this bill, the time shall arrive to take the last and final step—I mean a declaration of war by this body—I serve notice now that I shall never cast my vote to send American manhood across any ocean to fight in any war for the preservation of any foreign nation or empire.

Unfortunately, our thoughts, our interest, and our attention have been diverted from our homeland and its problems and focused upon Europe. Instead of devoting our time, energy, and money, and our interests to the saving of the world, we should today be devoting our charity to our own orphans, to our blind, to our ill, to our undernourished, to our unemployed, to our social fabric, to the perils that beset us here in the form of Communists, Nazis, and Fascists, who are eternally boring from within in a vicious endeavor to destroy our American democracy.

So, Mr. President, instead of going across the Atlantic to destroy nazi-ism and fascism there, I say that we should destroy nazi-ism, fascism, and communism right here in our midst. Members and agents of such forces are working night and day with the sole objective of destroying our country. Before we enter this war—that is to say, according to some, before we pass this bill—we should be careful of every step. I believe it is time for us to do some solemn thinking about this country's future in relation to the world. If we are to be a glorified sort of supersnooper, peeping through other countries' windows, then we must also be a supersoldier, fighting Britain's battles for her in the Pacific and probably the Atlantic also. We should take into consideration the consequences of the passage of the bill. With such thoughts in mind, I respectfully call to the attention of the Members of this body a paragraph from an editorial published recently in the columns of the *Charlotte Daily Observer*, of Charlotte, N. C., which reads as follows:

#### WARMONGERING

America must take abundant caution in these critical and hysterical times to keep its shirt on and not commit reckless and unwise acts that would virtually be tantamount to an act of war, and thus force the Axis Powers to do what they clearly wish to avoid for as long as possible, and that is to recognize the United States as an active belligerent.

That is the closing paragraph of an editorial from the *Charlotte Daily Observer*, of Charlotte, N. C., which I had inserted in the Appendix of the *CONGRESSIONAL RECORD* a few days ago with the unanimous consent of those present.

Mr. President, in quoting editorials from newspapers of my State only, I wish to read to the Members of this body a

most excellent and timely editorial published in the columns of the *News and Observer*, a daily newspaper of Raleigh, N. C., edited by Hon. Jonathan Daniels, son of our American Ambassador to Mexico, Hon. Josephus Daniels, former Secretary of the Navy, who is the owner and publisher of the *News and Observer*. The editorial is entitled "Without Risk of Men," and reads as follows:

"We do not need the gallant armies which are forming throughout the American Union," says Winston Churchill. "We do not need them this year, nor next year, nor any year that I can foresee." There is every reason to believe that Mr. Churchill spoke sincerely. But he spoke in a plea for aid also, a plea in which, as the spokesman of a brave people at the greatest crisis in their existence, he weighed every word he used. Without resorting to the least misrepresentation, he spoke words which he hoped would move—as his words did—listening Americans.

This suggestion, often made in America also, that America can give its treasure without risking its blood, needs examining. England does need troops from far off. If it did not, Australians would not now be fighting in North Africa. It will not soon need more men in England, but already Hitler makes disturbing motions in the Balkans toward a possible new battleground in the Near East.

If America determines to go to the aid of an assailed democracy, no fear of war will deter it. But America should not move in aid under any illusion that it can serve only with money and materials and with no risk of men. Any move toward war is a move toward men fighting—toward American armies fighting in any or every part of the world.

The people of the United States are deluding themselves if they act in the thought that they can be rescuers and stay-at-homes at the same time.

The editorial concludes:

America is in the midst of a decision making which should be made in brave recognition of danger to be gallantly faced. If we are going to save the world, we cannot count on saving our skins at the same time.

I repeat Mr. Daniels' closing paragraph in the editorial:

America is in the midst of a decision making which should be made in brave recognition of danger to be gallantly faced. If we are going to save the world, we cannot count on saving our skins at the same time.

I assert that a more prophetic or truthful or timely statement was never made by any editorial writer during these days than "if we are going to save the world, we cannot count on saving our skins at the same time." If the mothers and the fathers of America are bent upon sending forth their fine, brave sons, their flesh and blood, to conquer or reconquer portions of the world, they cannot count upon their being returned, except perhaps in death. They cannot count upon contributing continually in implements of death to those whom we are desirous of serving and at the same time save the hides of their own sons.

No Member of this body detests dictatorship any more than I do, whether it be of the Communist, Fascist, or Nazi brand; but as I have said, instead of going abroad to destroy those "isms," concerning which I have talked for hours upon the floor of this chamber, year after year, I think we should first make sure

of their destruction here at home, as I have repeatedly and consistently and almost daily, over the years, advocated in my attack upon nazi-ism, fascism, and communism.

In conclusion, I desire to state that I am not opposed to giving aid to England as is now provided under existing statutes. However, I am bitterly opposed to any subterfuge or any circumventing of the present statutes by any type of legislation such as this for which we are now being called upon to vote.

There is no Member of this body who abhors war or hates war more than I do; and I intend to do everything in my power to keep our country from becoming involved in this war. I am opposed to this bill, H. R. 1776, because I am convinced that its passage may lead us directly toward, and to, a declaration of war—and into the war.

In every county of my State and in virtually every State of the Union I have repeatedly stated that I would never vote for any bill which I thought would lead us toward war—that is why I voted against lifting the arms embargo—and that I would never vote for a war declaration that would send our men to foreign shores. Therefore, in view of those pledges and in view of the fact that I voted against lifting the arms embargo, which I thought would put us on the road to war, and which has done so, and in view of the fact that I am conscientiously of the opinion that the passage of this bill will certainly take us closer to war, and in order to maintain my consistency and carry out my pledges, I shall cast my vote against this bill. [Manifestations of applause in the galleries.]

Mr. BARKLEY. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. BUNKER in the chair). The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	George	Murray
Aiken	Gerry	Norris
Austin	Gillette	Nye
Bailey	Glass	O'Mahoney
Ball	Green	Overton
Bankhead	Guffey	Pepper
Barbour	Gurney	Radcliffe
Barkley	Harrison	Reynolds
Bilbo	Hatch	Russell
Bone	Hayden	Schwartz
Brewster	Herring	Sheppard
Bridges	Hill	Shipstead
Brooks	Holman	Smatthers
Bulow	Hughes	Stewart
Bunker	Johnson, Calif.	Taft
Burton	Kilgore	Thomas, Idaho
Eyrd	La Follette	Thomas, Utah
Byrnes	Langer	Tobey
Capper	Lee	Truman
Caraway	Lodge	Tunnell
Chandler	Lucas	Tydings
Chavez	McCarran	Vandenberg
Clark, Idaho	McFarland	Van Nuys
Clark, Mo.	McKellar	Wallgren
Connally	McNary	Walsh
Danaher	Maloney	Wheeler
Davis	Mead	White
Downey	Miller	Wiley
Ellender	Murdock	Willis

The PRESIDING OFFICER. Eighty-seven Senators have answered to their names. A quorum is present.

Mr. BONE. Mr. President, my attention has been drawn to a rather interesting article in the current issue of the



Washington Daily News written by Thomas L. Stokes. If his statement is true—and I know Mr. Stokes is a good newspaperman—it certainly presents an interesting aspect to the American people.

We gave the British 50 destroyers. I, in common with other Members of Congress, wondered what we were to get in exchange. Mr. Stokes attempts to make that answer plain in part. He says:

It turns out that while the British got the American destroyers promptly, there was nothing definite about what the United States was to get except a 99-year right to build and maintain bases somewhere in each of the eight possessions. There was no agreement or guaranty about the exact sites or about the price to be paid to the owners of the land involved.

While it had been supposed that some of the Crown lands belonging to Britain might be turned over for the bases, this has been refused in all cases. Only private lands are offered, for which the United States must recompense the owners. Exorbitant prices are being asked.

Not only that, but some of the facilities offered are not at all suitable—swamplands in some cases—so that large expenditures and considerable time will be required to adapt them to the Navy's purposes.

It seems strange to me, Mr. President, that a nation that we have been assured at this moment stands with its "back to the wall," with its national life in the balance, is calmly advising us that we must put on a W. P. A. operation to reclaim swamplands or unsuitable lands, and that, in addition, we must pay private owners instead of the Government which is in a death grapple with an enemy and which may be destroyed.

I know that it is rather old fashioned for me to speak of the taxpayers of America, who are all of the people. I have not elected myself to be their ardent defender in this Chamber as have some of my very conservative brethren—my ultraconservative brethren—but I am just wondering, in the light of history, how this sort of a transaction, at the very beginning of this war operation, will sound in the future to those who write history, provided history is permitted to be written in the future. I have some slight misgiving as to whether gentlemen in the future will write frankly their impressions; there may be very good reasons why they will not be permitted frankly to set down impressions of this period; but certainly it is an odd thing, Mr. President, that we generously gave a segment of our Navy to a country facing the critical situation that faces Britain only to find that we may meet with a lack of that degree of cooperation and certainty which certainly the facts ought to justify. Britain ought to be, it seems to me, equally generous with us, and, at least, yield us some of the crown or public lands, whatever they may be, and if they are available.

Mr. JOHNSON of California. Mr. President, I could not hear all the Senator from Washington said. Does the quotation which he read deal with the 50 destroyers which were furnished by the United States to the British Government?

Mr. BONE. Mr. Stokes in his article says that the United States is not going

to get very much in the way of available lands for some of the airplane bases which were supposed to be given us for our 50 destroyers. In other words, we may get some swamplands, so that we may now have to establish a sort of new W. P. A. down in the British possessions where the bases are to be located. Of course, Britain is in a terrible fix, and maybe could not give up any of her crown lands, or public lands, much after the fashion that the Astor family in New York, beneficiaries of British capitalism and British imperialism, cannot yield up their vast family possessions, possibly in the last pitch to help the British Empire. Perhaps they will later on.

It is that to which I refer. If Britain is in a death grapple with destiny, why cannot the British Government be as generous as this Government is being? This involves mere land; but the United States ought not to have to go down there and have to buy high-priced swampland and fill it in, send dredges down there, and put on another W. P. A. operation on British soil. Britain and her colonies, in their death grapple with Germany, ought to be willing to give the United States decent land for these air bases. That is the point I am making, and that is the only point Mr. Stokes apparently attempts to make in his article.

Mr. JOHNSON of California. Mr. President, is that what is contemplated?

Mr. BONE. I have not the faintest idea. We in the Senate do not know much about what is going on in this matter.

Mr. JOHNSON of California. Oh, of course, we do not. [Laughter.]

Mr. BONE. Perhaps we should not know much about what is going on. Maybe it is a military secret.

Mr. JOHNSON of California. Of course.

Mr. BONE. But we ought to know.

Mr. JOHNSON of California. But we do not know.

Mr. BONE. The Senator from California has been here much longer than I have, and he probably knows the answer to this enigma, but I do not know whether it is considered proper and appropriate for Senators to be informed of these things.

Mr. JOHNSON of California. Oh, yes; it is [laughter]; but I wanted to get at the crux of what the Senator was speaking about, and I do not know that I follow it entirely yet.

Mr. BONE. I will ask the Senator to read this statement of Mr. Stokes. It is sometimes difficult for one to make himself heard across the Chamber; and I am going to ask to have this clipping given to the Senator from California, so that he may read it. I shall be glad to have him express his view of what this story gives to the American public.

Mr. JOHNSON of California. I am afraid my views would not be fit for publication; but I want to get the facts if I can. I understand that there is a disposition on the part of Britain not to make a fair exchange out of her own lands for the 50 destroyers that were given her.

Mr. BONE. I do not know whether or not the facts stated by Mr. Stokes in the article are true. He says swampland is

being offered to the United States for some of these bases. It is privately owned. Of necessity, it will have to be filled in by dredging operations, which will be very expensive. Obviously we shall have to send dredges down there, probably from New York, and dredging is slow and expensive. I happen to know a little about harbor-dredging operations.

We gave the British the destroyers without definitely knowing at the time what we were to have. Pressing necessity may have demanded speed. I shall not challenge judgment or good faith in giving Britain the destroyers; but certainly a country locked in a death grapple with a brutal enemy ought to be willing to give us some land in return which will enable us to take care of our program in the western world. We have given them a valuable part of our fleet. That is the point I am making.

I hope the British will not leave the impression that they are merely cold-blooded businessmen, with all the canny instincts of a hard bargainer seeking to drive the best possible bargain in land. This is a poor time to drive a hard bargain with a country preparing to give liberally to them. That is the point I am making.

The American taxpayers are going to give vast aid to Britain. We are assured that the American taxpayers will approve it. When taxes get up to levels commensurate with the vast expenditures we are to make, I am sure the American taxpayer will come to a full realization of the problem.

If any Senator can find consolation in obscurity in transactions of this kind, I should like to have him rise here and express his satisfaction. I merely seek information.

Mr. JOHNSON of California. I was not rising for the purpose of finding consolation in the article, because I feared I would not find it; but I rose to get the facts in my mind if I could. Did the Senator read the article?

Mr. BONE. Yes; that is what I was quoting.

Mr. JOHNSON of California. The article begins:

Difficulties encountered by the Navy in securing sites for bases in British possessions in the Western Hemisphere, as provided in the destroyer exchange 6 months ago, are to be the subject of an on-the-scene investigation by the House.

Does the Senator know whether there is any such investigation?

Mr. BONE. I know nothing except what is indicated by Mr. Stokes' article; but I have heard—it was merely so much gossip, upon which I am compelled to rely in default of better facts—I have heard that Uncle Sam was to face delays and difficulties in this transaction, because we might have to buy inferior low-grade swampy land and to utilize these lands as bases. They would have to be carefully prepared. It would be impossible to make runways and airplane bases of the proper kind on such lands without vast expenditures. The right sort of terrain is necessary for runways.

Mr. JOHNSON of California. I quite agree with the Senator that I do not want Uncle Sam to lose his shirt.



Mr. BONE. The Senator's regrets may come too late. I think Uncle Sam is now in process of having his shirt taken in many activities.

Mr. JOHNSON of California. I knew nothing about the matter. Does the Senator from Washington know anything about the contracts which have been entered into for these bases?

Mr. BONE. I do not; and if any Senator has accurate knowledge, he has not yet informed the Senate. Unhappily for the country, the United States Senate, composed of 96 Members, seems not to know about the matter. I am not a very important cog in the Senate machine, but I speak for myself when I say that I know not very much about some important operations except what enlightenment I gain from the newspapers. It seems to me we ought to know more about these things.

Possibly Congress is becoming more useless every day as an appendage to our tripartite system of government; but, even so, we might properly insist upon a little more knowledge. Of course, I know that that is asking for a great deal. I would not impose too great a burden on the source from which real information flows.

Mr. BARKLEY. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Kentucky?

Mr. BONE. I yield the floor.

Mr. BARKLEY. I suppose the object of inserting this article in the RECORD is that, in the absence of any knowledge on the part of the Senate, it should "ask Stokes; he knows."

Mr. BONE. Mr. President, is that the only answer the administration has to this article?

Mr. BARKLEY. I am not answering for the administration.

Mr. BONE. Neither am I.

Mr. BARKLEY. But the Senator from California [Mr. JOHNSON] has indicated that the Senate knows nothing about this matter; and the Senator from Washington, to my great disappointment, has indicated that he knows nothing about it. He is putting in the RECORD this article by Mr. Tom Stokes, whom we all know, and whom we regard very highly. I assumed that the Senator was putting it in on the ground that Mr. Stokes does know, and therefore that the Senate is to be informed through the instrumentality of Mr. Stokes, one of the correspondents of the Scripps-Howard newspapers and a writer on the Daily News here in Washington. I have no objection, of course, to any article that Mr. Stokes writes being put in the RECORD.

Mr. BONE. I did not insert the article in the RECORD. I merely quoted from it. I did not offer it for the RECORD.

Mr. BARKLEY. But I am hardly prepared to concur in the sarcastic suggestion of the Senator from California that the Senate is wholly ignorant.

Mr. JOHNSON of California. So what?

Mr. BARKLEY. As I was about to say, I am not prepared to concur in the statement of the Senator that the Senate is wholly ignorant.

Mr. JOHNSON of California. Ignorant of what?

Mr. BARKLEY. Anything. That is the intimation I got from the Senator's suggestion.

Mr. BONE. Mr. President—

The PRESIDING OFFICER. Does the Senator from California yield to the Senator from Washington?

Mr. JOHNSON of California. The Senator from Washington has the floor.

Mr. BONE. I did not offer the article for the RECORD. I merely read a couple of paragraphs from it.

I think it were just as well to clarify the whole thing now, and I ask my brethren here on the floor—and there are many of them present—whether any of them knows anything about the land deals which have been under discussion. I think it eminently proper for me to rise and suggest that we might well have some factual information about it. I know it is only one of an infinite number of details of governmental operation. I have inquired about it, and I do not find anyone who knows very much about it. It comes with somewhat of a shock to me to learn that Mr. Stokes appears to know more about it than Members of the Senate with whom I have discussed the matter. That is the point I make.

I am not putting the stamp of authenticity upon what Mr. Stokes writes. He does not expect me to do that, nor do I do it. I read the article for the purpose of suggesting to Senators that if what Mr. Stokes says is true—and I think that is precisely what I said—if what he says is true, then it does not seem to me that on the part of Great Britain, there has been that ultimate of good faith, that ultimate of fair dealing with us, who have been very generous, which we had a right to expect.

Certainly if there are Crown lands or public in these western bases which by comparatively small expenditure can be made available to this great, new powerful ally of Britain, Britain and her colonies should be generous enough to make that land available to us.

Is there anything wrong with that idea? If there is, someone should assert it here. Perhaps I am in error, but I doubt that the verdict of history would be that there was anything wrong with our asking for the land in exchange for our 50 destroyers; not merely a bare right to purchase land where possibly, the absence of the right of eminent domain will make us pay any price asked.

Mr. WILEY. Mr. President, will the Senator yield?

Mr. BONE. I yield the floor.

Mr. WILEY. Mr. President, I have listened with a great deal of interest to the exchange of ideas here today. I think the Senator from Washington has probably made a real contribution to the country. I think in a good many of our deals we have been "done good" by other folks. I think this particular contribution goes to this point, that those who deal for America should remember that a little circumspection, a little horse sense now and then, might preserve for this country some of our real values, preserve some of the material values which,

it has been said, will probably be dissipated to an extent which the taxpayers will realize in the very near future. If they do not know it now, we have been "taken for a ride" in more ways than one. But possibly that has no immediate application to do with the bill before us.

Mr. President, we are living in a period when there is an appeal to our emotional nature. Everyone senses that, so far as 90 percent of the American people are concerned, they do not want the British Empire to go down; but do we sense that in our transactions with the British people, such as we contemplate under the bill, we, as Senators, as Members of Congress, are only trustees of the material values which we are about to give away or which are to be dealt away or dissipated away?

I compliment the Senator for bringing this subject before the Senate, because it merits talking through. I am satisfied that many of our officials who are doing the dealing are emotionally swayed so that they have not that sense of trusteeship they should have. They are fearful, of course, of a great empire going down and the consequences resulting therefrom to our way of life. But one method of preserving our way of life is to preserve the economy of America. If we are to dissipate these material values, as I fear we have been doing in more ways than one, we will find that this economy is so broken up that we will have to take the way of Europe after the war is over.

A few days ago I heard something about this very situation—something which came pretty authoritatively. It came in relation to Bermuda. It appears that finally, after a great deal of pressure, this Government is getting what it is supposed to get in Bermuda, but some of the nationals of Bermuda—and I have been to the island and know the lay of the ground—were unwilling to give up private property for our bases.

Lest there be any question, I might state that all my sympathies are with the British people, who are putting up the most magnificent fight in history. But I am an American, sir, and I agree completely that any dealing with this great maritime nation, which has built its material prosperity through the centuries upon the great system of international bargain and trade, and taking into view that in the bloodstream of the British is the proverbial Scotch—and the Scotch know how to deal—we should have a few Scotchmen over here who would deal for America. By that I mean what I have stated on different occasions in the Senate, namely, we must have collateral. We must have good business brains on the job. [Manifestations of applause in the galleries.]

The PRESIDING OFFICER (Mr. BUNKER in the chair). The Chair has been most tolerant with the occupants of the galleries, but does not intend to put up with any further outbursts of emotion. The occupants of the galleries are enjoying the privilege of being here with the understanding that they will be quiet and observe the rules of the Senate, which prohibit manifestations of approval or disapproval.



Mr. BONE. Mr. President, let us get one thing clearly in mind. We have said "if" a number of times in this discussion, and it is a pretty "iffy" affair.

If what is stated in this article is true, and if certain things in connection with it are true, then certain conclusions may be legitimately drawn. All of life is made up of "iffy" and other types of propositions which leave something to inference.

Bear in mind that in this case, if we are compelled by the British Government to deal with British nationals, we will be dealing with private individuals and not with Great Britain. That is the point I desire to emphasize first. I am sure that paying a fellow an outrageous price for his land, be he British or what not, is not a vital part of the defense of the British Empire. Let us get that clearly in mind.

Secondly, let us write one thing down now, and every Senator in this body knows it is true. We have been assured here time after time that time is of the essence in building these air-defense bases; that it was almost a matter of life and death with us to get these bases built, from Newfoundland down to the south, around the coast of South America, as speedily as possible. Is that not true? I shall wait a moment to ascertain whether there is anyone in this body who feels that I overstate the issue. I hear no dissent. That assertion has been dinned into our ears repeatedly; that time is of the essence in this building program; that it is necessary to get these bases built at once, so that if anything occurs which immediately threatens our national integrity we will have these salients jutting out into the Atlantic to defend us in such an emergency.

Naturally, if this story have much truth—and we face that "if"—then we will have to dredge the mud out of the bottom of the ocean and build some of these bases, which is a long, tedious job. I have seen that work done. I know that afterward the land has to settle, and it is an expensive and lengthy operation. Instead of having speed and celerity and certainty in the operation, which is, I am sure, a matter of utmost importance to all of us, we may be compelled—nolens volens—to tolerate a long, drawn-out dredging and filling operation involving the hiring of many men in that kind of work instead of driving the thing through on desirable sites with typically dynamic American energy, getting it done promptly, not only for ourselves, in the cause of defending ourselves, but if what is said is true, then also to defend the British Empire. Instead of that, if this article be true, then we may face unnecessary delays in a thing which we have been assured from highest quarters is a vital defense necessity to the country.

Mr. BARKLEY obtained the floor.

Mr. ADAMS. Mr. President, may I make an inquiry?

Mr. BARKLEY. I yield.

Mr. ADAMS. As the majority leader knows, there is on the table an urgent deficiency bill, and I was wondering what program the leader may have in mind, so that I may know when it will be possible to take up that bill. The Senator knows it should be going on its way so

that it may become law, in its approved form, before the first of next month.

Mr. BARKLEY. I realize that, Mr. President, and in response to the Senator I wish to state that it was my understanding that the opponents of the pending bill would occupy the day in addresses. I have no control over that situation.

Mr. ADAMS. I thought the Senator from Kentucky was master of the situation.

Mr. BARKLEY. I do not know who has control, if anyone.

Mr. President, I do not wish to complain about anyone, and I shall not do so, but, as I said yesterday, it is manifestly unfair to the Senate and to the country that we have only one speech a day, taking a couple of hours, and that the debate shall be strung out indefinitely, simply because other Senators who are going to speak will not do so, or delay the preparation which will enable them to speak.

Today there has been one address, of about 2 hours' length or perhaps a little longer. I had understood that other Senators in opposition to the bill were ready to proceed, but it seems that none of them are. I cannot compel them to go on. I cannot even persuade them to. But I certainly feel that every effort should be made to cooperate.

I wish to say to the Senator from Ohio [Mr. TAFT], who I thought was going to follow the Senator from North Carolina [Mr. REYNOLDS], that I think he has in good faith made an effort to cooperate to bring about continuous discussion on the measure until it is disposed of. For reasons which I could not foresee and do not understand, it seems that a hiatus has now been reached.

Mr. ADAMS. That was my reason, Mr. President, for making the inquiry.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. TAFT. For some reason that I do not understand I was asked to ascertain which Senators desired to speak against the bill. I have interviewed all the Senators who desire to do so, and have tried to arrange a schedule which would provide speakers for all the time that the Senator from Kentucky wishes to have the Senate in session, including Saturday afternoon. This morning at 10 o'clock I checked with the Senator from North Carolina [Mr. REYNOLDS], and he stated to me and to the Senator from Montana [Mr. WHEELER] that he expected to speak for 5 hours, that he expected to occupy the time until 5 o'clock this afternoon. Knowing his ability to do so, I saw no reason to doubt that he would.

Mr. BARKLEY. The Senator from North Carolina evidently had an unexpected attack of brevity. [Laughter.]

Mr. TAFT. Under those circumstances, it was very difficult to get anyone else to agree to speak.

The following five Senators have stated their desire to speak, and will be prepared to speak Friday and Saturday, I think, occupying the whole time: The Senator from Iowa [Mr. GILLETTE], the Senator from Illinois [Mr. BROOKS], the

Senator from South Dakota [Mr. BULLOW], the Senator from Minnesota [Mr. SHEPSTEAD], and myself.

There are five Senators who felt they could not speak this week, and yet desire to speak. Two of them have been ill. One of them has been working on a minority committee report. I think the reasons they have given are perfectly valid. They are the Senator from Wisconsin [Mr. LA FOLLETTE], the Senator from Idaho [Mr. CLARK], the Senator from Connecticut [Mr. DANAHER], the Senator from New Hampshire [Mr. TOBEY], and the Senator from California [Mr. JOHNSON]. I estimate that by Tuesday afternoon we will be through with all the speeches which Senators desire to deliver.

Mr. BARKLEY. Mr. President, under the circumstances, if the Senator from Colorado [Mr. ADAMS] is ready to take up his bill now, we might go ahead with it.

Before that is done, however, I wish to make a brief allusion to the colloquy which has taken place about the article by Mr. Thomas L. Stokes. As I said awhile ago, Mr. Stokes is one of the most intelligent and energetic newspaper reporters in Washington, and I have a very high personal regard for him. I have read the article, which I had not previously seen, because it just appeared in the afternoon edition of the Washington Daily News.

It seems to me that the core of the article is that the House Committee on Naval Affairs has decided to send a subcommittee to these various bases, starting in Newfoundland, to inspect the probable sites where the bases will be constructed. I think it will be agreed that at the time of the announcement of the destroyer deal no one in the Government attempted to locate the actual sites upon which these bases would be constructed. The question of the ownership of property is involved, just as it is if we want to build a military camp in the United States. Certain formalities must be gone through in order to acquire title to the land or to consummate long-term leases on it; and no effort was made, Mr. President, at the time of the announcement of that transaction, to determine precisely where in any of these islands or these proposed bases the physical construction would be commenced.

It is my information that, while all eight of the bases have not actually been begun, material is being taken to them, and that at least four of them have been begun, so that there cannot have been any delay in the construction of the bases. Material is on the way, contracts have been let for the construction of four of the bases, and contracts are under consideration for the remainder of them. So it seems to me there has been no waste of time, there has been no delay, there has been no such lapse of time as would be subject to the criticism of any Member of the Senate.

I do not know whether there was so much said about the element of haste in constructing these fortifications at the time of this transaction, but it was generally discussed and generally believed



that the time element was a matter of importance in obtaining the destroyers by Great Britain. We can very well understand why that should be true. The time element was more important in the matter of the delivery of the destroyers to Great Britain than it was in the construction of the bases, which would require negotiations with respect to the ownership of property. The question of the private ownership of the property on which the bases were to be constructed was one that had to be worked out.

I know nothing about any Crown lands in Newfoundland, or in Bermuda, or in Jamaica, or anywhere else. It may be that the British Government possesses some lands. It also may be that if Great Britain possesses some lands she may occupy the same position with respect to them that the Government of the United States may occupy with respect to the land it owns in various sections of the country. As to the question whether publicly owned lands are more available or suitable than privately owned lands for the construction of these bases I have no information, or am not prepared to pass. That is a matter which should be left to the naval officers, to those charged with the duty of constructing the bases.

In view of the fact that contracts for materials have been let and work begun in connection with four of these bases— notwithstanding the House committee has seen fit to investigate the matter, which it probably would do in any event—I see no cause for fear that there has been such delay as would work injury to the interests of the United States.

Mr. BONE. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Kentucky yield to the Senator from Washington?

Mr. BARKLEY. I yield.

Mr. BONE. Popular impressions are frequently very effective, if not decisive, in determining the attitude of Congress. I believe I am not overstating or misstating when I say there was a popular impression extant at the time of the destroyer transaction that in return for the 50 destroyers we were to have a gift of certain bases. If Senators will cudgel their memories, or read the newspapers of that time, they will find the term "gift" repeatedly used. It is a popular connotation, I will say to the Senator from Kentucky. I think he is making a very fair statement of the matter, as he has previously done in other matters.

There was an impression abroad that the bases were to be a gift to the United States. If we have to buy all the land, what we received in exchange for the 50 destroyers was not a gift of land but a gift of a political concession, the gift by a foreign power of a purely political right to buy land in its territory.

The point I tried to emphasize a moment ago was that if we have to take time out to buy and fill swampy areas, then delay must ensue. I mention delay because every Senator knows that the newspapers have been full of statements to the effect that to rush work on the air bases was of vital importance to the country. I leave that question to the Senator.

Mr. BARKLEY. I will say to the Senator that regardless of any popular impression that was created, by publication or otherwise, I happen to know, after having conferred with those in authority at the time, both before and after, that the question of the actual ownership of the property was a matter for consideration. As I understood, the British Government did not own the lands. The information I received was to the contrary. The property was owned by private individuals, as is the case with the ownership of land in the United States outside public reservations. The land was owned by individuals. It was not my understanding that we were being given the actual land upon which the bases were to be constructed. We were being accorded the right to use the properties as bases for our own purposes. I cannot be absolutely dogmatic about it, but it is not my understanding that the British Government was to go through the minutiae of obtaining individual leases in its own name from owners of the property at the places where the bases were to be constructed. That was a matter which had to be worked out. Evidently it has been worked out in at least half the cases, as the work is proceeding.

There are many intricate problems. The matter of sovereignty was involved. Whether we leased from somebody a thousand acres or two thousand acres—or whatever the amount might have been—upon which to build a base, there was the question as to whether the United States Government had political sovereignty over the 2,000 acres or whether it was still part of the island belonging to Great Britain.

These were all matters which had to be worked out, and were not worked out in great detail at the time the announcement was made.

Mr. BONE. The Senator from Kentucky is a very good lawyer and has a very understanding mind. I know he realizes that some formula ought to be worked out whereby the United States Government, on the local colonial government, as an agent of the United States or on its own behalf, would have the power of eminent domain to condemn a leasehold interest in the land. Otherwise the United States will deal with the owner at arm's length and have to pay his price or not acquire the land. I do not know what sort of an arrangement could be worked out; I do not know what has been done; but I am very curious, and I think the Senate should know how the transaction is to be handled.

Mr. BARKLEY. I should not attempt to answer the Senator's question as to whether the Government of Great Britain or the Government of the United States, under any arrangement, would have the right of eminent domain.

Mr. BONE. Then we may have to pay any price the owner might exact. If he should demand \$1,000,000 an acre, we would have to pay that price, no matter with whom we dealt or where the desired land was located.

Mr. BARKLEY. I do not think so. We could go somewhere else. We do not have to buy a particular tract of land,

provided there are alternative tracts of land which might be equally useful. I presume that the value of the land itself in money is infinitesimal compared with the value of the sites as a weapon of defense to the people of the United States. However, I shall be glad to obtain the information in detail if I can, and give it to the Senator or to the Senate. It had not occurred to me that the small details of contract or lease between the United States or Great Britain and some individual property owner who might own 100 or 200 acres were of any very vital significance, so long as we are actively engaged in the construction of the bases.

Mr. BONE. Mr. President, I shall end the colloquy by saying that my only reason for referring to the matter was because of its sentimental aspect. In a life-and-death grapple it is not usually considered very decent, to say the least, to proceed on such a sordid basis as to retard an essential operation. That was my only reason for mentioning the matter. Any sordidness will, of necessity, not be on our part.

#### URGENT DEFICIENCY APPROPRIATIONS

Mr. ADAMS. Mr. President, I ask unanimous consent that the unfinished business be temporarily laid aside, and that the Senate proceed to consider House bill 3204, making additional appropriations for the Work Projects Administration and other Federal agencies.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Colorado?

Mr. GEORGE. Mr. President, I shall not object to the request made by the Senator; nor shall I raise any controversy with Senators who are opposed to the so-called lend-lease bill, or who favor it, or who desire to speak upon it, because I have been laboring under difficulty myself, and still am.

However, I do not think the country will appreciate a debate in the Senate at this time of not more than 3 or 4 hours a day upon a bill of such vast importance. We should carry on an orderly debate of at least 6 hours a day on this measure until we have concluded its consideration.

What I am saying is not by way of complaint because I have observed no disposition to filibuster or unduly prolong the debate. Certainly I am not complaining that we are not taking all the time necessary for legitimate debate. However, I am expressing what I believe to be the truth. We are not justified in devoting only 3 or 4 hours of debate a day to a bill of this character, especially at a time when most of the Members of the Senate could be devoting practically all their time to the measure. That will not be true later when other measures will be upon the calendar.

I am not objecting to the request of the Senator from Colorado, but if there is no reasonable prospect of concluding consideration of the urgent deficiency bill this afternoon I feel that the Senator from Colorado should be willing to lay it aside until tomorrow.

Mr. ADAMS. I will say to the Senator that I apprehend that consideration of



the bill will be concluded very promptly. Of course, the Senator from Georgia could ask for the regular order at any time as a matter of right. I am sure consideration of the bill will be concluded within an hour, or perhaps within half an hour.

Mr. GEORGE. Very well, Mr. President. I merely wished to make the statement which I have made.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Colorado? The Chair hears none. Evidently there is complete harmony all around.

There being no objection, the Senate proceeded to consider the bill (H. R. 3204) making additional appropriations for the fiscal year 1941 urgently required for the Work Projects Administration and certain other Federal agencies, and for other purposes, which had been reported from the Committee on Appropriations with amendments.

Mr. ADAMS. Mr. President, I ask unanimous consent that the formal reading of the bill be dispensed with and that it be read for amendment, the amendments of the committee to be first considered.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The first committee amendment will be stated.

The first amendment of the Committee on Appropriations was, on page 1, after line 5, to insert:

LEGISLATIVE  
SENATE

Effective with the first day of the month next following the enactment of this act, the provision in the Legislative Branch Appropriation Act, 1941, which reads as follows: "Office of the Vice President, salaries: Secretary to the Vice President, \$4,620; clerk, \$2,400; assistant clerks—one \$2,280, one \$2,160; in all, \$11,460," is hereby amended to read as follows: "Office of the Vice President, salaries: For clerical assistance to the Vice President, at rates of compensation to be fixed by him, \$11,460."

Mr. ADAMS. Mr. President, I think perhaps a word of explanation should be given with reference to this item.

Under the statute the Vice President's office has been allocated certain clerical assistants, and the salary of each individual member of the staff has been fixed by statute. The Vice President felt that a different arrangement of salaries would help the efficiency of his office. The amendment does not increase the appropriation for his office, but gives to him the aggregate sum which is now expended for his office, and leaves to him the right to apportion it amongst those in his office.

The PRESIDENT pro tempore. The question is on agreeing to the committee amendment on page 1, after line 5.

The amendment was agreed to.

The next amendment was, on page 2, after line 6, to insert:

For repairs, improvements, equipment, and supplies for the Senate kitchens and restaurants, Capitol Building and Senate Office Building, including personal and other services, to be expended from the contingent fund of the Senate, under supervision of the Committee on Rules, United States Senate, fiscal year 1941, \$25,000.

The amendment was agreed to.

The next amendment was, on page 2, after line 12, to insert:

EMERGENCY FUNDS FOR THE PRESIDENT

Defense housing: To enable the President of the United States, through such agencies of the Government as he may designate, without regard to section 3709, Revised Statutes, to provide temporary shelter, either by the construction of buildings or otherwise, including appurtenances and including the acquisition of land or interests therein, in localities where by reason of national defense activities a shortage of housing exists, as determined by the President, and where it is not practicable under the act of October 14, 1940 (Public, No. 849, 76th Cong.), or other acts of Congress or through private enterprise to meet the immediate need for emergency housing, fiscal year 1941, \$6,670,000, to be available until June 30, 1942, and to be available also for all necessary expenses incident to the providing of such facilities and the operation and management thereof, including personal services in the District of Columbia and elsewhere, printing and binding, and purchase, operation, and maintenance of motor-propelled passenger-carrying vehicles: *Provided*, That all receipts derived from the rental or operation of the facilities provided for herein shall be returned to this appropriation and shall be available for expenses of operation and management of such facilities, including administrative expenses in connection therewith, and the unobligated balance of such receipts shall be covered into the Treasury at the end of each fiscal year as miscellaneous receipts: *Provided further*, That a detailed report of expenditures under this paragraph shall be made by the agency or agencies designated by the President under this provision to the Secretary of the Senate and the Clerk of the House of Representatives every 6 months from and after the passage of this act.

Mr. VANDENBERG. Mr. President, I suggest that the able Senator from Colorado illuminate this particular amendment, if he can. It seems to me we are running into defense housing items in every bill, every week; and I wonder what part of the jigsaw puzzle this is.

Mr. ADAMS. I shall be very glad to attempt to explain it. I do not know that I can illuminate it.

The explanation that was made to the committee was that under existing appropriations for housing, which are very large, there is a deficiency in mobile housing. What is here proposed to be done is to endeavor to provide a type of housing that may be moved; that is, to furnish temporary housing where a particular plant is being established, the larger part of such temporary housing being trailers. There have been agreed upon certain designs for trailers in which workmen may be housed until permanent housing is constructed. Then the trailers will be moved to other locations where they can be similarly used. Also, there is included in the plans a provision for fixing up certain merchant ships with bunks and other facilities to meet housing needs at shipbuilding ports. It is temporary, removable housing. We are assured by those who appeared before us that the cost per man of this housing will be materially less than the cost of permanent housing, and that at this time there is genuine need of this appropriation.

The PRESIDENT pro tempore. The question is on agreeing to the committee amendment on page 2, line 13.

The amendment was agreed to.

The next amendment was, under the heading "Independent agencies—Federal Works Agency," on page 5, line 4, after the word "appropriation", to insert a colon and the following additional proviso: "*Provided further*, That the limitation of \$40,000,000, contained in section 10 (a) of such act, on the amount that is authorized to be allocated by the Commissioner to other Federal agencies for the operation of projects of the type specified in subsection (b) of section 1 of such act which are within the scope of the functions usually carried out by such agencies, is hereby increased to \$60,000,000."

Mr. VANDENBERG. Mr. President, may I ask to what particular agencies the amendment relates?

Mr. ADAMS. The argument before the committee dealt primarily with the branch of the Federal activity having to do with tree diseases. The Senator from Arizona [Mr. HAYDEN] was the responsible author of this change. The argument which the Senator made to the committee, and which persuaded all but perhaps two members of the committee, was that no increase in the Federal appropriation is provided under this bill, but the \$20,000,000 will be allocated to Federal agencies, to be spent on Federal projects, so that the Federal Government will get 100 percent of this \$20,000,000; whereas, if a similar amount of money were spent by municipalities or counties or States, the Federal Government would get none of the results, except indirectly.

It involves a controversy regarding allocation of funds to Federal agencies which has for some time waged very gently in our committee. The matter was gone into at considerable length before the committee, and a very large majority of the committee felt that it was wise to take this action, which increases the amount from \$40,000,000, as set by the House, to \$60,000,000, as recommended by the Senate committee.

Mr. VANDENBERG. Was the Senator from Colorado one of the two Senators who failed to be convinced by the Senator from Arizona?

Mr. ADAMS. Does the Senator from Michigan think he ought to put the Senator from Colorado on the spot in quite that way? [Laughter.] I am here representing the action of the committee.

Mr. VANDENBERG. I thought if the Senator were to answer my question "Yes" it would explain why I am totally unable to understand the Senator's explanation.

Mr. ADAMS. Let me say to the Senator that it is rather difficult to be effective in presenting another man's case. The Senator from Arizona [Mr. HAYDEN] should be here. As I say, in the face of the arguments on the other side, he convinced, I think, all but two members of the committee.

Mr. VANDENBERG. If the Senator from Colorado wants me to vote "No" with him, I shall be happy to do so.



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# H. R. 1776

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## IN THE SENATE OF THE UNITED STATES

FEBRUARY 21 (legislative day, FEBRUARY 13), 1941

Ordered to lie on the table and to be printed

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## AMENDMENT

Intended to be proposed by Mr. DAVIS to the bill (H. R. 1776) further to promote the defense of the United States, and for other purposes, viz: On page 3, beginning on line 11, strike out section 3 (a) (3) and in lieu thereof insert the following:

- 1       (3) To test, inspect, prove, repair, outfit, recondition,
- 2 or otherwise to place in good working order, any defense
- 3 article for any such government, or to procure any or all
- 4 such service or services by contracting with commercial
- 5 organizations customarily engaged in such work.



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## AMENDMENT

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Intended to be proposed by Mr. DAVIS to the bill  
(H. R. 1776) further to promote the defense  
of the United States, and for other purposes.

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FEBRUARY 21 (legislative day, FEBRUARY 13), 1941

Ordered to lie on the table and to be printed



that this country may not become involved in foreign wars.

That we commend the efforts of all Congressmen and Senators who now oppose any action now contrary to these pledges given by the President; be it further

*Resolved*, That we as representatives of the State of North Dakota renew our pledge of loyalty to our Nation and our flag and to the Commander in Chief of the Army and Navy to whom we pledge our lives and property upon instant call to defend them against any nation which should attempt to attack our shores or invade our land; and be it further

*Resolved*, That a copy of this resolution be mailed to the President of the United States, to the Speaker of the House of Representatives in Congress, the President of the Senate, and to the Members of Congress from the State of North Dakota.

The PRESIDENT pro tempore. The resolution will be referred to the Committee on Foreign Relations.

#### RESOLUTION OF SOUTH CAROLINA LEGISLATURE FAVORING AID TO BRITAIN

Mr. BYRNES. Mr. President, I present to the Senate a concurrent resolution of the Legislature of South Carolina requesting the Senate to pass the legislation extending aid, without stint or limit, to Great Britain and other aggressor-resisting nations.

The PRESIDENT pro tempore. The concurrent resolution will be printed, under the rule, and lie on the table.

The resolution is as follows:

Concurrent resolution requesting the United States Senators and Members of Congress from South Carolina to support legislation extending aid, without stint or limit, to Great Britain and other aggressor-resisting nations

Whereas President Franklin D. Roosevelt in his message delivered to the Congress of the United States on January 6, 1941, renewed the pledge and purpose of this country to support Great Britain and other aggressor-resisting nations by sending them planes, ships, tanks, and arms in ever-increasing quantities; and

Whereas this the Eighty-fourth General Assembly of the State of South Carolina is convinced that every vital interest of the United States demands the victory of Great Britain and her allies over those nations which have torn to shreds international morality; and is further convinced that the defeat of Great Britain and her allies would impair democratic government everywhere and lower the standards of living of the people of this and all other democratic nations; and

Whereas it is believed that the United States can gain the time essential to prepare for the grave possibilities that lie ahead only by providing Great Britain and her allies, generously and ungrudgingly, every material and moral assistance of which this democracy is capable: Now, therefore, be it

*Resolved by the senate (the house of representatives concurring)*, That we, the members of the Eighty-fourth General Assembly of the State of South Carolina, request and urge that the Senators and Members of the House of Representatives representing South Carolina in the Congress of the United States support legislation providing for Great Britain and her allies aid, without stint or limit, with all speed, all to the end that liberty, freedom, and democracy may not perish from the earth; and be it further

*Resolved*, That the clerk of the senate is instructed to forward a copy of this resolution to each of our United States Senators and Congressmen from South Carolina, which will carry the seal of the State.

#### REPORTS OF COMMITTEE ON MILITARY AFFAIRS

Mr. SHEPPARD, from the Committee on Military Affairs, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

S. 164. A bill to further amend the thirteenth paragraph of section 127a of the National Defense Act, as amended by the act of June 8, 1926, so as to decrease the restriction on the number of enlisted men of the Regular Army who may be detailed as students at educational institutions and other places (Rept. No. 60);

S. 239. A bill to provide for the discharge or retirement of enlisted men of the Regular Army and of the Philippine Scouts in certain cases (Rept. No. 61);

S. 242. A bill to repeal certain provisions of the act of February 25, 1929, entitled "An act to authorize appropriations for construction at military posts, and for other purposes," and the act of July 3, 1930, entitled "An act making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1930, and prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1930, and June 30, 1931, and for other purposes" (Rept. No. 62); and

S. 287. A bill to authorize the use of certain lands for military purposes at the Fort McPherson Military Reservation, Ga., and the Fort Du Pont Military Reservation, Del. (Rept. No. 63).

#### REPORTS ON DISPOSITION OF EXECUTIVE PAPERS

Mr. BARKLEY, from the Joint Select Committee on the Disposition of Executive Papers, to which were referred for examination and recommendation 11 lists of records transmitted to the Senate by the Archivist of the United States, which appeared to have no permanent value or historical interest, submitted reports thereon pursuant to law.

#### BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. DAVIS:

S. 930. A bill for the relief of Frank A. Smith; to the Committee on Claims.

By Mr. CLARK of Missouri:

S. 931. A bill for the relief of Robert B. Ayers; to the Committee on Claims.

By Mr. McCARRAN:

S. 932. A bill for the relief of certain former Foreign Commerce Service and Foreign Agricultural Service officers; to the Committee on Civil Service.

By Mr. BYRNES:

S. 933. A bill for the relief of John McAlister, Inc.; to the Committee on Claims.

By Mr. SHEPPARD:

S. 934. A bill to facilitate compliance with, and to promote the successful operation of, the Rio Grande Compact of March 18, 1938; to the Committee on Irrigation and Reclamation.

By Mr. BANKHEAD:

S. 935. A bill to amend the Agricultural Adjustment Act of 1938 with respect to commodity loans and marketing quotas, and for other purposes; to the Committee on Agriculture and Forestry.

By Mr. TRUMAN:

S. J. Res. 46. Joint resolution providing for the postponement of certain orders relative to certain tariffs of freight forwarders; to the Committee on Interstate Commerce.

#### PROMOTION OF NATIONAL DEFENSE—AMENDMENT

Mr. DAVIS. Mr. President, I submit an amendment intended to be proposed by me to House bill 1776, the lend-lease bill, which I ask may be printed in the Record.

The reason for this amendment is that if this bill is passed, the already heavily loaded inspection and testing facilities of government will be greatly overtaxed. There now exist in the United States approximately 200 testing and inspection organizations which are capable and eager to do this kind of work and which are now not being utilized by the Government. The adoption of the suggested amendment would make possible the use of this trained industry and would operate to help remove a bottleneck which will be created.

The PRESIDENT pro tempore. Without objection, the amendment of the Senator from Pennsylvania will be printed, printed in the Record, and lie on the table.

The amendment is as follows:

On page 3, beginning on line 11, to strike out section 3 (a) (3) and in lieu thereof insert the following:

"(3) To test, inspect, prove, repair, outfit, recondition, or otherwise to place in good working order any defense article for any such government, or to procure any or all such service or services by contracting with commercial organizations customarily engaged in such work."

#### FINANCIAL DATA OF CERTAIN GOVERNMENTAL AGENCIES AND CORPORATIONS—PRINTING OF REPORT

Mr. BYRD submitted the following resolution (S. Res. 77), which was referred to the Committee on Printing:

*Resolved*, That the report of the Acting Secretary of the Treasury relative to the financial condition and operations of certain corporations and agencies of the Government, transmitted to the Senate on February 6, 1941, in response to Senate Resolution No. 292, Seventy-sixth Congress, be printed as a Senate document.

#### HEARINGS BEFORE COMMITTEE ON RULES

Mr. BYRD submitted the following resolution (S. Res. 78), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

*Resolved*, That the Committee on Rules, or any subcommittee thereof, hereby is authorized during the Seventy-seventh Congress to send for persons, books, and papers, to administer oaths, and to employ a stenographer at a cost not exceeding 25 cents per hundred words to report such hearings as may be had on any subject before said committee the expense thereof to be paid from the contingent fund of the Senate; and that the committee, or any subcommittee thereof, may sit during the sessions or recesses of the Senate.

#### ADDRESS BY SENATOR WHEELER ON THE LEND-LEASE BILL

[Mr. CLARK of Idaho asked and obtained leave to have printed in the Record a radio address delivered by Senator WHEELER on Thursday, February 20, 1941, on the subject of the lend-lease bill, which appears in the Appendix.]



## ADDRESS BY SENATOR CLARK OF MISSOURI ON THE LEND-LEASE BILL

[Mr. CLARK of Missouri asked and obtained leave to have printed in the Record a radio address delivered by him on February 20, 1941, on the topic Why the Lend-Lease Bill Should Be Defeated, which appears in the Appendix.]

## WAR OR PEACE—PAMPHLET BY STERLING MORTON

[Mr. JOHNSON of California asked and obtained leave to have printed in the Record a pamphlet entitled "Let's Think This Matter Through," by Sterling Morton, of Chicago, which appears in the Appendix.]

## PROMOTION OF NATIONAL DEFENSE

The Senate resumed the consideration of the bill (H. R. 1776) further to promote the defense of the United States, and for other purposes.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from South Carolina [Mr. BYRNES] in the nature of a substitute for the committee amendment on page 2, beginning in line 16, which has heretofore been stated by the clerk.

Mr. GILLETTE. Mr. President, I believe for the first time in my life I am about to read a public address. I ask the indulgence of my fellow Senators, and make a request similar to the requests which have been made by my predecessors on the floor in this debate, that if they have questions to ask they will reserve them until I shall have finished.

Mr. President, I have asked recognition today for the purpose of stating some of the reasons which impel me to oppose the enactment of the pending bill, H. R. 1776.

Mr. President, this is not a pleasant task. I realize that I could save myself much of turmoil of spirit and possibly much of vituperative criticism, by joining the great majority of my colleagues here in support of the measure now being considered. This would be the easy way, and there are many factors and influences urging me to that course.

The supporters of the measure outnumber those of us who are in opposition, probably in the ratio of 3 to 1. One cannot lightly oppose one's individual judgment against such a force of contradictory opinion without being driven carefully and painstakingly to making inquiry into one's own reasoning and deductions, and also subjecting to the most diligent scrutiny one's own judgments.

Not only do I find such a large percentage of my colleagues in the Senate in support of this measure, but I find among them the chairman of our own Foreign Relations Committee, the Senator from Georgia [Mr. GEORGE], whose brilliance of mental equipment has, I believe, no superior in the United States Senate, and with whom I am proud to claim many close associations and bonds.

I find also among the bill's supporters the distinguished floor leader of my party, the Senator from Kentucky [Mr. BARKLEY], whose leadership I always desire to follow, and for whom I hold a genuine depth of personal affection.

I find myself in opposition to the judgment of that eminent and careful lawyer on the Republican side, the Senator from Vermont [Mr. AUSTIN], a man whom I admire as I admire few men in this world, and who, in the first year of my service here, gave freely to me of his interest, his advice, and his guidance.

I find myself in opposition to a measure which has the support of the national administration of my own party—the party to which I have given and will continue to give my political adherence and my political life; an administration which, under the leadership of probably the strongest figure and most dynamic personality in our Presidential history, has written on the Federal statute books a greater wealth of liberal and forward-looking legislation than has been placed there in all the preceding years of our national history combined.

I find myself opposing the expressed judgments of the Secretary of State, the Honorable Cordell Hull, and his able assistant, Mr. Sumner Welles, both of whom I greatly admire and deeply respect.

I find myself in opposition to a measure which, its sponsors claim, is designed effectively to thwart the world designs of Adolf Hitler and his governmental philosophy, both of which I detest with all the abhorrence of which I am capable. I find my thoughts turning to the unspeakable atrocities initiated by that man against those of Jewish race and ancestry, and to the further fact that my own life partner is of that race and lineage, and all my deepest feelings of bitter resentment are aroused.

No, Mr. President, my present task is not an easy one. If my course could be determined by what GUY GILLETTE as an individual would do, let me say that I would give every dollar I possess in the world, and gladly offer my own individual life in the bargain, if by so doing I could aid Great Britain, China, and Greece in their present struggles with the Axis Powers. To prove that the statement I have just made is not oratorical bombast, I may be pardoned if I state that three times in my life I have volunteered that life and services in aid of other people and other nations fighting for freedom from unjust aggression. I refer to the Spanish War of 1898, the Boer War of 1900, and the World War of 1918.

But, Mr. President, I cannot act, speak, or vote as an individual. I must act, speak, and vote in my representative capacity as a Member of the Senate of the United States, with full knowledge that action taken by me will not react on me alone; but in my capacity as an agent I am trying to perform my public duties in support of the security, welfare, and happiness of the people of the United States of America.

I am fully aware that nothing I may say or can say here will influence the vote of any Member of this body, and I have no such hope or purpose. My sole reason for speaking now is that there may be placed in the Record of this debate some small contribution by me as a United States Senator to the definition of the issues presented by this measure as I understand them to be. I am urged to do

this, having clearly in mind that our country is the great citadel of democracy—that democracy is based on the fundamental foundation that the state exists for the individual and not the individual for the state, and that to make the agencies of the Nation responsible in the exercise of all of their delegated powers so that they will function in the general welfare it is primarily essential that in true freedom of expression of individual views, and in freedom of interchange of differing judgments, habits, viewpoints, and opinions a conclusion can and will be reached for action embodying the greatest good for the greatest number, that through these methods and the free interchange of opinions and clear definition of issues these conclusions can be translated into law, and the institutions of democratic government justify themselves as tools, serving human life and happiness.

Throughout the recent months the agencies of public expression have, almost without exception, kept constantly before the American people the tremendously serious import of the wars now being waged abroad and their relationship to our Nation and its future security.

I feel that they do not exaggerate when they assert that the course of American life and the source and security of American happiness for the next 100 years may be determined largely by our own course taken here in Washington within the next 90 days relative to European and Asiatic conflicts.

I subscribe to these statements as to the importance of our national action and position now and in the coming weeks, and I appreciate the burden of responsibility resting upon the executive and legislative departments of our Government.

In no other proper way than as I indicated a few moments ago can legislative and executive agents exercise their delegated authority to give expression to the people's will. To know this will, we in official place must be definitely apprised of the wishes of those whom we represent. To reach their judgments intelligently and effectively there must be given to the people for consideration and discussion a crystal-clear presentation of the issues involved in any specific situation. To mislead the people or to befog or becloud the exact issues is to hamper, if not destroy, democratic processes. I indulge in the hope that I may be able to present today a fairly clear statement of the pending issue which may be of aid to some of our people in their thinking and in their conclusions.

In the first place, I must specifically contradict statements that have been made continually in editorial and official comment to the effect that the people of our country spoke definitely and decisively at the polls last November on the issue of aid to some of the belligerents in foreign wars. An election issue is presented through the party platforms adopted by the respective political parties, as amplified and explained by the pronouncements of the leading party candidates. In the recent campaign, no issue as to war aid was drawn between



the leading candidates in their public addresses or in their press interviews. Excepting in minor details they were in agreement, and both stood for the same general proposition. To point my statement that no issue was drawn by the party platforms, it will be illuminating for me to quote directly from these respective platform pronouncements relative to the international situation.

The Republican platform stated:

The Republican Party is firmly opposed to involving this Nation in a foreign war.

The Democratic platform stated:

We will not participate in foreign wars, and we will not send our Army, naval, or air forces to fight in foreign lands outside the Americas, except in case of attack.

Is there an issue or the semblance of an issue drawn by those two statements? On the contrary, they say the same definite thing in but slightly different words. In addition both parties in their respective platforms announced strong support of preparedness, rearmament, and national defense. Still no issue drawn; still in complete agreement.

Now, please listen carefully to the next quotations.

The Republican platform states:

We favor the extension to all peoples fighting for liberty, or whose liberty is threatened, of such aid as shall not be in violation of international law or inconsistent with the requirements of our national defense.

Now listen to the Democratic platform:

We pledge to extend to these liberty-loving peoples all the material aid at our command, consistent with law and not inconsistent with the interests of our own national defense.

Please observe that the only difference in these two statements lies in the change of two or three words, with no effect whatever on the meaning. So far as the issues of the recent campaign were drawn by the platforms and by the candidates, the American people went to the polls with no opportunity to express themselves relative to war or peace, and with complete agreement that our aid to democracies engaged in war would be limited to such aid as could be given consistent with law and without affecting our own preparations for national defense. It remains, then, for someone, somewhere, to state definitely what the issue is, the decision of which will so seriously affect every American citizen living today and in the generations to come. With considerable trepidation and hesitation I shall attempt to express what I believe the issue to be.

As a preface, I may state at this point that no contribution is made toward intelligent solution of weighty problems by calling names or impugning the motives and purposes of those holding opposing views, and it is one of the finest commentaries on the work of the United States Senate that in this debate, up to the present time—and I hope I shall be able to continue the practice—not one word of suggestion of improper motives or sinister intentions in any way has been directed toward those holding an opposite view by the Senators who have taken the floor upon the pending measure. I cannot state too strongly my personal

disapproval of describing those adhering to one point of view as warmongers, sensation seekers, Anglophiles, and by similar opprobrious epithets, and designating those of another point of view as isolationists, appeasers, puling pacifists, Hitlerites, "fifth columnists," or other phrases suggesting a lack of awareness of our country and support of her interests. To act and judge intelligently nothing can be gained and much may be lost by resort to vicious and vitriolic vituperation.

To reach the point at issue, let us first state the points of agreement. I believe that every American citizen with the welfare of his country at heart will agree wholeheartedly to the three statements which I shall now make:

First. We all abhor war and will go to great lengths to keep our country at peace with other nations.

Second. We are deeply sympathetic with the struggles of democratic peoples for the preservation and protection of their independence, and we resent and abhor the acts of aggression which throughout history, and especially the history of the past few years, have wiped out the governments and independence of so many of the weaker nations.

Third. We all agree that America must not be permitted to fall a victim to the same fatuous lack of preparation and realization of impending danger which resulted in the destruction of so many European nations, and that all the resources and efforts of our Nation must be directed to complete preparation of our naval and military forces for the protection of America and the Americas.

But after agreeing to these three propositions, the desire for peace, sympathy with the oppressed, and demands for defense, we find that the road of national thinking from that point divides, and that there is marked and serious divergence of opinion as to what should constitute our best method of defense preparation. And on this question the real issue before the American people is drawn.

One large group of our citizens contends that Great Britain, Greece, and China are engaged in fighting our war and are holding in check a triumvirate of aggressive nations, which, if allowed to win in their efforts, will then stride over these prostrate nations to destroy us and dominate the whole world economically, and also politically with a philosophy of government which is alien and destructive to our system and our ideals. The supporters of this view maintain that time for defense preparation can be secured and our safety be far better assured and conserved by aiding these nations fighting the totalitarian states now, with every help that we can give short of military expedition and actual war declaration. They point to the possible loss of the war by Great Britain, with the consequent loss or destruction of the British Navy, which they assert would leave us unable to cope with a simultaneous naval attack in the two oceans bordering our shores, and would leave us probably powerless to prevent the establishment of land bases in the Western Hemisphere, from which airplane attacks could be

launched by hostile powers against us, and particularly against the Panama Canal and our vulnerable eastern seaboard points. These people feel that by this help, now given, we can avoid war involvement.

Another large group of our citizens maintain that such aid given as suggested is not in fact avoidance of involvement in war but actual participation in it. They say that every possible unit of time must be utilized in the stupendous task of converting our industries into war service and preparing ourselves for the defense of America and the aid of our associates here in maintaining the inviolability of the Monroe Doctrine by preventing aggressions in the Western Hemisphere. This group further asserts that by participation beyond the limits prescribed by law we not only take the direct path to war but we divert the resources of our defense needs to possible total and certainly partial destruction, and that we openly oppose one side in the foreign conflict by direct war, with the consequence that if the issue of the conflict should go in their favor we would then be facing them, their resources, and their resentment, without adequate means of defense.

That is the real issue, my fellow citizens, behind all the hazy and nebulous discussion which we have heard, and will continue to hear. We do not want war. We want nazi-ism defeated. We want America to be prepared for defense. Is our better course to prepare our defense as best we can for any probable eventuality by thinking in terms of our own hemispheric interest, or is it better for our security to give all possible aid now to the opponents of dictator nations, in the hope that the aid, timely given, will turn the tide definitely against the aggressor nations and render unnecessary the plans for our future defense?

Mr. President, if I believed, as many profess to believe, that Great Britain is actually fighting our war and is standing almost alone between our Nation and the destruction of all we hold dear, I would vote for a declaration of war tomorrow, and to go to her assistance with all our power, men, and resources. I certainly would not say, "She is fighting to save us, our country, and our homes; so we will send her munitions, tanks, and planes, and loan her money, but on no account will we send our boys or get into the war ourselves. Let the boys of some other nation do our fighting for us, let them shed their blood and have their loved ones destroyed, but let us be careful to participate only by sending munitions or loaning credit. They may spend their flesh and blood, but we will spend our dollars." Did I say "spend our dollars"? We will not even agree to do that. We will just loan or lease our dollar resources and give those who are fighting for us time to pay us back after the war. We will insist that it be repaid, either in kind or in other material. We will not only refuse to send our manpower but we will insist that even our material resources be repaid to us. Mr. President, I do not believe in that attitude, and I do not, and will not, subscribe to it.



During the World War I made a pledge to myself in behalf of the American boys who were over in France with me that so long as I breathed I would speak, act, and work to keep faith with them and the other millions of American citizens in making their sacrifices effective and banishing war forever from our American shores. But, even in the fact of that pledge, I would vote for war once more if I believed that the British Empire or any other nation was holding back armies of destruction from our shores, and I would go to help them win our fight with all our resources in men and material, and gladly include my own life. I would not grudgingly concede help in a limited way and demand the return of even that limited assistance. If there are facts and information available to prove the contention beyond question that "this is our war," we should be willing tomorrow to conscript every factory, industrial plant, transportation facility, and every man-hour of labor, machinery, and executive ability on a 24-hour basis for the production of war machinery and to make every sacrifice without a thin dime of profit to any man.

But I do not hold any such belief, and if we are to gamble the entire resources of the United States on this one throw of the dice, based on the argument "this is our war," the American people are entitled to complete facts and proof beyond doubt that this great gamble is now essential. Under our form of government the representatives of the people in Congress have the sole duty and responsibility for the declaration of war. The burden of proof lies with those who insist that the representatives must take this step without any alternative.

Mr. President, I can see in the outcome of the wars of Europe and Asia the possibility of serious future threat to America. I will work, vote, and speak for every effort and proposal to prepare ourselves as fully as can be done to meet such a possible threat or contingency, and to the full limit of our needs and resources, but I will not support any proposal to dissipate these defense needs and resources now and leave America defenseless or greatly weakened by participation in a foreign conflict which means war involvement now and is war now, regardless of our attempts to disguise the facts by self-deception.

It would perhaps not be amiss at this point briefly to review some historical events, outlining the trend of American legislation to prevent war involvement.

On the 16th day of October 1939 I made a speech on this floor in which I made the following statement:

I have been greatly disturbed, as I am sure millions of other Americans have, over the development in the past few weeks of what might be designated a war psychology, a war hysteria, which may or may not reach a momentum that will have serious consequence in this country.

A few weeks ago, following the wise pronouncement of the President, people were saying, "We are not going to get into this war." Now they are saying, "I hope we can keep out of this war. I hope we will not be forced into the war."

Now, Mr. President, the people are saying, "What has happened to place us in

a situation that either is war or which makes war inevitable?" In 1917 and 1918 several million American boys were sent abroad to European battlefields. Other millions of patriotic citizens at home contributed in their various ways to that war which we waged together with our Allies in Europe. I do not care what assertions are carelessly made by those who say we were sold into the war or that we were dragged into the war. I know that was not the attitude of the men who were participating in the war. They thought they were fighting a war to end war. Those of us who were in active service were told that there was a possibility of the Central Powers winning, and that unless we went over there and helped to defeat them we might have to fight those powers over here, and that we should send a force abroad in order to make the world safe for democracy. The millions who came back to America and the other millions who were here had in their hearts and on their lips two words, over and over again repeated, "Never again, never again, never again."

Notwithstanding the developments of the past few months, that is the burden of what is in the hearts of the American people today; but notwithstanding that unanimity of opinion and hope and aspirations in 1919, there was a difference of opinion as to how the desire could be attained. In the first place, we have sought to maintain what we called the freedom of the seas under international law, and we were compelled to fight four wars—the undeclared war with France, the war with the Barbary pirates, the War of 1812, and the World War of 1917—to maintain the so-called freedom of commerce on the high seas. What we call international law—that volume of precedents which are flouted and thrown aside whenever the national interests of any contestant suggest it—was not effective in keeping us out of any of those wars. It was evident to the American people that we would have to take some other course. The American people knew that they would have to maintain some sort of policy other than reliance on international law, and two schools of thought immediately developed. One school maintained that neutrality and peace could be secured by international cooperation, coordination, and action. The other school said that this was the very antithesis of neutrality, and that such a policy would make us automatically a party to every dispute in Europe or Asia, whether we might wish to be or not. We could not participate unless we were willing to go the whole length. Therefore we could not develop any thought more unneutral in its effect and purpose than international cooperation which must be established by force. Out of that difference of opinion and that clash of viewpoint came the historic League of Nations fight.

In 1920 the American people went to the polls and cast a ballot on the issue drawn between the two schools of thought. By an overwhelming majority the second school was endorsed at the polls, and that expression of the people became a mandate from them to the Congress of the United States to trans-

late into law a national system of neutrality which would be effective against our involvement in future wars. But, Mr. President, it is a sad commentary on the record of the Government of the United States that for 15 years after that mandate was received from the people not only was no system of national neutrality or peace proposed and written into law, but no bill envisioning such a move was even introduced in the American Congress.

Mr. WHEELER. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. HILL in the chair). Does the Senator from Iowa yield to the Senator from Montana?

Mr. GILLETTE. I had asked not to be interrupted, but I shall be glad to yield to my friend.

Mr. WHEELER. Is there any question in the mind of the Senator as to whether the people have changed their viewpoint since the time he spoke of a moment ago, when they expressed their opinion with reference to keeping out of European conflicts?

Mr. GILLETTE. I think there has been no change in the viewpoint as to keeping out of European conflicts. I am so thoroughly convinced of it that I am imposing on the Senate by expressing these opinions at the present time.

Commencing 15 years later, in August 1935, and including the present proposal, we have made four attempts toward national legislative policy looking to protection of America from war involvement; and in every case, Mr. President, the motivating element which initiated the proposed legislative forces was predicated on the interest and need of Great Britain rather than on the interest and need of the United States of America. Please do not gain the impression that I harbor resentment of any kind against Great Britain or that I hold any views inimical to her interest. But, Mr. President, I am thoroughly tired of hearing over and over again—even on this very floor within the past week—what ought to be done to implement British-American policy and British-American interests. I am thoroughly fed up with all types of modified, hyphenated, bifurcated, or truncated Americanism with a British-American, Grecian-American, Swedish-American, or any other phrase which defines or limits our interest in America first. Let us make an end of the phrase "and America" and change it to "America and."

In August 1935, when we enacted the first neutrality law, Italy and Ethiopia were engaged in war. England feared for her life line through the Mediterranean, and through the League of Nations certain sanctions were imposed on Italy, aimed at her gas and fuel needs for prosecution of the war. Italy cared little for these sanctions as long as she could turn to the United States for her fuel supplies. This was the immediate situation which started, 15 years after 1920, a move for the immediate enactment of neutrality legislation in the United States, which as first drafted was designed to prevent a belligerent—in this case Italy—from buying from a neutral nation more than the percentage of war



supplies which she had purchased in peacetimes. In the case of Italy and her total fuel purchases, America in peacetimes had been furnishing 6 percent. That meant that Italy could buy only 6 percent of her gasoline and motor-fuel needs in the United States.

When the news reached Italy that the United States was considering this type of legislation for adoption, notice was served by Italy on the United States that such legislation would be considered by her as tantamount to a declaration of war. I know what I am talking about. I was a member of the Foreign Relations Committee at the time. I know who wrote the bill. I know who went to the White House to discuss a compromise with reference to the matter. As proof of this assertion I quote from the late deeply lamented chairman of our Foreign Relations Committee, Mr. Pittman, who stated on April 19, 1939:

For instance, during the Italo-Ethiopian War Mussolini declared that the placing of an embargo by the League of Nations upon the export of oil to Italy would be deemed not only an unneutral but unfriendly act, attended with grave consequences. In fact, he clearly indicated that he would consider such an embargo a *casus belli*. At the time this matter was under consideration by the League of Nations, when the President indicated that he was considering bringing about an embargo upon the export of oil to both of the belligerents, Mussolini communicated to our Government that he would consider such an act both unneutral and unfriendly. This whole incident was packed with the most sensitive explosives of imminent war.

So we retreated from our proposed legislation and rewrote the Neutrality Act of 1935, which was changed and extended by the act of 1937. The American people were convinced that if we were to have a national system of neutrality it must take into consideration four factors which, rightly or wrongly, we considered as having influenced our drifting into the World War: First, the travel of American citizens on belligerent ships; second, the sale of munitions to belligerents; third, the extension of credit to belligerent nations which gave us a monetary interest in the outcome of their war; fourth, the situation occasioned by American citizens trying to run blockades established under international law by other nations for the purpose of delivery of war materials.

To implement a law which could eliminate these dangers the Neutrality Act of 1935, as extended in 1937, was a compromise between those advocating a mandatory embargo and those supporting a discretionary embargo. As a consequence we wrote into the law what is euphemistically called the cash-and-carry provision. Some of us then maintained, as was maintained so fully on this floor in the debate of 1939—and I shall refer to it in a moment—that there is no logic in embargoing the shipment of arms, ammunitions, and implements of war to a belligerent and at the same time permitting him to purchase the scrap iron, steel, cotton, and other war materials necessary in their manufacture.

Now, Mr. President, listen: I stated what was the inception and the genesis of the 1935 law as later extended. In

1939 it was found that the embargo on the sale of arms, munitions, and implements of war was working inequitably in the war which then broke out in Europe. Because of the fact that England and France had control of the seas through naval power, and were able, if permitted to do so, to secure war supplies here, while Germany could not do so through lack of seapower, a situation was brought about through which our laws then on the books worked no hardship whatever against Germany, which could not secure the supplies anyway, and to the heavy disadvantage of England and France, by preventing their securing vitally needed munitions and arms.

To correct this inequity we passed the so-called Neutrality Act of 1939, repealing the embargo on the shipment of arms, munitions, and implements of war contained in the former law, and permitting any belligerents to obtain these supplies by taking title to them here and transporting them in their own ships. It was asserted over and over again by those who supported that proposal on the floor that it would be a long step in the direction of preventing our involvement in European wars. I want it to be remembered, Mr. President, by those who are doing me the favor of listening to me, that that law is now on the statute books, and the purpose of the pending measure is to abrogate to a certain extent and to nullify to a certain other extent the provisions of that law now on the statute books.

The Neutrality Act of 1939 was entirely a peace measure and not a war measure in any sense of the word. I supported the repeal of the embargo and the enactment of the Neutrality Act of 1939. In connection with the passage of that law in 1939, I again quote from the late Senator from Nevada, Mr. Pittman, in his address to the Senate on the then pending measure:

In my opinion this is the most important legislation that has ever been proposed to Congress or ever enacted into law for the purpose of keeping us out of a European war. If our vessels cannot carry on commerce with belligerents, and the belligerent powers know it, there will be little excuse, if any, for the destruction of American vessels on the high seas with the inevitable loss of the lives of our seamen. Certainly the peace-loving Senators who oppose the proposed substitute are in favor of such mandatory legislation.

I have every confidence in the President of the United States. I have confidence in the declaration that he intends to do everything in his power to keep us out of war. I have confidence that, if granted the discretion with regard to prohibition of our vessels from engaging in commerce with belligerents, that he would exert such discretion.

I am still quoting from the late Senator from Nevada:

However, the policy of our Government is vested in the Congress of the United States, and it should not, in my opinion, delegate such authority, where it is unnecessary, to the President or any other single man or group of men. We know that the delegation of such authority is not only unnecessary but unwise. I fully realize that such provision may be injurious to some extent to our merchant marine. \* \* \* The loss of vessel and the cargo might be compensated for, but there was no adequate compensation for the loss of American citizens on board such vessels. We do not intend that American sea-

men shall be subjected to such dangers. We do not intend to leave that to the discretion of any man, no matter how good and wise he may be. We propose that Congress shall make it unlawful for American vessels to trade with belligerents. \* \* \* It is the most essential proposed law to the preservation of the lives of our citizens and the peace of our country, and therefore no patriotic citizen will oppose making such sacrifice. \* \* \* This commerce must and shall be discontinued during war.

Now, Mr. President, let me quote from another very eminent authority who is now in the Senate Chamber, and whose opinions we value, and in whose judgments we sometimes concur—the distinguished Senator from Texas [Mr. CONNALLY]—who, in a notable address on the floor of the Senate on October 4, 1939, during the pendency of the hearing on the act which is now on the statute books and which it is the purpose of the pending measure to destroy, gave utterance to these words, which I endorse with all the fervor I can summon in endorsing any expression I hear. I quote, and I am continuing to quote from the Senator from Texas [Mr. CONNALLY], Mr. President, unless I otherwise state:

Senators are afraid we are going to violate international law. Mr. President, while claiming every right we have under international law, we are undertaking in this measure, so to restrict, so to limit, and so to regulate American citizens and American ships that they will not be sunk on the high seas. \* \* \* We are hoping by this measure to prevent the necessity of ever going into another war. \* \* \*

Mr. President, during the World War citizens of the United States were murdered on the high seas, where they had a right to be, in the peaceful pursuit of their vocations. Ships were sunk where they had a right to be under international law. \* \* \* We are keeping our citizens from bringing themselves within the law by keeping them out of danger zones, by keeping them off belligerent vessels—

Listen, Mr. President—

and by not allowing a single American ship to go to a single belligerent power with a thing on earth in it. \* \* \* Anything may move under the Embargo Act except arms or ammunition. Food may go anywhere to neutrals or belligerents; and, unless we repeal the Embargo Act and enact other legislation, as surely as the sun shall ever rise again American ships with food and supplies and other cargoes are going to be sunk. \* \* \* The pending joint resolution—

That is, the 1939 joint resolution—

if legislation can accomplish any such result, will come more nearly keeping us out of war than any other measure that can be devised by the wit or mind of man.

At another point in his superb speech the Senator from Texas said:

A number of people in the country have been led to believe that the United States is to furnish arms and ammunition—that the Government is to do it. Why, of course the Government is not going to spend a nickel for arms and ammunition under this joint resolution. The Government will not furnish a single nation a single bayonet or a single bullet. \* \* \* These arms and this ammunition will not be sold by the Government, or furnished by the Government, or given by the Government. They simply will be sold by our own citizens. They will be sold to foreign governments and foreign nationals, it is true, but they will be sold here



on our own soil. Before they leave our ports the title must be divested out of American citizens. They must be placed, not upon American ships but upon neutral or other foreign ships.

\* \* \* \* \*

If the embargo law is kept on the books, American ships—not foreign ships but American ships—can carry any or all of these supplies, other than arms, ammunition, and implements of war, to any or all belligerents—to all nations at war. \* \* \* They may carry them right into England or right into Germany or right into France or right into any other warring nation. What is going to happen? How long will the ships be at sea, with American seamen on them and with an American captain on the bridge, with an American flag flying above them and with American goods in the holds? How long will they be upon the sea, under the present Embargo Act, before some submarine, stealthily and slyly, perhaps in the night, in the dark, will submarine them and send them to the depths of the sea? Is there any Senator here wise enough to say that will not happen? Is there any Senator here prepared to deny that that will happen?

Mr. President, \* \* \* what brought us into that war [the World War] was the unrestricted submarine warfare, when Germany announced that she would sink any kind of vessel carrying on commerce with any warring power. \* \* \* Those American ships, not carrying arms, not carrying ammunition, but carrying general cargoes, were sunk. \* \* \* That is why I voted for war—because of the murder of American seamen and other American citizens while they were in the pursuit of their lawful business upon the peaceful highways of the sea. If that could happen in the World War, it could happen in this war. It did happen in the World War, and it will happen in this war.

Then the distinguished Senator set out a long list of ships sunk during the World War and then added:

Ships were sunk so often with the loss of American lives that American patience was finally exhausted. \* \* \* America finally declared the existence of a state of war—a war already made upon it by Germany \* \* \*. Mr. President, I do not want that to happen again. Yet there are Senators who are forced to say—as I would be forced to say—that when a foreign nation attacks our citizens and murders our people and destroys our property, \* \* \* our country, of course, has no other recourse except war. I do not want to have to face that alternative. However, that alternative will be faced unless the embargo is repealed, because American ships will surely be sent from our shores, under the embargo. \* \* \* Our ships were sunk, our citizens were murdered, just as our ships will be sunk now and our citizens murdered if the embargo is kept as it is written now, because our ships are going to sail from our ports. \* \* \* What is our plan? Our plan is to allow American ships to carry no commerce—not merely arms and ammunitions, but no commerce—to the nations at war, not a bite of food, not one arm, not one cannon, not one piece of ammunition, not one piece of clothing to shelter the naked, or one bushel of wheat to feed the hungry, may be sent to the warring nations in American ships. We do propose that all nations may buy the products of our farms and factories, any and everything, if they are carried away in foreign ships.

I quote further from the speech of the Senator from Texas:

Mr. President, the joint resolution not only prohibits Americans from traveling on ships of warring nations; it not only prohibits American ships from carrying any kind of

commerce to the nations at war but, as an added protection, as an increased safeguard, it provides that from time to time the President may lay down combat areas or danger zones, and that after he so proclaims such an area or zone any American ship is prohibited from going into that combat area whether it shall be destined for a neutral port or for the port of the nation at war.

Mr. President, I have quoted at length from the forceful and persuasive statement of the Senator from Texas, which at that time had such an effect on me that, against my will, I voted for the then pending measure in order to obtain the security which he said the provisions of that act would afford.

Mr. CONNALLY. Mr. President, I thank the Senator for giving prominence to my remarks in his speech and giving them naturally a great deal more currency, but so far as he has quoted I think I was stating the truth at the time, and I have no corrections to make in the Record. I shall not ask to revise and extend those remarks in any wise.

Mr. GILLETTE. I am very much delighted to have that corroboration of the opinion expressed by the Senator at that time and, if the Senator can spare a few more moments, while I will not quote further from him, I will call attention to what has happened since the Senator expressed those remarks which he now endorses.

I have quoted from the speech of the Senator from Texas because of the fact that we have before us now for consideration a measure which proposes radically to change those protective provisions of the National Defense Act of 1939, to which the distinguished Senator has so strongly alluded. The statement is made, and has been made on this floor, that there is nothing in the provisions of the pending act which modifies the Neutrality Act with respect to merchant vessels going into combat or war zones. But I respectfully assert, Mr. President, that such statements do not tell the whole truth, nor fairly state the true situation. A few minutes later, if I have the time, I wish to describe some of the particular provisions of the pending act, but right now I wish to allude to the very question to which I have just referred. The proposed act defines defense articles to include, among other things, aircraft, vessel, or boat. Then it further provides in section 3, subsection (a), that notwithstanding the provisions of the other law—that is, the law to which I have referred—the President may, when he deems it in the interest of national defense, sell, transfer, exchange, lease, lend, or otherwise dispose of any such defense article; to release for export to any country of any defense article.

The House of Representatives, by amendment to the bill in subsection (e) of section 3, provides that—

Nothing in this act shall be construed to authorize or permit the authorization of the entry of any American vessel into a combat area in violation of section 3 of the Neutrality Act of 1939.

Now may I direct attention to the fact that the Neutrality Act of 1939 has two specific sections dealing with sending

ships into danger areas. Section 2 (a)—not section 3—provides that—

Whenever the President shall have issued a proclamation under the authority of section 1 (a), it shall thereafter be unlawful for any American vessel to carry any passengers or any articles or materials to any state named in such proclamation.

That is section 2 (a). Section 3, mentioned in the House amendment, refers to the additional provision pointed out by the Senator from Texas in the speech from which I have quoted.

In addition to this provision, as was pointed out by the Senator from Texas, section 3 (a) of the same law provides—

Whenever the President shall have issued a proclamation under the authority of section 1 (a) and he shall thereafter find that the protection of citizens of the United States so requires, he shall by proclamation define combat areas and thereafter it shall be unlawful except under such rules and regulations as may be prescribed for any citizen of the United States or any American vessel to proceed into or through any such combat area. The combat areas so defined may be made to apply to surface vessels or aircraft or both. The President may from time to time modify or extend any proclamation so issued, and when the conditions which shall have caused him to issue any such proclamation shall have ceased to exist he shall revoke such proclamation and the provisions of this section shall thereupon cease to apply.

Mr. President, that is the portion of the law, section 3 (a), to which the House amendment refers, and not section 2.

You will observe, Mr. President, that section 2 which I have first quoted is a clear-cut prohibition for American vessels after the proclamation shall have been issued to carry any passengers or any articles or materials to any state named in such proclamation.

While the second provision simply authorizes the President to set up combat areas into which no American boat may enter, the President may modify or change or eliminate these areas by subsequent proclamations in his discretion. It will also be noted that the amendment adopted by the House and approved by the Senate committee simply provides that nothing in this act shall be construed to authorize the entry of an American vessel into one of these combat areas in violation of section 3, and the President may change the status of these areas at his will and discretion and under his judgment. There is not one word in the proposal or one word in the bill to the effect that nothing in the act shall be construed to authorize or permit an American vessel to carry any passengers or any articles or materials to a belligerent state, as provided in section 2; and, Mr. President, the esteemed gentlemen who claim that such danger does not exist, if they are consistent, could and should support an amendment which would make definite and clear the fact that the pending measure cannot be construed to permit such travel by American merchant ships either under section 2 or section 3.

Mr. President, I shall ask the Senator from Texas to remain in the Chamber for a few moments, and I should like to have his attention.



Mr. CONNALLY. I shall be delighted to hear the Senator.

Mr. GILLETTE. Yet when I proposed an amendment in the Foreign Relations Committee which would make crystal clear this situation and provide that nothing shall be construed to authorize or permit the sending of American ships as provided in both section 2 and section 3, I was met by the same chorus of "noes," including—and I think I am violating no confidence or making no improper statement—the loud, resounding "no" of the Senator from Texas, who refused to allow it to be made clear, and now maintains on the floor that he is of the same opinion still.

I now yield to the Senator from Texas.

Mr. CONNALLY. Mr. President, I thank the Senator for automatically yielding. I did not care to interrupt the Senator.

The Senator from Texas no doubt did vote against the amendment. The Senator from Iowa certainly does not contend, does he, that the present measure in anywise repeals the present law, contained in the Neutrality Act, which prohibits American vessels and American citizens from going into any combat or war zone?

Mr. GILLETTE. The Senator from Iowa certainly does assert that and claim that; and a little later in my address I shall give my reasons for it, which I hope will be convincing, but I fear will not be.

Mr. CONNALLY. The reason why I voted against the amendment in the committee was that this bill does not in anywise affect the present neutrality law insofar as it applies to American merchant ships or American citizens going into combat zones. I did say in my remarks here the other day—and it is true—that under the neutrality law the President, if he should see fit, could lift the war zone and abolish it; but that does not reach the point of the Senator from Iowa, because his own amendment, which he says we voted down, simply provided that nothing in this bill should affect the existing neutrality law as to American vessels going into combat zones. So the President could lift the Senator's zone just as easily as he could lift the zone of the Senator from Texas.

Mr. GILLETTE. Oh, no. The Senator from Texas, I may say with all deference, has missed by as much as 8 miles the target at which he aimed. [Laughter.] The proclamation to which section 2 refers is the basic proclamation, under which the provisions of the entire act are put into effect, and not the proclamation designating a combat area, as provided in section 3.

Mr. LUCAS. Mr. President, will the Senator yield at that point?

Mr. GILLETTE. Surely.

Mr. LUCAS. The colloquy between the distinguished Senator from Iowa and the able Senator from Texas rather intrigues me, and I should like to have a little further information on it.

Am I to understand that the Senator from Iowa takes the position that the amendment he intends to propose, and which he did propose before the committee, would nullify the provision of the Neutrality Act which permits the Presi-

dent to lift the power he now has to prescribe combat zones, and absolutely deny him that privilege?

Mr. GILLETTE. By no means. If the Senator from Illinois so understood me, I regret that I failed to make myself clear. Let me say to the Senator that to effectuate this situation, as so forcefully outlined in the argument of the Senator from Texas a year ago last fall, that sending American ships with material for belligerents was a potent source of war, we enacted into law the Neutrality Act. That act carried two provisions. One of them was as follows:

SEC. 2 (a). Whenever the President shall have issued a proclamation under the authority of section 1 (a) it shall thereafter be unlawful for any American vessel to carry any passengers or any articles or materials to any state named in such proclamation.

In another portion of the same act there was a specific proposal about combat zones.

Mr. LUCAS. Mr. President, will the Senator yield on that point?

Mr. GILLETTE. Certainly.

Mr. LUCAS. Under the Neutrality Act the President has power to issue a proclamation delimiting combat zones where American vessels may or may not go.

Mr. GILLETTE. Yes; but it has nothing to do with the provision to which I have just referred.

Mr. LUCAS. The President may lift that ban at any time he so desires, as I understand the position which the Senator takes.

Mr. GILLETTE. Yes.

Mr. LUCAS. The question I am concerned about is whether the amendment which the Senator discussed before the committee in any wise takes away from the President of the United States the power to lift the ban from a combat zone, if he so desires.

Mr. GILLETTE. I shall be very glad to try to answer the Senator's question.

Mr. LUCAS. I will say to the Senator from Iowa that it is very important.

Mr. GILLETTE. Yes; it is of the utmost importance, and it is for that reason that I have given attention to it, so that the American people may know about it.

The neutrality law provides that when the general proclamation has been issued, or Congress has taken the action which states that a condition of belligerency exists anywhere in the world—that is, the general proclamation—all these provisions shall go into effect; and the first provision is that no American ship shall carry any passengers or any materials whatever "to any state named in such proclamation"—that is, the proclamation of belligerency. That is the first part of section 2.

There is an additional section, section 3, which reads, in part, as follows:

(a) Whenever the President shall have issued a proclamation under the authority of section 1 (a), and he shall thereafter find that the protection of citizens of the United States so requires, he shall, by proclamation, define combat areas, and thereafter it shall be unlawful, except under such rules and regulations as may be prescribed, for any citizen of the United States or any American vessel to proceed into or through any such combat area.

I direct the attention of the distinguished Senator from Illinois to the fact that the first prohibition is against American ships carrying passengers or materials to the states at war named in the general proclamation. The second one, defining combat areas, prohibits American ships from going into a combat area even to carry to a neutral port. They may not go into a combat area.

When the pending bill said, "Notwithstanding the provisions of any existing law, the President may do so and so," a doubt very naturally arose in the minds of the American people, as it did in the mind of the Senator from Illinois and in my mind and in the mind of every other reasonable man, whether, under the provisions of the bill, the President could nullify those prohibitions against the entry into combat areas of American ships carrying things to belligerents. The House inserted in the bill an amendment which provided that nothing in the bill should be construed as permitting the entrance of American ships into combat areas as provided by section 3, but saying not one word with reference to prohibition of carrying things to belligerents as provided by section 2, and the Senator from Iowa, to make the matter clear and unmistakable, offered an amendment which provided, in substance, that—

Nothing in this act shall be construed to authorize or permit the entrance of American merchant vessels into danger areas as provided by section 2 or section 3.

The Senators of the majority, with the chorus of "noes" to which I shall a little later allude, said "No, no, no; it is meaningless!"

Mr. LUCAS. Mr. President, will the Senator yield for one more question?

Mr. GILLETTE. Certainly.

Mr. LUCAS. I regret to take the Senator's time, but the question is of such importance to me that I cannot refrain from asking him to yield.

If I correctly understand the Senator now, the House of Representatives adopted an amendment which affects section 3 of the Neutrality Act. What the Senator from Iowa is seeking to do is to place section 2 in the same category as section 3?

Mr. GILLETTE. That is it exactly; and the reason for it, above everything else, is that section 2 prohibits carrying passengers or materials to belligerents. An additional reason is that the assertion that nothing in the act shall be construed to authorize or permit entering combat areas may be easily nullified by the President's issuing tomorrow a proclamation eliminating the combat zone, or prescribing certain lanes through which ships may proceed.

Mr. LUCAS. If I may ask one further question, the only difference between the Senator's position and the position taken by the majority members of the Committee on Foreign Relations is that the Senator's amendment is unnecessary, because they contend that the words "notwithstanding the provisions of any other law" do not affect the Neutrality Act as it exists at the present time, insofar as combat zones are concerned, or insofar as the



shipment of materials and supplies to belligerents is concerned.

Mr. GILLETTE. That is a statement of the argument as presented by the majority of the committee. I failed to follow their argument, I assure the Senator, and I fail to follow it now.

Mr. WHEELER. Mr. President—

The PRESIDING OFFICER (Mr. WALLGREN in the chair). Does the Senator from Iowa yield to the Senator from Montana?

Mr. GILLETTE. I yield.

Mr. WHEELER. I do not see how anyone can stand on this floor and contend that the words "notwithstanding the provisions of any other law" do not mean anything, or do not mean any more than the ordinary language that is put into many bills, that "this bill repeals every law in conflict with it." I cannot understand how any lawyer can stand on the floor of the Senate and say that the provision does not mean any more than the ordinary provision, because it states that "notwithstanding the provisions of any other law" the President may from time to time—to what? When he deems it to be in the interest of national defense, he can set aside the provisions of the Neutrality Act. I submit that there is not a lawyer, that it is not possible to find a lawyer of any standing in the United States who has read that provision who can come to any other conclusion than that that is exactly what it means.

Mr. GEORGE. Mr. President, I do not wish to interfere with the Senator from Iowa, but I desire to take issue not only with what the Senator from Montana says—

Mr. GILLETTE. Before I yield to either of the Senators, let me say that at the outset of my remarks I requested that I be not interrupted. I did not want a colloquy of this kind to take place. But because I had referred very extensively to and quoted from the Senator from Texas, I yielded to him, as I should have done. I dislike very much to yield further; but having yielded to the Senator from Montana, and he having called into question the judgment, perhaps, of some of the other Senators, I will yield—briefly, I hope—to the Senator from Georgia.

Mr. GEORGE. I will bide my time; I merely rose to say that the Senator from Montana asked no question; he is, in my opinion, merely dogmatically stating as a fact a thing which is not a fact. I could equally say that I doubt that there is a reputable lawyer in the country, in or outside the Senate, who would say that the words "notwithstanding the provisions of any other law" mean any provision of law which at this time will prevent the President doing what he is given express authority in the bill to do. That is a clear interpretation of it, and that is the universal interpretation of the language.

Nowhere in the bill, it is contended—at least, by those of us who support it—is there the slightest authority for permitting any American ship to enter the port of any belligerent country or to proceed into any declared area of danger. Therefore the attachment by the House of an amendment which is wholly meaningless as the bill stands would be made further

meaningless by the attachment of other amendments declaring that something else was not in contemplation or should be construed to be within the meaning of the act.

I have no objection to anyone's opinion, but the Senator from Montana has a rather unfortunate attitude of dogmatically saying that a thing is true when he might at least preface his assertion with the statement that he contends that a certain thing is true.

Mr. WHEELER. Let me say, if I may interrupt, that I am not dogmatically saying anything; I am giving my opinion; and I do not agree with the Senator from Georgia. I wish to say to the Senator that I have submitted the question to some of the ablest lawyers in this country, and they have agreed with the views which I have expressed. As a matter of fact, I have gotten legal opinions and briefs upon the subject, and they completely disagree with the interpretation put upon the bill by the majority.

If the Senator from Iowa will pardon me for a moment further, if there is nothing more to it than what the Senator from Georgia contends, I assume, of course, that he, as the chairman of the committee, would be willing to strike the provision out and insert in its place a provision which is usual in legislation; that is to say, that this law repeals all acts or parts of acts in conflict with it.

Mr. GEORGE. I would have no objection to that, except that the proposed act does not repeal any law. It merely suspends, for the purpose of enabling the President to execute the powers given him, any law which stands directly in the path of the President.

Mr. WHEELER. Of course; that is exactly what I say.

Mr. GEORGE. It does not repeal any act.

Mr. GILLETTE. Mr. President, may I, in all kindness, ask Senators to cease the dialogue so that I may proceed?

Mr. CONNALLY. Mr. President, I do not wish to trespass on the Senator's time; but since the Senator brought me into the discussion, and it has all revolved around the Neutrality Act, sections 2 and 3, I think he should allow me just a word.

Mr. GILLETTE. I am glad to yield to the Senator.

Mr. CONNALLY. I should like to have the attention of the Senator from Montana.

Mr. GILLETTE. Mr. President, the Senator from Iowa can yield, but he cannot command the attention of anyone.

Mr. CONNALLY. If the Senator from Montana will give me his attention a moment—

Mr. GILLETTE. I yield.

Mr. CONNALLY. My reason for addressing the Senator from Montana is that he stands on the floor, as suggested by the Senator from Georgia, and practically reflects upon every lawyer, every so-called lawyer—I do not claim to be anything more than just a cornfield lawyer. [Laughter.] A cornfield lawyer knows more than a good many other so-called lawyers.

I wish to take issue with the Senator from Montana. He says that he cannot

understand how any lawyer would say that the language "notwithstanding the provisions of any other law" does not mean that it wipes out a good many laws without naming them. I make the statement to the Senator from Montana on my responsibility that we could strike from the bill the words "notwithstanding the provisions of any other law" entirely, and we would not change the legal effect of the language in the slightest particular.

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. CONNALLY. Just a moment. Let me answer; then I will yield.

Whenever we pass a new law there is some kind of a law already on the books on the subject covered or we would not be passing a new one. When we pass the last act it has the automatic effect of modifying or suspending or repealing any existing law on the books to the extent the law which we are passing goes. Any justice-of-the-peace lawyer in my State knows that. [Laughter.]

So, in effect, whenever we pass an act we might as well say "notwithstanding the provisions of any existing law we declare this to be the law from now on." We do not have to say, "It is hereby repealed." Does not every lawyer know that when we pass a new act we frequently use the language, "All laws in conflict herewith are repealed"? But whether we use that language or not, the last law would have the effect of repealing or modifying existing law.

As was well said by the Senator from Georgia, who served on the supreme court of his State for many years—and, of course, he is no lawyer, he is no respectable lawyer, he does not know anything [laughter]—

Mr. WHEELER. Let me say to the Senator, if he will permit an interruption, that the Senator from Georgia has just made a statement with which I entirely agree, and he does not agree with the Senator from Texas.

Mr. CONNALLY. I did not say he did. He agrees with what I have just stated, however.

Mr. WHEELER. I agree with the last statement that was made by the Senator from Georgia—namely, that the President can brush aside any law—I may not quote his exact language—

Mr. CONNALLY. The Senator is not quoting it exactly. I can tell that from the way he starts.

Mr. WHEELER. If I do not quote the substance of it, I hope the Senator will correct me. In effect, as I understand, the Senator from Georgia, as chairman of the committee and as a distinguished lawyer, did say—though perhaps I was unfortunate in my language—that the President can brush aside any law that conflicts with the pending measure when he deems it in the interest of national defense.

Mr. CONNALLY. Oh, no; he did not say anything of the sort.

Mr. WHEELER. I submit it to the Senators present, or I submit it to the RECORD.

Mr. CONNALLY. I submit it to the Senator from Georgia. The Senator from Georgia did not say the President



could wipe it out; he said that this act provides that certain things can be done. The President is authorized to do certain definite things written down here in the English language, and that any other law now on the books which would prevent him from doing those things specifically set forth is not repealed but is suspended so as not to prohibit him from doing exactly what he is authorized to do under this bill. That is my construction of what the Senator from Georgia said. The President is not to wipe out anything. The President is simply authorized to do the things set out here, and we say, "We want you to do these things. If there is any existing law that keeps you from doing them, that law, to the extent that you can do them, is temporarily suspended." That is all it means.

Mr. WHEELER. In other words, what it is proposed to do is to give the President the right to suspend any law upon the statute books—

Mr. CONNALLY. No.

Mr. WHEELER. When he deems it wise to do so in the interest of national defense.

Mr. CONNALLY. Oh, that is simply ridiculous and preposterous.

Mr. WHEELER. The Senator from Texas has all the ability.

Mr. CONNALLY. The Senator from Montana said that no lawyer could take that position.

Mr. TOBEY. Mr. President, will the Senator yield to me for a second?

Mr. GILLETTE. I yield.

Mr. TOBEY. I should like to point out that, in my judgment, the Senator from Iowa is exhibit A of the forgotten man. [Laughter.]

Mr. CONNALLY. I thank the Senator from Iowa, and I shall not bother him any more.

Mr. GILLETTE. Mr. President, under ordinary circumstances I would not only be willing but delighted to have the amplification of my remarks contributed by the distinguished Senators who have spoken, I have a rather lengthy speech, and I should like to get through with it.

I will say to the Senator from Texas, not as a cornfield lawyer but a cow-barn lawyer, that I agree with his statement that the phrase could be stricken out and should be stricken out, and I will give the Senator from Texas and the Members of the Senate an opportunity to vote on an amendment to strike it out, and shall ask for a yea-and-nay vote.

Mr. CONNALLY. Does the Senator from Iowa agree that it could be stricken out without changing the legal effect of the language?

Mr. GILLETTE. No, no, but I will agree that with that language in there—

Mr. CONNALLY. Let me say to the Senator that I always thought I should beware of antagonists bearing amendments. [Laughter.]

Mr. GILLETTE. Oh, no. I agree, whether it is in there or not, as stated by the Senator from Texas, that the last law which is passed is the controlling law when there is a conflict, but I have maintained, and I now maintain as a cow-barn lawyer, and nothing else—and I

have not practiced law for 20 years—that there is all the difference in the world between the preliminary phrase, "Notwithstanding the provisions of any other law," and the usual paragraph that is added at the close of a statute—

All acts or parts of acts in conflict with the provisions of this act, are hereby repealed.

Mr. President, without assuming to speak with the eloquence with which the Senator from Texas described the dangers of the entry of American ships into war trade, may I say that if the bill gives the President power to send American ships in order to take supplies to British ports and for British use, or to Chinese and Grecian ports for their use, or for the use of any belligerent, it will follow as night follows day that some of these ships will be sunk and American lives will be lost. If American ships are sunk and American lives are lost, it is likely that American warships will be ordered to escort supply ships, and when submarines try to block the shipments a naval battle will follow with American destroyers struggling with German submarines. If that does not mean war, Mr. President, I do not know what situation might be described as a state of war.

Now, Mr. President, may I refer to another provision in the pending bill which was added by way of amendment in the House and which the proponents of the bill point to with pride as tending to allay the fears of the public as to the powers delegated by the provisions of the bill and as additional security against war involvement. Subsection (d) on page 4 of the pending measure provides that:

Nothing in this act shall be construed to authorize or to permit the authorization of conveying vessels by naval vessels of the United States.

That language was added by the House. The distinguished constitutional lawyers, both in the House and in the Senate committees and on this floor, have maintained that this proposal, when adopted, ought greatly to reassure the American people, who know that the use of vessels as convoys either for British or American ships would inevitably result in a state of war. They admit that the words as adopted by the amendment have little force or value. Without exception, they all state that the power to use our naval forces as vessels of convoy now rests with the President of the United States because of his constitutional position as Commander in Chief of the Army and naval forces, conferred by section 2 of article II of the Constitution, which states that—

The President shall be Commander in Chief of the Army and Navy of the United States, and of the militia of the several States, when called into the actual service of the United States.

But they steadfastly reject all proposals to make the amendatory matter stronger in its provisions, and expressly prohibit such use of our naval vessels in convoy. They contend, with some show of legal authority, that Congress cannot deprive the President of his constitutional power by such suggested provision. But they persistently inform the

public that the proposal which has been adopted is fully effective and should allay all the public fears.

I am not competent, and neither do I propose, to attempt to discuss a question of constitutional law with the able legal minds in the Senate, but I want to take this occasion to direct attention to the fact that the authority of the Commander in Chief, as interpreted by our courts in the provisions of the Constitution, empowers him to act as such Commander in Chief in handling our military forces in peacetimes and in the tactical disposition of these forces in time of war; that the Congress is given the power and the full authority not only to declare war but—and I quote—"to provide and maintain a navy" and "to make rules for the government and regulation of the land and naval forces"; and that the authority of the President as Commander in Chief does not become his power until the Congress shall have performed its duty of raising and supporting armies, providing and maintaining navies, and making the rules for the government and regulation of the land and naval forces.

Let me also, for the information of my colleagues, call attention to these notations from the Journal of the Constitutional Convention:

On the question of the words clothing the Congress with the power to "make war," Mr. Pinkney opposed vesting this power in the Congress. Its proceedings were too slow. Mr. Madison and Mr. Gerry moved to insert the word "declare," striking out the words "make war," thus leaving to the Executive the power to repel sudden attacks. Mr. Sherman thought it stood very well. The Executive should be able to repel and not to commence war.

Let me repeat that.

The Executive should be able to repel and not to commence war. "Make" is better than "declare," the latter narrowing the power too much. Mr. Gerry never expected to hear in a republic a motion to empower the Executive alone to declare war. Mr. Mason was against giving the power of war to the Executive because not safely to be trusted with it, or to the Senate, because not so constructed as to be entitled to it. He was for clogging rather than facilitating war. He preferred the word "declare" to "make." On motion to insert "declare" in place of "make," it was agreed to.

Let me advert to some of the discussions which have been had on this floor relative to the extent of the powers delegated by the bill to the Chief Executive. Some of these comments would be amusing if they were not so tragic. The zeal with which some of the proponents of the measure attempt to find phrases of limitation within the provisions of the bill leads them, I fear, to direct attention to extraneous, or at least inconsequential, matters.

The distinguished speakers who opened this debate as proponents of the bill, without exception, referred to the question of extent of delegation of powers. Let me quote from the Senator from Kentucky [Mr. BARKLEY], who, on February 17, said on this very floor:

The claim that this measure sets up a dictatorship in the United States is, in my judgment, without foundation. Under this measure we will still have freedom of the press, freedom of religion, freedom of speech,



freedom of assembly, and all the freedoms guaranteed to the American people under the Bill of Rights and the Constitution.

That statement, Mr. President, reminds me of a story told of a soldier in the Civil War. Having been taken to a hospital desperately wounded, he was subjected to various amputations, and subsequently was informed that his sight was gone for life, that it had been necessary to amputate both legs just above the knees, and also to amputate the right arm. The soldier replied, "Thank God, I still have my teeth."

The Senator from Kentucky [Mr. BARKLEY] pointed with pride to the fact that the constitutional securities of the Bill of Rights would not be removed by the provisions of the proposed act. In the name of all that is reasonable and American, how could any proposal adopted by the Congress, except by way of constitutional amendment, remove from American citizens the security of these constitutional safeguards?

On the same day the able Senator from Illinois [Mr. LUCAS] interrogated the Senator from Vermont [Mr. AUSTIN] relative to the extent of the delegation of power contained in the proposal. With commendable concern, the Senator from Vermont had been vigorously maintaining that the delegation of authority herein contained did not create any new powers in the Executive, and did not transfer any primary authority which ought to remain in the Congress. The Senator from Illinois asked the Senator from Vermont if, once we should pass the pending bill, we should be turning over to the President of the United States certain powers which would make him a complete dictator over the lives of this Nation. The distinguished Senator from Vermont very properly answered that we should not. And we should not. I wish to state with all the vigor of which I am capable that the bill does not and cannot so provide. All the constitutional safeguards which have been so wisely made part of the organic law of the United States would prevent any transfer or delegation of such authority.

But what the present bill does do is to clothe the Chief Executive with full power to exercise such authority as has never been delegated to any Chief Executive voluntarily by any free people on earth in time of peace, or even in times defined by the President as limited emergencies. It does clothe the Chief Executive with delegated authority to exercise the authority so given, regardless of and notwithstanding the provisions of any other law. By the terms of the bill "defense article" has been defined to mean:

Any weapon, munition, aircraft, vessel, or boat; any machinery, facility, tool, material, or supply necessary for the manufacture, production, processing, repairing, servicing, or operation of any article described in this subsection; any component material or part of or equipment for any article described in this subsection.

As if that were not sufficient to cover everything the writers of the bill could possible anticipate, the all-inclusive phrase "any other commodity or article for defense" was added. As first drafted

and introduced by the sponsors, plenary power was given to the Chief Executive, notwithstanding the provisions of any law when he deemed it in the interest of national defense to manufacture or otherwise procure—bear in mind the words "otherwise procure"—any of the defense articles for the Government of any country whose defense the President—and he alone—deems vital to the defense of the United States; and to sell, to transfer, to exchange, to lease, to lend, and—as though that did not cover it—or otherwise dispose of, on such terms as he sees fit, to any such government as he sees fit to make the recipient of such sales, loans, or gifts, on such terms as he deems satisfactory, and for either direct or indirect benefit of the United States.

Without going into the further powers conferred by the bill, and notwithstanding the statements made on this floor by some of the Members of this body, I believe that no doubt can or does exist in the minds of any citizens of the United States familiar with the terms of this measure that the President of the United States, under the authority of the words "otherwise to dispose of; notwithstanding the provisions of existing law," could sell, loan, lease, or give to the nations to whom he desires to make such disposition the component parts of the Navy of the United States.

It is not enough, I will say to the Senator from Vermont, to maintain and assert, as he did on the floor of the Senate last Monday, that no authority could be read into this or any other provisions for a Chief Executive to destroy the Government institutions of the United States, and that, therefore, he could not give away the entire Navy. The fact of the matter is, and the record is, I will say to the Senator and to the people of the United States, that under existing law the President did dispose of 50 destroyers belonging to the naval forces of the United States by an arrangement made with the Government of Great Britain, and that this was done despite the plain provisions of the law passed June 15, 1917, which provided:

That during a war in which the United States is a neutral nation it shall be unlawful to send out of the jurisdiction of the United States any vessel built, armed, or equipped as a vessel of war, or converted from a private vessel into a vessel of war, with any intent or under any agreement or contract, written or oral, that such vessel shall be delivered to a belligerent nation or to an agent, officer, or citizen of such nation, or with reasonable cause to believe that the said vessel shall or will be employed in the service of any such belligerent nation after its departure from the jurisdiction of the United States.

Mr. AUSTIN entered the Chamber.

Mr. GILLETTE. A moment ago I referred to the distinguished Senator from Vermont. He was absent from the Chamber at the time, but I assure him I intended no discourtesy. I know the Senator has to eat, and that eating is more preferable to listening to the Senator from Iowa. [Laughter.]

Mr. AUSTIN. I thank the Senator for his good intentions.

Mr. GILLETTE. I called attention to the remarks which the distinguished Senator made on Monday of this week in

response to the attacks which had been made, or the suggestions which had been made, that under the authority delegated by the terms of the bill the President could dispose of component parts of the Navy of the United States, and the fact that the Senator from Vermont stated at that time that, in his opinion, no such authority could be read into the bill, because no law could be enacted which would delegate power to destroy the basic fundamental institutions of democratic government, and that the Navy thus could not be given away.

Mr. AUSTIN. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. MURDOCK in the chair). Does the Senator from Iowa yield to the Senator from Vermont?

Mr. GILLETTE. I yield.

Mr. AUSTIN. I fear I was not quite clear if I made the statement in such manner as to be interpreted that no component part of the Navy could be given away. That was not my intention. I intended to say—and I think I did say—that the President could not exercise the sovereignty of the United States by giving away the United States Navy. I did not intend to say—and I doubt if I did say—that he could not give away parts of it. The degree and the extent to which he might go is a question of strategy, of course, depending upon what is necessary or wise in the common defense.

Mr. GILLETTE. I will say that in my explanation to the Senator from Vermont, after his return to the Chamber, I did not make it as clear as I did, I hope, in my written statement that the Senator said no authority could be given subversively to destroy the basic institutions of America, and that the President could not give away the United States Navy.

Mr. AUSTIN. That is correct.

Mr. GILLETTE. If, however, the President can give away component parts of the Navy, there must be some point the Senator from Vermont would like to find, and I should like to find how further giving would be giving away part of the Navy but would not be giving away the Navy.

I further said in the statement, which, unfortunately, the Senator did not hear, that the President had given away 50 destroyers notwithstanding the plain, absolute provision existing in the law since 1917, which I read.

Now, let me say, Mr. President, that if the President of the United States, in the face of the statutory provision, even on interpretation by the Attorney General of the United States, could and did dispose of 50 destroyers, component parts of our Navy fleet, I, for one, am not going by my own expressed vote to endorse the authority contained in this bill to dispose of vessels on any terms the President deems wise, to such nation as he sees fit, and, under the quoted phrase, "notwithstanding the provisions of any other law." He will not have the authority from me, directly or indirectly, clear or interpreted.

Mr. WHEELER. Mr. President, I realize the Senator does not wish to be interrupted, but I desire to call attention



to what the Senator said, that the President can give away 50 vessels today and can give away 50 vessels tomorrow, and can pick out any part of our Navy he pleases to give, until the whole Navy will be gone.

It would seem to me that there cannot be any question about that, under the interpretation of the bill.

Mr. AUSTIN. Mr. President, will the Senator yield?

Mr. GILLETTE. I yield.

Mr. AUSTIN. Of course, the Senator from Montana and I differ about the interpretation of the bill. I maintain that no man, whether a private citizen or an official, may commit an act which would hazard the sovereignty of the United States. There is no justification in law for such a thing. On the contrary, all our fundamental law prohibits such a thing as that; and this is the type of logic which I fear has led the Senator from Montana to an erroneous conclusion regarding H. R. 1776. It cannot be argued, from the fact that our Government may part with 50 destroyers today, that it may keep on until it has parted with the entire Navy of the United States. Such argument is not logical; and, in my opinion, certainly such action would be a direct violation of our institutions.

Mr. GILLETTE. Mr. President, I wish now to refer briefly to the trend of public opinion which made possible the introduction of such a bill as the one now pending and which makes certain its enactment into law. I feel that whatever this measure of public opinion may be, it is not based on a full knowledge of the facts as they have existed from time to time or as they now exist. But whether intentionally or unintentionally fostered, there has been a marked change in public opinion toward fatalistic acceptance of probable war.

I have already referred to the statements carried in the respective party platforms of last fall; but even before the campaign the advocates of intervention in the European war had almost without exception dropped all such slogans as "aid to democracies, short of war," or aid as a "nonfighting ally," or a "nonbelligerent ally" and were taking another and entirely different position. Since the election of last November nobody in a responsible position in the United States has ever officially and publicly mentioned the phrase "short of war"; but before the day of election the two leading candidates, standing on almost identical platforms of "aid to the democracies, not inconsistent with existing laws, national and international, and not inconsistent with our own defense needs," heartily and completely endorsed this position and its purposes.

On October 23 President Roosevelt said:

To every man, woman, and child in the Nation I say—your President and your great Secretary of State are following the road to peace.

We are arming ourselves not for any foreign war.

We are arming ourselves not for any purposes of conquest or intervention in foreign disputes.

Mr. Willkie, in the city of Cleveland, on October 2 last, said:

The American people do not want war. They have no idea of joining in any conflict either in the Atlantic or the Pacific. They are determined to keep America at peace. In this determination I stand with them. I am for keeping out of war. I am for peace for America. We must not rashly move. Any man who involves us in the risk of war while we are thus unprepared betrays his country.

The American people went to the polls with the firm, implicit, and justified reliance on these statements of platforms and these statements by candidates. Last November neither party and neither candidate dared submit to the voters of America the issue of all-out aid to Britain, or aid regardless of law, or repeal or change of existing law to permit all-out assistance.

Let us review some pronouncements which almost immediately followed the day of election. On November 20 last, Dr. Conant, of Harvard, who was recently called before our Foreign Relations Committee by the proponents of this measure, speaking over the radio at that time said:

We must now consider a fundamental question. Do we agree that the aggressor powers should be defeated? Well, then, the words "all-out aid to the Allies" mean exactly what they say. There are no reservations in our pledge. It then becomes a matter of strategy and strategy only when, if ever, material aid must be supplemented by direct naval and military assistance.

The star witness for the proponents of this bill before the committee, Mr. Wendell Willkie, told the committee that—

If we are going to adopt a policy of aid to Britain, it is above all necessary to make that aid effective. To render ineffective aid would be disastrous.

Now let me quote from the President himself in his fireside chat of December 29:

Thinking in terms of today and tomorrow, I make the direct statement to the American people that there is far less chance of the United States getting into war if we do all we can now to support the nations defending themselves. \* \* \* There is no demand for sending an American expeditionary force outside our own borders. There is no intention by any member of your Government to send such a force. You can, therefore, nail any talk about sending armies to Europe as deliberate untruth.

Listen:

Our national policy is not directed toward war. Its sole purpose is to keep war away from our country and our people.

Near the close of his address the President said:

We have furnished the British great material support, and we will furnish far more in the future.

In a recent issue of the Washington Star—just last week—the following excerpts from editorial comment are quoted:

The assertion that we can give full aid to England by methods short of war has been repeated so often and accepted as a practical program by so many people in this country that a confusion of definition is threatening to obscure the basic realities of our foreign

policy. If the terms "full aid" or "all-out assistance" have any real meaning, they necessarily must imply a degree of assistance which will prevent the defeat of the British and the passage of naval control to the totalitarian powers. The definition and qualification of methods short of war become singularly inappropriate. Full necessary aid—that is, all aid necessary to prevent a Hitlerian victory—more clearly states our national policy, and that policy cannot be more narrowly restricted.

In his address to the Congress on January 6, the week following the fireside chat from which I have just quoted, the President said:

We are committed to full support of all those resolute peoples, everywhere, who are resisting aggression and are thereby keeping war away from our hemisphere.

Also, the President said:

We are committed to the proposition that principles of morality and considerations for our own security will never permit us to acquiesce in a peace dictated by aggressors and sponsored by appeasers.

There is not a word in this statement relative to support consistent with law and not inconsistent with our defense. But, further than this, the program commits us to the rejection of any peace which may be negotiated with the Axis Powers; only a peace in which they are defeated and eliminated will meet with our purpose and approval. Full support to peoples everywhere without regard to existing law can reasonably mean the support that one ally in arms must give to an associate in the struggle—ships, planes, arms, money, manpower, and everything else necessary.

It is illuminating in this connection to read the comment of the London Times on January 9, 3 days following the President's address to the Congress. I quote from that great London newspaper:

President Roosevelt's address to Congress, followed by the Budget message of yesterday, marks another stage in the evolution of American opinion and American determination. From "neutrality in deed, though not in thought," the people of the United States have passed through "all aid to Britain short of war" to "all possible aid to Britain irrespective of consequences." Nothing more clearly narrows the increasing total and world-wide character which the world has assumed. No continent is now removed from its scope.

Now I will quote from a columnist. I dislike very much to quote from columnists; they are not popular, as an ordinary thing, with me; but I am quoting from one of the best, Mr. Lindley:

The essential fact remains that the Roosevelt administration seems disposed, if the need arises, to go further than it already has gone in aiding the Allies—even to the length of becoming a belligerent in the air and on the water. If we go that far, we might as well count ourselves all the way in. Some of us can remember the early April of 1917, when it was said, and widely believed, that our entry into the World War meant only that we would lend money, send our Navy, and dispatch, at most, a "token" army just to show that our heart was in the right place.

At this point, Mr. President, I wish to pay my respects and deference to the Members of this body who realize the full



import of these words and their implications. I fail completely to follow the reasoning of those eminent gentlemen who persist in contributing to the delusion of the American people by continually repeating that this bill, designed to implement the assurance and purpose of the administration clearly announced in the fireside chat and in the message to the Congress, is a measure for peace and defense only; that it does not contemplate the risks of war; that it does not envision the sending of our Navy into warlike uses; that it does not contemplate the use of American naval and military forces; that it does not propose to make possible the disposition of American merchant ships or American armed forces. But I can follow without difficulty the clear logic of men like the revered senior Senator from Virginia [Mr. GLASS], who is reported to have advocated that we "send our Navy over and shoot hell out of Hitler," and the incisive logic of the senior Senator from North Carolina [Mr. BAILEY], who the day before yesterday asserted that if the passage of this bill implementing our present policy means war, he accepts the situation with all its implications.

What aid have we been able to give to Great Britain under existing law without the changes and authority conferred by this bill? When Congress repealed the arms-embargo provisions in November 1939, and this obstacle was removed, the United States was able to transfer to the British, through private American intermediaries, in the summer of 1940, approximately 600,000 rifles, 80,000 machine guns, and eight .75 mm. field guns of British and French type, as well as a large supply of ammunition. This equipment consisted entirely of surplus World War stock stored by the Army for emergency use. Under a similar procedure the Army and Navy also turned over to the manufacturers for sale to Britain about 240 planes, principally attack and dive bombers. In September 1940, after approval by General Marshall, Army Chief of Staff, some 229 World War light tanks no longer in the service were sold to Canada. The repeal of the arms embargo, moreover, permitted American producers to sell aircraft to the Allies on a basis of transfer of title and transport in their own ships. Shipments to Britain became numerically important only with the French defeat, when the British purchasing commission took over unfilled French orders. Between the beginning of September 1939 and the end of June 1940, 940 aircraft were exported to France, 292 were shipped to Britain, 95 to Canada, and 123 to other British territories. After June 1940, deliveries to Britain rapidly increased, raising to a peak of 278 in August. In the 14 months ending in October 1940 we exported to all countries 3,334 airplanes, of which 1,056 went to Britain, 427 to Canada, and 142 to other British areas. In October alone 177 planes were shipped to Britain, 102 to Canada, and 8 to other British territories. My authority for these figures is the United States Department of Commerce figures, published in the Aeronautical World News.

Information regarding the proportion in which various types of planes are now being exported is not available to me, but press reports have referred to orders for all the principal combat types—attack, dive, medium, and heavy bombers, observation, fighting, and patrol craft. Neither do I have figures relative to the percentage of allocation of present production which has been going to Great Britain. On November 29, 1940, it was announced in the press that 144 Vultee pursuit ships, originally ordered by the Swedish Government, would be sold to Canada, inasmuch as the United States Government had refused to issue a license permitting export to Sweden. The British have received at depots in this country quantities of the most modern planes, notably Curtiss P-40, Douglas DB-7 bombers, Consolidated B-24 heavy bombers, and Boeing B-17-C flying fortresses. Cargo vessels have been sold to the British. With the approval of the United States Maritime Commission, the following transfers of ships to belligerents took place between September 1, 1939, and December 23, 1940: To Britain, 132 ships, with a gross tonnage of more than 470,000 tons; and 184 ships to British Dominions and to Greece.

Without going further into this statistical matter, I may say that I have referred to it simply to show something of the amount of assistance which we have been able to give to Great Britain in the way of war supplies under existing law and consistent with that law and with our own defense needs. But our friends tell us that that is not enough—that we must go far beyond the possibilities under existing law; that Great Britain's dollar resources will at some undetermined time in the future approach exhaustion; that she ought not be compelled to pay cash for these supplies; and that there must be placed somewhere full and complete authority to give the full measure of effective aid to Britain to enable her to prevail fully in the war, regardless of the limitations in existing law. And that, Mr. President, is the definite purpose of the measure now before us.

At this point I wish to quote from a statement made last Friday evening in Memorial Continental Hall in this city by Dr. Edmund A. Walsh, S. J., vice president of Georgetown University. Because, Mr. President, of the length of time I have been on the floor, I ask unanimous consent that, without reading, the statement of Dr. Walsh may be included in the RECORD at this point as a part of my remarks. I make that request, I will say, not because of any lack of value in the statement of Dr. Walsh, but merely in order to save my voice and to save Senators being required to grant me further indulgence.

The PRESIDENT pro tempore. Without objection, the statement will be printed in the RECORD.

The statement referred to is as follows:

We in the United States are an integral part of Western culture and we survive or perish with it. By force of circumstances not of our choosing we stand here and now

at the crossroads of a great, a momentous decision. As the lend-lease bill emerges from committee to face debate on the floor of the Senate, the intellect and conscience of the American people must answer one imperious, inescapable question. Unless we do so, the encompassing chaos in Europe must remain an inexplicable, vulgar, and brutal brawl on the curbstone of history.

The question to be answered does not concern this or that specific provision of the bill. The issue lies deeper than language or policy. It reaches to the depths of a choice on whose outcome may depend the very form and substance of the future. If the proponents of the bill had the courage they ought to have, they should, in all intellectual honesty, admit publicly what I have heard admitted privately, that the bill, if passed, is legislative condonation of acts of war. By every tenet of the international law to which we have subscribed before and since the Alabama claims, we will become a belligerent, with the status and risks of a belligerent.

For every panel of distinguished authorities appearing in support of the contention that no international law is violated an equally imposing aggregation of experienced jurists is available ruling that it is flagrant violation of international law, at least of the law of nations, which the Government of the United States has so frequently invoked. The Kellogg Pact did not suspend those obligations, since several important reservations made by signatories respecting special circumstances and regional interests practically nullified the high purpose of that agreement and left each signatory free to act exactly as he deemed advisable for his national defense. For that reason I have never been able to follow the logic of accusing any signatory of violating the pact, since he was specifically absolved in advance, should he feel that resort to arms was necessary for his own defense. And each signatory was conceded the sovereign right of judging his own case.

And that is exactly what the Senate committee does in the report made public yesterday. The crux of this question resides in achieving clarity of thought and honesty of definition. The lend-lease bill, by its title and provisions, is dedicated to the defense of the United States, since the legislative jurisdiction of the Congress extends no further. But the language of the bill and the more detailed explanations of its sponsors extend that concept and that definition enormously. The military resources of the United States now certainly become available for England, China, Greece, probably for Turkey and Yugoslavia, possibly for Switzerland and Sweden—in fact for any area on this planet—in the discretion of the President. That is not national defense, but international defense of what we believe to be human liberty wherever outraged and assaulted. I am not arguing against that nobility—God forbid—but against a certain deviousness and lack of straightforwardness in dealing with the lives and destiny of our people.

Hence the query: Are the combatants fighting one of Europe's conventional wars over ancient imperialisms, over trade, strips of territory, political rivalry, or some similar controversy limited to European and Asiatic belligerents? Or are we witnessing a violent social earthquake marking a shift in the rock formation underlying the edifice of habits, ideals, and spiritual conduct which free men have laboriously erected across the centuries of the Christian revelation? Is the world, in brief, passing through one of those periodic transitions cataloged by sociologists from St. Augustine to Spengler, Pareto, and Pitirim Sorokin?

If it is the first of these alternatives—merely another paroxysm in Europe's perpetual war lust—then Senator WHEELER and Colonel Lindbergh are right. We should stay



resolutely out of the arena, as Washington, Adams, and Jefferson did during the Napoleonic wars, at the same time, however, building up our national defense to the maximum possibility. But if it is the second, clearly proved, then every instinct of democracy, Christianity, even of self-preservation, counsels prompt, generous, and whole-hearted assistance to the embattled survivors of aggression, let the German ships fly where they will. And I do not shrink from the dread possibility of war as one of the consequences. If that menace to America is as immediate and specific as the President, the Secretary of State, of War, Treasury, and Navy declare, and Mr. Willkie confirms, then the conscience of democracy is faced with another 1917, and with far greater justification. I for one would be ashamed to take money for it, however disguised as loan or mortgage or lease.

Mr. GILLETTE. What are the immediate needs of Great Britain which the sponsors of this bill believe cannot be provided under existing law? Mr. Willkie, in his evidence before the committee, said that Great Britain's greatest hazard right now is the destruction of shipping, that it was essential that her ports be kept open, and that they be kept supplied with enough shipping to meet the needs of the people and the heavy requirements of the military program. Mr. Winston Churchill said about 10 days ago:

We need most urgently an immense continuous supply of war matériel and technical apparatus of all kinds; we need them here—

Listen to that! This is Winston Churchill. He does not need them over in America.

We need them here and we need to bring them here. We will need a great mass of shipping in 1942, far more than we can build ourselves if we are to maintain and expand our war effort in the west and the east.

The President, in his fireside chat, said:

They ask us for the implements of war, the planes, the tanks, the guns, the freighters, which will enable them to fight for their liberty and our security. Emphatically, we must get these weapons to them in sufficient volume and quickly enough.

There is the picture, Mr. President, with reference to shipping; and that, I believe is one of the first purposes to be secured by this bill—to delegate to the President authority to transfer boats and vessels on such terms of direct or indirect benefits as he sees fit—to manufacture them in American shipyards or otherwise provide this shipping; and, Mr. President, I submit that the authority could be exercised in such a way as to make available to Great Britain the shipping of belligerents or neutrals now interned in our ports.

Mr. Willkie says that the next great need of Great Britain is destroyers. He stated:

Britain needs still more destroyers, and, gentlemen of the committee, she needs them desperately. Merchant ships are making the crossing without nearly enough protection. \* \* \* If we are to aid Britain effectively, we should provide her with from 5 to 10 destroyers a month. We should be able to do this directly and swiftly.

And so Mr. Willkie was supporting the bill.

The honorable Secretary of the Navy is reported in the press to have stated, adhering to our policy of refusing aid inconsistent with our own defense, that we could not spare a single destroyer and he would not approve of such transfer.

Mr. President, I have already greatly exceeded the time which I had expected to use on this floor in the discussion of the pending measure. If this bill has any purpose whatever, it is the purpose of rendering ineffective the restrictions of our present laws, national and international, to enable us to render the full measure of aid to Great Britain and other democracies to enable them to win the present war without restriction or restraint. If the American people want to do this, and fully realize the purport of such action, well and good, Mr. President; but I want the American people to know the import and the implications. I urge an end, Mr. President, to all discussions of "measures short of war," or assertions that the President could not or would not take warlike action under the authority delegated by this bill.

If the safety and security of our country and its institutions is dependent on the complete defeat of Germany and her associates, then, Mr. President, I am ready—God forgiving me—to cast my vote for full and complete participation in this foreign war. But I am not ready to admit that the situation exists, or is in reasonable contemplation, which would require such action.

It is unnecessary, Mr. President, for Senators on this floor or elsewhere to hold up to our resentful eyes the diabolical manifestation of nazi-ism and all that it represents. Senators like my good friend the Senator from Florida [Mr. PEPPER], with his remarkable oratorical power, may paint as lurid a picture of Hitlerism and its atrocities as it is possible to paint. I say to you, Mr. President, and to him, that to every horror he can express I can add additional horror, and every resentful emotion which he can feel I can feel as deeply or even more deeply. For every abhorrence which he can express of the methods of the aggressor, I feel and profess an even deeper abhorrence. For every threat, near or remote, which he can envision to American institutions and freedoms, I can envision still additional dangers for my country. My country's welfare is first, and by every yardstick of value paramount in my thinking, and American safety and security are and will continue to be my first concern.

The pending measure, Mr. President, intends to remove and does remove the restraints and restrictions of existing law from the aid which many men and women feel must immediately be given to the democracies of Europe. Let me ask the gentlemen who persist in arguing that it contains no such provisions or purpose or delegation of plenary power, if it does not do so, why in the name of all that is reasonable and fair and candid is it necessary to pass such a measure?

They gather around this orphan child of a proposed bill, whose fatherhood the Secretary of State disclaims, the pater- nity of which the Secretary of the Treas-

ury, the Secretary of War, and the Secretary of the Navy all refuse to acknowledge; these proponents, I repeat, gather around this misshapen foundling child and steadfastly refuse any correction by way of amendment to assuage or mitigate the fears of the people as to its purposes and the functions which could be exercised under it.

There are those who say that the bill does not permit sending merchant ships into belligerent trade. They say that the bill permits no such thing, but when we propose an amendment to make their assurances doubly sure we are met by a chorus of "No! No! No!" When we tell them that to permit the transfer of our shipping might envision the use of convoys, they point to the House amendment, which they say is ineffective; but when an amendment is offered to make it stronger and more clear there is again the chorus of "No! No! No!" When we say that the bill before us would permit the President to give away the component parts of our Navy they assert that no such authority exists in the bill, and that even if it does exist it would not be exercised; but when we offer an amendment to make sure of this interpretation again arises the mighty chorus of "No! No! No!"

When we say that the phrase "notwithstanding the provisions of any other law" in effect repeals and makes ineffective any existing statute interfering with the exercise of the authorities conferred, the proponents of the bill say that the phrase is an entirely innocuous one, used only for the repeal of acts or parts of acts in conflict with the new statute; but when we suggest that the phrase be stricken out and a new paragraph be substituted, again there arises that chorus of "No; no; no."

The proponents of the bill state that there is no authority in it which would permit sending our planes and our Navy beyond the Western Hemisphere; but when we offer an amendment to prohibit such action they say, "That amendment cannot interfere with the President's constitutional rights. He has the right as Commander in Chief to do it, and you cannot have any such amendment as that." Then, when the Senator from Louisiana [Mr. ELLENDER] offers an amendment which says that nothing in the bill shall be construed to authorize any additional right to send these instrumentalities beyond the Western Hemisphere, again we have that mighty chorus of "No; no; no; no. There is no such authority in the bill; no such authority is intended to be used; but we do not want you to put it in the bill."

So, Mr. President, every suggestion or assertion that unneeded and dangerous authorities are delegated by this bill is met by a steadfast refusal to amend or correct or make certain that the interpretation of these favored ones is the correct one, and is met by these modern Roderick Dhus with the repetition of Scott's couplet:

Come one, come all! This rock shall fly  
From its firm base as soon as I.



"No, no, no; we are not going to use the powers. We have not delegated any powers. If we have delegated them, they are not to be used." But when we offer an amendment there is not one that will be accepted. Not one will be accepted—"No, no, no."

But, oh, with what pride these gentlemen point to the restriction contained in the House amendment. You know, over there our Democratic shock troops were down in the mess hall, and an unsportsmanlike Republican [Mr. DIRKSEN] offered an amendment that the powers conferred by the bill could be repealed by concurrent resolution; and we poor Democrats, not expecting such unsportsmanlike conduct, found, when we came back, that it had been adopted as part of the bill.

Our legislative Roderick Dhus said, "Leave it there. It is absolutely useless, absolutely worthless, has no effect whatever. You cannot repeal an act of the Congress of the United States by a concurrent resolution which deprives the President of the opportunity of veto and then have it passed by a two-thirds vote." So our legislative wizards changed the phraseology, and now they tell us that that corrects the situation, that it is all right to pass a law with a condition precedent, and to determine the time of its going into effect. That is correct; I agree with that. They say it is proper to pass a law with a condition subsequent which will terminate the delegated authority; and I agree with them.

Oh, I marvel at my temerity at taking issue with these constitutional lawyers; but I do take issue with them, and I say now, as I stated in the committee, that when we are making a condition subsequent an unlawful act, attempting to use legislative authority and powers which the Constitution of the United States prohibits, I do not intend by my vote, in this hall or at any other place, to join in establishing a precedent under which every law we can pass can carry a provision that "this law may be repealed by a concurrent resolution," thus depriving a coordinate branch of the Government of its constitutional right to participate in legislative processes. Yet that is the one thing which gentlemen say secures and retains in the Congress a full measure of control over the delegated authority which we say we have not delegated, and even if we have, that it will not be used.

Mr. President, the bill before us delegates to the President authorities, obligations, and duties which are ours under the Constitution of the United States. Of course it does not delegate constitutional powers which already belong to the President! Of course it does not attempt to destroy our constitutional security under the Bill of Rights! Of course, it does not create powers in the Executive which do not now exist under Federal authority, excepting such delegated authority as now is existent in us as the legislative branch of our Government, and with the expectation and purpose that the authorities so delegated shall be used. Otherwise the measure has no purpose, no right to occupy a moment's time of the United States

Congress. There is aid contemplated which cannot be given under existing law.

There is difference of opinion as to what could be spared from our own defense needs. This bill is designed to place the whole decision in the hands of the President of the United States. Of course, provision is made for certain consultative action, but it need be neither binding nor controlling.

Senators ask, "Where else would you place such power, if not in the hands of the President?" My answer is that the power is in the Congress now; and if it is the will of the people through the Congress to make changes in existing law, to make possible greater aid to Great Britain than can be given under existing statutes, we, as the Congress, have the right and duty to exercise our constitutional obligations, and I, for one, am not ready to shirk that obligation in its fullest exercise.

I want to defend America. Our own defenses are still inadequate, and production is behind schedule. Our own defenses have been depleted by the aid already given. They will be further depleted by the aid contemplated in this bill. What can we spare? I do not know. But I am willing through the agencies of the two branches of the Congress to learn from the experts who do know, and take such action as is indicated. I do know that every defense article diverted from our tremendous needs diminishes by so much the power of our armament, and delays by so much the preparedness in naval and military strength for which we are expending billions of our peoples' money. I know there is a risk that possibly attack might come before we could make as complete preparations as we might wish to do, but in that connection may I say to the distinguished Senator from North Carolina [Mr. BAILEY] and to the other gentlemen who are willing to accept all the implications of war right now, that he is naive indeed who does not know that if, as the President has said, we are not to acquiesce in any peace which is not imposed on the Axis Powers, those powers must be beaten to a position where a peace can be forced and imposed on them. If we are to spend billions of dollars in the manufacture of articles for Great Britain's use, this action will be useless unless we see that the articles reach them. If we see that the articles reach them, we must protect the ships bearing the articles from attack and loss. If we do this, we are in the war, without restrictions or limitations, and we must aid in its prosecution to an imposed peace in a way, as our President has said, to insure a policy which will secure the four freedoms everywhere in the world. Then we must make the peace negotiations and the settlements effective by restoring every vanquished country and every raped country in Europe and Asia to its former position. We must force Germany to restore Czechoslovakia, Norway, Denmark, Belgium, Holland, Austria, Rumania, Poland, and to restore Poland we must compel the Russian bear to disgorge the portion of Poland which he swallowed in the dismemberment. We must compel the Soviet Union to restore the inde-

pendent Finland which existed before the unjustified attack upon her and compel the Soviet Union to give up Latvia, Lithuania, Estonia, and the portions of the Balkan region which she has absorbed.

Are these Senators ready to carry the implications of war and the progress of war to this sort of a victory culmination, and in addition compel Japan to consent to the reestablishment of an independent and reconstructed China?

If we are not to acquiesce in a peace imposed by or negotiated with the dictators, then we must be ready to go into the war with every resource which the United States of America possesses, and disabuse our minds and our thinking of any false supposition that we can avoid the use of American military and naval strength and American power to the utmost limit of which it is capable to force Germany, Japan, Italy, and the Soviet Republic to accept our terms, and we must also be realistic enough to have before us at all times the possibility not only of defeat ourselves, but the possibility that before American resources can be marshaled for immediate aid, Great Britain, Greece, China, and others may be brought to their knees and compelled to negotiate a separate peace.

Mr. President, it was not so long ago that Great Britain found herself deserted by Belgium, and only by action little short of a miracle was she able to save the major portion of her army, losing almost completely its equipment and matériel. It was but a short time ago that Great Britain found herself abandoned by her ally, the Republic of France—the France that was supposed to have the finest army in the world, and yet was compelled to accept the domination and occupation of the German military might, and may within the next few days be compelled to turn over to Germany the remnant of her fleet. Within the last few hours Great Britain has found herself compelled to readjust her war preparations because of the unexpected abandonment of its former position of support by the Turkish Empire.

The gentlemen who are willing to accept war now and its implications, Mr. President, must be willing to accept the dangers of defeat as well as the responsibilities of victory and the imposition of a policy of world-wide guaranty of the four great freedoms for all nations. For one, Mr. President, I am convinced, from the best evidence we can secure, that our own hemispheric defense needs are so inadequate that only by the utmost exertion and use of all our resources and ingenuity can we prepare for the future. I know, and every other Member of the Senate knows, that we are not in a position to meet any such threat now nor in the very near future. Every proponent of the bill states that its purpose is to aid our defense by buying time to prepare. They want to divert the meager war resources which we now have and the production capacity of America to immediate effective aid to Great Britain, even if, as most of them admit, it means immediate war.

I am not ready to consent to this diversion of our defense needs, Mr. President, unless there is no other way in



which we can prepare for attack. I am not ready to gamble all the future security of America on this exceedingly tenuous hope that our assistance will be timely enough to turn the tide, and there is not a man in Great Britain or in America who has dared to assert that such assistance as can be rendered in the near future, even if this bill is enacted, could give any effective assurance of British victory.

Mr. President, I am ready to perform my constitutional duty and obligation and cast my vote for entrance into this war if there is no other reasonable way or method by which to support and defend America and her institutions, but I want the Members of the Congress to meet the issue squarely and honorably, and I cannot vote to pass any measure which will permit the President of the United States, or any man under Almighty God's heaven to sit in the international poker game of power politics and stake, at his discretion, by his judgment of the value of each gambled play, all the resources of the United States of America and the life, the liberty, the happiness, the security, and perhaps the blood of her citizens. As a Member of Congress I am ready to vote a state of war for my country, if and when it becomes absolutely necessary, but I am not willing to delegate the authority to commit acts of war to any man who breathes the breath of life, however wise, patriotic, and sincere he may be. To quote from an eminent public servant:

No good man should want such authority, and no evil man should be entrusted with it.

Mr. BROOKS obtained the floor.

Mr. VANDENBERG. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Ellender	Murray
Aiken	George	Norris
Austin	Gerry	O'Mahoney
Bailey	Gillette	Overton
Ball	Glass	Pepper
Bankhead	Green	Radcliffe
Barbour	Guffey	Reed
Barkley	Gurney	Russell
Bilbo	Harrison	Schwartz
Bone	Hatch	Sheppard
Brewster	Hayden	Shipstead
Bridges	Herring	Smathers
Brooks	Hill	Stewart
Brown	Holman	Taft
Buio	Hughes	Thomas, Idaho
Bunker	Johnson, Calif.	Thomas, Utah
Burton	La Follette	Tobey
Byrd	Langer	Truman
Byrnes	Lee	Tunnell
Capper	Lodge	Tydings
Caraway	Lucas	Vandenberg
Chandler	McCarran	Van Nuys
Chavez	McFarland	Wallgren
Clark, Idaho	McKellar	Walsh
Clark, Mo.	McNary	Wheeler
Connally	Maloney	White
Danaher	Mead	Wiley
Davis	Miller	Willis
Downey	Murdoch	

The PRESIDENT pro tempore. Eighty-six Senators having answered to their names, a quorum is present.

Mr. BROOKS. Mr. President, I respectfully request that I be allowed to proceed to the conclusion of my formal statement without interruption for the sake of continuity and for the sake of saving time. At the conclusion of my

remarks I shall be very happy to be interrogated.

Mr. President, this extreme legislation which, as has been truly said, "leads to momentous conclusions which inevitably affect the peace, the security, and the free institutions of the United States for generations to come," has no doubt been of tremendous and consuming concern, not only to the Members of this body, but to the loyal citizens of our entire Nation. I am no exception.

I am grateful beyond words for the high honor and the privilege my form of Government and the people of my State have given me—have allowed me—to speak on the question of the passage or rejection of this historic bill, H. R. 1776.

I am opposed to the bill because:

I believe that it is un-American.

I believe that it is not only a step, but a leap toward dictatorship.

I believe that it grants powers which, when placed in the hands of one man, will not only involve us ultimately in a foreign war, but will make the Chief Executive of the United States the overall, all-out director of all the foreign wars which do now, or will, in the near future dissipate and destroy the resources and the liberties of men.

Other Senators in their debate have quoted other men and at the outset I wish to quote the sentiments expressed by another:

We date the words that are to follow. The moment is mid-January of the one hundred and fifty-second American year. We do this for the reason that by the time they are printed the debate may be closed, which would mean that freedom of expression could be no longer defended. On the other hand, we owe it to what we believe, and to the millions who have believed it with us, to hold our position at least until dark.

We speak here of neither war nor peace.

As we write, the news is running that the President has asked the Congress of the United States to abdicate. In the news it is worded softly. The headline in the New York Times reads: "Bill gives President unlimited power to lend war equipment and resources." A triumph of ingenious understatement. The formal title of the bill is softer still. It reads: "A bill further to promote the defense of the United States, and for other purposes."

Then we look at the bill. Remember, it is the President's own bill. It is what he wants. Therefore it is the authentic revelation of his mind. Taking it from the bill, this is what he wants:

Power in his own discretion, on his own terms, and as he may see fit to conduct undeclared war anywhere in the world.

Power in his own discretion to make friends or enemies of other nations.

Power in his own discretion to employ the total resources of the country to such ends.

Power in his own discretion to make military alliances with other governments; and to lend, lease, or give to other governments any of the military resources of the United States, nothing excepted save manpower, and that only by not being specifically mentioned.

Power to make by edict such laws as he may deem necessary in order to carry out his intentions.

Power to command money in any amount. Power himself to delegate any or all of that power to whom he likes.

Significantly, and for the first time in the 8-year history of progressive acts of surrender on the part of Congress, there was in this bill no limit of time. It might be forever.

These are the standard powers of a dictator.

There is always the saying that what the Congress gives it can take back. This is to forget, first, that it is the nature of power to entrench and ramify itself; secondly, that the hook with which the executive principle draws tame Leviathan out has a barb. It is much easier for Congress to delegate power than to take it back. To delegate it requires but a bare majority. To get it back, if the President is unwilling to give it up, requires a two-thirds vote.

We do not suppose that the bill will be enacted in the original form. Undoubtedly, Congress will at least give it a time limit. But nothing that the Congress may write into it or out of it, reminiscent of its equal power, can erase the original writing or change its meaning.

In the last great temple of freedom the image of absolute government has been unveiled, and prepared multitudes have cried, Huzza! To be saved from the scourge of the totalitarian principle sinful democracy now must embrace the anointed likeness of it. As a brazen serpent it has been held out to the people by their leader; and among those who have said, "Behold, this will save us," are many who only a little while before were afraid of this very thing, foreseeing that it might happen, and exhorted others to harden their minds against it.

History may say the people were carried away by one of the great leaders of modern times, one who knew how to play upon their fears and passions as upon strings. It is not so simple. They were a believing people. They believed words.

In his message to Congress on the state of the Nation, January 6, declaring it to be the policy of the American Government to defend freedom and democracy everywhere in the world, the President said:

"In the recent national election there was no substantial difference between the two great political parties in respect to that policy. No issue was fought out on this line before the American electorate."

Why not? Because during the campaign both parties and both candidates held rigidly to the formula of aid to the democracies by "measures short of war." The people believed these words. Literally, they believed them.

Immediately after the election, the President jettisoned that formula for what it was—a slogan. Never after he had been re-elected did he use it again.

During the campaign these were the words of the President:

"We will not participate in foreign wars and will not send our Army, naval, or air forces to fight in foreign lands outside of the Americas except in case of attack. \* \* \* The basic purpose of our foreign policy is to keep our country out of war."

Suppose he had said then:

"If I am reelected we are going to go all out for England. If I am reelected I shall demand that the Congress delegate to me the power, in my own discretion, to conduct undeclared American war anywhere in the world in defense of the democracies, and to employ for that purpose any weapons, munitions, aircraft, vessels, commodities, and facilities whatever; and power, moreover, in my own discretion to make such laws as may be necessary. And then, my friends, we need not waste your time and my time debating whether or not to repeal the neutrality law or the Johnson Act. Let Congress send them out to be framed and keep them."

If he had said these things—if he had told the people what he meant to do—would there have been no issue on this line before the American electorate?

We did not believe it could be done to the American people; and we were wrong. We did not believe they could be moved by suggestion to involve their birthright in this contradiction. The President tells them that America must put its strength forth to save Great Britain, to save China, to defend



democracy of all kinds everywhere in the world, and to destroy out of it forever the principle of aggression, because, for one reason, "In times like these it is immature—and incidentally untrue—for anybody to brag that an unprepared America, single-handed, and with one hand tied behind its back, can hold off the whole world." All in one speech.

The figure of a country with one hand tied behind its back is obviously a reference to the manner in which the parliamentary principle—namely, the Congress—handicaps a ruler. The dictator, with no Congress to worry about, has both hands free. And that is what the President wants.

Whither now, America?

To save yourself you must save the world. To this you have been persuaded. That road, whatever else you may make of it, is the totalitarian road, straight and fast at first, then more and more perilous to the end of the pavement. There is no way back but through futility, confusion, and disaster. There is no going on but with the fantasy to become moral emperor of the whole world.

Mr. President, those were not my words, but the quoted words of an editor appearing in the Saturday Evening Post, February 15, 1941.

It has been truthfully said that:

The only lesson we learn from experience is that we never learn from experience.

People's memories are short, and they forget easily and rapidly the painful mistakes they have made in the past. That is why history repeats itself.

That is why everyone should reread history, particularly the history of the past 25 years, for the past World War contained so many parallels to today's situation that one is shocked.

During the debate I have heard mention on the floor of the Senate of miracles.

If I could perform a miracle in this hour, I would wish to fly and write in great neon lights that could be seen by every citizen day and night across this fair country a warning in the sky. It would be this:

November 1916: A powerful Democratic President reelected on the slogan "He kept us out of war."

November 1940: A powerful President reelected on his pledge that the country would not be involved in foreign war.

January 1917: The reelected President sending to Europe his personal friend, his own personal representative, Colonel House, to talk secretly with the rulers of the British Empire.

January 1941: The reelected President sending to Europe his own personal friend, his own personal representative, Harry Hopkins, to talk secretly with the rulers of the British Empire.

January 1917: The powerful President who said, as he asked Congress for unusual powers:

I am not proposing or contemplating war or any steps that may lead to it. I merely request that you will accord me the authority to safeguard in practice the rights of a great people who are at peace.

January 1941: A powerful President who said, as he asked Congress for unusual power:

To change a whole nation from a basis of peacetime production of implements of peace to a basis of wartime production of implements of war is no small task.

February 1941: That powerful President presenting his own lease-lend bill,

which gives complete authority to him alone to choose our enemies or name our friends, to distribute to the four corners of the earth, according to his sole discretion, the mechanism, the properties, the commodities, and the implements of our entire national defense.

April 1917: War!

April 1941: A question mark hanging high in the sky.

That is what I would do if I could perform a miracle.

How short are our memories; but, somehow, I remember. When on the floor of the Senate I heard the eloquent voice of a Senator shouting, "We will fight," it answered a question that had been in my mind for years. For 23 years I had wondered how that would sound in the Senate Chamber.

On my way to France, back in 1917, I started to wonder how that would sound. I finally heard it. I also heard the words of men in loud denunciation of Hitler. They were going to bring him to his knees, crush him into the ground.

I subscribe to that, if only the men who say they want to do it could just participate in actually doing it.

The PRESIDENT pro tempore. The occupants of the galleries will be in order. There are many people outside, waiting for their places; and those who desire to break the rules of the Senate may retire.

Mr. BROOKS. Mr. President, may I proceed?

The PRESIDENT pro tempore. The Senator may proceed.

Mr. BROOKS. I yield to no man in my hatred of the aggressor. The record of my life will prove that I have never been an appeaser; but I say to you that the true salt of statesmanship has always been, and now is, the ability to see things as they are.

I often wondered what Senators used to say in this Chamber 24 years ago about the Kaiser. Then I was not old enough to vote, so I had nothing to do with sending anyone here; but those who were here had all to do with sending me across the sea. There must have been some terrific debates then about the Kaiser—the brute, the monster, the unspeakable Hun. I remember the posters, too—the baby on the bayonet, the great-booted, hob-nailed monster tramping down little children, cutting off their hands, burning cities, tramping down civilization. Who said that? Everybody said it. Preachers, priests, and rabbis preached it. Teachers taught it. Singers sang it. Artists painted it. Printers printed it. Orators spoke it. The Government said it. It was war. It was war and war's propaganda.

Then the Germans were not the Nazis. They were the unspeakable Huns—mean, mad, and vicious.

The other people were our friends. As a young soldier in Europe I remember meeting them for the first time—the blue-coated poilu of France, the black Senegalese, the Moroccan soldiers of their colonies, the British, the Canadians, the Australians, the Scotchman in his kilts, the boy from Belgium—yes, and the lad from Italy, too. They were our friends.

Why were we friends? We owed no allegiance to the same flag. We did not speak the same tongue. Our Government said we were friends, and we were. We were going to make the world safe for democracy everywhere, and we were meeting together and training together and drilling together to meet the monster, the unspeakable Hun.

Finally, some of us met him personally. We did not meet a madman. We did not meet a monster. We met another fellow much like we were. He had the same human emotions. He was born of the same human flesh of which we were born. He did not want to die any more than we wanted to die; and he cried when he was hurt, just as we cried when we were hurt.

Why was he there? Because he came from another government, a government in which one man had all power, the kind of government that always sends boys to war; and his government sent him there, too.

We whipped him. Then came the armistice. Hallelujah! Peace on earth. Fat men ran in the streets, shouting and throwing confetti. Factory whistles blew. Church bells rang. The parades started. Our President spoke and said, "Everything America has fought for has been accomplished." We were glad. Then came the Treaty of Versailles, a treaty at the end of the war fought to end all wars.

For 23 years now we have paraded in America, boasting that we fought a good fight, that we gave a good account of ourselves. We had sacrificed 130,000 young lives on Europe's age-old altar of war. We had thousands of men wounded—many of them beyond repair—to settle another of Europe's wars and make the world safe for democracy. We had disturbed our entire economy.

Mr. President, what crimes have been committed in the name of democracy. What tragedies have been enacted under the guise of the greater good for the greater number.

There was a movement for a while away from centralized power. The common man had made advances away from despots and dynasties and kings and royal families and reigning houses, and we, the freest nation of common men on earth, went into the war to make the world safe for democracy, and the common man, Mr. President, was honored for a while.

So far as I know, not a single nation has erected or pays tribute to a single outstanding leader of the last war, but they have pretended to keep alive the appreciation of whom?—their unknown soldier—while they have returned not to the common men but to the dictators and the centralizing of the power. And here we are again in the parade, getting ready to participate again in their wars, and they are at it again over there.

Is this our war?

Mr. President, I want to base everything I say on the floor of the Senate in this debate on the fact that this is not our war.

I want to see England win. I feel that it would be to the best interests of America that she should be victorious. But, Mr. President, she did not do a very good



job with her victory the last time. I should like to see her have a chance to try it again. I do not want Hitler to win. I want England to win.

I wish somehow I could look out into the future and know that I am right in that.

Apparently a majority of the Senate does not see eye to eye with me on this bill. Therefore I have a greater responsibility than ever to speak, for when you stifle or stop the voice of a minority view you kill all hope of democracy, you destroy the representative form of government. The man who attempts to belittle or smear, condemn, or control a minority voice is an enemy of representative government as truly as the aggressors who today trample men down with their war machines.

I heard a distinguished Senator in a magnificent address to the Senate say:

During the World War, before the entry of the United States, President Wilson advanced the idea of a peace without victory.

That was the President's view—my President's view, our President's view—under whose command 130,000 boys sacrificed their lives. I respected him and I respect his memory.

The Senator said that my President advanced the idea that it would be better to have a peace without victory. Then, Mr. President, why, may I ask, all the condemnation now of men who ask for peace without victory?

I have heard asked on the floor of the Senate, "What would I do if we should not pass this bill?" I would continue to aid England. Why? Because I think she is fighting my war? No. This is not our war. England fights for her own life, and she is having a tough job because of the way she handled things after we helped her win the last war. And remember, Mr. President, not so very long ago she was promising to help everybody when she was herself not adequately prepared. She was encouraging people to fight and to resist only to find that she had not herself prepared adequately to help them or sufficiently prepared to guarantee her own safety.

Again, I say, the only thing we apparently learn from experience is that we learn nothing from experience.

Why would I aid England, you ask?

First, because I think it would be better for us if she should win, but I do not subscribe to any fear propaganda that we will fall if she falls. Second, because it is the spirit and the heart of America to reach out and help all those, whether they be Jew or gentile, Catholic or Protestant, Greek or British or Chinese, when they are, unfortunately, under attack.

How would I help them? By giving them whatever we could spare out of our present production from now on—short of war—and not dissipate another ounce of the already inadequate defense of America.

I want it quite definitely known that while I am for helping them I am for America first.

My ancestors, Mr. President, were largely British. The call to go back into the Old World 24 years ago to save it for our ideals reached deep into my home.

When men say, "We'll fight for England," my answer is: I have already done that. My older brother, with whom I volunteered and enlisted in 1917, lies buried in his uniform of the United States Marines in England—a sacrifice 24 years ago. My younger brother also served, a volunteer in the United States Marines, and my father was overseas in the Y. M. C. A. service as well.

Mr. President, the Brooks family responded with its all to the call of the President of the United States to defend England and France and democracy. We contributed a father and three sons to that cause.

No one can want to keep democracy alive more than I do. But we differ, apparently, on what our responsibility is to the future of liberty and how far it shall be extended.

What would I do?

I would quit cringing in my boots as a coward and stop telling the world I was afraid of Hitler. I would make this Nation so strong that Hitler would never send a boat headed this way, or I would prepare to sink his ships as fast as they came.

May I remind the Senate that Mr. Hitler, whom so many seem to fear, took command of Germany in 1933, the same year the present administration took command of America; and Hitler took over only a totally bankrupt, demoralized, confused, and distracted people; and when I hear Senators in the United States Senate standing and cringing and saying, "Oh, my; Hitler is going to conquer the world," I wonder how they can boast of their service during the last 10 years.

Hitler announced in 1935, in his speech to the German Reichstag, which he printed and published and sent to the world, that he would no longer abide by the terms of the Treaty of Versailles; that he was going to rearm Germany and demand its return to a place in the sun. That was a warning—a tragic warning—to France and England and Belgium and to the United States.

Somebody has failed somewhere, Mr. President.

May I quote an amazing statement of a distinguished Senator in the present debate on this floor?

Mr. President, there has never been a time under the sovereignty of Napoleon or Charlemagne or anybody else when the whole of the continent of Europe has been integrated into a single economy, when one part has been designated as the part to furnish the food and another the manufactured commodities, one to perform the labor and another to render the skilled service; the whole economy being built around the superior skill and technical ability of the German nation and its superior industrial organization.

What an admission from a Senator of the United States.

What would I do if we should not pass this bill?

I would make democracy work. I would build her defenses so strong that if there should be a challenge to this order, the challenge would fail and this order would live. I would not give it up

or diminish my forces by spreading them across the earth.

That is what I would do.

How would I do it?

I would encourage the American people, under the leadership of our tremendously powerful President, to turn to and build—build to defy the world and defeat any aggressors who might challenge my form of civilization on this hemisphere.

You say, "We will fight."

I insist that we might better say here on this floor, "Our boys will fight."

Mr. President, I no longer have any illusions about the glamor or romance or fun of war. There is no glamor, romance, or fun for the men who fight.

The glamor of war is for lady radio speakers and their men counterparts, who wage war by means of radio talks and at dinner parties.

The romance of war is in knitting sweaters and in collecting bundles for other people to need.

The fun of war is far behind the lines.

For the men who do the fighting and have nothing to say about the declaration of war, there is only hardship, suffering, and death.

If the men who cause or declare war had to fight, there would be much less war in the world. I say America will fight to defend America in this hemisphere.

I have heard about promises. I made a promise, too. I promised to help keep America out of foreign wars, and so did you; and our people sent us here to do that job.

Mr. President, we represent America.

America—thank God—is the amalgamation of all the creeds and colors and nationalities known to men, with a creative genius that comes from a free spirit, with a restless, heaving energy that has produced the civilization that we enjoy—and we can defend it. We need planes. I say to you that a nation that can turn out millions of automobiles can turn out millions of airplanes. Our boys have the same fighting heart as our ancestors, and they will fly planes like meteors and dive them like demons if you give them the training and equipment to defend America.

If we can make a million trucks, we can build a million tanks that will dash and spit fire as fire has never been spat in history—and they will be spitting fire in the name of liberty on this hemisphere. But, Senators, that spirit will die, too, if you put it under a lash.

What would I do if we did not pass this bill?

I would build confidence in America. I would stop preaching fear. I would face the future, proud and unafraid. I would produce as fast as America can produce; and whatever the fighting men in our forces on land, sea, and air told us we could spare I would make available to do what America has always done—help unfortunate people protect themselves.

But, Mr. President, I cannot wipe out hate in Europe, and you cannot wipe out hate in Europe.



I heard a distinguished Senator on this floor say, in discussing methods of peace:

But if it be said that the Treaty of Versailles was a dictated peace, it is equally true that the treaty which terminated the Franco-Prussian War, out of which it was said the World War grew, was also a dictated peace.

Mr. President, that statement is tragically correct.

After the Franco-Prussian War, Bismarck went into the king's palace at Versailles and there, in the grand ballroom called the Hall of Mirrors, made France sign over Alsace-Lorraine. So, after we had sacrificed the lives of 130,000 men, wounded many, many thousands more, disturbed our whole economy, and helped Britain and France win their war, they made Germany come back into the same grand ballroom, at Versailles—the Hall of Mirrors—and sign back Alsace-Lorraine.

Now, 22 years later, Hitler has again conquered France, and he has taken to Germany the famous boxcar in which the armistice was signed 22 years ago. Twenty years from now, if they have good luck, and they raise a good crop of boys, and teach them enough hate, they will go back and get their boxcar, and we shall be invited to help save democracy again in Europe.

You cannot stop this thing over there. Why destroy democracy here?

Mr. President, some persons do not seem to understand. This is a continuous fight over there. It may last forever. You cannot stop it. Neither can I. But if we work together, we can save civilization here.

Senators who vote for this war bill—I do not challenge their motives—but I make this prediction—will vote to change the future course of free men in America. We know what our traditional American course has been. It has given us the highest standard of living with the greatest liberty and the greatest joy ever known to men.

What would I do if we should not pass this bill?

I would cling to the ideals that made America great. I would keep the powers of the Government divided as they were intended to be divided under the Constitution, under which we became the leading nation in the world.

I do not regard it as the responsibility of the United States of America to police the world now or tomorrow. I regard our form of government as a sacred heritage. If we keep it, we are now and we can continue to be the hope of the human race. I would save it here. That is what I would do.

Seventeen hundred and seventy-six is the year that marked the beginning of this kind of government; 1776 is the number of the bill that may see its end.

This bill is a war bill. It asks for the same powers that would be asked for if we were actually fighting, shooting, marching, defending our own shores.

May I requote the words of the Chief Executive, whose bill this is, who asks for this unusual power? I quote from the address of the President to the Seventy-seventh Congress:

In the future days which we seek to make secure, we look forward to a world founded

upon four essential freedoms. The first is freedom of speech and expression \* \* \* everywhere in the world. The second is freedom of every person to worship God in his own way \* \* \* everywhere in the world. The third is freedom from want \* \* \* everywhere in the world. The fourth is freedom from fear \* \* \* which, translated into world terms, means a worldwide reduction of armaments to such a point and in such a thorough fashion that no nation will be in a position to commit an act of physical aggression against any neighbor anywhere in the world.

That is no vision of a distant millenium. It is a definite basis for a kind of world attainable in our own time and generation.

That language, in connection with his further statement—"To change a whole Nation from a basis of peacetime production to a basis of wartime production of implements of war is no small task"—gives a proper insight into the purpose of this bill.

This, then, is the authority for the complete wartime production of the implements of war by which he is going out to guarantee the freedoms of all people everywhere in the world.

I have heard distinguished Senators on the floor of the Senate talking about crushing Hitler and grinding him into the ground, and I wonder if they have honestly translated to the people of America what this means.

This means arming to the teeth; giving one man complete and full authority to lease, lend, or otherwise dispose of our military resources; to engage in every present or possible conflict in the whole world if he believes that it is for the best interests of America to do it.

The minute he proposes to lease, lend, or otherwise dispose of 50 more ships, 50 more airplanes, 50 more tanks, 50 more cannon, this resourceful Chief Executive is certainly going to ask them how they are getting along with their war. And we are going to contribute to and become thereby involved in their war.

Not only that, but the minute that the Chief Executive makes a suggestion prior to, or as a condition precedent to the loaning, leasing, or giving of our implements of our national defense, and that suggestion is followed, we start then to be responsible for the final outcome. And there is no turning back until the end of the war.

When this power is voted to one man, I predict today that it will—sooner than we expect—involve us in active, personal, fighting participation in war; and you cannot shirk your responsibility by turning over this authority to any one man. The blood of the American boys will be on your hands whether they wear khaki, forest green, or navy blue.

Mr. President, this is a war bill, with war powers, with the deliberate intention to becoming involved in other people's wars.

We have heard of pledges. I have a pledge to keep also. It is no accident that I am privileged to speak as one of the Senators of a great State. I made a pledge to the people of my State not to vote to send their sons to die in another foreign war. We do not need any declaration of war. All we need to do is carry out the intended provisions of this bill and we will be in the wars. I want to

keep my pledge to them now, I intend to do so, and so I will vote "No" on this bill.

Earlier I said the people believed words that were spoken by their officials. The other day, as reported in the Washington Post, Secretary of Commerce Jones said while testifying before a House committee:

We're in the war; at least we're nearly in the war. We're preparing for it; when you do that, you've got to throw money away.

And the Chief Executive said, according to that same report:

To say that the United States is "nearly in the war" is to mouth a lot of words that don't mean anything.

But they do mean something in the light of this war bill, in the light of these war powers, in the light of the statement that we are going to guarantee liberties of men all over the world, and, in the light of the statements that the Congress must delegate this power to lend, lease, or otherwise dispose of any article of our Army, Navy, or air force, to any nation, anywhere for any consideration that the Chief Executive personally decides sufficient for the welfare and defense of our country.

I should like to make myself perfectly clear. I despise dictators, whether it be Hitler, riding with his war machine across Czechoslovakia, Poland, Denmark, Norway, Belgium, France, and attacking England, or whether it be Mussolini, bombing poor, helpless Ethiopians, or Stalin, crushing helpless Finland.

Much as I dislike to see the ruthless dictatorships in Russia, Italy, and Germany, I would hate more than ever to establish one here in trying to right the wrongs imposed by dictators everywhere in the world, and I cannot and will not vote for legislation that takes this broad leap toward dictatorship or this double-time march toward becoming involved in foreign wars.

May I remind you, Mr. President, that Mr. Mussolini started out as a premier in 1922. He asked the Parliament to give him extreme and unusual powers to face an emergency, and he declared emergency after emergency, and continued to fill the departments of his government with his own appointees until by 1927 he finally informed the Chamber of Deputies that he did not see how he could relinquish his present position as dictator for another 10 or 15 years.

Thus we see the road that leads to dictatorship.

May I remind the Senate that Hitler started out in January 1933 as Chancellor, and in March of the same year, when his party government had won by only 52 percent of the popular vote, he appeared before the newly elected Reichstag and demanded unusual powers for 4 years for their emergency, which finally resulted in his having all powers except the right to diminish the rights of the President or abolish the Reichstag as an institution. A series of emergencies followed there also, and he appointed to the various positions of government men of his sole selection, and thus we find a road—not just a leap—to permanent dictatorship.



To say that Congress reserves the right to declare war and appropriate the money is of little consolation, for once we start helping the nations of the earth under this bill, we will soon become so involved that there will be no turning back; and once we authorize the Chief Executive, under his sole discretion, to lease, lend, or give away parts of the Navy and defense articles, and he asks for further money in the name of so-called national defense, a man who declines to give it would probably be burned in effigy.

Mr. President, near the close of the historic Constitutional Convention, when those wise men, knowing the tyranny and the oppression that always accompany centralized power, were signing their names to the Constitution of the United States—which, by the way, created this body in which you and I are privileged to serve—old Dr. Franklin, then more than 80 years old, made this prophetic remark:

In these sentiments, sir, I agree to this Constitution with all its faults, if they are such; because I think a general government necessary for us, and there is no form of government but what may be a blessing to the people if well administered; and believe further that this is likely to be well administered for a course of years and can only end in despotism, as other forms have done before it, when the people shall become so corrupt as to need despotic government, being incapable of any other.

I had hoped that prediction would never come true within my lifetime. Seventeen hundred and seventy-six is a sacred number in the minds of those who love America. It denotes its beginning. That same number is at the head of this bill, and this bill, if enacted into law, may prove to be the final step toward despotic control of our people.

I have heard men say that Britain is fighting for her life and that, if she goes down, the Germans, the Nazis, Hitler will have her Navy.

I would reply to those who make that statement, "You desecrate the courage of the heroic seamen of Britain."

The British have boasted for a long time that the sun never sets upon their Empire, and that their Navy rules the waves. I thought they had a tradition that captains go down with their ships. I cannot believe they would surrender their Navy to the enemies of liberty and leave Canada and Australia and India and the 450,000,000 people who have helped contribute to and maintain that Navy at the mercy of the wolves.

I say to Senators that if they believe the British would surrender their Navy, it would be better for us if we quit them now. If England, after what we did for her in her last war and have done so far in this, would surrender her Navy to be used against us, we would surely find the planes we have sent them and the ships we have sent them being used against us as well.

I have too great a respect for the courage of the British soldier and seaman to contemplate that sort of cowardly surrender. I deny that that will happen.

I believe that England's survival will be tremendously beneficial to America and to liberty-loving people everywhere; and I want to pay my tribute to the dogged, determined heroism of the Brit-

ish people. England is fighting for her life, and a heroic fight she is making. God grant that she may win.

I have heard it said also on the floor of the Senate that if she falls her islands will be in the hands of the Nazis; her securities in South America will be in the hands of the Nazis; but, strangely enough, I have not heard one suggestion advanced, either through her agents or by a single proponent of the pending bill, that she turn over her islands or her securities in escrow to us, while we pour out our poor taxpayers' money to pay for her war.

What would I do?

I would help England if she would help herself and prove that she is interested in our future by turning over to us these islands and securities to hold until the end of the war, so that if she should fall, we then would move in our own right, not as an aggressor but as a defender of our own property and our own liberty.

I have heard Senators say that if England falls all the resources, all the abilities, all the energies of their conquered people will be used to build monster machines of war to conquer us.

Mr. President, do you honestly believe that they have lost all their love of freedom and would work finally to destroy freedom throughout the world. If we believe that to be true then we had better build our own defenses faster than ever here at home, and do it now.

I hear much talk about "fifth columnists." Are all the "fifth columnists" on one side? Do you think for 1 minute, Mr. President, that free men, now conquered, would not soon become "fifth columnists" against their conquerors? Do you think the fighting spirit for liberty is completely dead? Do you think that, because a country is overrun every former free man would dedicate his life to destroy freedom everywhere? How, then, can they ever be restored?

What would I do?

I would quit talking about crises and emergencies and settle down to the solemn fact that we in America must now devote our energies, as a matter of course, to production and the building of the defense materials so badly needed ourselves, and so badly needed by those we choose to help.

I would stop creating hysteria.

I would stop this talk of fear. I would stop enacting legislation by which delegated officials might harass our people. I would build America strong by the voluntary energies of free men. I would tell the people the truth.

I hear discussion, Mr. President, about England's crisis in 90 days, and that is why we must enact now this proposed legislation giving one man all power. What does the bill do that can change the situation in 90 days? What is there so secret about what this crisis may be? Why cannot we be told what it is? Perhaps from among our 131,000,000 still free people we can find an answer and a remedy.

What would I do if we should not pass this bill?

I would do what you said you would do before the last election:

We will not participate in foreign wars.

I would do what I promised to do before the election.

I will not vote to send American boys to die in foreign wars on foreign shores.

I would redeclare my faith in America—valiant America—standing unafraid I would tell the world we constitute and represent the freedom-loving people of the earth, and that the blood of America consists of the blood of the nations of the earth. The blood of America belongs to America, and to her defense to the last drop; for the defense and safety of her people, the peace of her people, and for the ideals for which she stands.

I would be for America first.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from South Carolina [Mr. BYRNES] as a substitute for the committee amendment on page 2, beginning in line 16, which has heretofore been stated by the clerk.

Mr. VANDENBERG. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Ellender	Murray
Aiken	George	Norris
Austin	Gerry	O'Mahoney
Bailey	Gillette	Overton
Ball	Glass	Pepper
Bankhead	Green	Radcliffe
Barbour	Guffey	Reed
Barkley	Gurney	Russell
Bilbo	Harrison	Schwartz
Bone	Hatch	Sheppard
Brewster	Hayden	Shipstead
Bridges	Herring	Smathers
Brooks	Hill	Stewart
Brown	Holman	Taft
Bulow	Hughes	Thomas, Idaho
Bunker	Johnson, Calif.	Thomas, Utah
Burton	La Follette	Tobey
Eyrd	Langer	Truman
Byrnes	Lee	Tunnell
Capper	Lodge	Tydings
Caraway	Lucas	Vandenberg
Chandler	McCarran	Van Nuys
Chavez	McFarland	Wallgren
Clark, Idaho	McKellar	Walsh
Clark, Mo.	McNary	Wheeler
Connally	Maloney	White
Danaher	Mead	Wiley
Davis	Miller	Willis
Downey	Murdock	

The PRESIDING OFFICER (Mr. McFARLAND in the chair). Eighty-six Senators have answered to their names. A quorum is present.

Mr. BULOW. Mr. President, it has been the custom for Senators to ask not to be interrupted. In the few remarks I desire to make I trust Senators will treat me with that courtesy. I observed that when the Senator from Iowa [Mr. GILLETTE] was speaking that order was not followed. I trust the Chair will protect me, as I am for peace and do not want to become involved even in verbal combative arguments with any Senator. [Laughter.]

It is difficult for a common, ordinary man to follow the two distinguished Senators who have delivered excellent addresses this afternoon. I do not intend to compete with them in any way. However, I desire to make a few homely remarks.

Let me preface my remarks with the statement that I have no illusions that anything which I might say would in any way affect the final action on the pending



bill. The only reason I beg the indulgence of Senators at all is that I want the permanent record of our labors here to show to future generations the battle that some of us made to keep the United States out of another European War.

#### THIS ISSUE IS NOT A PARTISAN QUESTION

This is not a partisan question. This issue is not between the Democratic and Republican Parties. The decision of this issue will affect all Americans. This battle is a fundamental fight between a democratic philosophy and a totalitarian philosophy striking at the very foundation of our Republic. I want the record to show some of the reasons why I cannot follow the present leadership of my party in this so-called emergency.

Mr. President, to me it is not an easy task to break with the leaders of my party. I was reared in the Democratic faith, and in that faith I expect to die. Thomas Jefferson became the author of our Democratic faith when he penned the tenets of a new concept of government among men—the then new doctrine that all men were free, that all were capable of self-government, that all men stood equal before the law of that government, that the government which governs least is the government which governs best, and that the authority of all government is derived from the consent of the governed.

#### INTOLERANCE HAS NO PLACE IN A DEMOCRACY

In the democratic faith there is no place for intolerance. I hope that it is still possible in this democracy of ours, in this great country of ours, to disagree with our President and still be classed as a good American citizen. My conception of democracy does not permit me to conclude that it is proper for a President in his attempt to shape the destiny of this Republic to bring about disunion of our people and promote disturbing hatreds by giving his blessings to all those who agree with him and refer to them as patriots in a program for national unity and withhold his blessing from those who do not agree and class them as being members of an unholy alliance and indicate that they are not good citizens. As I see it, in a democracy the rights and privileges of a minority should not only be safeguarded but should receive consideration in working out democratic processes. In this democracy there will be no question of national unity if war should come to this country. Every citizen will then obey the order of our Commander in Chief and do his full duty in the winning of that war, but while at peace and at a time when our sovereignty is not being attacked by any foreign foe, it is entirely proper that men should differ in their opinions as to the best methods of remaining at peace, and it is entirely proper that such differences of opinion should be freely expressed.

The very essence of democracy is freedom of thought and freedom of expression and in it there is no place for intolerance. In walking down the democratic road there are certain signals that flash warnings of danger that ought not to be unheeded and that should cause us to stop, look, and listen. One of these danger signals is the centralization of

too much power in the hands of one man. The present Executive has requested and been given more power than was given to, or requested by, any other President. Our country has passed through many emergencies before—some real and some fancied—but the history of the last 8 years is unique in Executive requests and grants for more and more Executive power to deal with so-called emergencies.

Mr. President, the proponents of this measure seem to be alarmed over a little delay and are insisting upon hasty action and that the President must immediately have the power proposed to be granted in order to meet any emergencies that might arise. For several years I have heard a great deal about emergencies. At first I was much alarmed when Senate leaders would rise on this floor and proclaim an emergency and insist that proposed legislation had to be immediately passed so that the President could deal with the emergency and save the country. I say for a time I was much alarmed and voted for almost every proposal in order to settle the emergency, but emergencies kept coming, kept increasing, and kept multiplying. We did not seem to be able to do anything about them.

#### LET'S LEAVE "EMERGENCY MAKERS" ALONE

Let us take a concrete example. Last summer there was an emergency in Europe so great that we would not let our President get more than 12 hours away from the White House and would not let him stay away from home overnight for fear we would lose control of the European emergency; but later in the fall, after the harvest was garnered and the votes were counted, when the European emergency was greater than it ever was, we permitted our President to sail the seven seas for about 2 weeks, and none of us knew where he was. We discovered the emergency went on about the same as it would have gone had our President kept a daily and nightly vigil at the White House. "The smoke went up the chimney just the same." It may be that these emergencies would settle themselves if we paid no further attention to them and quit trying so anxiously to compose them.

Now we are told that we must pass this bill immediately or the emergency will get us. It kind of looks to me that the emergency makers in Europe do not pay any attention to what our President tells them. It seems to me, if I were President, I would quit telling them anything. I would not talk to them any more. The best way to treat troublemakers is to ignore them and never let on that you are looking. Let them alone, forget about their emergency, and attend solely to our own business. If we do this, they will soon get it settled and we will not be hurt any. It is contended that this bill must be passed immediately and then Congress can repeal it if it is found that a mistake was made. Experience has demonstrated that it is much easier to pass a law than it is to repeal one. Besides, the passage of a law can be accomplished by a majority vote, and it takes a two-thirds vote to override a Presidential veto of a repeal bill.

#### NO ONE MAN SHOULD HAVE BOTH "THE POWER OF THE SWORD AND PURSE"

I am not alarmed because of any delay that may accrue by a full and complete discussion of all angles of the pending proposed legislation and its careful, deliberate consideration by many minds, but I am alarmed at hastily granting to the Executive such powers as no other President has ever had. I am alarmed at placing the destiny of my country in the hands of one man to determine when and where an emergency arises and let that one man handle that emergency for 130,000,000 human beings in any manner he desires. No one man ought to want that job, and certainly it ought not to be granted to any one man. A republic—a democracy—if it wants to survive, ought never to place the power of the sword and the power of the purse in the hands of any one man, no matter how great and good that man may be. A careful analysis of human history demonstrates without exception this to be a fatal step to a free people.

How did Hitler become a dictator? He requested of the German Reichstag the power of the sword and the power of the purse. The Reichstag by voting him that power consented to their own destruction and placed the destiny of the German people in the hands of one man. When the legislative branch of the German Republic complied with the request of Herr Hitler for this one-man power to deal with the then German emergency, it was a sad day for the German people.

The German people are an enlightened and intelligent race, but today neither the Reichstag nor the people are consulted as to their government. They are told what to do—all because they surrendered the power of the sword and the power of the purse to one man in a time of emergency to deal with their distress.

#### ONLY THE DICTATORS ARE NOW MORE POWERFUL THAN THE PRESIDENT

Mr. President, let us pay attention to some of the lessons which history records. I do not want anyone to conclude that I am attempting to draw any comparisons between men. I am simply attempting to point out incidents of human history as to what has happened when the people placed too much power in the hands of one man. The President already has more power than any other one man on earth, except dictators. Under the Constitution, he has the power of the sword. He is Commander in Chief of our Army and Navy. Under the Constitution Congress has the power of the purse, and that power should not be surrendered by the legislative branch to the executive branch of our Government.

It is argued that we should trust our President. That is not the question that confronts me. The question that confronts me is, Do I want to do the best I can under the oath I took on taking my seat in this body to carry out the processes of our democratic form of government under the provisions of the Constitution adopted by the people, or do I want to disregard the plain provisions of the Constitution because someone says there is an emergency that cannot be handled under the democratic process laid down in the Constitution? The President has



the biggest and most trying job that any man ever had. I do not want to add to his burdens by placing upon his shoulders legislative problems vested in Congress, even though he requests such authority and says he can and wants to do the work. It is not fair to the President to place the sole burden upon him to determine the peace or war policy of the country, even if he is willing and wants to assume that burden. Above all, it is not fair to the people of this country to give one man the power to determine for 130,000,000 people their policy for peace or war.

#### OUR PEOPLE WANT NO WAR

The vast majority of our people want to stay out of war, and the safeguarding of this wish can better be trusted to their chosen Members of Congress, comprising different views, than to trust that important question to the single mind of one individual. Experience has taught us that no man is infallible; that every man is liable to be mistaken, and that the considered judgment of many minds will best shape our destiny. I will not make the assertion that the President has ever made a mistake, but we all know that he occasionally changes his mind. We all know that good men are more or less emotional and are prone to act upon the spur of the moment without due and mature consideration. Emotionalism is no fault in any man but is a limitation upon the human mind and often causes error of judgment. Many good men have erred in judgment and have done the wrong thing, but the mass mind of the American people when properly informed has never erred and never gone wrong.

When I started the study of law about the first thing I read in Blackstone was that the King can make no mistakes, and the King can do no wrong. That nearly floored me. I could not understand it, but the way Blackstone explained it, it became clear as day. Our form of government is based upon the experiences for centuries of the Anglo-Saxon race. We have no king in this country, but under our jurisprudence the President stands in the shoes of the king. I am not going to say that our President ever made a mistake or did a wrong, but, in accord with law, I am going to assert that our President never can make a mistake and never can do a wrong. Franklin, Herbert, and Calvin may make mistakes and do wrong, but our President never. Neither a king nor a President can do a wrong, but Blackstone permits them to change their minds as often as they want to, and we all know that our President frequently exercises that right.

#### WILL PRESIDENT "LEND-LEASE" OUR WARSHIPS

Today the President says he does not intend to trade off any more battleships, but tomorrow he may change his mind. I want him to have the right to change his mind. Tomorrow's sun may paint an entirely new mirage upon our landscape, one that we never even dreamed of today. I want the President to be free to deal with the mirage when it comes. What I am objecting to is that before 50 more battleships are traded off I want more than one man to see that mirage. I want the President to point out that mirage to

Congress. If a majority of 435 Representatives and 96 Senators also see the mirage, then it is time for us to start dickering off the ships of our Navy, if we think that will banish the hideous vision. I want more than one man's eyes to see the vision of the "man upon the stair" before we cause 130,000,000 people to become excited, load their muskets, and start shooting. I do not want to chart destiny's course of this Nation through the eyes of one man, no matter how good the eyesight of that man may be or how well qualified he may be to deal with the situation. It is not only unwise, but it is dangerous, fatally dangerous, to trust the shaping of the future policy of this Nation to one mind, no matter how brilliant that mind may be. It is not only unwise but it is dangerous to trust the shaping of the destiny of 130,000,000 souls to the hands of one man, no matter how experienced or competent those hands may be in the shaping of human destiny.

Mr. President, it is argued that Congress is too cumbersome; that it cannot meet an emergency in a timely manner; that the Senate is likely to filibuster and fiddle while Rome burns. Heretofore the Senate has staged some historic filibusters, but, if I read my history aright, every one of those filibusters has done more good than harm, and not a single filibuster staged by the Senate has ever been harmful to the best interests of the people of the United States. The same thing cannot be said about the hasty passage of legislation. Many bills have been forced through Congress under whip and spur, without due consideration, under the pretext that immediate passage must be had to save the Nation from destruction, from some so-called pending danger.

#### ENGLAND NOW RECEIVES ALL WE CAN PRODUCE

I do not uphold a filibuster, but I am for complete discussion and ample consideration, no matter how long it takes. There is no present emergency in this country that requires the immediate passage of this bill. There is no present emergency in this country that cannot be handled without the passage of this proposed legislation. At the present time England is receiving most of the war supplies we are now manufacturing, and I cannot see how the President could furnish more aid to Britain than he is now furnishing. I am not so sure but that a so-called Senate filibuster, continuing the debate upon this bill until Europe settles its own war, would be very beneficial to the people of the United States. It might keep us from getting into that war and it would keep the Nation out of bankruptcy.

The President has said that this Nation cannot hide behind a Chinese wall and see civilization's march—the rest of the world go by. I am not in accord with that view. Personally, I would rather stay behind that wall than to jump over it and get into the kind of a civilization's march that the world is now staging. Some may say this is cowardice. I answer that I would rather be a live coward than a dead hero. Some may say that this is appeasement and that we cannot do anything in the way of appeasement

with dictators. I answer again that I would prefer an appeasement peace rather than total war. Some may say that we cannot be an appeasing nation. I answer again, but we were an appeasing nation when our ships were forbidden the freedom of the seas for which we once fought a war. Some Members of this body contended that our ships had a right to sail the seven seas, a right that a victorious war gave us. We no doubt had that right, and we were appeasers when we surrendered that right, but that appeasement is the best thing our foreign policy has yet done to keep us out of war. Nations are like individuals and must sometimes use discretion and good common-sense judgment.

When I used to drive automobiles I occasionally met a driver on the road who had paid his respects to John Barleycorn and who thought he owned all the road. I knew that I was entitled to my half, but when I saw him coming I surrendered my half of the road and pulled off to the side. As it were, I hid behind the Chinese wall until that "civilization's march" had gone by. I was an appeaser, but I kept from going to the graveyard. What is true of individuals is true of nations.

#### A NEGOTIATED PEACE IS ALWAYS BETTER THAN A GOOD WAR

When I was practicing law I always had the idea that a poor settlement was better for my client than a good lawsuit. A negotiated peace is better than a good war for any nation. All the wars that have thus far been fought have always ended in some sort of a negotiated peace for everybody concerned. England and Germany can patch up a better peace now than can be obtained after both nations are exhausted and one of them is licked.

Mr. President, we are told that the time is not ripe for peace but that the war must go on to total destruction; but I say to you that the time is always ripe to patch up a peace if men will use reason and common sense; and the time will not be more ripe to make peace when the contesting nations become bankrupt, their countries in ruins, and many more millions of their citizens sacrifice their lives upon the altar of war. I do not know what terms could be agreed upon; but I do know if human greed, human ambitions for power, and human desires to rule could be eliminated from the picture the common people of the respective countries would have no difficulty in ending the war, patching up a peace that would be satisfactory to everybody.

#### DO THE PEOPLE KNOW WHAT THEY ARE FIGHTING FOR?

The war lords of Britain say that the war must not end until nazi-ism is destroyed in Germany. Hitler tells his people that they are fighting for their lives and that Britain desires to wipe their fatherland from the map; so the battle goes on. If the people who are doing the fighting and who are spilling their blood for what they believe to be a holy cause of self-preservation were correctly informed of the real aims of the war, the war would end. If the



people knew the truth and were not misinformed by false propaganda, there would be no war. Patriotism and love of country can be stirred in the hearts of any people until they will make any sacrifice in response to what they think is loyalty to their flag.

#### WHAT ARE ENGLAND'S WAR AIMS?

I do not know what the situation is in Germany. I have no correct information. I have been hoping that the German people would revolt against Hitlerism. The Germans are an intelligent people. They have played an important part in civilization's march. I cannot conceive of them being ruled permanently by a dictator. If England would announce her war aims and assure the people of Germany that those aims were not the destruction of the German people but that the battle was against Hitlerism, in my opinion, it would not be long until the German people themselves would take care of Herr Hitler. There soon would be a revolution in Germany; but just so long as Britain proclaims to the world that Germany and her people must be destroyed, just so long will the German people be united and rally under the swastika flag for the preservation of their fatherland. It is false propaganda that stirs the breast of the German soldier; and, if we are not very careful, false propaganda will stir the American heart and cause American men to answer the bugle call.

#### OUR SYMPATHIES ARE WITH OPPRESSED PEOPLES EVERYWHERE

The mass mind of America does not want to go to war, and the mass mind of America does not want to take any steps that will lead to that involvement. Men have different ideas as to how that involvement can be avoided. The sponsors of the pending legislation contend that one mind can map a better program than can many minds. I do not agree with that philosophy. Of course, my heartfelt sympathy goes out to the down-trodden and oppressed in other lands everywhere. I wish that all people, everywhere, might adopt our form of government, but I would not vote to force our democratic form of government on any people anywhere against their consent.

Mr. President, the keystone of the arch upon which this Republic rests is the fundamental democratic doctrine that the power of government is derived from the consent of the governed. This is democracy's cardinal principle. It is said that the people of Germany would rather salute a uniform than to cast a vote. I should not want to live under such a philosophy, but if they want to do so, that is their business. I do not want to take any chances on wrecking this country by going over there in an attempt to forcibly keep the German people from saluting uniforms. The great mass of the German people are intelligent and capable of selecting such a government as they desire. If they want to continue to salute uniforms, so far as I am concerned, they can continue to do so until they get tired.

Oh, some may say we have to go over there and kill Hitler off before he comes over here and kills us off. Well, let us

oil up the old musket, keep our powder dry, get ready, but wait until we see the whites of their eyes before we waste too much of that powder.

#### HITLER WILL NOT CROSS ATLANTIC

Some are aroused by the fear that if we do not stop Hitler in Europe he will come across the Atlantic Ocean and take us on, and that he has his plans all outlined. They say he is not going to attack us direct from Europe but that he will go to Mexico or South America and establish military bases and attack us from there. Some even seem to have the fear that he will do that during the nighttime, under the cover of darkness, and we will not know anything about it until he has us completely covered with his shooting irons. I cannot be alarmed by that kind of fear. If he should undertake to move his army to Mexico or South America, we certainly would know it before he got settled down to do some shooting. Harry Hopkins or Wendell Willkie certainly would give us a little advance information; but even if they should not, even if we should wake up some morning and find that during the night, while we were asleep, Hitler had moved into South America and was pitching his tent there, we would just eat a good breakfast of ham and eggs, put on our boots, and go down there and kick him back into the Atlantic Ocean before he could cook any coffee or fry any "speck" for his breakfast. [Laughter.]

I do not know anything about army tactics or mechanics, but I do know that if I were going to fight Hitler I would not tire myself out by going 3,000 miles to the fight. I would let him use up his strength in coming that distance, and then when he stepped into my front yard, exhausted from his travels, I would step out and knock the "stuffin'" out of him. [Laughter.]

I do not know anything about military strategy, but I do know that we can lick Hitler easier in Mexico or in South America than we can lick him in Germany.

#### ONLY ANOTHER OF EUROPE'S "POWER POLITICS" WARS

Mr. President, let us not become too alarmed because the people of Europe are engaged in their usual occupation, that of fighting one another. It is the same old battle that has kept the people of Europe in a turmoil for centuries, and will no doubt keep them in a turmoil for centuries yet to come, regardless of what we do, and regardless of who wins the present fight. We found out definitely that we cannot settle wars over there; so what is the use of our becoming excited about it, regardless of the fine phrases of the spokesmen of England and Germany? They are not fighting a war for any great fundamental cause—to establish human rights and human liberties. Their battles are being fought to see who shall control the power politics of Europe. Our liberties are not involved. It will not make one bit of difference to our liberties where the border lines of nationalities in Europe are put, unless we try to help place them. No matter where they are placed as the

result of this war, the next generation will fight the battle all over again. If we take care of the interests of our own country, we need not be afraid of the victor over there, no matter who the victor is. The victor will be so exhausted that he will want some breathing spells. The victor will have all he can do to hold on to his victory, and settle the trouble in his own country, and prepare himself for the next fight in his own dooryard, without coming over here and attempting to knock any chips off our shoulders.

Mr. President, let us prepare well the defense of this country against any emergency, but let us not mix in the power politics of Europe. We did that once before, to our great loss and sorrow; and about the only thanks we got for our sacrifice was a severe criticism from the lips of Winston Churchill for our meddling in that war. Mr. Churchill was right in that criticism, and he is wrong now in asking us to meddle again. The great British Empire controls one-fifth of the earth, and has ample resources to fight any war in which that mighty Empire chooses to engage. We ought to be neither soft-hearted nor soft-headed enough to take our republic down the road to bankruptcy to help finance a war in which the sovereignty of this Republic is not concerned.

It is contended that we, as a nation, cannot live alone; that we must join in and keep pace with the other nations of the earth in civilization's march; that modern invention has made the world so small that nations cannot exist as they once did. We hold a very fortunate position in this regard. We are a self-sustaining nation, and can supply the needs of our own household without contributions from the rest of the world. No other nation is so fortunate. Of course, we should have to forego some of our luxuries; but in the necessities of life we are a self-sustaining nation, and there is no need for us to get into any kind of a foreign war in order to live.

Some contend that we must get in and fight, or we will lose our share of world trade; that we must have a world market for our surpluses. One of our greatest philosophers, the late Will Rogers, once remarked that he never heard of a bunch of monkeys starving to death because they had too many coconuts. This Nation is not going to starve to death or die because of its surpluses. Our commerce is more than 95-percent domestic and less than 5-percent foreign. If we should lose all our foreign trade we would still get along better than if we were to go into this war. Let us not become too much disturbed about the loss of the 5 percent. That will not destroy the other 95 percent. The tail is not going to wag the dog to death. [Laughter.]

Of course, I want us to maintain world relations and world trade; but I am not willing to have us sacrifice the lives of a million American soldiers upon the altar of war in order to maintain our world trade. Let us let the trade go until the fight is over, and then make the proper effort to get our share. We shall survive the loss of trade, and it will not hurt us much; but we may not survive if we plunge into total war. At least



millions of the best young men of this country will not survive.

We may have to change our economy a little. It may be that the new order of things will place men and material first and money second. Perhaps Germany has taught the world a valuable lesson. Germany had no money and no credit, yet she had men, material, and energy; and in a few years, without money and without credit, she built the greatest military machine the world has ever seen.

There are a few men in this country who want us to get into this war, but there are very few. The great bulk of our people want to stay out. As an individual, I never wanted to get into a fight; and I have discovered that the best way to stay out of a fight is to stay out. This thing of getting into or staying out of a fight has always been a matter of my own choice. I have seen a few fights in which I could have participated, but I never stuck out my neck to get into the mix-up. I have never monkeyed around with that buzz saw. If we want to stay out of the European fight we can do so, but we shall have to quit monkeying around with the European buzz saw. Experience is a great teacher if we profit by it. Let us not again monkey around with that buzz saw. We may think we can handle it, but we cannot. The idea of keeping the buzz saw going by just sending material over is not going to work; and if undertaken, as the pending legislation provides, we shall soon be sending men.

WE CAN'T GO IN WITH MONEY AND STAY OUT  
WITH MEN

We cannot get into the war with our own money and expect to stay out with our men. This country is making every effort to build a national defense to protect the sovereignty of our people. I am for that; I am for making our defense so strong that no other power will dare to attack us; but I cannot quite see the philosophy of those who advocate that we should turn over all our war material and equipment to England in order to keep England going until we can build up an adequate defense. If we turn our war equipment over to England as fast as we can build it, I do not see how we shall ever be able to get ready in our own defense.

Mr. President, we are told that our Navy is inadequate, and we are moving heaven and earth to build ships to make the Navy adequate. While we are working day and night to build more ships for our Navy, I cannot see why we should trade off 50 of the ships of the Navy. The statement that the ships were unseaworthy and no good in our defense is not a satisfactory answer to me. If the ships were no good in our defense, they were no good in England's defense. They must have been seaworthy, because every one of them sailed across the Atlantic Ocean. That is what I assume they did. Perhaps I am wrong in that assumption. Perhaps in this modern method of warfare those "unseaworthy" ships were taken across the ocean in an airplane and parachuted into an English harbor.

ONE-SEVENTH OF OUR NAVY ALREADY GIVEN AWAY

In any event, when the people were told that those ships were unseaworthy and no good, the country was misinformed. Those 50 warships were a respectable Navy in themselves and could have protected a considerable distance of our shore line against invasion. The trade was made on the theory that it was in the interest of national defense. Perhaps the people wanted the trade made, even though none of them had been consulted. To trade off one-seventh of the warships of our Navy was no small deal, especially at a time when we were trying to build the greatest Navy on earth. Had Congress been consulted, they might have suggested some amendments to the trade agreement. Some Representative or some Senator might have discovered that a fee title to a piece of real property is better than a lease. Some Representative or some Senator might have discovered that even a 99-year lease of a portion of an island is not so very valuable if, under the exigencies of war, the island might be transferred to other sovereignties.

At a press conference some time ago, when the pending measure was being discussed, and someone expressed a fear that under its terms our entire Navy might be traded off, it is reported that the President ridiculed the idea and said he had no intention of doing so; that that was Mother Goose jump-over-the-moon stuff; that he had no intention of standing on his head; and that perhaps Congress should pass a law stating that the President should not stand on his head in the White House. Some of us are deeply and seriously concerned as to what the President will or will not do under this measure. We are not concerned about his personal habits in the White House. [Laughter.] If he stands on his head, that will not hurt anybody else, and does not concern a public policy; but some of us are disturbed and alarmed as to what he is going to do with the ships of our Navy. A reply in ridicule, designed to detract from the alarm, is not a satisfactory assurance or answer in the face of the fact that he had already traded off 50 ships; and there was not any Mother Goose jingle, "hi diddle diddle, cat-and-the-fiddle" business about that trade. That was trading off 50 actual warships.

Yet, so far as I am concerned, a trade of 50 warships is just a sort of Mother Goose jump-over-the-moon affair to me. Those are more ships than I ever saw in my whole life, and I can hardly imagine what kind of a picture it would make to round up 50 warships in 1 coral and trade off the whole shooting match in 1 deal. I have trouble in getting myself straightened out on this whole lease-lend program so as to know whether I am on foot or on horseback. My knowledge and experience are so limited that I become tremendously confused. The thing is just too big for me to realize what it is all about.

I have sometimes found that I can get a clearer view by whittling a big thing down to my size, where I can see it, and

then comparing it with things I know something about. I do not know anything about ships of the Navy, but I do know something about farms, hired men, and mules; so I am just supposing that I have a big farm out in South Dakota, and have a hired man to run it, and on that farm I have the same number of mules that we have ships in the Navy—350 mules—and the hired man trades off 50 of those mules without asking me anything about the trade. After that he submits to me a little agreement and asks me to sign on the dotted line. I say, "What is this about," and he says, "Why, that is just a little agreement for me to trade off the other 300 mules." [Laughter.] He sees the look of consternation on my face and says, "I have no intention of trading any of them off, but I just want this authority to make the trade if I want to." That hired man might be the best hired man I have ever had. I might never be able to replace him with anyone half as good. He might be absolutely reliable and trustworthy in every respect; yet, even if he promised me, with his right hand on a whole stack of Bibles, that he did not intend to trade off any of those mules, I would not sign that contract. It seems to me that is about a parallel case.

STOP "MONKEYING AROUND" EUROPEAN HORNETS'  
NEST

Mr. President, some contend that the Executive should have these powers because he is better informed and has a better knowledge of world affairs than has anyone else. I concede that if our Government is to be conducted by one individual, Mr. Roosevelt is the best-qualified man in the United States to tackle the job. What alarms me is that he is too well qualified, knows too much, and is too wise. When I was a boy I had a few battles with hornets, and from those experiences I learned a valuable lesson. I learned that the boy who knew where the hornets' nest was and kept monkeying around there and thought he knew something about hornets was the boy who got stung, and the boy who did not know where the nest was and did not know anything about hornets never got stung. This proved to me that too much knowledge might be a dangerous thing.

I wish that our President did not have quite so much knowledge about the world situation or about world affairs. If he knew nothing about them, he would not keep monkeying around that hornets' nest and probably get all of us stung. [Laughter.] Knowing too much is sometimes a dangerous thing.

IT'S ALWAYS EASIER TO BE A "YES-YES MAN"

Do not misunderstand me. I have no quarrel with the President. So far as I know, he and I are the best of friends. There is nothing that I enjoy more than visiting with him. This is not a personal matter. Personally, I would be better pleased if I could go along with him in carrying out all policies he advocates. It is much easier to be an agreeable man—a "yes, yes" man—than to get into any kind of a controversy, especially when



that controversy is with the Chief Executive, but the people who sent me here expect me to render some service in the shaping of legislation that determines the future policy of this country. They expect me to use my best judgment and to do my full duty in helping to shape that legislation. I would be a faithless and unworthy public servant if I neglected that duty. In the case of the pending proposal the President's views and mine are not in accord, and upon this occasion I must follow my own conscientious judgment and do the things which to me seem best for our common country.

Mr. Roosevelt, as a citizen and as President, has a perfect right, under our system of government, to advocate the things which to him seem best. On the other hand, I, as a citizen and as a Senator, have a perfect right to disagree with him. That disagreement ought not to affect personal friendships, and ought not to be the subject of intolerant criticism.

I regard Mr. Roosevelt as a great American; I regard him as the foremost citizen of the United States. I am just selfish enough to want to keep him as our own foremost citizen of the United States, and I do not desire to have him become the foremost citizen of the world. The President has a lovable personality, a keen and marvelous mind, delights to match wits with all comers, has a pleasing voice, and as a convincing public speaker has few equals and no superiors. Much as I personally like the President, much as I should like to walk with him, I cannot follow him down the road which I believe will lead to war. I will do anything humanly possible and go all the way with him in helping to make good the promise that he will never lead this Nation down the road to war, but I will not hesitate to part with him when I am morally certain he is taking the wrong road. I will not go down the road to war to make any other country safe for democracy except our own. I am first, last, and all the time for keeping the people of the United States out of foreign entanglements and for keeping them out of all wars except in defense of our own sovereignty.

LET'S NOT LET OUR HEARTS RUN AWAY WITH OUR HEADS

Mr. President, I know that the sympathies of our people are with England. It makes our blood boil with righteous indignation when we hear about the awful things happening in the European conflict. The emotions of the human heart are touched by the heroic defense of the men and women in the Battle of London. I fully realize that many human hearts in this country are stirred with deep emotions and with a desire to avenge wrongs now being done, and a desire to go over to Europe and burn Hitler at the stake or boil him in oil or quarter him inch by inch. I would get some satisfaction in helping to do that job myself. But we must give some consideration to stern realities and reckon the cost of doing that job. I am not willing to pay the price in blood and tears of human suffering of our people in order that I may satisfy my hatred of Hitler.

I know many persons think that unless we go over there and kill Hitler he will come over here. I am not at all disturbed by that. Even if Hitler should win the war—which I do not think he will—even if he should, he would have the impossible task of controlling the power politics of Europe. Even during this good hour there are rumors of unrest, and the fires of revolution are beginning to burn in every country he has conquered, and even in Germany itself. Hitler may win the war, but he can never conquer the people of Europe and hold them in subjection for any length of time. He would not undertake the conquest of the United States, because during the rest of his life he would have all he could do in Europe and would not take on an impossible task.

I know that a great many people are alarmed and fear that, if England goes down, Hitler will immediately undertake the conquest of the United States. If I were as certain of a place in Heaven as I am that Herr Hitler will never invade or attempt to invade the United States, I would feel very safe; I would feel just as good as if I were already in God's pocket. Let us remember that no dictator ever conquered the world, although many have tried, and no dictator has ever conquered a people and kept them enslaved for long. The end of Hitler is in sight. No matter what else may happen in Europe, the handwriting is on the wall, and to me it is as plain as the noon-day sun.

Mr. President, I have read and considered the testimony of the men and women who testified before the Committee on Foreign Relations in respect to this bill, and I know that much of that testimony expresses a different view from that I hold. I would not be so presumptuous as to attempt to match my opinions with the opinions of these estimable men and women. I concede their superior intelligence, knowledge, and ability, but the road which I have traveled during my three score years and ten has taught me a few fundamental things upon which it is safe for me to rely. One of those fundamentals is that no human being is all-wise, and no man or woman on earth can tell with certainty what tomorrow will bring forth. Another fundamental is that the fact that a man is elected or appointed to office and placed in charge of a governmental position does not add one jot or tittle to his human intelligence. Prophecies of wise men as to what the future holds have often failed to come true, and, therefore, are not always a safe guide to be relied upon. Sometimes the prophecy of a layman is better than the prophecy of a priest. One man's judgment in predicting the future is about as good as another's, and there are no infallible men when it comes to predicting or mapping the future.

WE CANNOT FINANCE WARS ALL OVER THE WORLD

With pardonable pride we boast of being the richest nation on earth. We will not be able to make that proud boast after we finance another war in Europe, the war in China, and finance wars for so-called democracies all over the earth. Already the administration is planning a

road-building and public-works program for inauguration after the war is over; but if we convert this land into the greatest of all war arsenals, and finance these wars, at the end of the wars we will be a bankrupt nation, and will have no money to pay for a road and public-works program, or to pay for surplus commodities to feed the needy. Our wealth was not accumulated by conquest; it was not accumulated by a mighty war machine. Our wealth is a product of our peace-loving people, accumulated by the pursuits of peace and not of war. That wealth will soon be destroyed if we carry out the administration's program and turn thumbs down on continued achievements of peace, and direct our energies toward furnishing the whole world with instruments of warfare, which only destroy, and never create.

Some object to this measure because they think it is in violation of international law. I do not object on that ground, as I do not know what international law is, and I do not think anyone else knows. International law is what victorious nations say it is. It is written by the sword and changed by the sword, and interpreted solely by victorious conquerors. I am not concerned about international law. My sole concern is to do that which is best for the 130,000,000 people who live in the United States. I am not pro-German or pro-English, but I am totally and wholly pro-United States. I am for peace first, last, and all the time, and not for any kind of a war except for defense of the people of the United States and their sovereignty. I shall not vote for any measure which I think will involve our people in war in any cause save their own.

Those who builded this country were the men and women and the descendants of men and women who left the lands of their birth to get away from the turmoils of war and builded here a mighty nation, where they could follow the teachings of the Prince of Peace and where they could emulate the example set by the Man from Galilee.

AMERICANS SEEK ONLY PEACE

Mr. President, a citizen of the United States is a distinctive citizen. There is no other like him in all the world. No correct definition of an American citizen has yet been written and none can be written that will plainly distinguish him from all others. He is a distinctive citizen, a composite citizen, whose image bears the likeness of men from every corner of the earth. To this land of ours have come men and women from everywhere; men of every hue and color, of every belief and creed. Men have come from under every flag and sought shelter—the peaceful shelter—under the Stars and Stripes. Here in this great human melting pot of ours has been formed and fashioned the composite citizen of America. His flesh and bone is made up of all nationalities that have come from every clime. Through his veins courses the blood of every race and every creed. All civilizations have played their part in the building of an American citizen. It is this citizenship that here in the United States has always



maintained the traditions of its flag and made it the most beloved flag in all the world, and has safeguarded it as a sacred emblem of a free, liberty-loving, and peaceful people. Never has this citizenship engaged in a war of conquest. Never before has this citizenship concerned itself with a desire to conduct the affairs of other nations. Never before has it ever attempted to assemble a mighty army to fight in a cause that was not its own. Never before has this citizenship in peacetimes or any other sounded the bugle call, calling men to arms to force its mode of life upon other people. Never before has it felt that it could shape the destiny of other lands. Never before has it thought of mixing in the power politics of the world. Never before has it dreamed of establishing democracies everywhere. This citizenship has formed the best government and builded here the most beloved land on all the earth by attending to its own business and letting other people handle their own affairs as to them seemed best.

The thing that is so disturbing to me is what will the future hold for these citizens if we depart from this time-honored tradition of attending to our own business and embark upon the ideology that we must protect or establish democratic forms of government everywhere. The ideology is all right, but in a realistic world it is not a safe undertaking for the citizens of this Republic, and, if undertaken, can only bring ruin and disaster to our people. With reasonable defense preparation we can defend ourselves against any and all invasions, but we learned a quarter of a century ago that we could not then make the world safe for democracy, and we cannot make it safe now and ought not to make the attempt. We should pay less attention to foreign affairs and more attention to domestic problems.

Mr. President, our flag will never be hauled down by an invading foreign foe, but it may be made to bite the dust by being hauled down by our own hands in bungling our domestic affairs. The danger to this Republic is not in Europe. It is right here in the United States. That danger is not by reason of the few "fifth columnists" that Hitler may have sent over here, but the danger lies in a domestic, economic condition which creates "fifth columnists" and upon which they feed and thrive.

#### LET'S LOOK TO OUR DOMESTIC PROBLEMS AND DEFENSE

Mr. President, we should direct our energy toward a solution of our own domestic affairs, and let foreign affairs alone. Our problem is not the wars in Europe or in the rest of the world. Our problem will come when the war in Europe is ended. Our problem will be a problem of peace and not of war, and that peace problem will be one which will test the stability of this Republic as it has never been tested before. No human mind can now visualize just what that problem will be. I am not alarmed and afraid that we cannot handle that problem when it comes if our resources are not then exhausted, but I am alarmed about handling that problem if we are then a bankrupt nation. If we pass this

lend-lease bill, and the President carries out his announced intention—makes this the greatest war arsenal in the world and finances the wars in Asia and Europe—when peace comes we will be a bankrupt nation, and God only knows what then will happen to the people of the United States.

Just now a war hysteria is sweeping the country. Many people are not properly informed as to the true situation. Bitter hatreds are developing. The dragon of intolerance is rearing his beastly head. Men who do not agree with the administration program are accused of disloyalty, of being "fifth columnists," of being pro-German, are held up to ridicule and scorn, are accused of being unpatriotic and destroyers of national unity, and of being common enemies of this country—all because they are opposed to financing the wars of the world, and because they are opposed to converting this peaceful Republic into the greatest war arsenal the world has ever seen.

Perhaps when the historian writes the final historic record of this day it may be that those of us who are attempting to preserve the traditions of this Republic and attempting to avoid entanglements in a war-mad world, and whose efforts are directed solely toward the preservation of democracy in the United States in order that our flag may continue to float over every home in this land—perhaps those of us who are primarily concerned in the welfare of our own people will be recorded by the historian as just as patriotic and just as loyal to our flag as those who wanted to carry that flag half way around the world and dip it in human blood on the other side of the earth.

Last year in one of the President's messages to the Seventy-sixth Congress, he pointed out the danger of foreign invasion, and among other things he requested that Congress appropriate a fund of \$200,000,000 for the executive department, to be used by the President in such a manner as he might think best to safeguard the Nation. I thought at the time it was a tremendous sum and doubted the wisdom of complying with that request. I went along, but without any enthusiasm. I had no conception of what \$200,000,000 really was, but I did know that it was only two hundred million, and was limited to the spending of a definite amount. That request had a ceiling to it. When that amount was spent there was a red stop light beyond which the President could not go. The pending measure has no ceiling—the sky is the limit—and there are no effective stop lights anywhere in the bill. Some amendments have been added, but they are window-dressing amendments far above the stratosphere where there is no sky, so the sky is still the limit.

#### NO BLANK CHECKS TO FINANCE WORLD'S WARS

I am not in favor, and I believe that most of my people are not in favor, of giving a blank check to the President not only to finance a war in and for this country, but also to finance wars in and for other countries. I realize and feel, and most of my people realize, that during the past 8 years the President has

plainly demonstrated to the country that he has no conception of the value of a dollar, and that his efforts are directed toward the spending of money without any serious concern as to how the money is raised. It is unwise to turn the purse over to a person whose spending habits are unlimited and who does not concern himself about replenishing the purse.

I am in hearty accord with the high ideals the President expresses as to the conditions which he desires to bring to all people everywhere, but the road down which I have come plainly teaches me that that is simply a magnificent, ideal dream that cannot be realized in a realistic world.

The most serious objection I have to the passage of this proposed legislation is based on something that would not appear from a casual reading of the bill, nor from language therein expressed, but is because of a fear I have—I think a well-considered fear—of the dangerous road down which the enactment of this legislation will ultimately lead the Nation. Our sympathies at present are with England, and they are emotional and compelling sympathies. We do not want to see England defeated in the present war. Most of our people want to extend all aid to England that we can without endangering their own safety. It is not altogether the things that are written in the bill that alarm me, but more alarming to me are the pronouncements the President has made defining the policy of the United States with respect to our duty and obligation as a nation in world affairs.

It seems to be the announced intention of the President not only to protect our democracy here, but to see to it that democracies are protected everywhere. If the bill is passed, and the President undertakes to carry out his announced national policy, it will mean a coalition with the British Empire, in which Great Britain and the United States will join hands in the fighting of a great war to dominate the rest of the world. The handwriting is on the wall of our intention to form a compact with the British people to become masters of the world. To me the things that are written into the bill are not as disturbing as is this handwriting on the wall.

#### NO FOREIGN ENTANGLEMENTS

Mr. President, I am unalterably opposed to taking any steps leading to any compact with any other nation on earth. My doctrine is, let us look solely to our own country, to the welfare of our own people and let the rest of the world go by. I am not going to vote for any measure that will cause my country—these United States—again to become a colony of the British Crown. I do not want to see England go down; I do not think she will; but I am not one of those who think that the perpetuity of this Republic is dependent upon the result of the battle now being fought on the British Isles.

I never believed that our first line of defense was on the Rhine, nor that it is now on the shores of the English Channel. I am not in favor of impoverishing our own people by extending unlimited credit or by leasing or loaning unlimited



supplies of our own war material and holding out a false hope to our people that we shall ever get it back. If England loses the war, she will not be able to pay us back; and if she wins, she will not pay us back. Whatever war material we furnish England in addition to what she buys and pays for we might just as well give to her and thus avoid future headaches.

#### THE ENGLISH EMPIRE IS NOT BROKE

Proponents of this lease-lend bill argue that we must pass it because England's finances are exhausted. I cannot conceive that to be a fact. Great Britain is a mighty empire, with far-flung dominions. Her possessions consist of more than one-fifth of the surface of the earth. Her ships of trade sail the seven seas and visit every port to gather the wealth of nations. For centuries she has made the proud boast that she was mistress of the sea, and that the sun never set on her possessions. The total population of the earth is approximately 2,000,000,000 souls. Those living in British dominions are approximately one-half billion souls. Five hundred million people live under the British flag. One-fourth of all the people on earth join in singing God Save the King. Do not tell me that the resources of this mighty Empire have been exhausted in 1 year's battle with the German Reich for control of the power politics of Europe. I do not want to see England go down, but neither do I want her to shift the financing of Europe's war upon the people of the United States.

Mr. President, some persons say that if England goes down our ship of state will not be able to ride out the storm. Our democracy has weathered several first-class storms, and we never before have turned over control of the ship to one man without the help of shipmates. The storm has not approached anywhere near our shore, and there is no likelihood that it ever will. It is spending its fury on the other side of the earth. Our danger lies in having our captain sail our ship into the tornado on the other side. If we keep our ship in our own harbor until the cyclone has spent its course, our boat will be in no danger. Of course, we have injustices everywhere, and some of our people feel that on high moral grounds we should sail the ship ahead into the storm and take a hand in settling the atrocities with which the people of Europe are now cursed; but the thing that should guide our policy in this regard, it seems to me, should be, when we consider the humanitarian problem, "Is it wise to engage in a policy that will bring carnage, destruction, and disaster to our own people, in order to settle injustices in Europe, when we know that anything we may do in that regard will have no permanent or lasting effect?" We know that these injustices and atrocities will break out again with renewed fury, no matter what we do.

We seem to be confronted by two questions: First, How will the President keep the people out of war? Second, How will the people keep the President out? An answer to the second question is the more important at the present time.

The President by Executive order establishes war zones, and the people are not permitted to travel in those danger zones. The President can keep the people out; but how are the people going to keep the President out? How are the people going to keep the President from sending his special emissaries into those danger zones to explore the field forbidden to all other Americans and come back and advise us what we have to do?

#### I DO NOT WANT TO TAKE ANY STEPS THAT WILL LEAD TO WAR

Mr. President, the passage of this legislation is not a safe answer to that question. I want to take every step that will keep this country out of war. I do not want to take any steps that lead to war nor any steps that will lead the Nation to bankruptcy.

I know we get jittery and much concerned about the horrible things now taking place in Europe, and all have a desire to do something about the matter. Our thoughts are centered in the horrible things that are now taking place, and we give but little thought to the things that actually started the war. What started the war and why is it being fought? We are disturbed about its awfulness, and rightly so; but what is the war about? A couple of years ago Hitler started to move some border-line fences on the continent of Europe. England heard about it and notified Hitler that if there were any border-line fences to be moved she would boss the job. Hitler did not want England to boss the job, and kept on digging post holes and setting posts. England moved an army across the channel on to the continent of Europe and declared war on Germany, and said, in effect, "If there is going to be any fence moving it will have to be done according to English survey and the job will have to be bossed by England." Hitler, being a bullheaded German, would not let England boss the job, and the fight was on.

Radios and newspapers are flooding the country with propaganda, so that we have become much confused; but, after all is said and done, and we get right down to rock-bottom facts, this war is not being fought to establish any great human cause, nor does it involve any basic principle of human right. This is solely and only a dispute between Germany and England for power, and to determine who shall boss the job of establishing national boundary lines on the continent of Europe. This is primarily a problem for the people who live upon that continent. The people of England would be far better off if their statesmen did not interfere with the people on the continent, and let those people settle their own difficulties. England is not primarily a European nation. England is an island kingdom. The great British Empire is not of Europe, but is an empire of the world. The best thing that could happen today to the people of that empire would be for them to say to the people of Europe, "We will retire from our attempt to boss the job as to how you shall divide up your territory, and let you settle your own affairs."

That would end the war so far as the people of England are concerned; and the people of Europe would soon get together and take care of Herr Hitler and settle Europe's war for the time being. The question is, Do we want to join hands with England and help boss the people of Europe as to how they shall divide up the territory on their own continent, which is no concern of ours? Do we want to tell the people of Europe what their Monroe Doctrine shall be, and thereby take a chance on losing our own Monroe Doctrine; or do we want to attend to our own business and see to it that our own Monroe Doctrine is not destroyed?

#### WHAT IS THE PURPOSE BEHIND THIS MEASURE?

Mr. President, it is difficult for me to figure out why the administration demands the passage of this bill. Any one who has power to trade to England 50 of our warships certainly has power to extend immediate aid by furnishing England with everything we have, and needs no additional authority.

To call this an aid-to-England bill is a misnomer. There is nothing in the bill that says anything about aid to England. Amendments were proposed to limit aid to England, Greece, and China; but the administration objects to any limitation. The intent and purpose of the bill is to give the President power to mix in every war on the face of the earth, if he so desires, and make binding commitments for the people of the United States to supply war material and aid to any and all nations if he so desires.

Oh, it is said, this bill has a limitation and does not permit the President to convoy merchant ships with battleships in the danger zone. I am not for that limitation. The Constitution gives the President that power. As Commander in Chief of the Navy, he may send our battleships to any place on earth that he chooses, and Congress cannot limit that authority by legislative act. Proponents of the bill urge its instant passage so that the President may go to the immediate relief of England. They contend that next week may be too late. I should like to be informed how the passage of the bill will speed the production of ships, tanks, airplanes, and war material. We are already turning over to England most of the war material we are producing. As the Senator from Illinois [Mr. Brooks] said in his excellent address, what aid will the passage of the bill give to England now, in addition to what England is already getting? She is getting about all the defense articles we are manufacturing. What more can we give her?

If the bill is passed what can the President do in the way of furnishing to Great Britain aid that is not now being furnished? The President cannot do the impossible, even though we give him that authority.

Some say the situation is so desperate that England will go down in 30 to 60 days unless we furnish her with fighting material. We have not the material, and we cannot make it in 30 to 60 days. The passage of this bill will not speed the making of that material.



I have been asked, "Do you not trust the President? Have you not faith and confidence in him?" Of course, I have faith and confidence in the President. I do not challenge trust in him. I have full faith and confidence in every Senator here; yet I would not want to turn over the duties of the Senate to any one Senator, no matter how much faith and confidence I had in him. Ninety-six Senators can do a better job in legislating for the people than any one Senator could possibly do. I shall not decide this question upon the trust and faith I have in any man. I shall make my decision as to my duty upon my conception of what is the best public policy for me to adopt, regardless of the faith and confidence I have in any man, and regardless of the ties of friendship that decision may break.

The future destiny of the Republic is at stake, and I shall not by my vote make it possible to change our democratic form of government into that of a totalitarian state.

The President at press conferences declines to answer what he terms "if" questions, and rightly so; but it seems to me this whole program is based upon "if" assumptions that are highly speculative, and people have become excited about these "ifs." It is argued that if Hitler takes on England and Asia and Africa and South America—if all of these things happen—we shall be in danger. These are too many speculative and impossible "ifs" for me to get excited about. There are too many speculative "ifs" for me to vote to bankrupt this Nation to head off imaginary "ifs."

#### OUR FIRST LINE OF DEFENSE IS A SOLVENT TREASURY

Our first line of defense is to have a solvent Treasury. If war should come to our country, we can win the war if we are not then financially broke. There is a powerful plea on the part of the administration for national unity. When war comes to this country, be that war right or wrong, there will be national unity to win the war; but there will be no unity on any effort to get into the war, nor will there be unity to take steps which many of us believe will lead a peaceful people into another European war. There can be unity of our people to prepare the defense of this Nation to meet any emergency, but there can be no national unity to convert our country into a great war arsenal to supply the fighting nations of the earth with instruments of death.

There can be unity in building an adequate Navy for our defense, but not for turning over our battleships to any foreign power. There can be unity among our people to appropriate fabulous sums to carry on a war in defense of our own sovereignty, but there can be no unity on appropriating the wealth of the Nation, impoverishing our people, and bankrupting the Nation to finance the wars of the earth and to engage in battles that are not our own. There can be unity among our people to keep this the greatest Nation on earth, but there can be no unity in any effort for us to dominate the rest of the earth.

In making important decisions on problems confronting me I have found

that it is not always safe for me to rely upon the opinions of other men. Along the road I have traveled, to me the best guidepost has been the conscience with which a wise Creator has endowed all human beings.

Whenever I have had an important decision to make, my conscience has always, without exception, pointed the right road. I have not always obeyed, and disobediences have brought regrets; but I have never walked with any fear of remorse a road that conscience dictated. I like to walk this road with friends, but friends are of my own choosing. I can get rid of them if the occasion requires, but my conscience walks with me to the end.

The vote that I cast upon this measure must be a vote that is satisfactory to myself. I am thoroughly convinced that the passage of this measure will lead the country to war and disaster, and that the bill ought to be defeated for the common good of the people of the Nation. [Manifestations of applause in the galleries.]

Mr. VANDENBERG. Mr. President, I present for the RECORD resolutions adopted by the Industrial Union Council of Detroit, Mich., speaking for 300,000 industrial workers against the passage of House bill 1776, the lend-lease bill, and ask that the resolutions be printed in the RECORD at this point.

There being no objection, the resolutions were ordered to lie on the table and to be printed in the RECORD, as follows:

#### Resolution on lend-lease bill

Whereas bill H. R. 1776, S. 275, known as the lend-lease bill, has been introduced into Congress by the Roosevelt administration, which would virtually set up a one-man dictatorship in this country, concentrating all powers in the hands of the President, and would mean in effect, complete surrender by Congress of all legislative powers, and

Whereas by the provisions of this bill, all other laws in conflict with it would be set aside, thereby not only in effect, repealing laws such as the Johnson (no foreign loans) Act and the Neutrality Act passed by Congress at the demand of the American people; but also destroying the various laws protecting the working people, such as the Wagner Labor Relations Act and Wages and Hours Act, thus striking a crushing blow to the living standards of the American people and to the very life of the labor movement, and

Whereas the passage of this bill, which climaxes a series of similar warlike measures, would not only give the President power to regiment labor by destroying its right to strike, and establish a Fascist rule of this country, but would also invest in him the absolute power to take us into war, to which the majority of the American people are strongly opposed: Therefore, be it

Resolved, That the Greater Detroit and Wayne County Industrial Union Council, C. I. O., representative of some 300,000 union members, strongly condemns the lend-lease bill measure as the most dangerous threat to the liberties and peace of our Nation; and be it further

Resolved, That we organized men and women of the labor and progressive movement believe that by preserving and extending our civil liberties and improving the living standards of the entire population, our country will be most effectively protected from the threats and encroachments of fascism from both without and within.

Mr. BARKLEY. Mr. President, I should like to ask the Senator from Ohio

[Mr. TAFT] what his program is with reference to proceeding further.

Mr. TAFT. Mr. President, tomorrow, after the reading of Washington's Farewell Address by the Senator from Maine [Mr. WHITE]—I trust with great emphasis and eloquence on the points which are relevant to the present measure—the Senator from Kansas [Mr. CAPPER] informs me that he will speak for about 45 minutes. After that I expect to address the Senate for about an hour and a half.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. CLARK of Missouri. It seems to me that after the reading of Washington's Farewell Address the burden of carrying forward the proof should go to the other side, because that will be the best speech made in the whole debate against the bill.

Mr. TAFT. On Monday the Senator from Idaho [Mr. CLARK] will speak, and the Senator from Connecticut [Mr. DANAHY] will follow him. I think two other Senators will be ready to speak on Monday. If not, I see no reason why we should not proceed with the amendments.

Mr. BARKLEY. My particular inquiry was as to whether any Senator is ready to proceed this afternoon, at least for a while, or whether the Senator would prefer to recess at this time.

Mr. TAFT. I should prefer to recess at this time. I think my address would be too long to conclude this evening. The Senator from Kansas [Mr. CAPPER] is not yet ready, but he has advised me that he will be ready tomorrow. I hope the Senator from Minnesota [Mr. SHIPSTEAD] may also be ready tomorrow.

#### EXECUTIVE SESSION

Mr. BARKLEY. Under the circumstances, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

#### EXECUTIVE MESSAGES REFERRED

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting several nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

#### EXECUTIVE REPORTS OF COMMITTEES

Mr. McKELLAR, from the Committee on Post Offices and Post Roads, reported favorably the nominations of several postmasters.

Mr. SHEPPARD, from the Committee on Military Affairs, reported favorably the nomination of Brig. Gen. Brice Pursell Disque, Reserve, to be brigadier general, Reserve, from February 17, 1941.

He also, from the same committee, reported favorably the nomination of Lt. Col. Omar Nelson Bradley, Infantry, to be brigadier general with rank from February 20, 1941 (temporary appointment in the Army).

The PRESIDENT pro tempore. If there be no further reports of committees, the clerk will state the nominations on the calendar.



## DEPARTMENT OF COMMERCE

The legislative clerk read the nomination of Leslie Frazer to be First Assistant Commissioner of Patents.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Conder C. Henry to be Assistant Commissioner of Patents.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

## POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. BARKLEY. I ask that the nominations of postmasters be confirmed en bloc.

The PRESIDENT pro tempore. Without objection, the nominations of postmasters are confirmed en bloc. That concludes the calendar.

## THE ARMY

Mr. SHEPPARD. Mr. President, I ask unanimous consent that the two Army nominations reported by me today be confirmed, and that the President be notified.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Texas? The Chair hears none, and the nominations referred to will be stated.

The legislative clerk read the nomination of Lt. Col. Omar Nelson Bradley, Infantry, to be brigadier general with rank from February 20, 1941 (temporary appointment in the Army).

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Brig. Gen. Brice Pursell Disque, Reserve, to be brigadier general, Reserve, from February 17, 1941.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed, and, without objection, the President will be notified of the confirmation of these two Army nominations.

## RECESS

Mr. BARKLEY. As in legislative session, I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 4 o'clock and 45 minutes p. m.) the Senate took a recess until tomorrow, Saturday, February 22, 1941, at 12 o'clock meridian.

## NOMINATIONS

Executive nominations received by the Senate February 21 (legislative day of February 13), 1941:

## DIPLOMATIC SERVICE

Pierre de L. Boal, of Pennsylvania, now a Foreign Service officer of class 1 and counselor of Embassy at Mexico, Mexico, to be Envoy Extraordinary and Minister Plenipotentiary of the United States of America to Nicaragua.

Wesley Frost, of Kentucky, now a Foreign Service officer of class 1 and lately counselor of Embassy at Santiago, Chile, to be Envoy Extraordinary and Minister Plenipotentiary of the United States of America to Paraguay.

## COAST GUARD OF THE UNITED STATES

The following-named officers in the Coast Guard of the United States, to rank as such from March 1, 1941:

## TO BE A CHIEF MACHINIST

Machinist Ludvig V. T. Sieck.

## TO BE A CHIEF CARPENTER

Carpenter Joseph L. Temple.

## TEMPORARY APPOINTMENT IN THE ARMY OF THE UNITED STATES

TO BE BRIGADIER GENERAL WITH RANK FROM FEBRUARY 20, 1941

Lt. Col. Omar Nelson Bradley, Infantry.

## CONFIRMATIONS

Executive nominations confirmed by the Senate February 21 (legislative day of February 13), 1941:

## DEPARTMENT OF COMMERCE

Leslie Frazer to be First Assistant Commissioner of Patents.

Conder C. Henry to be Assistant Commissioner of Patents.

## REAPPOINTMENT IN THE OFFICERS' RESERVE CORPS OF THE ARMY

## GENERAL OFFICER

Brice Pursell Disque to be brigadier general, Reserve.

## TEMPORARY APPOINTMENT IN THE ARMY OF THE UNITED STATES

Omar Nelson Bradley to be brigadier general.

## POSTMASTERS

## MARYLAND

John L. Thompson, Oxford.

## PENNSYLVANIA

William T. Means, Brockville.

Seth W. Bloom, Clearfield.

Lena M. Cole, Coal Center.

Thomas A. Friel, Crum Lynne.

Gordon Stella, Edge Hill.

Marcella T. Pawlowski, Glen Lyon.

Wilda E. Sickles, Houston.

Llewellyn Angstadt, Kutztown.

Kathryn H. Eaton, Lawrenceville.

Daniel E. Walter, Lebanon.

John L. Crowley, Lenni Mills.

Frank C. Swoyer, Mohrsville.

Luther A. Fry, Reiffton.

Ralph Blaine Althouse, Sharon Hill

James H. Wales, Templeton.

## SENATE

SATURDAY, FEBRUARY 22, 1941

(Legislative day of Thursday February 13, 1941)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Z. Barney T. Phillips, D. D., offered the following prayer:

Eternal God, Creator and Preserver of all mankind: We beseech Thee to incline Thine ear unto our prayer as today our thoughts range far beyond ourselves, beyond our friends and kindred, to the founding fathers of this Republic. As we commemorate the anniversary of the birth of the Father of our Country, we yield Thee most humble and hearty thanks for the great soul of this man of light and leading, who, though sleeping now in the dust of earth, yet ever lives in the hearts of all true patriots.

Again we thank Thee for the generations of growth through which we have

come; for the discipline received in dark times of trouble and adversity to fit us for even greater things. In the temper and disposition of our minds let us never run contrary to Thee, but do Thou keep us upright, ever seeking to aid progress, ready to leave the things that are behind for the things that are before, emulating in our lives the noblest conduct, always trusting in the hidden power of right.

Teach us so to live that our little good may live after us, that when our earthly task is o'er we may hear Thy voice saying to each one of us, "Well done, good and faithful servant, enter thou into the joy of thy Lord." We ask it in the dear Redeemer's name. Amen.

## THE JOURNAL

On request of Mr. HILL, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day of Friday, February 21, 1941, was dispensed with, and the Journal was approved.

## CALL OF THE ROLL

Mr. HILL. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Ellender	Norris
Austin	George	O'Mahoney
Bailey	Gerry	Overton
Ball	Gillette	Radcliffe
Bankhead	Guffey	Reed
Barbour	Gurney	Russell
Barkley	Harrison	Schwartz
Bilbo	Hatch	Sheppard
Bone	Hayden	Shipstead
Brewster	Herring	Smathers
Bridges	Hill	Stewart
Brown	Holman	Taft
Bulow	Hughes	Thomas, Idaho
Bunker	Johnson, Calif.	Thomas, Utah
Burton	La Follette	Tobey
Byrd	Langer	Truman
Byrnes	Lodge	Tunnell
Capper	Lucas	Tydings
Caraway	McCarran	Vandenberg
Chandler	McFarland	Van Nuys
Chavez	McKellar	Wallgren
Clark, Idaho	McNary	Walsh
Clark, Mo.	Maloney	Wheeler
Connally	Mead	White
Danaher	Miller	Wiley
Davis	Murdoch	Willis
Downey	Murray	

Mr. HILL. I announce that the Senator from South Carolina [Mr. SMITH] is absent from the Senate because of illness.

The Senator from Florida [Mr. ANDREWS], the Senator from Oklahoma [Mr. THOMAS], and the Senator from New York [Mr. WAGNER] are unavoidably detained.

The Senator from Virginia [Mr. GLASS], the Senator from Rhode Island [Mr. GREEN], the Senator from Colorado [Mr. JOHNSON], the Senator from West Virginia [Mr. KILGORE], the Senator from Oklahoma [Mr. LEE], the Senator from Florida [Mr. PEPPER], and the Senator from North Carolina [Mr. REYNOLDS] are absent on important public business.

Mr. AUSTIN. I announce that the Senator from Nebraska [Mr. BUTLER] is absent because of the death of his wife.

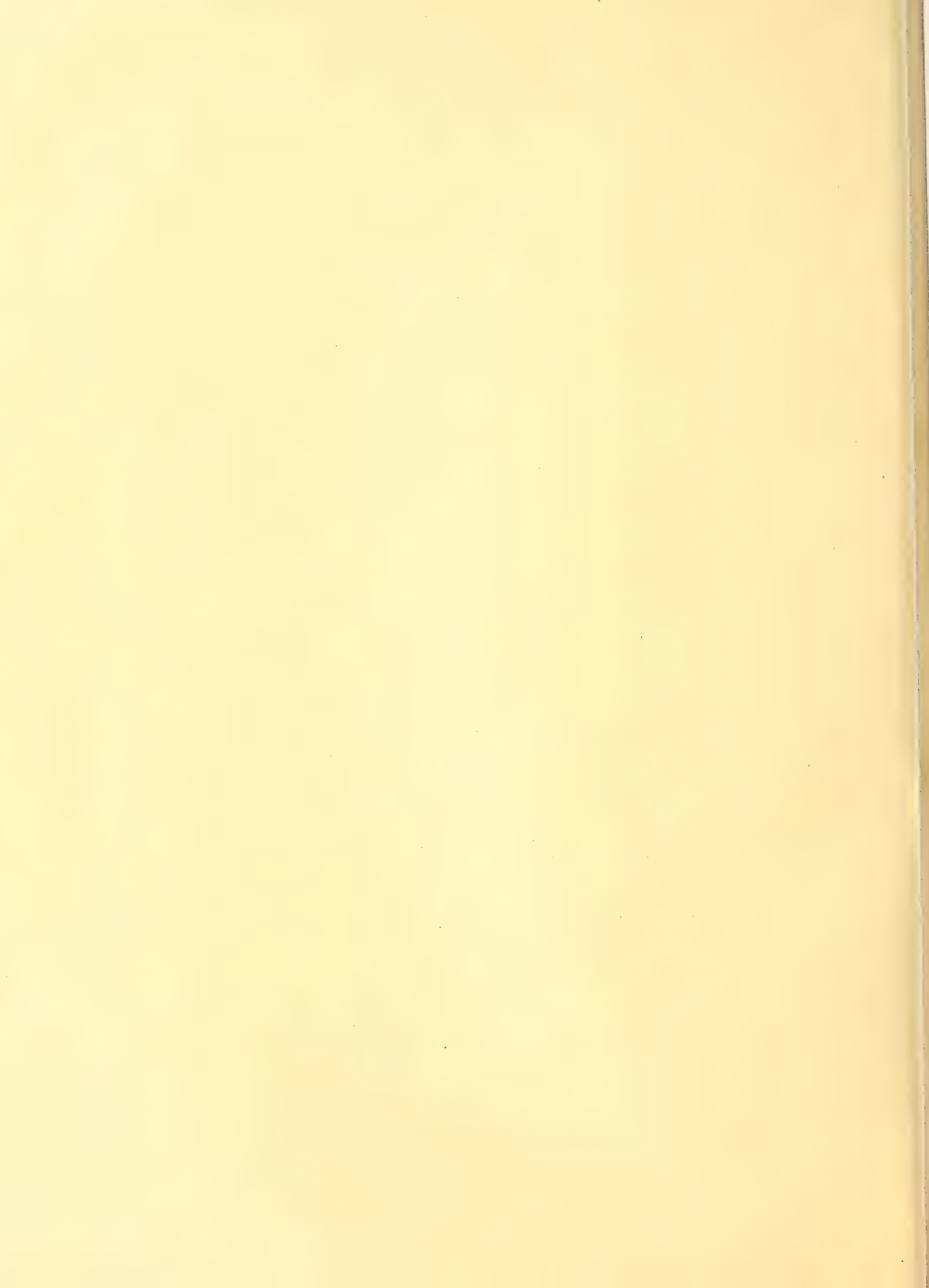
The Senator from Illinois [Mr. Brooks] is absent on official business.

My colleague the junior Senator from Vermont [Mr. AIKEN] and the Senator from North Dakota [Mr. NYE] are necessarily absent.



Feb. 22







77TH CONGRESS  
1ST SESSION

# H. R. 1776

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## IN THE SENATE OF THE UNITED STATES

FEBRUARY 22 (legislative day, FEBRUARY 13), 1941

Ordered to lie on the table and to be printed

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## AMENDMENT

Intended to be proposed by Mr. TAFT to the bill (H. R. 1776)  
further to promote the defense of the United States, and for  
other purposes, viz:

- 1 Strike out all after the enacting clause and in lieu thereof
- 2 insert the following:

- 3 That the President is hereby authorized to make loans to
- 4 the Kingdom of Great Britain, the Dominion of Canada, and
- 5 the Kingdom of Greece, in any sums not exceeding an ag-
- 6 gregate of \$2,000,000,000. Such loans shall only be made
- 7 if the President finds that the borrower nation is unable to
- 8 provide dollars for its purchases in the United States, and
- 9 shall only be made for the purchase of merchandise (includ-
- 10 ing arms, ammunition, implements of war, tools, equipment,



1 agricultural products, and other requirements of the bor-  
2 rower) produced or manufactured in the United States or its  
3 possessions. The President shall require adequate security  
4 (which may include territory, or investments in South Amer-  
5 ica or elsewhere, or naval or military bases) for such loans,  
6 unless in his opinion security is not available or cannot prac-  
7 tically be given. Promises to repay such loans may be in  
8 dollars, or in specified kinds and amounts of shipping, mer-  
9 chandise, or other property estimated by the President to be  
10 of equal value at the date of the loan. After the President  
11 has approved any such loan, he may guarantee orders given  
12 by the borrower in the United States up to the amount of  
13 such authorization.

14 SEC. 2. The President may authorize the Secretary of  
15 War, the Secretary of the Navy, or the head of any other  
16 department or agency of the Government, to manufacture  
17 for any borrower under section 1 anything which such de-  
18 partment or agency head is authorized to manufacture for  
19 the United States Government, and to sell, at a fair valua-  
20 tion, to any borrower under section 1, any property of the  
21 United States Government or of any Government-owned  
22 corporation: *Provided, That—*

23 (a) In the case of property of the United States Army,  
24 the Chief of Staff of the Army certifies to the President  
25 that the articles to be sold (1) are not necessary to train



1 the authorized personnel of the Army of the United States;  
2 (2) are not necessary to equip completely the United States  
3 Army forces in the Territories and outlying possessions of  
4 the United States; and (3) are not necessary for other  
5 essential defense purposes;

6 (b) In the case of property of the United States Navy,  
7 the Chief of Naval Operations of the Navy certifies to the  
8 President that such defense articles are not necessary for  
9 essential defense purposes; and under no circumstances shall  
10 any ships of the United States Navy, or any ships which  
11 have been ordered by or laid down for the United States  
12 Navy, or any equipment or armament authorized by Con-  
13 gress or ordered by the Navy Department for use in con-  
14 nection with such ships, be sold or disposed of except under  
15 the terms of heretofore existing law.



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## AMENDMENT

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Intended to be proposed by Mr. Tarr to the bill  
(H. R. 1776) further to promote the defense  
of the United States, and for other purposes.

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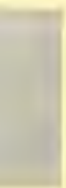
FEBRUARY 22 (legislative day, FEBRUARY 13), 1941

Ordered to lie on the table and to be printed











of incompetent abilities will be consigned to oblivion, as myself must soon be to the mansions of rest.

Relying on its kindness in this as in other things, and actuated by that fervent love towards it, which is so natural to a man who views in it the native soil of himself and his progenitors for several generations; I anticipate with pleasing expectation that retreat in which I promise myself to realize, without alloy, the sweet enjoyment of partaking, in the midst of my fellow citizens, the benign influence of good laws under a free government—the ever favorite object of my heart, and the happy reward, as I trust, of our mutual cares, labors and dangers.

GEO. WASHINGTON.

UNITED STATES,  
19th September, 1796.

#### PETITIONS AND MEMORIALS

Petitions, etc., were presented and referred as indicated:

By Mr. BONE:

Sundry petitions signed by 702 citizens of the State of Washington, praying for peace and opposing foreign war; to the Committee on Foreign Relations.

By Mr. VANDENBERG:

A petition of sundry citizens of Detroit, Mich., praying that the so-called Johnson Act and the Neutrality Act be retained; to the table.

Petitions of sundry citizens of the State of Michigan, praying for peace and opposing involvement in any foreign war; to the table.

A memorial of sundry citizens of Detroit, Mich., remonstrating against the enactment of House bill 1776, the lend-lease bill, and opposing steps that may lead toward involvement in war; to the table.

A concurrent resolution of the Michigan Legislature; to the Committee on Commerce.

"Senate Concurrent Resolution No. 13

"Concurrent resolution respectfully memorializing the Congress of the United States to consider and act upon proposed legislation relative to the establishment of a fish hatchery on the Anna River in Alger County

"Whereas there is now pending in the current session of the Congress of the United States a bill (H. R. 2484) authorizing the construction of rearing ponds and a fish hatchery on the Anna River in Alger County; and

"Whereas the Northern Michigan Sportsmen's Association recommends the establishment of a State fish hatchery on the Anna River in Alger County and urges that the Michigan Conservation Department take immediate steps to construct rearing ponds and fish-hatchery facilities at this site, or, if the State conservation department be unable to finance these projects, that the United States agencies be called on for assistance to bring about this much-needed construction: Now, therefore, be it

"Resolved by the senate (the house of representatives concurring), That the Michigan Legislature hereby respectfully memorialize the Congress of the United States to promptly consider and approve the proposed legislation aforesaid."

#### RESOLUTIONS OF NORTH DAKOTA LEGISLATURE

Mr. LANGER. Mr. President, I rise for the purpose of reading into the Record and having appropriately re-

ferred two resolutions adopted by the Legislature of the State of North Dakota. One of the resolutions is as follows:

#### House Concurrent Resolution E

Concurrent resolution urging the enactment of the wheat income certificate bill and the debt adjustment bill by Congress

*Be it resolved by the House of Representatives of the State of North Dakota (the Senate concurring therein):*

Whereas the growing of wheat is one of the most important industries of the State of North Dakota and the welfare of the wheat grower paramount to the people in this State;

Whereas the wheat income certificate bill, H. R. 43, now introduced in the seventy-seventh session of Congress, will benefit wheat growers of this State;

Whereas the adjustment of the present debt burden is of vital importance to this State as well as most other States of this Union; and

Whereas the debt adjustment bill, H. R. 100, now before the seventy-seventh session of Congress, will certainly aid in the solution of this problem: Therefore be it

*Resolved*, That we recommend the passage of said wheat income certificate bill, H. R. 43, and of the debt adjustment bill, H. R. 100, as soon as possible and substantially in the form introduced; be it further

*Resolved*, That the Secretary of State is directed to transmit copies of this resolution to the President of the United States and to each of the Members of Congress from this State.

The other resolution reads as follows:

#### House Concurrent Resolution L

Concurrent resolution urging the continuance of the existing embargo applying to all countries where foot-and-mouth disease exists

*Be it resolved by the House of Representatives of the State of North Dakota (the Senate concurring therein):*

Whereas an outbreak of foot-and-mouth disease would not only seriously damage normal production of the Nation's meat supply but would, by the restrictive measures which must be taken to eradicate it, disrupt the normal flow of commerce in the Nation; and

Whereas experience with the disease in this country shows that this disruption of commerce might easily attain proportions which would seriously impede our national-defense efforts: Now, therefore, be it

*Resolved*, That we oppose the modification of the existing embargo applying to all countries where foot-and-mouth disease exists; and be it further

*Resolved*, That the Chief Clerk of the House is directed to transmit copies of this resolution to the President of the United States and to each of the Members of the Congress from the State of North Dakota, and also the Secretary of State, Washington, D. C.

The PRESIDENT pro tempore. The resolutions presented by the Senator from North Dakota will be referred, respectively, to the Committee on Agriculture and Forestry and the Committee on Foreign Relations.

#### REPORTS OF COMMITTEE ON MILITARY AFFAIRS

Mr. TRUMAN, from the Committee on Military Affairs, to which was referred the resolution (S. Res. 71) for the appointment of a special committee to investigate the national-defense program

and the handling of contracts, reported it with an amendment and submitted a report (Rept. No. 64) thereon; and under the rule, the resolution was referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. THOMAS of Utah, from the Committee on Military Affairs, to which was referred the bill (S. 162) to strengthen the national defense by creating the grade of chief warrant officer in the Army, and for other purposes, reported it with amendments and submitted a report (No. 65) thereon.

#### BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. GILLETTE:

S. 936. A bill granting a pension to Mary S. Tuffree; to the Committee on Pensions.

(Mr. ADAMS (for himself and Mr. O'MAHONEY) introduced Senate bill 937, which was referred to the Committee on Finance, and appears under a separate heading.)

By Mr. HARRISON:

S. 938. A bill for the relief of Richard P. Tell; to the Committee on Military Affairs.

By Mr. MEAD:

S. 939. A bill to establish a permanent industrial loan corporation to assist financing institutions in making credit available to commercial and industrial enterprises; to the Committee on Banking and Currency.

#### LETTER BY SENATOR MURRAY ON LEASE-LEND BILL

[Mr. MURRAY asked and obtained leave to have printed in the Record a letter on the subject of national defense, written by him to Mrs. Jens Nielson, of Pineview, Mont., which appears in the Appendix.]

#### STATEMENT OF CATHRINE CURTIS ON LEASE-LEND BILL

[Mr. WHEELER asked and obtained leave to have printed in the Record a statement by Cathrine Curtis, chairman of the Women's National Committee to Keep the United States Out of War, relative to House bill 1776, which appears in the Appendix.]

#### EDUCATION AND NATIONAL DEFENSE, ADDRESS BY R. B. OGILBY

[Mr. MALONEY asked and obtained leave to have printed in the Record a radio address delivered by R. B. Ogilby, president of Trinity College, at Hartford, Conn., on February 19, 1941, on the subject Education and National Defense, which appears in the Appendix.]

#### ARTICLE FROM WASHINGTON POST ON SUBVERSIVE RADIO OPERATORS

[Mr. BRIDGES asked and obtained leave to have printed in the Record an article from the Washington Post of today entitled "Navy Fears 'Fifth Column' in Cargo Fleet," which appears in the Appendix.]

#### PROMOTION OF NATIONAL DEFENSE

The Senate resumed the consideration of the bill (H. R. 1776) further to promote the defense of the United States, and for other purposes.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from South Carolina [Mr. BRYNES] in the nature of a substitute for the committee amendment on page 2, beginning in line 16,



which has heretofore been stated by the clerk.

Mr. McCARRAN obtained the floor.

Mr. BARKLEY. Mr. President, if the Senator from Nevada will yield, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Ellender	Norris
Austin	George	O'Mahoney
Bailey	Gerry	Overton
Ball	Gillette	Radcliffe
Bankhead	Guffey	Reed
Barbour	Gurney	Russell
Barkley	Harrison	Schwartz
Bilbo	Hatch	Sheppard
Bone	Hayden	Shipstead
Brewster	Herring	Smathers
Bridges	Hill	Stewart
Brown	Holman	Taft
Bulow	Hughes	Thomas, Idaho
Bunker	Johnson, Calif.	Thomas, Utah
Burton	La Follette	Tobey
Byrd	Langer	Truman
Byrnes	Lodge	Tunnell
Capper	Lucas	Tydings
Caraway	McCarran	Vandenberg
Chandler	McFarland	Van Nuys
Chavez	McKellar	Wallgren
Clark, Idaho	McNary	Walsh
Clark, Mo.	Maoney	Wheeler
Connally	Mead	White
Danaher	Miller	Wiley
Davis	Murdock	Willis
Downey	Murray	

The PRESIDENT pro tempore. Eighty Senators having answered to their names, a quorum is present.

#### AMENDMENTS OF SUGAR ACT OF 1937

Mr. ADAMS. Mr. President, will the Senator from Nevada yield to enable me to introduce a bill on behalf of the Senator from Wyoming and myself?

Mr. McCARRAN. I yield.

Mr. ADAMS. And, if I may do so, I should like to take half a minute in explaining it.

Mr. McCARRAN. If the Senator is sure it will be only half a minute, I yield.

Mr. ADAMS. It may be double that, but no more than that.

Mr. President, I introduce a bill for appropriate reference, and desire to say just a word in explanation of it. It is a bill introduced in behalf of the Senator from Wyoming [Mr. O'MAHONEY] and myself to amend one of the sections of the existing Sugar Act.

It happens that under the Sugar Act there are very stringent and oppressive limitations on the acreage and production of sugar in continental United States. There appears to be a probability that by reason of the shortage of ships, and the high cost of freights, the sugar which heretofore has been coming into the United States from the Philippine Islands under the statutory quota will not be able to reach the United States. The existing law provides that if the Philippine Government does not market its full quota, the deficit shall be distributed among foreign sugar producers.

We feel that under this situation a deficit in the marketing of Philippine sugar should be distributed among domestic and not among foreign producers. This bill simply provides that in the event the Philippine Islands are unable to market their quota in the United States, the domestic sugar areas—cane,

beet, and insular—shall be given the right to fill that deficit.

Mr. O'MAHONEY. Mr. President—  
Mr. McCARRAN. Before I yield to the able Senator from Wyoming let me say that I only wish I might have had an opportunity to join in the introduction of the bill, because I am very much interested in the matter, as are the Senators from all the States in the West in which beet culture is carried on.

Mr. O'MAHONEY. Mr. President—  
Mr. McCARRAN. I yield to the Senator from Wyoming.

Mr. O'MAHONEY. Interrupting the Senator for just a moment, I am sure both the Senator from Colorado [Mr. ADAMS] and I welcome the support of the Senator from Nevada; and we felt confident that we should have it.

It may be added to what the Senator from Colorado has said that, of course, the present law was drafted before there was any realization of the conditions which now exist. Under the terms of the present law the Department of Agriculture recently has ruled that there should be a reduction of the acreage allotted to raising sugar beets. Those who remember what happened in the sugar industry during the World War will realize how important it is now that we should be prepared to take full advantage of the facility of the domestic areas to produce sugar beets and sugarcane.

During the World War, when the Allies were cut off from the beet-producing areas of Europe, the whole allied world became dependent upon the insular production, and the price of sugar in the United States went up to as much as about 25 cents a pound. It became necessary for the Government, under the Food Administration, not only to ration the distribution of sugar, but also to form a public corporation—which, as I recall, was known as the United States Equalization Board—which undertook to purchase the entire output of Cuban sugar. It also dealt in the sugar supplies of other countries and undertook to distribute those supplies among our own people and among the Allies. It seems to me it is necessary for us, in the interest of the consumers as well as in the interest of the producers, to take steps now to utilize to the fullest extent the possibilities of domestic production.

Mr. ELLENDER. Mr. President—  
The PRESIDING OFFICER (Mr. Bilbo in the chair). Does the Senator from Nevada yield to the Senator from Louisiana?

Mr. McCARRAN. I yield.

Mr. ELLENDER. I should like to ask the Senator from Wyoming to what extent the acreage has been cut in the sugar-producing States of the West.

Mr. O'MAHONEY. I think the general average was about 16.9 percent this year.

Mr. ELLENDER. I presume the object of the bill is to relieve that situation, or that that is one of the objects.

Mr. ADAMS. Mr. President, I can say, in terms of acreage, that the acreage has been cut by about 150,000 acres. It has been cut to 820,000 from 980,000 last year and 990,000 the 2 preceding years.

Mr. O'MAHONEY. Of course, the bill provides for the allocation of the Philippine deficit to both the domestic cane and the domestic beet-sugar acreage, in accordance with the present quota.

Mr. ELLENDER. I wish to say to the distinguished Senator from Wyoming that we in Louisiana have been suffering for the past 3 years because of acreage reduction, and, so far as I am concerned, I will cheerfully join other Senators in the effort to obtain relief.

Mr. McCARRAN. Mr. President, I should like to say, in response to the able Senator from Louisiana, that he does not know what suffering is. Under the quota we have no acres at all in Nevada, so there is real suffering there. I want the people of my State to get some of the benefits of the bill.

The PRESIDING OFFICER. The bill introduced by the Senator from Colorado on behalf of the Senator from Wyoming [Mr. O'MAHONEY] and himself will be received and appropriately referred.

The bill (S. 937) to amend section 204 of the Sugar Act of 1937, was read twice by its title and referred to the Committee on Finance.

#### PROMOTION OF NATIONAL DEFENSE

The Senate resumed the consideration of the bill (H. R. 1776) further to promote the defense of the United States, and for other purposes.

Mr. VANDENBERG. Mr. President, before the Senator from Nevada starts his address, will he yield to me for a moment?

Mr. McCARRAN. May I inquire what will be the extent of the Senator's remarks?

Mr. VANDENBERG. I wish to insert in the RECORD a letter from the Secretary of the Treasury.

Mr. McCARRAN. Very well; I yield.

Mr. VANDENBERG. When the Committee on Foreign Relations was considering the pending bill, I asked the Secretary of the Treasury a technical question, whether the entire British Empire is in default in respect to World War debts—that is, referring to World War No. 1—or whether only the United Kingdom is in default, dealing with the technical question of the Johnson Act. The Secretary of the Treasury was unable to answer at the time. He sends me a letter under date of February 21, which does answer the question, and which concludes that the default in connection with the debts of World War No. 1 is confined outside the dominions; that, for instance, Canada does not stand in default, Australia does not stand in default, South Africa does not stand in default.

It is of no particular moment, except as it reflects a substantial remaining credit on behalf of the British dominions, and is a compliment to their credit standing. I ask that the letter of the Secretary be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

#### THE SECRETARY OF THE TREASURY,

Washington, February 21, 1941.

MY DEAR SENATOR VANDENBERG: Reference is made to your letter of February 15, 1941, in which you inquire whether the old World



War debt stands upon our books against the United Kingdom or against the entire British Empire.

When the debt-funding arrangement of 1923 was made the agreement was made by "His Britannic Majesty's Government," thereafter referred to in the document as "Great Britain." The moratorium agreement of 1932 was made on behalf of "the Government of the United Kingdom of Great Britain and Northern Ireland." It is this entity which may properly be said to owe us the debt and not the entire British Empire.

In connection with the application of the Johnson Act to the British Dominions, you may be interested in an opinion submitted by Attorney General Cummings to the Secretary of State on May 5, 1934 (37 Op. Atty. Gen. 505), in which the following paragraph appears on page 512:

"It has also been asked whether or not Canada, a member of the commonwealth of nations which compose the British Empire, is to be regarded as a political subdivision of Great Britain. The question should properly be answered in the negative, and this conclusion was suggested in Congress (CONGRESSIONAL RECORD, vol. 78, p. 6052), but it appears to be immaterial in view of my conclusion above stated concerning the intention of Congress as applied to the obligations of political subdivisions. Canada, I believe, is not in default."

Of course, entirely apart from the terms of the Johnson Act, extensions of credit to Canada, Australia, New Zealand, and the Union of South Africa are governed by the provisions of section 7 of the Neutrality Act, which deals with the extension of credit by any person within the United States to the government of any state named in certain proclamations of the President, or any political subdivision thereof, or to any person acting for or on behalf of such government or political subdivision. The provisions of section 7 of the Neutrality Act were made applicable to the above-mentioned countries by the President's proclamation No. 2374, of November 4, 1939 (4 Fed. Reg. 4493).

Sincerely yours,

H. MORGENTHAU,  
*Secretary of the Treasury.*  
HON. ARTHUR H. VANDENBERG,  
*United States Senate.*

Mr. McCARRAN. Mr. President, the Senate of the United States has just listened to what might be properly termed the rosary of the Nation, because each expression is a pearl, each pearl is a prayer. For a century and a half we have counted them one by one. I wonder if we have arrived at the cross. May God forbid.

If it be true that out of this litany of a nation there can come only disaster and despair, then it were well, indeed, that these prayers had been said, and that a nation had paused to realize what was said in supplication.

I say the message of the first President was the rosary of the Nation. There are those who would ascribe the authorship of those lines to another great patriot. There is a question perhaps as to who may have inspired the thought of that which has come down for a century and a half to be revered and respected in this Chamber, in the other Chamber of the Congress, in every place where American hearts respond to patriotism. It has been said that that immortal character, Alexander Hamilton, had a great part in the inspiration of these lines to which we have lent our ears today.

Many of the thoughts expressed in the message are indeed indicative of Hamilton's life and Hamilton's whole career and bent. Whatever may be the truth, whether it be that Washington, after a full life, a life filled with rich experience, wrote these lines on the banks of the Hudson, or on the banks of the Potomac, or within the confines of the Capitol then existent—whatever may be the truth, the fact is that these words still remain a rosary and a prayer. If either or both these great characters had to do with these lines, that fact gives more emphasis to the words, more cogency to the expressions of the message.

Mr. President, what was the state of the world when the message of the 17th of September 1796 was given to the world? The words of that message were given not only to the people of that time, but they were given to posterity. They were given not only to this Nation; they were given to a world that was then in a most peculiar condition. There are those among us who read history in the light of the present, and not in the light of the past, who might lose sight of the fact that when Washington gave that message to his country, to the Congress of the United States, and to the world, he was not unmindful of the conditions that then surrounded him. Those lines were written in keeping with the tenor of the hour, but I wonder if conditions were much different then from what they are today?

In September of 1796 the star of Napoleon was in its ascendancy. In September of 1796 the coup d'état that was about to follow in Austria had almost been accomplished by Napoleon. We now pause because we fear a somebody whose name is Hitler. Mr. President, when those expressions were uttered by Washington, as he closed his great career, the fear that shook the hearts of humanity throughout the world was not a fear of a Hitler, but a fear of a man who had created more fear than ever Hitler will be able to create if he were to live a million years.

Napoleon was a genius; Napoleon was a statesman; Napoleon was a warrior; Napoleon was a soldier. Napoleon carried out the terms and conditions of his agreements; and by carrying out the terms and conditions of his agreements, he took, without the shedding of blood, nation after nation, until monarchs trembled, kings resigned, and rulers were deposed from their thrones.

In 1796 what were the conditions which surrounded the man who uttered the rosary, as I call it, of what is now the greatest nation in the world? In 1796 Napoleon had Europe in the palm of his hand, and from 1805 until 1809 Napoleon was the dominant factor in European life.

Washington was looking squarely into the eyes of Napoleon when he uttered this message that you and I, Mr. President, have listened to today. Was there fear in his heart? Was there fear in the heart of the general who had led a weak union of colonies through a war of 8 years, who had helped to formulate a

constitution, who, after helping to formulate that constitution had been, without his request, elected to the Presidency of the then United States, consisting of only a few commonwealths on the eastern coast? He was weak, without a strong navy, with but a small army, without anything save the dominance of a great heartfelt power; he was weak save and except that he had in his mind and in his heart the one great thing—truth and veracity, and the knowledge that he had always kept his word. With those fortifications the Father of this Nation laid down a precept and a message to which we may well listen today.

Was there fear in the world then? Mr. President, Hitler, with all the power he now has, with all the power he may have, will never inspire the fear in human hearts that was inspired by a man who knew how to be a warrior, who knew how to be a statesman, who knew how to take control of men and nations without the shedding of blood, and then knew how to win battles when the shedding of blood was necessary.

Hitler is a pygmy compared with the man who faced the author of the message to which we have listened today. Hitler will be a pygmy, when he goes down and out, as compared with the man who died and the powerful heart which succumbed at St. Helena.

Washington was looking squarely into the eyes of that great power when he uttered the expressions to which we have listened today; but there was no fear in his heart. He sent forth a philosophy which the Congress of the United States has seen fit to ordain to be read on his birthday each succeeding year during the existence of this Nation.

But what existed abroad was only one thing. The fear which possessed the civilized nations of the world in 1796 in northern Europe and in eastern Asia was nothing as compared with what was or might have been visualized by the first President of the United States as he retired from the Presidency on his own continent.

On the 17th of September 1796 the flag of Napoleon was flying over that territory which now constitutes the great States of the Mississippi Valley. From the Gulf to the Canadian border and beyond the flag of France was flying.

That is not all. Just beyond what we now know as the Mississippi territory the flag of another hostile country was flying, a country that had sent its armies around the world in conquest. On the golden Pacific, where men of strength were looking for gold and glory, the flag of Spain was flying. To the south of the country of which Washington was then head the flag of Spain was flying in Florida; and, on beyond, in Mexico and South America, the flags of Spain and Portugal were flying. To the eastward the flag of Great Britain, the nation from which that great President, as Commander in Chief of the armies of the United Colonies, had but recently won a victory, was dominant over the waves.



Did any one dare to say that the first President of the United States, as he departed from his great duties, was afraid of somebody? If he had been afraid for a moment, then indeed his fear might have inspired him to say, as some are now saying, "Let us give everything, even our blood, our manpower, and the defense of our Nation to a foreign agency."

Napoleon was no friend of Washington at that time. Napoleon was no friend of the United States at that time. Napoleon controlled the great western country at that time, and Britain controlled the waves, as she does today.

But, Mr. President, there was no fear in those days. There were no secret alliances in those days. Washington knew his prerogatives. He had formulated those prerogatives as a member of the Constitutional Convention. He had a respect for those prerogatives, and he knew what tyranny was, because by his generalship, with the armies of the United Colonies, he had conquered a tyranny, the history of which every boy in every school knows.

Mr. President, the man who uttered the message given to the world, to which we have listened today, knew the history of the past. He did not call those against whom he had battled dictators. He called them tyrants, and he said so in no uncertain terms. Today we streamline the words "tyrants" and "tyranny." We say "dictators" and "totalitarianism." They are one and the same.

One hundred and fifty-two years have passed since Washington was President of the United States, but it has been a glorious century and a half. We acquired the territory that was then a threat to us. Napoleon went down, as other tyrants will go down, as tyrants always have gone down as the heartbeats of humanity have come up. There might have been written on that gilded sepulcher in Paris the words, "By the careful thought of a nation far remote you were defeated." There might have been written on the sepulcher of Napoleon the words, "It was Washington, the father of a democracy, who laid the foundation for your defeat and sent you to St. Helena."

Today we are apparently possessed of a fear. My President has said that there is nothing to fear save fear itself. I think he is eminently correct. I think fear is the greatest enemy of civilization.

Let us see further what went on immediately upon the issuance of the great message to which we have listened today. Following the message, in 1797, Napoleon went into the zenith of his power. From 1805 until 1809 Napoleon was a dominant factor, the threat of the world in Europe. But the United States never receded from its position. The first President, the first Secretary of State, and the first Congress set a foreign policy which is a thing to be emulated as long as our Nation shall exist. We declared to the world certain principles, and those principles have in fact remained intact from their enunciation until the present moment.

First of all, we declared for peace and freedom—freedom of speech; freedom of religion; freedom of the press; freedom of individual activity, so long as it was not a hand upraised for a neighbor's in-

jury; freedom of intercourse with the world, and the world's freedom of free intercourse with us. This Nation has never deviated from that announced policy, peace at home and abroad. In order that we might be the harbingers of peace for the world at large, we have at all times advocated and ascribed to the peaceful settlement of disputes between nations, through such instrumentalities as the Briand-Kellogg Pact, the Washington Conference, and many others.

We declared for nonintervention, as we term it today; that is, that we would not become involved in the private affairs of other countries or become involved in foreign conflicts. We have at all times opposed entangling alliances—military, commercial, or otherwise—as a certain and prodigious step toward involvement in foreign conflicts. That policy has, indeed, carried us far toward our success up to date.

Then we declared the Monroe Doctrine—that the American continents were not to be regarded as subjects for future colonization or subjugation by any European power. It was a President long after Washington who enunciated that policy. It was a President who had seen the acquisition of new territory toward the west and the expansion of a nation into an indeterminate west; it was Monroe who said to the world that the American continents were not to be regarded as subjects for future colonization by any European power; but it required a more modern President to reemphasize that doctrine.

When, in the Venezuela incident, the Navy of Great Britain sailed into Venezuelan waters to enforce a demand, President Cleveland announced that the Monroe Doctrine still prevailed, and then said: "This fiat is law"; and the British Navy sailed out of the Venezuelan waters. We enunciated that doctrine to the world and to the satisfaction of the American continents, and we have remained steadfast with it ever since.

Then we declared for the open-door policy. Mr. President, it required the little nucleus of a navy that we then had, which amounted to but nothing as compared with the navies of today, to sail into the Mediterranean and declare to the world, "Millions for defense, but not one cent for tribute." We cleared the waters of the world from piracy. We showed the nations of the world what courage was. We declared to the nations of the world—and the nations of the world admired us for it, and followed our precept and example—that the waters of the world should be free for commerce, for the open-door policy, everywhere.

Then, Mr. President, as a foreign policy, we declared for the freedom of the seas; and in order that there might be freedom of the seas, we had to battle, with a little handful of a navy, the very democracy that is now hurled in our faces as the last living remnant of democracy.

Mr. President, the foreign policies of a nation seldom change. Succeeding administrations may administer those policies differently, but the policy itself never changes. Our policy up to date, thanks be to God, has not changed. Our foreign

policy has remained steadfastly true. I only hope that when the vote of this body is recorded our policy will not change.

Mr. President, I had rather made up my mind not to hold the attention of the Senate. I thought perchance it would be well, in view of the fact that my ideas and my position were well known throughout the country, to yield to my worthy colleagues on either side of this question any time I might take; but the reading of Washington's message today is to me a renewed inspiration, I cannot pause, I cannot falter, I can but express myself—oh, that I could express myself in terms so eloquent as those enunciated by the first President—but just to subscribe to them at this trying hour, when it appears to me that my country is about to approach the cross at the end of its rosary.

I see on that cross not the old man, not the man who has chin whiskers, with stripes on his trousers, but I see through him something more significant even than that. I see through him a young man just pausing on the threshold of his life. I see through him, gibbeted there, a red-blooded youth, the youth of my country, the blood of my Nation, the blood of civilization. I look through the old man, Uncle Sam, outstretched upon the gibbet, and I see his son, not given an opportunity to be crucified, but only given an opportunity to be murdered in mass formation. I see my country going down into a holocaust of hell where others have been bleeding for centuries; and a century and a half ago, if you please, our first President uttered the words that have been recited today. War has been going on in Europe since long before even Washington's time. War will go on in Europe long after I am gone.

I said today that this message was a rosary. I hope it may be. I hope it may hold the attention of my countrymen so that they will awaken to the purport of that which is about to be enacted into law. I say "about to be enacted into law," and then I say, "Oh, God forbid." This is an involvement in foreign entanglements against which our first President pronounced in no uncertain terms.

That is not all. If that were all, we might with complacency yield and say, "Let it go. It will be a glorious experiment."

If this bill is enacted into law, Mr. President, it is war—war under the ignominious circumstance of never having been declared by the Congress of the United States. If this bill becomes a law, no boy who has been called to report next month in the District of Columbia will ever come back to his home again; he will die or be maimed or returned, perhaps, a poor unfortunate creature to be harbored and revered and respected as one of the aftermaths of war. Yes; and every boy who goes from every State in the next month will go for good and for all. He may think he is going for a year; that is the happy promise held out to him. People of America, do not fool yourselves and do not be fooled; these boys were not called for temporary training; these successive steps have not been taken simply to lend aid to England.



We modified our neutrality law when we had laid down a precept for the world that might have set the world afire, if you please—afire for peace. The greatest power in all the world had proclaimed its neutrality, had put its neutrality law in force, so that other countries might take guidance from our example. We said that we would not sell to the warring nations of the world arms or implements of war, but the first step was taken to tear down that great line of precepts we had set when we were called into special session in September 1939.

I hope that during my discussion I shall not indulge in the mention of names; I shall only indulge in thoughts of principles, precepts, programs; and if there ever was a program outlined that begins in peace and ends in hell or worse than hell, it is the program being followed today, for it is said that merely souls are destroyed in hell, but the soul of a wounded soldier, the soul of the maimed body of a soldier, goes through the hell of life.

I do not want that to occur. My language today, my words today, may mean the termination of my service in this body. If so, then my service shall have been well given, and I shall, with entire propriety, retire at the will of my people if they so determine. I shall have, in my conscience and in my heart until I die, one great consolation, and that is that I did my best to keep my country out of involvement in a war where it had no place; to keep my country out of foreign entanglements; to keep my country on the pathway paved with the words of the immortal first President of the United States.

Mr. President, what is there in this bill, the unfinished business of the Senate of the United States? If this were a bill to aid democracies by gifts of materials necessary for their defense, I would be the first one to vote for it. If this were a bill to aid democracies by gifts necessary for their defense which, by reason of their present status, they could not take from us and pay for, as we have had to pay for those things we demanded and needed, I should make the statement without fear of contradiction that such a bill would pass this body in 24 hours. If this were a bill to carry on and advance democracy in the world, I cannot imagine that there would be a man on either side of the Chamber who would dare to vote against it. But, Mr. President, this is a bill to tear down the one preeminent, leading democracy of all the world.

It is impossible to maintain a democracy and at the same time create an autocracy, an autocratic form of government, a tyranny, if you please, as it used to be called in the days of Washington. It is not possible to maintain a democracy at the hearth fire or in the homes or in the hearts when totalitarianism prevails. Does this bill challenge our democracy? Will this bill destroy, if it becomes a law, the very fundamental principles of our Government? Oh, I have listened here with great attention to most able speeches; I cannot but admire the splendid utterances of my colleagues. I know they are serious; I know they are as much entitled to considera-

tion in their views as I am in mine and, indeed, perhaps more. I speak only from the heart of one who sees things from a humble standpoint. There are those here who have authority to speak from the standpoint of those very much more conversant with the subject.

Mr. President, this democracy was created to be a tripartite form of government. If I may depart from the subject for a moment, the attempt was made not very long ago to destroy one of the triumvirate; it was attempted to destroy the tribunal to which the most humble citizen in the world might go and know that it was nonpolitical. Be that as it may, it is only a passing thought but not unworthy of recollection, not unworthy of consideration at this time.

Power is an octopus that grows and grows and grows, and that, as it grows, cuddles to itself the end, the destruction, of all things that come within its pathway. Power is an octopus that reaches out, that is hard to kill and easy to cultivate. Power, once given, must be taken from the donee with great force. Power, once yielded, is not easily taken back. A majority of this body can yield all its duties, all its prerogatives, all its powers, but it requires two-thirds of this body to get them back, unless that branch of the Government to which we yield the power is willing to yield it back.

I am speaking impersonally now. I want it understood that I am a member of the Democratic Party, and I know that my President has tried to do everything for his country that he could. I am only trying to suggest to Congress the idea that Congress, after all, represents the sovereign. The sovereign was never the President and never will be the President. Under our form of government the sovereign is the people and when the people, through their Congress, yield up this power, the people will have a hard time, indeed, an almost impossible time, ever getting it back again.

What powers are we to yield by this bill? I anticipate the thought that may be in your minds, that in the House a 2-year limit was placed on the measure, and in the House an amendment was put on the bill providing that a concurrent resolution might set aside the powers of the President.

Mr. President, I shall not hold the Senate to a consideration of law or of rules but I say to you without fear of successful contradiction that the amendment which was put in the bill in the House with regard to a concurrent resolution is not worth the breath that was wasted on it. It is necessary to come back to Congress for a bill to repeal a law. A law cannot be repealed by a concurrent resolution. It never was done. It never will be done. Such a bill must go to the White House for signature, and if the President does not sign the bill it then takes a two-thirds majority of each House to enact it. There is not any doubt on that subject on the part of those who have made a study of the question.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. BULOW in the chair). Does the Senator

from Nevada yield to the Senator from Missouri?

Mr. McCARRAN. I do.

Mr. CLARK of Missouri. I think every lawyer who has read the provisions of the so-called Dirksen amendment—the House amendment—will agree that it is plainly unconstitutional; but does the Senator think the matter has been greatly improved by the Senate committee amendment, the substitute for the Dirksen amendment? In other words, it is my thought that it is a matter of extreme doubt whether the Supreme Court of the United States must not inevitably say that the Senate amendment providing for termination of these powers by concurrent resolution is just as ineffective as is the House amendment.

Mr. McCARRAN. I am in entire accord with the last thought expressed by the Senator from Missouri. In other words, we shall find ourselves in involvement with the Supreme Court one of these days. That is one of the answers to the question. It is not a complete answer to it.

Let us see, for a moment, what we yield. I refer to the Congress. I refer to the people, speaking through its Congress. What do the people yield by this bill?

First of all, this is the President's bill. The present President of the United States gave his O. K.—to use the common vernacular of the street—to the bill. What does he want, and what do we yield?

First of all, he wants and we yield power in his own discretion, on his own terms, and as he may see fit, to conduct undeclared war anywhere in the world. That is not a small order—power in the discretion of the President, as he sees fit, to carry on an undeclared war anywhere in the world. I wonder if there is one who will doubt my position on that subject. I scarcely think so, because if we take the fireside message and the message to Congress and the present bill and tie them up together we shall find out that that is exactly what is wanted, and that is exactly what the framers of the Constitution of the United States said should not exist. That is exactly what the people of this country are looking to, because they have the power to elect their Representatives in Congress every 2 years, and their Representatives must participate in a declaration of war if the Nation and the people of the Nation are to be drawn into war.

I say we are weakening the Executive Office when we grant that power. We make the Executive Office a mere messenger boy for carrying on war abroad. Better a thousand times that the Executive Office had taken the position enunciated by the first President of the United States and said that Congress shall be heard before this country becomes involved in war. Remember, I enunciate again, and I say it, and the next 60 days will carry out my prophecy, that this is a declaration of war. Do not lose sight of that fact, my friends on the floor of the Senate, because you will never have an opportunity to declare war. You will not be given that opportunity. It will be gone and on its way. Your cannon and your tanks and your planes and your



boys will be in the battle lines before you ever get a chance to declare war.

I may say that I am defending the President now. I think there are in the world those who are listened to by the President who should not have his ear. I hope I may defend the President, because to me the office of President is the most glorious office in all the world. The King of England is but a figurehead. When this war is over a socialistic state will be set up in Great Britain, regardless of how the war may terminate; and, so far as the King of England is concerned, he will be a figure in history. I want my President to be a figure of history, with history, in history, for the future. I want my President to stand out as the representative of 130,000,000—yea, 150,000,000—human beings who believe in democracy and do not give mere lip service to it. I want my President to be protected by the people represented here in the Halls of Congress by men who took an oath to uphold the Constitution of the United States and not the President of the United States.

Mr. BONE. Mr. President, will the Senator yield.

Mr. McCARRAN. Certainly.

Mr. BONE. A great many of our most prominent and respected public figures have said upon a number of occasions that our participation in another great world war would completely wreck our present economic system, and probably would destroy the Republic. I wonder if the Senator from Nevada is constrained to agree with those conclusions, which have come from the most high and exalted sources.

Mr. McCARRAN. I intend to deal with that subject before I conclude; but I desire affirmatively to say that if we go into this war—and if we pass this bill we shall be in the war—the destruction of our economic system is, to my mind, almost inevitable. I am sorry to have to say that, but if we go into this war we will weaken ourselves. I am very glad the able Senator from Washington aroused my attention to that subject. It brings me back to what I had in mind at the beginning of my remarks. My expressions today will be rather disconnected, because, as I stated at the outset, I had hoped not to address the Senate on the pending bill, and my remarks are entirely extemporaneous.

I think it might be well for us now to review the conditions abroad. Today, with few exceptions, very small exceptions, the European countries are at war. The exceptions are Switzerland, Sweden, Ireland, and perhaps Portugal. I would not venture to go further than that, lest, perchance, before my remarks were concluded, a bulletin might say that any one of the others whose name I might mention was at war.

Let us go over to the other side of the world and see what the condition is there. For 3 years and more Japan has carried on an undeclared war against China. We did not come to the rescue of China. Now we learn that she is a democracy. I am glad to know it. She has been starving and struggling and striving for 3 years, and I have not seen any indication of our interest in the struggle except

that we have sold scrap metal to Japan to shoot into the bowels of the Chinamen and made money out of it.

Extending over parts of Europe and over the greater part of Asia, feeding the fires which destroy the capitalistic nations of the world, is communistic Russia. She has not entered the war save in a very minor way. She has been selling her commodities to the warring capitalistic nations. She has been adding oil to the fire that would destroy capitalism. No single country in all the world and no individual in all the world will more rejoice at our going into the war than will Russia; and Joseph Stalin, if I am not mistaken, will give a party on the day when the United States goes into the war, because communism has set itself to revolutionize the world, and it cannot revolutionize the world without destroying this democracy. If it destroys this democracy, the rest will be play for communism. So Russia sits by quietly waiting, quietly working, quietly yielding, quietly selling, quietly coralling to herself the wealth of the world, while she sees the capitalistic nations tear each other to pieces.

Mr. President, I have heard it said that unless we go to the aid of Britain now, unless Britain wins the war, we will be next. That thought finds its place in propaganda spread broadcast throughout this country. That whole sermon is cemented in propaganda, because when the two powers now at war have finished this unhappy conflict, neither of them will be able to fight a new war, much less to come across 3,000 miles of water.

The question of the able Senator from Washington leads me into further thought. How can we preserve the civilization which we so much admire? Do we desire to preserve that civilization? Is our aim and object the preservation of the order and civilization to which we have been accustomed, or is it to join a union now to save something else to which we do not adhere?

Mr. President, this whole plan, this whole scheme, this whole propaganda, this whole bill, if it is enacted, will lead this country into war; and if we are led into war, then communism will spread when the war is over. Better a thousand times that we fortify ourselves, build ourselves internally, hold our internal integrity, face the world with a free and open attitude and say, "We are for democracy, and democracy only"—better a thousand times, I say, do that than go into an undeclared war, be torn down, and then let the spread of communism absorb the civilization which we so much love.

Mr. President, it will be a sin—it will be a sin not against ourselves but against the generations of the past, yea, more, against the generations of the future—if we allow ourselves to go into this unhappy and unfortunate conflict, because the patriots of the past who struggled for the building of this form of government—if their spirits abide in this Chamber, as I hope they do—will indeed turn their backs upon us. We will have surrendered the things which were won at Yorktown; we will have surrendered the things for which our men bled at Valley

Forge; we will have surrendered the finer things which were incorporated in the Constitution of the United States; we will have surrendered the duties, the responsibilities, the obligations of a Congress, and we will have said to the people of the United States, "The words of the Constitution wherein it says that all other powers are reserved to the States and the people thereof mean nothing. You are now simply in the hands of the Executive."

Oh, I wish the execution of these powers would be in the hands of the Executive alone. Then perhaps I would not hesitate. But it would not be in the hands of the Executive alone if the bill becomes law. The bill provides not only that the President of the United States may execute the powers that are accorded to him in the bill, but it provides that he may delegate those powers.

Mr. President, I wonder if anyone would vote to elect Harry Hopkins to the Presidency of the United States. Anyone who voted for him ought to be arrested. Yet Harry Hopkins is the snug boy today. He is snug right in there and to him may be delegated these powers.

Not long ago the people of a sovereign State—and what I say is not said with any disparagement whatever—retired a very worthy Member of this body. They had the right to act as they saw fit. He was a fine fellow. He was immediately taken in. Today he is one of those with a passion for anonymity. To him may be delegated the powers mentioned in the bill that we will delegate to the President. I do not know but that he would carry them out all right, but he would not be the Congress of the United States, and the reason I make mention of that is to emphasize the fact that, after all, it is the people who rule; the people are sovereign; and when the people retire a Member of the legislative body, they do it for a purpose, and to delegate to that retired Member powers which belong to the Congress of the United States is to circumvent the law which is fundamental in this Government.

Mr. President, returning again to what we will relinquish by the bill. By subdivision (1) of section 3 we will give to the Executive power, in his own discretion, to employ the total resources of the country to any ends he sees fit. We will give to the President power, in his own discretion, to make friends or enemies of foreign nations as he sees fit. The Constitution of the United States gave to this body the peculiar prerogatives of ratifying treaties and agreements with foreign countries. If the bill is enacted into law, every power that belonged to the Senate of the United States in the way of ratification of treaties will have been surrendered.

The President of the United States, whomever he may be, will have that power. Oh, it may be said that I am speaking against my own President. Better a thousand times that one of his own party should speak in defense of the President than to permit the bill to go through and to burden the President with duties never intended for the Executive



Office. Better a thousand times that the Congress of the United States should sit in session continuously, remain here to do our duty as American citizens and as the representatives of American citizens, than to say, "Let James do it. Let somebody else do it. We do not have time to do it. Better let the President do it." He in turn delegates power to the Secretary of War and to the Secretary of the Navy, and they in turn delegate power to someone below them, and then delegation is made by that one in turn, and then further delegation in turn is made—delegation of the thing that belongs as a duty and an obligation to you and to me under our oaths.

That is not all. By this bill we give to the President power in his own discretion to make military alliances with other governments and to lend, lease, or give to other governments any of the military resources of the United States. Nothing is excepted. It is said that manpower is excepted, but if it is excepted, you will have to find it in the bill, because I cannot find it, and the inference is that it is not, because when we, by our executive authority, send equipment abroad, that equipment requires manpower to manipulate it, and the manpower that created it, that was trained to operate it, is the manpower that will go with it. You may call it equipment, if you wish to, but I say it is flesh and blood.

Mr. President, by section 6 of this bill we give the President power to command any amount of money, and we relinquish even the slight hold which Congress maintains on the purse strings.

Mr. CLARK of Missouri. Mr. President, will the Senator yield at that point?

The PRESIDING OFFICER (Mr. Brown in the chair). Does the Senator from Nevada yield to the Senator from Missouri?

Mr. McCARRAN. I yield.

Mr. CLARK of Missouri. The Senator will note that in section 3 (a) subparagraph (2) the power is given the President—

Notwithstanding the provisions of any other law—

when he in his sole discretion deems it wise, not only to sell but to transfer any articles named in the bill as defense articles. He may transfer to a foreign power any articles which may be made in the United States or purchased from without. If the President were to choose to transfer some destroyers or some battleships or anything else, that might mean delivery abroad of the United States vessels, and if one of those should happen to be submarined, does the Senator from Nevada have any doubt but that means we were then in the war?

Mr. McCARRAN. Mr. President, there is no question about that. I tried to cover that just a moment ago with the expression that delivery has its significance. Those who are conversant with the law know what the law of delivery is. It requires manpower to deliver. It requires manpower to produce. It requires manpower to manipulate. A submarine manufactured in this country will not navigate itself

abroad, and it is scarcely reasonable to believe that a foreign crew will first come in to take over a mechanism that was created here. Of course, the result will be that not only equipment will go abroad, but manpower will go abroad as well. But that will not be the first manpower that will go abroad. The first manpower that will go abroad will go openly for this reason. The bill makes provision for conveying contraband of war from this country to a belligerent nation; and the moment we attempt to convey our flag will fly at the masthead of the convoy, and when that flag goes down, it will not be the President of the United States who will declare war. One hundred and thirty million Americans will arise in the heat of their blood, as they did in the World War, and war will be on us.

This is not an aid-to-England bill. It is a war bill. It is a bill to promote war without giving the Congress of the United States an opportunity to declare war. The reason for that is that so many Senators and Representatives in Congress—and I am one of them—have said to the people of their constituencies that they will not vote to send an American Army into a foreign land to fight. We propose to go around that declaration. We propose to say that we shall not give Congress an opportunity to be heard in the matter of a declaration of war.

Let me proceed with an analysis of the bill. By the terms of the bill the President would take power to make by edict such laws as he might deem necessary in order to carry out his intentions. By the mechanism of the bill we propose to transfer the lawmaking power from the Congress of the United States to the executive branch of the United States. We propose to transfer the obligations, duties, and responsibilities that are ours. Is this cowardice on our part? I hope not. I am neither a prophet nor the son of a prophet, but some day in the not far distant future the people of this country will arise and point the finger of condemnation at the Congress which passes this bill, and will say to us, "Why, in your normal senses, did you pass such a bill and put the people of this country into the holocaust of a war?"

Mr. President, I am sorry to have detained the Senate for so long. Sometimes one becomes enthusiastic about his subject. As I said at the outset, I intended to detain the Senate for only a few moments. I did not intend to address the Senate at all until after I had listened to the words of the first President of the United States repeated here today.

In my opening remarks I said that those words and that message constituted a rosary, and that at the end there hung a cross. I repeat that expression, because if there ever was a time when this country was on the cross, it is today. I only hope that it may gloriously rise to carry on the civilization yet to come. I only hope that the people of this country may read the bill, and, reading it, know, as I know, that this unfortunate measure was thought out long, long ago. It was thought out when we changed our neu-

trality law. It was thought out when we passed the Conscription Act. It is being thought out now, not by the American citizenry but by a citizenry far remote from ours. It is being thought out now so that we may be dragged into a war, as we were in 1917, to pay the bills, shed our blood, mark the graves of the fallen with white crosses, and then return home to be scorned and scoffed at. We shall be told, as we were told in 1919 and 1920, that we came into the war only after it had been won.

So far as Hitler's success in ultimately winning this war is concerned, in my judgment it is an absurdity. Hitler can no more win this war eventually than we can win if we go into it, because eventually there must be peace negotiations, into which the nations of the world will enter. Better a thousand times let this Nation be a strong, potential, and independent country, with a growing population content within itself, than to mingle with the war dogs of Europe, which have been at war for 10 centuries, and which will be at war so long as the question of commercial supremacy remains in Europe. The question abroad is a question of commercial supremacy. It is a question of whether united powers within the center of Europe shall prevail against the British Empire. Both sides want commercial supremacy. Both sides have been against any supremacy so far as this country is concerned.

I say again that the possibility of Hitler winning is to my mind out of the question. The possibility of his ever attacking this country is entirely out of the question, because when this war is over neither Hitler nor the Nazi government will have strength enough to get off their knees, and Great Britain will be in a similar position. Then is when our great province and our great power in the world can ring out like the tocsins of old, like the Liberty Bell of 1776. Then we can say to communism, which seeks to destroy the civilization which we love, "We of all the world refused to enter the maelstrom that destroyed the capitalistic nations of the world. We stand and dare you to spread your propaganda and destroy the civilization that the world has learned to love, in a country where God is supreme, and where laws prevail rather than men."

Mr. CAPPER obtained the floor.

Mr. TAFT. Mr. President, will the Senator yield to me for the purpose of suggesting the absence of a quorum?

Mr. CAPPER. Mr. President, I prefer not to yield for that purpose.

The PRESIDING OFFICER. The Senator declines to yield.

Mr. CAPPER. Mr. President, for 22 years I have never missed hearing George Washington's Farewell Address read in the Senate Chamber by one of my colleagues. It always is impressive; it reaches the heart of every true American. This time it seems to me unusually timely and fraught with deep meaning. I do not recall ever having been more profoundly stirred, more thoroughly disturbed than I am today over the critical situation which the United States faces, and over the momentous decision we in the Senate have to make. It is peculiarly



appropriate that the farewell address be read in the Senate today. It would be very much to the welfare of the United States, and in the interests of the people of the United States, if George Washington's basic foreign policy, America first, could be substituted for the policy being promoted by the proponents of the bill now before the Senate. If George Washington were here today, I believe his voice would be raised against the pending proposal. He certainly would be against putting the American people into a foreign war.

Mr. President, in considering this bill, H. R. 1776, it is necessary for us to go beyond the details of language in the bill, beyond amendments offered to the bill.

The ordinary and usual legislative enactment provides that certain things shall be done, certain policies followed, and designates the proper agency of the executive branch to do those things or to carry out those policies; but H. R. 1776 is not that kind of a bill, Mr. President. H. R. 1776 does not designate certain things to be done, nor does it lay down certain policies to be followed. H. R. 1776 delegates to the Chief Executive of the United States the authority and the power to designate to be done anything that he considers is in the interest of the national defense, anywhere in the world.

H. R. 1776 does not adopt certain policies in regard to our foreign relations. Instead, it grants to the Chief Executive the power and the authority to determine what those policies shall be in relation to any and every nation in the world; and then, in effect, the bill further gives to the Chief Executive blank-check power and authority to make effective those foreign policies and also whatever commitments he may see fit to make with any or many foreign governments to carry out the policies he has decided upon.

Before the Senate takes up the various sections of the bill, before it considers the various amendments offered by the committee and the substitutes for these committee amendments that are to be offered, it seems to me we ought to try to get the answers to three highly important questions.

I raise these questions:

Where are we going?

What are we going to do when we get there?

What are we going to have, what are we going to do when we get back—provided, that is, we ever get back?

None of these questions has been answered, to my knowledge, by any of the Cabinet members who appeared before the Senate Committee on Foreign Relations. None of these questions has been answered by other proponents of this bill, H. R. 1776, who appeared before either or both of the committees of the House and the Senate.

So far as I have been able to discover by listening to the debate and by reading the CONGRESSIONAL RECORD, the official report of the debates, no answers to these questions have been made by the Senators supporting the measure.

That none of the witnesses, that none of the able Senators has given the an-

swers to any of these questions, is easily understandable, Mr. President.

There is nothing in the bill that throws any light on these three questions, which I repeat:

First. Where are we going?

Second. What are we going to do when we get there?

Third. What are we going to do, and what are we going to have when we get back—if we ever do get back?

I venture, the assertion, Mr. President, that not one of the witnesses, not one of the Senators who have spoken for this bill, has any definite knowledge as to where, under this bill, we—I mean the Government of the United States, the Army and Navy and air force of the United States, the people of the United States—are going, what we are going to do when we get there, or what we will have and what we will do when we get back—if we ever get back.

This bill, Mr. President, is a vehicle which will carry the United States somewhere, to do something, to accomplish some results. As a vehicle it is a tremendously powerful mechanism, one of the most powerful mechanisms ever made and assembled by the Congress of the United States. Before we provide someone with this vehicle, this powerful mechanism that potentially carries in it all our men and women, all our resources, all our Army and Navy and air force, perhaps all our future, I say we ought to know at least—

Where are we going? What are we going to do when we get there? What are we going to have, and what are we going to do when we get back—if we get back?

The witnesses before the committees did not know. The able Senators do not seem to know.

The only place I know to get that information is from the source of the bill, from the person who proposed the bill, the President of the United States.

True, I have not heard from the President of the United States the specific answers to these questions; but he has made pronouncements at different times that might indicate some of the answers. He made such a pronouncement at Chicago in the fall of 1937—the "quarantine the aggressors" speech.

The President has made other pronouncements in radio broadcasts, in press conferences, in certain campaign speeches; I do not intend to go into these pronouncements; but in the light of the powers proposed for the President in this bill—H. R. 1776—how ironical that it should bear the number that stands for the Declaration of Independence, written in the year 1776. I believe that in the President's message to Congress delivered just prior to the introduction of this bill we may find something that throws light on the matter; not specific answers to those three questions, perhaps, but some statements that may give us the key to the answers.

Where are we going?

In the President's own language, in that message: "Everywhere in the world."

What are we going to do when we get there?

Again, in the President's own language is a general—I admit, very general—answer to that question.

Our goal has been stated: Everywhere in the world. When we get there we are to give to the world "four essential human freedoms," the President said in his message to Congress on the state of the Union.

The four essential freedoms, the President told us in this message, are these:

The first is freedom of speech and expression—everywhere in the world.

The second is freedom of every person to worship God in his own way—everywhere in the world.

The third is freedom from want—everywhere in the world.

The fourth is freedom from fear, which, translated into world terms, means a worldwide reduction in armaments to such a point and in such a thorough fashion that no nation will be in a position to commit an act of physical aggression—anywhere in the world.

Mr. President, I ask those sponsoring this bill, H. R. 1776, if that is their answer to the two questions:

"Where are we going? What are we going to do when we get there?"

One more quotation from the President's message.

Immediately following the naming of the four freedoms, everywhere in the world, the President of the United States told the Congress, and again I quote:

This is no vision of a distant millenium. It is a definite basis for a kind of world attainable in our own time and generation.

In other words, this was not a generalization but a definite objective—an objective which I assume H. R. 1776 is intended to make effective.

There were three other fairly definite statements in the same message from the President of the United States to Congress on the state of the Union that may throw some light on the purposes of this bill, H. R. 1776, now being considered by the Senate. I quote again from the message:

Our national policy is this:

First, by an impressive expression of the public will and without regard to partisanship, we are committed to all-inclusive national defense.

Second, by an impressive expression of public will and without regard to partisanship, we are committed to full support of all those resolute people everywhere who are resisting aggression and are thereby keeping the war away from our hemisphere. By this support we express our determination that the democratic cause shall prevail, and we strengthen the defense and security of our own Nation.

Third, by an impressive expression of public will and without regard to partisanship, we are committed to the proposition that principles of morality and considerations for our own security will never permit us to acquiesce in a peace dictated by aggressors and sponsored by appeasers.

Mr. President, if these statements from the message on the state of the Union are the general answers to the two questions, "Where are we going?" and "What are we going to do when we get there?", then I suggest that we analyze some of those answers.

After this bill is enacted into law, and if the President so decides under his



power and authority to make, and make effective, such a decision, is it to become the mission of the United States to guarantee freedom of expression and freedom of religion in all of Europe, all of Asia, and all of Africa, including Russia, Turkey, Abyssinia, the Balkan States, India, China, and Japan?

Are we, the United States, to take freedom from want to the submerged millions in India, in China, in Russia, in the Belgian Congo, "everywhere in the world"?

Are we to guarantee freedom from fear—in other words, military security—to the Lowlands of Europe, the area over which has rolled the juggernaut of war in every major conflict from the time of Cæsar to the time of Hitler?

I call the attention of the Senate to the following extract from the definition of our national policy in the same message to Congress on the state of the Union:

We are committed to the proposition that principles of morality and considerations for our own security will never permit us to acquiesce in a peace dictated by aggressors and sponsored by appeasers.

Those are more than noble words, Mr. President. They are determined words. They are fighting words. That sounds like a last-ditch pronouncement, to the bitter end.

But what do those words mean? Does that promise—I take it the statement could be accepted by all people, everywhere in the world, as a promise—mean that if England and Germany should negotiate a peace that did not meet the approval of the President, the United States would not acquiesce? And if we should not acquiesce, what would we do? Would we use force to compel both sides to keep on fighting until they were ready to accept terms which would find approval this side of the Atlantic? And, if so, what kind of terms would those be?

Specifically, I should like to have the proponents of this bill, which is proposed to carry out the program outlined in the Presidential message, tell what is to be done about the boundary lines of European nations.

Suppose we leave Asia and Africa out of the world picture that the United States is going to restore, or remake, or preserve, or do something about, to carry out the program outlined in the President's message. Let us look at Europe as of 1938. We will not go back to the Treaty of Versailles, to say nothing of Europe at the outbreak of the World War in 1914. At the end of that war, as I remember, we had "made the world safe for democracy"; we had fought the good fight in the "war to end war" and had won. Or had we won? At any rate, we had won the title of Uncle Shylock for meddling that time in Old World affairs.

Let us look at Europe in 1938.

There were some political democracies: England, Irish Free State, France, Belgium, Holland, Switzerland, Denmark, Norway, Sweden, Finland, and Czechoslovakia—which was on the operating table—11 in all, plus, perhaps, at the beginning of the year, Loyalist Spain, though there might be some question

whether Loyalist Spain was a democracy as we understand the term.

There were 15 dictatorships of the right: Poland, Lithuania, Latvia, Estonia, Hungary, Rumania, Yugoslavia, Albania, Bulgaria, Greece, Turkey, Portugal, Germany and Austria, Italy, and rebel Spain.

There was one dictatorship of the left—Russia.

Where are we going?

What are we going to do when we get there—if the trip takes us only to Europe?

Are we going to preserve or restore the political democracies of England, Irish Free State, Loyalist Spain, France, Belgium, Holland, Switzerland, Denmark, Norway, Sweden, Finland, and Czechoslovakia?

Are we going to make democracies out of the dictatorships of the right—Germany and Austria, Italy, rebel Spain, Poland, Lithuania, Latvia, Estonia, Hungary, Rumania, Yugoslavia, Albania, Bulgaria, Greece, Turkey, Portugal?

Are we going to make a democracy—and insure freedom of expression, freedom of religion, freedom from fear, freedom from want—out of Russia, the 100-percent dictatorship of the left?

Is that where we are going, and is that what we are going to do when we get there?

If that is not our European program, as part of the task of taking the four freedoms everywhere in the world, then what is our European program, in the light of the President's message? I repeat, except for generalities, that message gives us the only clue to date as to what this bill is to be used for, once it is enacted.

Even some supporters of this measure, Mr. President, have suggested we ought to be told what are the war aims—or the peace aims, perhaps—of Britain, before we go all out in underwriting the battle of Britain.

Now, I suggest that before we enact the all-out grant of power and authority provided in this so-called lease-lend bill the Senate and the country ought to be told what are our own Government's aims, whether for war or for peace. We have not been told, except for the President's message, and in the somewhat indefinite title of H. R. 1776—"further to promote the national defense, and for other purposes."

If our aim in Europe is not to restore or preserve the 11 political democracies, and to make political democracies in addition to restoring boundary lines of 16 dictatorships, what is the European objective?

Suppose we only undertake to restore boundary lines. How far will that take us?

Mr. President, I was much impressed with the statement Dr. Charles A. Beard, the eminent historian, made before the Senate Committee on Foreign Relations, of which I am a member. With the indulgence of the Senate, I quote briefly from Dr. Beard's statement. He put the problem in this way:

Does Congress intend to guarantee the present extent, economic resources, and economic methods of the British Empire forever

to the Government of Great Britain by placing the unlimited resources of the United States forever at the disposal of the British Government, however constituted?

Does Congress intend to supply money, ships, and commodities of war until the French Republic is restored; until the integrity of its empire is assured; until all the lands run over by Hitler are once more vested with full sovereignty; until Russia has returned to Finland and Poland the territories wrested from them; until democracy is reestablished in Greece; until the King of Albania has recovered his throne?

Is Congress prepared to pour out American wealth until the Chungking government in China has conquered the Nanking government; until Japan is expelled from the continent; until Chinese Communists are finally suppressed; and until the Soviet is pushed back within the old Russian borders?

And if European or Asiatic powers should propose to make settlements without providing democracy, a bill of rights, and economic security for everybody everywhere, will Congress insist that they keep on fighting until the President of the United States is satisfied with the results?

If none of the countries deemed under the terms of this bill to be defending the United States succeeds in defeating its enemies with the material aid rendered by the United States, will Congress throw millions of boys after the billions in dollars?

Two more crucial questions are before our Nation in council. After Europe has been turned into flaming shambles, with revolutions exploding right and left, will this Congress be able to supply the men, money, and talents necessary to reestablish and maintain order and security there? Are the Members of Congress absolutely sure, as they think about this bill, that the flames of war and civil commotion will not spread to our country? That when the war boom of "fools' gold" has burst with terrific force, Congress will be able to cope at home with the problems of unemployment and debts, with which it had wrestled for years prior to this present false prosperity, by borrowing money to meet the needs of distressed farmers, distressed industries, and the distressed third of the Nation?

As a nation in council we should not mislead ourselves by phrases and phantoms. The present business of our Congress, it seems to me, is not to split hairs over the mere language of this bill, or to try to restrict its consequences to 1 or 2 years of Presidential experimentation.

The present business of Congress is to decide now, in voting on this bill, whether it is prepared on a show-down to carry our country into the war in Europe and Asia, and thus set the whole world on fire, or whether it is resolved, on a show-down, to stay out to the last ditch, and preserve one stronghold of order and sanity, even against the gates of hell.

Here on this continent I believe we may be secure and should make ourselves secure from the kind of conflict and terrorism in which the Old Worlds have indulged for such long ages of time.

In opposing this bill, I am not insisting upon negation.

Says Dr. Beard:

A plan for constructive action is possible and desirable. I propose, first of all, that Congress reject this bill with such force that no President of the United States will ever dare again in all our history to ask Congress to suspend the Constitution and the laws of this land and to confer upon him limitless dictatorial powers over life and death.

I propose that this Congress then resume the legislative power assigned to it by the supreme law of this land and, by specific legislation of its own drafting, authorize using



the credit of our Government in aid of American industries engaged in supplying Great Britain with goods under positive conditions, coordinated with American defense production.

Such legislation would put limits on the amount in term of such credit. It would place the amount generously above a careful estimate of British needs. It would make the credit immediately available within 48 hours. It would require pledges from the British Government based on assets available to it in the United States and elsewhere, but not instantly realizable. It would enable the British Government to draw upon the full capacity of American industries as rapidly as untrammelled American enterprise can develop that capacity. It would furnish aid to Great Britain without erecting a bureaucratic monstrosity which would frighten and divide our Nation and thrust the agencies of our Government into the very midst of beligerent activities.

Such legislation—

Concludes Dr. Beard—

would keep the war-making powers in the hands of Congress, where it belongs under the Constitution, under every decent, patriotic conception of American democracy, under every ideal cherished by the American people since the foundation of our Republic.

Finally and fundamentally, it would conserve our energies and our great powers for that day when the United States, strong and unafraid, may, in keeping with its historic traditions, tender to the shattered nations of the earth those services which it can competently offer in keeping with our peace and security on this continent.

Mr. President, I assert those words of Dr. Beard are words of wisdom, patriotism, and plain common sense; and I would to God this Congress would adopt that kind of a program.

Mr. President, I should like to believe the pending bill, H. R. 1776, is what it is claimed to be—a bill for the national defense, or even merely a bill to aid Britain with material help short of war. I should like to support such a measure. I want Britain to win the war with Hitler. I might say that I intend to support the substitute offered by the Senator from Ohio [Mr. TAFT], which I believe covers such objectives and is in line with the wise advice of Dr. Beard.

But I cannot bring myself to believe, in the light of the President's message and some of his other statements and actions in foreign affairs, that the bill before us is restricted to any such field.

Mr. President, the time has arrived when patriotism must displace all other motives. I think my record in the Senate during the past 22 years is sufficient proof that I am not a bitter partisan. I have supported and I have opposed programs and legislation proposed by Presidents of my own political party. I have supported and I have opposed measures sponsored by President Roosevelt without regard to politically partisan considerations. I never have been one of the Roosevelt haters; I have never been classified with that group, so far as I know.

But I cannot accept the program which the passage of this bill apparently will initiate—the program of taking the four freedoms everywhere in the world; the program which, if carried out, means the United States policing the world, which apparently envisions that nebulous but highly dangerous union now. If the people of this Nation were not in the grip of

a war hysteria this whole thing would be recognized for what I believe it is, a most fantastic, bombastic nightmare.

Mr. President, the only thing in history with which I can at this moment compare it is the Children's Crusade in the thirteenth century. In that, it may be remembered, thousands of deluded children embarked on a crusade to retake the Holy Land, restore it to Christian rule and to Christian civilization, such as Christian civilization was at that time.

Few happenings in recorded history are more tragic, more pitiful, more wicked than the Children's Crusade; and not the least tragic is what happened to the children. Thousands died after suffering untold hardships; thousands starved; other thousands were sold into slavery, not by the heathens they went to fight but by the Christian peoples who the deluded children believed were their allies in the crusade to save Christianity. The program we are asked to initiate seems to me equally fantastic, equally futile, and, with all due respect to its leadership, equally childish, in the light of sanity and reason.

But we do not have to go so far back as the early days of the thirteenth century to learn a lesson from history. We have only to go back a quarter of one century, instead of seven centuries, to get a picture of what we face in the United States today.

I know that many people are tired of hearing that 23 years ago, after 2 years of propaganda preparation such as we have had deluged upon us during the past months, the United States went to war "to save democracy" and to "end war"; but the fact remains that is what we did; and we did it in much the same fashion we are asked to do the same thing over again; this time, however, somewhat like the children in the thirteenth century, to save Christianity, plus civilization, and to carry the four freedoms everywhere in the world.

Mr. President, after the experience we had in the World War, at Paris, when the Treaty of Versailles divided the world among the nations that had no territorial ambitions, I little thought that less than 25 years afterward the United States would be rushing into a similar experience, rushing faster and farther, and with less thought of the future, though more knowledge of the past. Any nation can be forgiven for being fooled once; but to insist on being fooled again while its hospitals are crowded with human wreckage from its previous gallant attempt to take democracy to a world that does not want democracy is heart-breaking and discouraging.

Mr. President, I said in the opening of this discussion that we ought to have the answer to three questions before we vote on this bill:

Where are we going?

What are we going to do when we get there?

And, what are we going to have, and what are we going to do, when we get back—if we get back?

I do not claim to be able to answer the last question, because I cannot answer in any satisfactory fashion the first two questions.

I do know, however, that after we shall have sallied forth on this noble but futile crusade to save the world, rearrange the world, and police the world, and long before we have done those things, we shall have certain problems of our own to take care of.

We shall have a government debt that in all probability will run into the hundreds of billions.

We shall have an economy geared to war production, probably to war making.

We shall have war industries built up to such a point that only more war, and more wars, can stave off the explosive collapse that will be inevitable if war stops.

We shall have fastened upon ourselves government controls of industry, commerce, finance, agriculture—aye, and government controls of labor—that we dare not, that we cannot, get rid of without revolution.

It may be said that the program of carrying the four freedoms everywhere in the world, of settling the boundaries of nations in Europe, Asia, Africa, of determining the form of government for all the peoples of all the nations of the world, are not specifically set forth in H. R. 1776; and that is true. But the controls for our domestic economy while we are going wherever we are going, and doing whatever we are going to do—controls are in the bill.

Just look at the bill itself, and see what it does, in addition to turning over full power to the President to do the things that make wars—and after the bill is passed those powers can be exercised under congressional authority in addition to the broad powers admittedly possessed by the Commander in Chief under the Constitution.

I desire to point out something else at this point. Under the Constitution, the Commander in Chief of the Army and Navy has broad powers to use the Army and Navy at his discretion. He has those powers as Commander in Chief of the Army and Navy. But those powers do not extend, under the Constitution, to the President of the United States, as President, and authorize him to control the resources, the property, the industries, the people of the United States. When this bill is passed, the Presidential powers in the civil field will correspond to the powers of the Commander in Chief in the military field.

This bill is not only a war bill; it is also a dictatorship bill.

This bill not only gives congressional sanction to the President to do anything he pleases in the field of foreign affairs, to give any article of national defense to any nation in the world at his own discretion, but it also gives to the President practically unlimited powers over the entire domestic economy of the United States, and over the people of the United States.

This bill delegates to one man, the President, what amounts to full control of the industrial life of the United States, down to the smallest factory. Because it gives him complete control of the manufacture, he also can otherwise procure control of the manufacture of all defense articles. The definition of de-



fense articles is so broad and all-inclusive that they include anything that flies or floats or could be used to injure an enemy, anything that could be used to manufacture any of these things, plus everything necessary to the feeding, clothing, housing, equipping, and use of any people required to make or use defense articles; and the President may do these things "notwithstanding the provisions of any other law." Coupled with the powers to commandeer industry provided in the Selective Service Act and the already-proven ability of the Attorney General to supply whatever opinions are needed, the control of the domestic economy is complete.

It is beside the point to suggest that it is preposterous to assume that the President will use these powers. If it is preposterous to suggest that the President will use them, is it not equally preposterous to suggest that Congress grant these powers?

I am not going into details of this war bill. The details have been pretty thoroughly discussed by those better qualified than myself to deal with language and verbiage.

But even more important, to my mind, is the conclusion I have reached that the bill itself, taken as a whole, is based on absolutely untenable grounds. It gives complete war-making powers to one man. It gives complete control of our domestic economy to one man. The details of a measure of this kind cannot be changed so as to make it a good bill. It can only be made a less—and not very much less—bad bill. I cannot support it, even though it be loaded down with meaningless amendments that leave its war-making powers and its domestic dictatorial powers practically unlimited.

I return to my first suggestion. Before the Senate approves any such piece of legislation, let us get the answers to these questions:

Where are we going?

What are we going to do when we get there?

What are we going to have, and what are we going to do, when we get back—if we do get back?

I say it is a time to keep our heads, think of America first, and keep out of foreign wars.

Mr. TAFT obtained the floor.

Mr. LA FOLLETTE. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. LA FOLLETTE. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Byrd	Gillette
Austin	Byrnes	Guffey
Bailey	Capper	Gurney
Bail	Caraway	Harrison
Bankhead	Chandler	Hatch
Barbour	Chavez	Hayden
Barkley	Clark, Idaho	Herring
Bibbo	Clark, Mo.	Hill
Bone	Connally	Holman
Brewster	Danaher	Hughes
Bridges	Davis	Johnson, Calif.
Brown	Downey	La Follette
Bulow	Ellender	Langer
Bunker	George	Lodge
Burton	Gerry	Lucas

McCarran  
McFarland  
McKellar  
McNary  
Maloney  
Mead  
Miller  
Murdoch  
Murray  
Norris  
O'Mahoney  
Overton

Radeliffe  
Reed  
Russell  
Schwartz  
Sheppard  
Shipstead  
Smathers  
Stewart  
Taft  
Thomas, Idaho  
Thomas, Utah  
Tobey

Truman  
Tunnell  
Tydings  
Vandenberg  
Van Nuys  
Wallgren  
Walsh  
Wheeler  
White  
Wiley  
Willis

The PRESIDENT pro tempore. Eighty Senators having answered to their names, a quorum is present.

Mr. TAFT. Mr. President, the bill before the Senate is neither a lease bill nor a lend bill. It is a bill to determine for the next year, and perhaps for many years to come, the fundamental nature of the foreign policy of the United States. It may well determine within a short time whether or not we enter the war.

We have just held a national election, in which both great national parties adopted a definite position on foreign policy and the same position. There has been no substantial change in the position in Europe since November, and no reason that I know of why any Republican or Democrat should depart from the position taken by his party. That policy was a policy in favor of aid to England, but only to the extent that it did not involve us in war or impair the defense of this country.

The Democratic platform said:

We will not participate in foreign wars, and will not send our Army, naval or air forces to fight in foreign lands outside of the Americas except in case of attack.

The Democratic Party is opposed even to participation in foreign wars. It is opposed to sending our naval forces, which by any reasonable interpretation includes our ships as well as our men.

President Roosevelt reaffirmed that platform. On October 23, 1940, he said:

To every man, woman, and child in the Nation I say this—your President and your Secretary of State are following the road to peace. We are arming ourselves not for any foreign war. We are arming ourselves not for any purpose of conquest or intervention in foreign disputes. I repeat again that I stand on the platform of our party.

Note that the President declared not only against war, but against "intervention in foreign disputes."

The Republican platform was even more definite. It said:

The Republican Party is firmly opposed to involving this Nation in foreign war. \* \* \* We deplore explosive utterances by the President, directed at other governments, which serve to imperil our peace; and we condemn all executive acts and proceedings which might lead to war without the authorization of the Congress of the United States. \* \* \* We favor the extension to all peoples fighting for liberty, or whose liberty is threatened, of such aid as shall not be in violation of international law or inconsistent with the requirements of our own national defense.

Note that that platform stands on international law. There is no more doubt that this measure violates international law than there is that I stand here. The platform certainly does not sanction the use of American ports as bases for the British Fleet, or the sale of our own war vessels to nations at war.

Mr. Willkie went somewhat further in his declaration of desire to aid Britain, but he was even more emphatic on avoiding the risk of war. He said at Cleveland on October 2, 1940:

The American people do not want war. They have no idea whatever of joining in any conflict, whether on the Atlantic or the Pacific. They are determined to keep America at peace. In this determination I stand with them. I am for keeping out of war. I am for peace for America. \* \* \* We must not rashly move. Any man who involves us in the risk of war while we are thus unprepared betrays his country.

The people of the country had the right to assume and did assume that, whoever was elected, we would remain at peace unless attacked. They approved a policy of aid to Britain, but only to the extent that it did not involve participation in the war and did not involve impairment of our own defense. No candidate would have dared go further in urging aid to Great Britain. It is the clear duty of Congress, therefore, to work out a policy which will aid Britain but will avoid the risk of war, unless there are overwhelming new reasons for changing that policy, and there are no reasons existing today which did not exist in November.

Mr. LUCAS. Mr. President, will the Senator yield to me?

Mr. TAFT. I yield.

Mr. LUCAS. The Senator has quoted from a speech which Wendell Willkie made prior to the national election of last November. Does the Senator from Ohio think that Wendell Willkie wants war now?

Mr. TAFT. I will deal with that question somewhat later. I think the logical conclusion of the position which he took in New York before he left for Europe is that we should go to war. Mr. Willkie does not admit that to be the conclusion of his position, but I believe that it is.

Mr. LUCAS. Mr. President, will the Senator yield further for one question?

Mr. TAFT. Yes; certainly.

Mr. LUCAS. Does the Senator think that Wendell Willkie's position has been changed any from what it was prior to the campaign of last November?

Mr. TAFT. It seems so to me; yes.

Mr. LUCAS. In other words, then, Mr. Willkie did not want war prior to November, but after the election he now wants us to go to war? That, as I understand, is his position.

Mr. TAFT. I do not know what he wants or does not want. I am citing what he said at one time in Cleveland. I think his present position is inconsistent with what he said at that time.

Mr. LUCAS. Mr. President, will the Senator further yield?

Mr. TAFT. I yield.

Mr. LUCAS. I think it is extremely important, in view of the Senator's statement and in view of Mr. Willkie's testimony before the Foreign Relations Committee, that the Senator express himself along the lines I have suggested. In other words, Wendell Willkie is now advocating without any question the passage of the lend-lease bill, in line with his testimony before the committee. I was merely wondering whether or not, in the opinion of the Senator from Ohio, Mr. Willkie



had changed his views from those he expressed to the American people in the great campaign of last year?

Mr. TAFT. From what I have said, with what will follow, I think the Senator can very clearly conclude that, in my opinion, both President Roosevelt and Mr. Willkie, in their advocacy of the lend-lease bill, are departing from the position which they took before the people of the United States in November 1940.

Mr. LUCAS. Well, that is an answer.

Mr. TAFT. I ask whether all sincerity and honesty have disappeared from American political life. Are promises made to the people by parties and by candidates merely scraps of paper?

The present bill goes far beyond aid to Britain. Congress is asked to authorize the President to pursue a policy of intervention in foreign disputes against his own declaration. Congress is asked to authorize the President to impair our own defense to the extent of things which may aid Britain. This bill would, if enacted, be a repudiation of the promises of the Democratic Party, and a repudiation of the promises of the Republican Party.

I am for aid to Britain, but with the American limitations imposed by both parties in the last election. In what way can we aid Britain most effectively, and what kind of a measure will carry out the pledges of the candidates?

I wish to offer at this time, Mr. President, a revised amendment in the nature of a substitute for the bill, which contains what I think is necessary for aid to Britain, and what I think can be given without risking war in Europe. I ask that it lie on the table as an amendment to the bill, and that it be printed in the RECORD at this point.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The amendment in the nature of a substitute intended to be proposed by Mr. TAFT to House bill 1776, the lend-lease bill, was ordered to lie on the table and to be printed, as follows:

Strike out all after the enacting clause and in lieu thereof insert the following:

"The President is hereby authorized to make loans to the Kingdom of Great Britain, the Dominion of Canada, and the Kingdom of Greece in any sums not exceeding an aggregate of \$2,000,000,000. Such loans shall only be made if the President finds that the borrower nation is unable to provide dollars for its purchases in the United States, and shall only be made for the purchase of merchandise (including arms, ammunition, implements of war, tools, equipment, agricultural products, and other requirements of the borrower) produced or manufactured in the United States or its possessions. The President shall require adequate security (which may include territory, or investments in South America, or elsewhere, or naval or military bases) for such loans unless, in his opinion, security is not available or cannot practically be given. Promises to repay such loans may be in dollars, or in specified kinds and amounts of shipping, merchandise, or other property estimated by the President to be of equal value at the date of the loan. After the President has approved any such loan he may guarantee orders given by the borrower in the United States up to the amount of such authorization.

"SEC. 2. The President may authorize the Secretary of War, the Secretary of the Navy, or the head of any other department or agency of the Government, to manufacture for any borrower under section 1 anything which such department or agency head is authorized to manufacture for the United States Government, and to sell, at a fair valuation, to any borrower under section 1 any property of the United States Government or of any Government-owned corporation: *Provided, That—*

"(a) In the case of property of the United States Army, the Chief of Staff of the Army certifies to the President that the articles to be sold (1) are not necessary to train the authorized personnel of the Army of the United States; (2) are not necessary to equip completely the United States Army forces in the Territories and outlying possessions of the United States; and (3) are not necessary for other essential defense purposes;

"(b) In the case of property of the United States Navy, the Chief of Naval Operations of the Navy certifies to the President that such defense articles are not necessary for essential defense purposes; and under no circumstances shall any ships of the United States Navy, or any ships which have been ordered by or laid down for the United States Navy, or any equipment or armament authorized by Congress or ordered by the Navy Department for use in connection with such ships, be sold or disposed of except under the terms of heretofore existing law."

Mr. TAFT. Mr. President, the most effective way to aid Britain is to build up our own industrial production. I have always believed that our markets and factories should be open to Britain, and I voted for the repeal of the arms embargo in 1939. I voted for every appropriation designed to build up plants for the manufacture of war equipment both for the British and for our own defense. This bill does not in any way assist in that purpose. The increase of manufacturing capacity was a question of money and organization. Congress freely voted all the money requested. It is tragic that the first 9 months of the war were practically wasted so far as organization is concerned. It is tragic that while we talked about aid to Britain and 20,000 airplanes for ourselves, no really effective step was taken to develop the necessary factories.

In my opinion the best way to aid Britain is to supply her with so many airplanes that she can do to German factories and cities what Germany has done to British factories and cities. When that shall have been done I hope a satisfactory peace may perhaps be negotiated. But nearly all the airplanes we have made have gone to Great Britain and this bill will not increase our current capacity by one single airplane.

So far as assisting Britain in the approaching spring crisis of 1941 is concerned, we made that largely impossible by inaction in 1939 and 1940. I am indeed hopeful that the present set-up of the National Defense Commission is making effective progress, and that the result of its activity will be extremely helpful to England in 1942, but I do not feel confident even of that. I am glad that an investigation of the making of contracts is to be made by the Senate. A nation which can make 5,000,000 automobiles a year in time of peace can certainly

build 50,000 airplanes a year without going to war.

The second respect in which we can aid Britain is by extending credit. On Wednesday I discussed the figures presented by the British and by the Secretary of the Treasury. It is difficult to regard the British financial situation as desperate. The British still own some \$14,000,000,000 worth of property in all parts of the world, and a very large proportion of the property of the world. According to their own statement, they have available in this country more than half a billion dollars' worth of assets in excess of the orders already given; and the British Empire produces some \$750,000,000 of gold a year. Nevertheless, it is not easy for them to realize on those properties without sacrifice of value. Nor is it easy for them to provide dollar exchange. If the materials shipped from this country amount to three or four billion dollars during the current year—as they may—some financial assistance is justified and is necessary. The bill undoubtedly furnishes such assistance; but the same result could be accomplished by a very simple bill authorizing the establishment of credits for Great Britain.

Finally, it is said that the British can be assisted by letting them have our own war materials or those ordered for our Army or Navy, which may be available before those being made on British orders. I do not quite understand the necessity for legislation on this question. We have already sold to the British large amounts of surplus Army and Navy material without special legislation. Apparently 90 percent of the airplanes ordered for our Army and Navy are now being diverted to the British. It seems that legislation is unnecessary; but to the extent that the policy is wise it can be enacted into law by authorizing our Army and Navy to transfer orders or sell war materials not needed for our defense, to be paid for by the credits established. In the substitute which I have introduced I have added that provision, although, as I say, it is being done under existing law, and I do not really see the necessity for such a provision.

Any power to sell Army and Navy equipment should certainly be carefully circumscribed. There are ugly rumors today that neither our Army nor our Navy has more than a few modern airplanes suitable for use in war today.

I have introduced a substitute bill which extends credits to great Britain in the sum of \$2,000,000,000, which I believe would be sufficient until the first of next January, although the amount could be increased practically overnight by the passage of a joint resolution increasing the amount and authorizing the sale of Army and Navy equipment to the extent that it is consistent with our own defense.

The other powers given by the bill before us seem to me wholly irrelevant to the question of aid to Britain. They go beyond anything justified in the past campaign. If the bill is to be voted upon in substantially its present form, I intend to vote against it, even though



some features of it provide for aid to Great Britain. If the pending bill should be defeated, a resolution along the lines of my substitute could be put through Congress in 3 days. If the original bill had done no more, it could have been passed a month ago. Certainly we do not have to vote for any bill offered to us simply because it aids England, no matter how unsound its other methods and principles may be.

There has been some charge by violent interventionists, and in interventionist cartoons, that Congress is fiddling while Rome burns. The truth is that the British have the funds, if they want to use them, to go on giving orders for some months to come. The truth is that Secretary Morgenthau has already used the stabilization fund for loans to China and Argentina and that he can make loans to the British if he has the right to make loans to Argentina and China. I do not think he has the power to do so, but he says he has the power. He has about \$1,900,000,000 with which he could buy pounds to provide a cash credit. As a matter of fact, simply making a loan does not carry through the transfer of materials.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. TAFT. I shall be glad to yield in just a moment. Today I obtained from the Treasury Department and from the Reconstruction Finance Corporation the figures with respect to the Chinese loan made the first of last December. There is still \$75,000,000 waiting in our Treasury because the Chinese cannot use it. There was a \$110,000,000 loan to Argentina back in December, and there is still \$110,000,000 in our Treasury. Not one cent of it has been used, because, apparently, there has been no requirement for it.

I now yield to the Senator from Kentucky.

Mr. BARKLEY. Mr. President, I do not wish to take the Senator's time or interfere with the continuity of his thoughts, but it is not accurate to say that Secretary Morgenthau has made a loan to China out of the stabilization fund. What he has done has been to do what the law authorizes him to do, that is, to purchase currencies for the purpose of stabilizing China's currency. That operation may, incidentally, give China credit in the United States; but no direct loan has been made out of the stabilization fund to China, or to any other country.

Mr. TAFT. That is a matter of nomenclature; but in substance it is a loan, and in substance the purchase of Chinese yuan with gold and the transfer of the gold to China enables China to use that gold to buy materials in the United States. In every substantial effect it is a loan. Moreover, the Chinese Government agrees to buy back those yuan with gold, so that they also are really obligated to see that the stabilization fund is restored.

Mr. BARKLEY. It is a stabilization process which enables China to buy materials in the United States, but it is not a loan in the ordinary sense of the word, although it inures to the benefit of China.

It stabilizes Chinese currency and enables the Chinese to purchase articles in the United States.

Mr. TAFT. I think the Senator is talking about inconsequential matters, because in every substantial effect it is a loan; and if Secretary Morgenthau were to do the same thing with British pounds—and goodness knows they need support in the exchange market today—he could, in effect, make Britain a loan tomorrow of \$1,900,000,000.

Mr. BARKLEY. If I am talking about inconsequential matters, it is because the Senator from Ohio started it.

Mr. TAFT. I mean the Senator is making inconsequential distinctions.

The pending bill undoubtedly gives the President power to lease and lend American Army and Navy equipment, which he may not do now; but of all the foolish plans, this seems to me the most asinine. I doubt if it will ever be used by the President himself. Are we to send American guns to Europe stamped, like a refrigerator sold on credit, "This is the property of the United States Government, to be returned after the war"? Are the fields of England and the deserts of Africa to be littered with worn-out equipment the property of the United States Government? There is some merit in taking a promise to repay in kind instead of in money, and I have provided for such considerations in my substitute; but lending war equipment is much like lending chewing gum. We certainly do not want the same gum back. [Laughter.] Not one word is contained in the testimony before the House or Senate committees in justification of any plan of lending or leasing. The very title of the bill is a fraud.

The argument that the new method of ordering will provide better coordination is entirely mistaken. Today our Defense Commission has complete power to coordinate orders given by our Army and Navy and by the British commission, and to speed up their production. That is all the authority the Defense Commission ought to have. We do not make the Army and Navy give orders through the Commission, and we ought not to make the British give orders through the Army and Navy.

I have a letter from one of the most active members of the War Industries Board in the World War, in which he insists that no coordinating agency should interfere with the Army and Navy or the British in working out their own specifications, in giving their own orders and inspecting the goods which are manufactured for them. He says that the function of the War Industries Board in the World War was to see that the orders were filled as rapidly as possible and with the proper priority, and to increase the capacity to manufacture the material needed.

That is the present function of the Defense Commission and the O. P. M. The proposed system will be awkward and inefficient and will contribute nothing to British aid. That is the first objection to the method proposed in this bill, as against the ordinary method of letting the British go ahead and buy their material, as they have already bought a

billion and a half dollars' worth of material from the United States.

Second. The bill authorizes the President to sell, transfer, exchange, lease, lend, or give away our entire Army and Navy, except the men. The only limitation is that equipment already acquired or appropriated for can be given away only to a valuation of \$1,300,000,000. Today a battleship costs about \$100,000,000. On battleships the President could certainly put a second-hand valuation of \$25,000,000 or \$50,000,000. Most of those battleships are fairly old and we have had them for many years. Within this limitation the President could certainly give away every battleship and cruiser in the American Navy. There can be no question in my mind that the bill contains this extraordinary grant of power.

I do not know what this imaginary doctrine of sovereignty is, under which it is claimed that we cannot give the President power to give away the Navy. There is no such principle in American constitutional law. The bill is perfectly definite. The bill provides that the President may sell, transfer, exchange, lease, lend, or otherwise dispose of any defense article. There is no way by which anyone can affirm that this provision does not permit the President to give away the Navy. Under the terms of the bill, of course, he can give away the Navy.

The power conferred by the bill is, in my opinion, a power to which no Congress, except a rubber-stamp Congress, could possibly agree. The Constitution imposes upon Congress the power to raise and support armies, and undoubtedly Congress has the duty to raise and support both an army and a navy sufficient for this country's defense. Congress cannot abdicate that power by authorizing the President to give away the Army and Navy. The only answer to the question is, of course, that the President would be crazy to think of giving away our battleships, cruisers, airplanes, and guns; but, if he would not think of using the power, why give it to him? No one can tell what an individual subjected to pressure and perhaps unsound advice may do. The President did transfer 50 destroyers at a time when it was admitted that even with those destroyers our Navy was inadequate. Today many persons think our frontier is the English Channel. The very theory of this bill is that our defense ought to be in Europe, and that if we do not send men we should at least send ships. Perhaps the President might agree with that view. We have no right to give him the power to give away the Army and Navy of the United States.

I do not feel so strongly on the subject of the Army, because in my opinion we are building up an Army a good deal larger than we shall ever actually need. I do not object to the sale of airplanes, because, after all, the important step is to create the capacity to turn out airplanes in quantity. The chances are that airplanes we later receive will be more up to date than those we might now receive; but the Navy, including sufficient airplanes to make our fleet an efficient unit, is our main line of defense.



Without an efficient navy we should indeed be helpless if attacked. It is universally agreed that we need a two-ocean navy, and I voted for the bill which creates it; but as the construction of naval vessels is necessarily slow, it is suggested that we transfer destroyers. However, we have left only 159 destroyers, and only 15 more will be delivered in 1941. Modern war has increased the proportion of destroyers to battleships necessary to give the proper protection to a definite number of battleships. Already we have too few destroyers. To authorize the President further to deplete the Navy at the present time would be a step I should regard as a violation of my oath. In spite of all we can do, Britain may collapse, and we may face a serious threat from Europe or Asia. The stronger our naval force, the less likely is that threat to be made.

Third in the extensive and unnecessary powers provided by this bill, the bill imposes practically no limitation on the President's power to involve the United States in financial expense. In many respects it is the worst type of blank-check appropriation. I know that two amendments have been inserted, one in the House and one in the Senate committee, intended to meet this criticism; but it is clear to me that they do not do so. There is a limit of \$1,300,000,000 on the delivery of materials from funds heretofore appropriated, but there is no limit on what the President may give away out of the appropriations which we hereafter make for our own Army and our own Navy.

It is said that this bill is merely an authorization bill of the usual type adopted by Congress, and that it must be implemented by appropriations; but that is not true. In the usual case, the President is unable to act or let a contract before the appropriation is made. Once this bill is passed, and without any appropriation to the British, the President may deliver to the British every item of material, equipment, or supplies appropriated for our own defense after this date. Since we shall appropriate over \$10,000,000,000 for defense, he could spend something like that amount simply on his personal order. He would then come back to Congress and ask for appropriations to replace the American equipment which he had given away. Congress, of course, could not possibly refuse to give him the money necessary to make up the deficiencies in our own defense program.

There is really absolutely no reason for such an unlimited grant. If we authorize a loan to Britain, we can put on that loan a definite limitation of the amount that seems to be necessary for the next 12 months. In any event, Congress can always act in a hurry on an appropriation.

Mr. BREWSTER. Mr. President, will the Senator yield?

Mr. TAFT. Surely.

Mr. BREWSTER. I am not clear regarding the Senator's construction of the Senate amendment which seems designed to limit the authorization and the appropriation.

Mr. TAFT. Speaking of the amendment offered by the Senator from South

Carolina [Mr. BYRNES]—and, personally, I do not think that amendment changes the meaning of the amendment proposed by the committee—the limitation applies only to paragraph (1), beginning “to manufacture.” It does not apply to the paragraph beginning “to sell, transfer, exchange, lease, lend, or otherwise dispose of,” because the amendment says “to the extent to which funds are made available”; and we do not need any funds to exchange, lease, or lend our war material.

Mr. BREWSTER. The Senator notes that the amendment applies to section 3 also?

Mr. TAFT. To section 1 and section 3, but not to section 2. Section 2 is the section which authorizes the transfer of our Army and Navy equipment. On that transfer there is no limitation except \$1,300,000,000, applying only to material appropriated for before the passage of this bill.

Mr. BREWSTER. What would be the Senator's construction if the bill should remain as it was reported by the committee?

Mr. TAFT. My construction would be the same. I may be wrong, because I notice that the Senator from Michigan thinks the limitation applies to section 2; but the words “contracts are from time to time authorized” seem to me to apply to the usual form of contract authorization, not to the contracts made with Great Britain to sell, transfer, exchange, lease, lend, and so forth.

Mr. BREWSTER. I gather, then, that the Senator would prefer the draft of the bill as it was reported to the Senate, rather than the Byrnes amendment.

Mr. TAFT. Yes; although it makes the language extremely ambiguous, and, personally, I do not think it makes the provision any different.

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. TAFT. Yes; I yield.

Mr. WHEELER. With reference to section 2, and the limitation put in by the House that—

the value of defense articles disposed of in any way under authority of this paragraph and procured from funds heretofore appropriated, shall not exceed \$1,300,000,000—

Does the Senator agree with me that that language is practically meaningless for the reason that there is nothing in the provision to say what value shall be put upon the articles traded?

Mr. TAFT. Yes; I suggested the President would possibly be perfectly justified in putting a value of \$50,000,000 on a battleship that originally cost \$100,000,000. What value he could put on without justification or to what authority he would have to justify himself, I do not know.

Mr. WHEELER. Of course, as a matter of fact, if he said that a vessel was worth only \$1, there would be nothing in the world that could be done about it.

Mr. TAFT. I agree; I think there could be nothing done about it.

Mr. WHEELER. There is no way by which anyone could go to court and say, “You have got to place a value on this ship of \$100,000,000,” or whatever the

cost of the vessel was. As a matter of fact, he could trade it for anything he wanted to and put any value on it he wanted to. Yet some say we are not giving him the power to legislate in any way, shape, or form.

Mr. TAFT. Mr. President, my fourth objection—

Mr. BARKLEY. Mr. President, will the Senator yield at that point?

Mr. TAFT. I yield.

Mr. BARKLEY. What is the Senator's alternative to that? The Senator will realize that that amendment was put in in the House in answer to the statement or argument that, under the language as originally drawn, the President could dispose of the entire Navy of the United States or all the defenses of the United States. I presume it was recognized as a specious argument, for nobody sincerely thought that the President would do anything of the sort; but, in order to allay that fear, the House did put this limitation of \$1,300,000,000 as the value of existing equipment or that which may be procured out of appropriations heretofore made, which he could dispose of either by loan, grant, sale, or otherwise. The Senator does not think that Congress can fix the value of these things, does he? If the President had occasion to exchange or dispose of some of these articles provided by past appropriations, the Senator does not think, does he, we could appoint an appraiser and have him represent the Congress and appraise the value of a battleship, assuming that a battleship were involved in the transaction?

Mr. TAFT. I assumed the President would put a fair value on the articles, but I said he could put a \$50,000,000 value on a battleship. That question I have not raised, but my solution of it is contained in the amendment I offered before the Foreign Relations Committee.

Mr. BARKLEY. The Senator from Montana suggests that the President could put a value of \$1 on a battleship. Of course, that is assuming that the President of the United States would do a silly thing, which I do not suppose even the President's enemies would contend that he would do. We might not agree with the valuation he would place upon an article, but I do not see how Congress can itself fix the value.

Mr. TAFT. The Congress could perfectly well appoint a valuation board, made up of Army and Navy officers, to fix the value of materials to be disposed of.

Mr. BARKLEY. Congress, then, I suppose, would execute the law and execute the contracts to the purchasers.

Mr. TAFT. The President himself would not know the value; he would have to refer it to somebody. We could set up a board ourselves. Of course, we would have to create a board of officers, and they might be wrong; the valuation fixed by them might be inadequate; but I think it would be better than leaving the valuation question wide open. However, I am not discussing the valuation question. I would prefer to go on with my argument, if I may. The point I have been making is that there is no limitation; that the



President could give away practically the whole Navy, and as to material hereafter appropriated for there is no limitation whatever. I see no reason why there should not be a limitation.

Mr. GEORGE. Mr. President, will the Senator permit an interruption?

Mr. TAFT. Certainly.

Mr. GEORGE. I am sure the Senator wants to deal with a great question such as this in a fair way.

Mr. TAFT. Certainly.

Mr. GEORGE. The statement is reiterated that there is no limitation or that under the limitation the President could give away all the Army or Navy or a portion of it. The Senator is aware that the \$1,300,000,000 limitation is 10 percent of the new additions already authorized and appropriated for for the Army and Navy so far, is he not?

Mr. TAFT. Yes.

Mr. GEORGE. That is the way it is arrived at, so that of the new materials at least which we are going to acquire with the \$13,000,000,000 already appropriated and authorized, the President certainly could not give away more than 10 percent.

Mr. TAFT. My statement was that the day after this bill is passed the President could send to the British Channel every battleship of the United States Navy, every cruiser in the United States Navy, and most of the destroyers of the United States Navy and put a valuation on them that would be less than \$1,300,000,000.

Mr. GEORGE. Does the Senator believe that to be a fair answer in considering a serious proposal of this kind?

Mr. TAFT. Well, why not? What is the answer?

Mr. GEORGE. The answer is just what I have stated.

Mr. WHEELER. Mr. President—

Mr. GEORGE. Will the Senator permit me to pursue the matter a little further? The answer is just what I have said, that we now have some army, some navy, some defenses; certainly we have something on hand; and the Congress has appropriated or given contract authority to the extent of \$13,000,000,000 to the Army, Navy, and air force; the national-defense forces. The bill places on what the President can spend or on what he can lease or lend out the stocks on hand or which are in process of construction or which can be constructed with the \$13,000,000,000, a limitation of \$1,300,000,000, which is 10 percent of the total.

Mr. TAFT. The Senator from Georgia has not answered my statement that the day after this bill is passed the President could send every battleship in the United States Navy, every cruiser in the United States Navy, every destroyer in the United States Navy, and even a fair valuation placed on them all put together might not total \$1,300,000,000. Not only that, but we are told that destroyers and other naval vessels are what the British want, according to Mr. Willkie, who has just been there. So I say we cannot dismiss the possibility of the President sending cruisers and destroyers and battleships to assist the British if the British want them.

Mr. GEORGE. I shall not answer the distinguished Senator's statement by simply saying the President could not do that. There are reasons why I think he could not do it, but I am simply submitting the broad question, when the limitation is 10 percent of the new money that is to be put in all defense articles, is it a fair argument to suggest that the President could or might, the day after the bill passes, give away the whole armaments of the United States?

Mr. TAFT. Certainly, it is a fair argument. The matter is in the control of Congress. We do not have to grant the President that power. There is an amendment lying on the desk prohibiting the transfer of any naval vessel, and a similar provision is contained in the substitute offered by me a few moments ago. It is no argument against a tremendous grant of power to say that the grant is so tremendous that the President will not use it; that is no argument in the Congress of the United States in favor of our granting such power.

Mr. GEORGE. I do not think the President could give away the Army and the Navy or the national-defense forces; I do not think that is contemplated; and I do not think it is a fair argument to be presented to the American people.

Mr. TAFT. The Senator is entitled to his opinion, but it is a fact that the Senator has failed to answer the argument I have made; it is still true that the President could, tomorrow, give away all our Navy to the British if this bill should be passed.

Mr. GEORGE. I do not think so.

Mr. TAFT. I do not know whether he would do it; I do not suppose he would; but he might give away a substantial part of it; indeed, indications are that he is prepared to part with a number of destroyers, although our destroyers are now inadequate for our present battleship force.

Mr. CHANDLER. Mr. President, will the Senator yield?

Mr. TAFT. Certainly.

Mr. CHANDLER. If it was really desired to limit it to 10 percent, they could simply say that the limit should be 10 percent of the cost, and that no battleship could be disposed of except on that basis. Then, of course, they could determine, if they wanted, what amount should be paid for it.

Mr. TAFT. Even at a fair valuation, they could give so much of the Navy away, that we would not have left a sufficient navy to defend the United States; and I am not so sure it will not be done.

Mr. CHANDLER. Mr. President, will the Senator yield further?

Mr. TAFT. Certainly.

Mr. CHANDLER. Is the Senator from Ohio in favor of aid to Great Britain?

Mr. TAFT. I have been explaining that, but I will explain it again. I so stated in the preceding part of my remarks.

Mr. CHANDLER. Just as a general proposition, my understanding was that the Senator was in favor of aid to Britain.

Mr. TAFT. Yes; and the substitute I have offered proposes a loan of \$2,000,000,000 to Britain with permission to the

British to purchase our Army equipment, our air equipment, and some naval equipment, but no naval vessels or guns.

Mr. CHANDLER. Will the Senator permit a further question?

Mr. TAFT. Certainly.

Mr. CHANDLER. If the Senator is in favor of aid to Britain, what does he favor it for, and does he favor sufficient aid?

Mr. TAFT. I am in favor of aid to Britain because I hope Britain will lick Germany. Is not that sufficient reason for being in favor of aid to Britain?

Mr. CHANDLER. I feared the Senator was going to be for all aid short of help. There is no use of our giving Britain \$2,000,000,000 if we are not going to aid her effectively.

Mr. TAFT. I tried to explain—the Senator from Kentucky, I suppose, was not in the Chamber—that I have seen all the requests for aid to Britain for things that Britain wants. The only thing I know that they have asked for is credits, and perhaps the right to buy our Army and Navy equipment, although they are doing that already in great quantities. Why they need more legislation, I do not know. That is what Britain is asking for, and that is all we can give, short of war. The British are also asking for naval vessels. It seems to me we can hardly give them naval vessels without impairing our own defense at the present moment.

Mr. BARKLEY. Mr. President, will the Senator yield at that point? I do not want to take the time of the Senator.

Mr. TAFT. I yield.

Mr. BARKLEY. Does the Senator know of an official request made by the Government of Great Britain to the Government of the United States for naval vessels? There has been a good deal of talk in the newspapers about it, but does the Senator know that the Government of Great Britain has made a single request of the United States Government for any of our naval vessels?

Mr. TAFT. No; I only know that Mr. Willkie, whom I consider reliable, talked to Mr. Churchill, and Mr. Willkie came back and told the committee that what the British wanted was destroyers.

Mr. BARKLEY. He said that what they needed was destroyers.

Mr. TAFT. I assume that that is what Mr. Churchill told Mr. Willkie, and I have not much doubt that he did.

Mr. BARKLEY. But Mr. Willkie did not convey to the Government of the United States any request from Mr. Churchill—and that would not have been the proper channel through which to have conveyed the request—for destroyers or any other particular type of United States vessels.

Mr. JOHNSON of California. Why bring in Willkie's name?

Mr. TAFT. The fourth reason why I think the bill confers powers far beyond any aid to England, and having nothing to do with aid to England, is that while a loan to England could be limited, as it is limited in the substitute of the Senator from California [Mr. JOHNSON], to the purchase of defense materials produced or manufactured in this country, the bill



permits the President to finance the purchase by England of goods produced in any country in the world. The pending bill, in section 8, specifically authorizes the acquisition of arms, ammunition, and implements of war produced within any other country. We could even finance the construction of materials in England itself. We loaned \$10,000,000,000 during the World War, and yet those loans were nearly always confined to goods produced in this country and shipped abroad. No reasonable man can ask us to do more than finance the material which leaves our shores. Why are not Australia and South Africa and South American countries as able to finance their own exports as we are?

We have no money with which to pay these bills. We face a deficit of \$10,000,000,000 next year without this bill and \$15,000,000,000 with it. We can finance Britain only by borrowing money from our own banks and our own institutions. Surely these other governments have just as much interest as we have in the outcome of the war and can finance their exports to Britain by borrowing from their own citizens.

Britain has \$14,000,000,000 of property all over the world. Why should we pay for British purchases in the countries where they have that property? Why should we pile up our debt?

This bill suggests that the United States take over the financing of the entire war; and modern war is crushingly expensive. Either we shall have to levy additional taxes on our citizens to pay for this British aid or we shall have dangerously to inflate our indebtedness and our bank deposits to a point where after the war we shall face either bankruptcy or, at the best, the worst depression and unemployment we have ever seen.

This bill might well be called a bill to make Uncle Sam the best and biggest Santa Claus the world has ever seen.

Mr. CHANDLER. Mr. President, will my friend yield for just one other question?

Mr. TAFT. Surely.

Mr. CHANDLER. Assuming that Congress should agree to the Senator's proposition and let the British have \$2,000,000,000, suppose that should not be enough. What would the Senator then do?

Mr. TAFT. Does the Senator from Kentucky know what happens when we appropriate for the W. P. A. and it is not enough?

Mr. CHANDLER. I do.

Mr. TAFT. The Senator saw that yesterday. That is what we would do if \$2,000,000,000 turned out not to be enough.

Mr. CHANDLER. But does the Senator agree with me that if we are to help the British we should help them quickly and we should help them adequately, or we should not play at helping them?

Mr. TAFT. That is true. If we had proposed merely to loan them money this bill would have been out of our way 3 weeks ago. There was no substantial opposition to that phase of it. Personally, I announced my willingness to support a loan to Britain before the pending bill was ever introduced or invented. If

we want to aid the British quickly we could do it by a loan, and we could do it in the most effective way, and the way that would do Britain the most good.

Mr. CHANDLER. The Senator agrees, then, that if Congress were to agree to an appropriation of \$2,000,000,000, and that were not sufficient, he would be willing to join in appropriating some more?

Mr. TAFT. Yes; after we see whether it can be effectively utilized. I have not found anybody who will make even the faintest estimate of what the British can take. The amount they can take is limited by shipping; it is limited by British port facilities; it is limited by the ability to manufacture in this country. I do not think anyone today can make a reasonable estimate of the amount required in the near future. I feel confident that it will take many months to use \$2,000,000,000.

Mr. CHANDLER. I am certain the Senator is correct in the statement that nobody is able to make an accurate estimate of how much will be required; but once we are agreed that the British need help, and that we want to help them, it seems to me foolish to help them a little when they need a great deal. There is no estimate of the sacrifice and the loss of life and opportunity that is going on in Britain today.

Mr. TAFT. Does the Senator think the appropriation bill which will be brought in here when this bill passes will carry more than \$2,000,000,000? I doubt it. I doubt if anybody can show the Appropriations Committee that the British can use more than \$2,000,000,000 in the next 12 months, or what they are going to use it for. I do not know. I may be wrong. I am willing to add to the \$2,000,000,000 if somebody will show me the necessity for doing it for the next 12 months. I do not see why we should go beyond 12 months.

Mr. CHANDLER. The Senator should not be frightened, then, about the great amount of material we are going to give the British, if that is all the appropriation is going to be.

Mr. TAFT. I have just said that what I am concerned about is the scope of the authority granted by the bill; you and I have been talking about materials from this country; but if we begin to finance this war from Australia and from Canada and from every other nation in the world, then I say that instead of \$2,000,000,000 the amount needed may be \$6,000,000,000. It may be three times as much as we are going to finance from our own ports. As a matter of fact, the British have bought in this country up to date only a small proportion of their total requirements. They have been buying them all over the world.

Mr. CHANDLER. Mr. President, will the Senator yield for one more question?

Mr. TAFT. I yield.

Mr. CHANDLER. The Senator expressed some fear that if this bill should pass the President, the Chief of Staff of the Army, and the Chief of Naval Operations would consider giving away material essential for the defense of the United States. Does the Senator believe that?

Mr. TAFT. I did not get the Senator's question.

Mr. CHANDLER. Does the Senator believe that the President of the United States and the Chief of Staff of the Army and the Chief of Naval Operations would consider giving to anybody material essential to the defense of the United States?

Mr. TAFT. I am afraid I shall have to say, "Yes." I do not think the Chief of Naval Operations or the Chief of Staff of the Army would voluntarily do that, but I think the judgment of the President would be all on the side of Britain. The whole attitude of this bill, the theory of the bill, is that the way to defend us is to defend Britain. That is the theory of the bill. If we believe in that theory, if that is the way to defend this country, then surely a large amount of Army and Navy equipment that is now idle in this country might better be used by the British.

Mr. CHANDLER. The Senator has no objection to our giving it to the British, up to \$2,000,000,000, but he does not want to give them any more than that, even if it is necessary?

Mr. TAFT. The \$2,000,000,000, of course, will be used chiefly for materials ordered by the British. I have no great objection, as I explained, to their taking Army equipment, or even airplanes. I think our capacity in regard to airplane production is getting to a point where we can build airplanes in a hurry; but I do object to our giving naval vessels to Britain, or depleting the Navy.

Mr. WILEY. Mr. President, will the Senator yield for a question?

Mr. TAFT. Mr. President, in behalf of the Senators who do not want to stay here longer than they have to stay on Saturday afternoon, I think perhaps I had better decline to yield further.

The PRESIDING OFFICER (Mr. TUNNELL in the chair). The Senator from Ohio has the floor.

Mr. TAFT. Mr. President, I have described four broad powers which are away beyond anything that is necessary for aid to England, and, so far as I can see, have no relation to aid to England. They relate to increased powers of the President of the United States. There are other powers which I believe are even more dangerous—powers, in effect, to enter and intervene in the European war.

This is the fundamental difference between this bill and the substitute providing for loans to Britain. The whole system proposed is one of participation in the war. Section 2 of the Neutrality Act is definitely set aside and superseded. The first part of section 2 of that act says:

Whenever the President shall have issued a proclamation under the authority of section 1 (a)—

In other words, whenever a war occurs—

it shall thereafter be unlawful for any American vessel to carry any passengers or any articles or materials to any state named in such proclamation.

That is expressly set aside. After this bill shall have passed, there will no longer



be any prohibition of an American vessel taking goods to England except that contained in section 3, which provides for war zones, which are delimited and can be changed by the President. There would be nothing, certainly, to prevent his opening a route around the north of England, down the English coast, as to all the things that come in by way of the north of Ireland today.

We are giving the President the power to carry out this kind of a lend-lease measure and to transfer materials on American vessels to England, if he sees fit to do so, and to transfer them to England, without any limitations, so far as I can see. That means that American vessels may carry passengers and articles and materials to a belligerent state of Europe except for use in the war zone. If a few such ships were sunk and Americans were drowned, we would have a repetition of the very causes which took us into the World War. Of course, the provisions of section 2 are superseded so that the title to goods leaving this country for Europe can remain in the United States or with its citizens. The provisions of subdivision (d) and subdivision (e) of section 3 of the pending bill can be easily circumvented.

The bill unquestionably permits the use of American ports as bases for the British Fleet. This has always been considered an act of war, and may well lead to the mining of American ports by German submarines.

But, above all, the bill puts the President in a position where he can run the war. The distinguished Senator from Michigan has said that he would be No. 1 power politician of the world. He could sit back and direct almost in detail the activities of the British and every other nation engaged in war with Germany. The proponents of the bill have refused to limit his discretion as to the nations which may be aided. He will have power to plunge into war millions of people now at peace. He can make himself the great protagonist of the forces opposing Hitler. I think that is the conception behind the bill. Sitting behind the scenes, he can pull the strings which fire the guns and drop the bombs on armed forces and helpless civilians alike. If we loan \$2,000,000,000 to Britain, the British must determine how they will use it, and what their course in the war will be. They will run the war. If they wished to subsidize Turkey, or the French forces in Africa, or Greece, they could do so. But under this bill the title to everything manufactured in this country remains in the United States and is subject to the direction of the President, certainly until it leaves our shores, and in some cases long after it leaves our shores. The British could hardly plan an expedition in Africa or in the Balkans without obtaining the permission of the President and the materials necessary for such an expedition. Perhaps the President thinks he can occupy that kind of a position without involving the United States in a declaration of war. I can see that he would like to occupy that position, but, in my opinion, it is participation and intervention in war, in violation of the pledges of

both parties in the last Presidential campaign.

The President could not long continue to run the war without the United States becoming a party to the war. We cannot be in and out of the war at the same time. Furthermore, it puts the President in the position where he must determine whether or not Great Britain makes peace with Germany. I am not one of those who assert that there should be today a negotiated peace, but I do think that Great Britain should be free to make peace or continue the war as in the best judgment of their own people they may determine. They know the situation infinitely better than we can know it here. They are the people whose freedom is attacked, and whose vital interests are at stake. We should not urge them to make peace; nor should we refuse to let them make peace.

Whether or not the President will exercise the powers given in the bill, I do not know, but there can be no doubt that those powers authorize the President to intervene in the European war, continuously and in detail. Unless we in the Senate are prepared to declare war ourselves, we should not pass this bill.

The powers proposed to be conferred by the bill, over and above what can be given by a simple extension of credit to England, permission to purchase some of our surplus materials, are powers unnecessary, except to permit the President to take us into war. So in my opinion we should discuss here and now the question whether there are circumstances under which we desire to intervene in the European war.

There are many in the United States today who openly urge such intervention, including the distinguished Senator from Virginia, the president of Harvard University, a number of great magazines and newspapers, several bishops of the Episcopal Church, and a number of influential individuals. Many others claim to be for peace who, in my opinion, are actually in favor of war, because the only logical conclusion of their own argument is that we should enter the war if it in any way will assist Britain in repelling invasion. The distinguished majority leader, in his opening statement on the bill, explained that he was not for war because he did not think it would assist England, but implied that he might be if he thought it would assist England.

It is obvious to me that our actual entrance into the war would be of assistance to Britain. Evidently, Mr. Hitler thinks so, because he is very anxious to avoid our entrance into the war. He has studiously disregarded the unneutral acts in which our Government has already engaged. It would be unquestionably of assistance to Britain if our Navy took over the whole patrol of the Atlantic, and gave direct assistance at least in the Mediterranean.

On Wednesday the distinguished Senator from North Carolina [Mr. BAILEY] frankly stated his willingness to go to war if that would be of aid to Britain.

Night before last I read from a column written by Raymond Clapper this comment on what the present debate has

revealed on this issue of war and peace. He said:

Senate debate on the lend-lease bill opened on a new and sharper drumbeat. The tune now is, "war if necessary to save England."

They hope it won't be necessary. Nobody wants war. Once war was unthinkable. But now, if necessary, we will fight. That is the new mood that marks Senate debate. The old deal line, "short of war," has been receding into the background slowly but steadily during recent weeks. Now the possibility of war is discussed openly.

Senator BARKLEY, Democratic leader of the Senate, in opening the debate on the lend-lease bill, said it was not presently necessary for us to enter the war as an active belligerent. As to the future he will cross bridges when he reaches them.

The bugle call is louder now. In fact, they are blowing it almost in our ears.

Jesse Jones, Secretary of Commerce, said 2 days ago before a House committee:

We are in the war; at least, we are nearly in it.

The White House attempted to say that those were mere words, that they did not mean anything.

Night before last Miss Dorothy Thompson triumphantly announced that we were already in the war, only that we did not know it.

The William Allen White committee advocates the repeal of the Neutrality Act; the convoying of vessels to Europe; the opening of our bases to the British Fleet; the repeal of laws which prohibit recruiting and enlistments for the British armies. These are acts of war, and the kind of acts of war which inevitably will produce the collisions which mean war. The effect of permitting recruiting in this country was vividly portrayed by Winston Churchill himself in a letter he wrote at the beginning of the World War. He said:

It ought to be possible to organize in Canada an American volunteer force, amounting to a division, which could go into action as such. Nothing will bring American sympathy along with us so much as American blood shed in the field.

From the beginning the William Allen White committee had a subsidiary organization openly for war, made up of Herbert Agar and others, a kind of advance scouting force to test out public sentiment. Why did William Allen White resign from the chairmanship of his own committee except because he discovered that the real purpose of the committee was to involve us in war?

Secretary Knox and Secretary Stimson assert that the defeat of Britain would mean an immediate attack by Germany on the United States, likely to be successful. I utterly disagree with them, but if that is their belief, the only logical course is for us to enter the war now. The truth is these gentlemen have always been for war. Secretary Knox has been in favor of convoying American ships through the war zone ever since the war started, in September 1939. If his policies had been followed, we would be in the war now. Secretary Stimson advocated convoys and the use of American bases by the British Fleet, in June 1940.



The truth is that both these gentlemen were appointed because they were Republicans for war.

Mr. Willkie said on January 19:

If the men of Britain are permitted to fail, I say to you quite deliberately that I do not believe liberty can survive here.

I disagree, but if I believed that I would be in favor of entering the war today.

It is argued that the pending measure is a peace measure because the giving of aid to Britain is the only way in which we can keep out of war. Consider that argument for a moment. The necessary implication is that if Britain should fail, Germany would immediately attack the United States. If that conclusion were sound, we should be in the war today. Our entrance into the war would obviously be of assistance to British naval security, to British control of the seas, to British shipping, and to British morale. Any man who uses this purported peace argument must be in favor of war the moment he is convinced that it is of some assistance to Britain. If Britain shall ever be in a more serious position than her position today, our entrance into the war will be too late.

Mr. President, this country is being flooded by propaganda, stirring the people up to the kind of emotion which is the necessary prerequisite of war. The President's speeches since the first of January have noticeably omitted the term "short of war." His address to Congress on January 6 would have ended far more logically with an appeal to Congress to declare war. The name-calling and bitterness in which the President has engaged, much as we may sympathize with his statements, are of no real aid to Britain. They serve the purpose of concealing the lamentable delay in the sending of real and material aid to Britain, and even more the purpose of arousing the passion and hatred which are the precursors of war.

The attacks on appeasers are an attempt to suppress and strangle the voices of those opposed to war. There is here no question of appeasement. Appeasement means the yielding to demands with the hope that such yielding will prevent further aggression. Germany has made no demands on the United States; has made no attack on the United States. We are considering the question whether we shall go to war with a country which has taken no hostile step in the direction of the United States and whose violent language has only matched our own. The American appeasers are those who are vainly striving to satisfy Britain with money and materials in the hope that they may avoid the sending of men.

Many men are privately admitting today that they are in favor of entering the war, but they still publicly protest their peaceful intentions because they are afraid that public opinion is not yet sufficiently softened up for an outright war policy. Many men are still protesting their peaceful intentions only because they feel that an open advocacy of war today will create an adverse effect on the peace-loving American people.

In short, the time has come when the Nation should face the issue of war and

openly debate it. Let us not drift into war by mistake and find later that a majority of the people were fooled into a course of action the end of which they did not understand. That is not the democratic way; nor is it the way to win a war.

The bill before the Senate raises directly the question whether we wish to go to war or not. If we really are for aid to Britain short of war, then the extension of a loan, and permission to buy the equipment manufactured for our own Army and air force are adequate. There is no need for the vast additional powers given in this bill. There is no need to authorize the President to participate actively in the war. If we are opposed to entering the war, then we should vote for the substitute which I advocate. The people of this country, according to every poll which has been taken, are overwhelmingly in favor of peace. For the last 20 years every responsible statesman has advocated a policy of peace unless our territory is attacked. Every responsible statesman has opposed intervention in European war, including the candidates for President last November, who made the hustings ring with their protestations that they were in favor of peace. No change has come about in the European situation since November, except the passing of a national election. But some change has come about in the opinion of the people from the continuous propaganda carried on in favor of war.

Now is the time when the Senate must consider the arguments for war on their own merits, and not on the basis of emotion.

#### A NATION MUST BE GUIDED BY REASON, NOT BY EMOTION

The swing toward a war sentiment is animated not by reason, but by a deep resentment against German outrage. I sympathize with that feeling. I detest every utterance of Mr. Hitler and every action of the German Government in the last 8 years. It is natural that we should be moved by emotion and hatred and justified prejudice. Call it chivalry, if you please. We tend to look on the nation as an individual. An individual might go to war because of chivalry or prejudice or emotion, and every one of us might sympathize with that chivalry or prejudice or emotion as completely justified. It is his own business and he will accept the consequences. But a nation is not an individual. It cannot be moved by the same motives which properly inspire an individual. One hundred and thirty million people cannot be selfish in the way an individual can be selfish. It is not unselfish for you and me to help Britain by taking 130,000,000 of our own people into a war which will change the whole future course of their lives. It is not unselfish for you and me to send other people's sons, as well as our own into the holocaust of modern war. It is not unselfish of you and me to ask our people to surrender their own freedom and way of life to help defend a country and an empire for which many of them may not have any sympathy or affection. It is not unselfish

for college presidents to send their students to war even in a holy cause. No leader can properly engage 130,000,000 people in war except on the ground that it is to their vital interest to go to war. He must put their interest ahead of that of other peoples. We must not adopt through passion what reason would reject. Those are the words we heard the Senator from Maine [Mr. WHITE] read today.

Let us face the facts and reject a war policy, chivalry or no chivalry, if it cannot be clearly shown to be in the interest of the men and women and children back in the great industrial cities, in the towns, and on the farms of the United States of America.

#### WHAT ARE THE REASONS URGED FOR WAR?

The argument most strongly urged is that the possible defeat of Britain would be fatal to this country because it would mean an immediate military attack. Hitler, it is said, will invade the United States either directly across the ocean or by way of South America. This is asserted as a fact by reckless interventionists like Secretary Knox and implied by the President himself. How it can possibly be done is never spelled out. To my mind it is utterly impossible if we maintain and increase our defense forces. I notice a tendency today to shy away from the theory that Hitler can make a direct attack on the United States.

In the first place, it is extremely unlikely that Hitler would attempt any such expedition. The alarmists picture a unified Europe cooperating with Germany against the United States. As a matter of fact, Hitler will be badly tangled in trying to govern a dozen different races in Europe, none of them pleased with his rule. He has tremendous areas and turbulent peoples to police, including his own allies, who will not easily obey their own rulers, much less the Germans, whom they hate. No man and no race has ever succeeded in ruling Europe for long. Look at the matter for a moment from Hitler's point of view. He may be mad, but there has always been method in his madness. To set out for America with the flower of the German Army and leave a smoldering volcano behind him is not a thing any reasonable man would do. Napoleon's expedition to Moscow was nothing to such an enterprise.

Hitler would have little to gain by such an expedition, and all to lose. If he should win the war, the markets of the world will be open to him, and there are no raw materials which we have which he could not obtain elsewhere. As for our own surpluses, they will certainly be available at reasonable prices to European countries, even to Germany herself. The picture of a vast armada seeking the gold stored in the hills of Kentucky, as Cortez sought gold in the mountains of Mexico, must be too fantastic even for the advocates of this bill.

In the second place, a successful invasion of the United States is impossible. We have heard a good deal about a direct attack on the United States, across the Atlantic Ocean, stopping for ice in Green-



land, and fish in Newfoundland. [Laughter.] That theory now seems to be abandoned. The military experts of the two interventionist newspapers in New York, Hanson W. Baldwin and George Fielding Eliot, appear to agree that such an attack is impossible, no matter what their editors may think. Emphasis has been laid on the fact that Germany, Italy, Russia, and Japan, all put together, have more naval tonnage than we have today, but, as Hanson Baldwin says—

Today the totalitarian powers could muster against us a tenuous and theoretical superiority only if their own waters were entirely stripped of all naval protection, and a weird conglomeration of ill-adjusted fighting ships sent 3,000 miles across the seas on a mission for which they were never designed and never intended. Even then our own fleet, a tactical, unified whole, fighting in close proximity to its own bases, aided by shore-based aircraft, would have an insuperable advantage over a conglomeration of ships operating thousands of miles from bases and constantly subject to air and submarine attack.

It would take millions of tons of shipping to transport and support in this country any army big enough to survive after it had landed.

The President himself finally on January 6 said:

Even if there were no British Navy, it is not probable that any enemy would be stupid enough to attack us by landing troops in the United States from across thousands of miles of ocean until it had acquired strategic bases from which to operate.

Where are those bases to be? How are they going to be seized and used while our Navy is in existence? How can an army of any size be supported in Bermuda or Nassau or Newfoundland, even if they could ever be seized?

Direct attack being impossible, the favorite excitement now is an invasion through South America, via Dakar and Brazil. I wish some of the alarmists would look at this situation realistically, as Mr. Hitler would have to look at it. Think of the difficulty of organizing an expeditionary force of a million men—and a million men would not be enough for any such expedition—and transporting it first from Germany 3,000 miles to Dakar, a desert port in Africa. From Dakar, it is said, it is only 1,600 miles to Brazil. An airplane can fly it in a day. What has that got to do with the transportation of a million men, across an ocean in which there exists a strongly unified hostile fleet, to a country as bitterly opposed to invasion as the United States itself? Then after this German Army of a million men has gone 5,000 miles it is still just as far from the United States as it was when it started.

It has still to advance through the jungles and forests of the Amazon. It has to cross great mountain ranges, its lines of supply growing constantly longer and longer and more difficult to protect against the American Navy and the South American peoples that such an invasion has antagonized. Finally the army reaches the north shore of South America. From that point, up through Central America and Mexico, is another 2,000 miles through trackless mountain forests, where today there are no roads.

Central America certainly would be easy to defend from a land attack. An attack across the Caribbean Sea, in complete control of our own Navy, would be 10 times as difficult as it is to get across the English Channel. An invasion of the United States by the German Army is as fantastic as would be the invasion of Germany today by the American Army, and as unlikely to be undertaken. In all the months such an expedition would require to be organized and carried out we should have plenty of time to add to the defenses which we already have.

We can defend ourselves. The situation regarding strategic and critical materials is constantly improving and not at all as described by the Senator from Kentucky. I submit for the Record a complete analysis of this situation. We have today the finest Navy in the world, and we are constantly increasing it, whereas the naval strength of the Germans and Italians is subject to constant attack and is certainly not being more than replaced by new vessels. Contrary to propaganda, our naval policy has never been based on the British Fleet defending our Atlantic seaboard. We have assumed that that fleet would not attack us, but our fleet, operating on an interior line, has always been designed to meet European attack in the Atlantic and Japanese attack in the Pacific. We are not hiding behind the British Fleet. We do not have to buy time from the British or sit back, a financial colossus paying other people to fight our wars for us. I refuse to believe that the Secretary of War and the Secretary of the Navy really believe that the United States, with a population 50 percent larger than that of Germany, with the greatest industrial capacity in the world, and the finest Navy, is unable to defend itself against a country 3,000 miles away.

#### FUTURE TRADE COMPETITION NO CAUSE FOR WAR

The second bogeyman dangled before us as a cause for war is the claim that in the event of German victory our trade—particularly that with South America—will be destroyed, and that because of a trade domination the governments of South America will become more and more friendly to Germany. Of course, if we should be at war, our trade would be interfered with, as it already is, and as it would be in the event of any war.

The policy of the pending bill would bring about exactly the same dislocation of trade. If the Germans are to try to make war on us, they will hardly be in a position to build up the permanent trade connections which are necessary to injure our peacetime trade. If they want to conquer us, they will have to make peace. If our contest with Germany is to be for trade, we are better equipped today than the Germans can be for many months. They will have to make over completely their war economy, which now absorbs the greater percentage of their industrial activity, and tool up their factories for peacetime production. Undoubtedly when peace is made they will be dangerous competitors in the world markets; but let us face the facts with regard to our foreign trade. It will not

be destroyed; but no matter who wins this war it will not prosper for many years to come. In any event, the impoverished peoples of Europe will have to work for starvation wages for a long time. They will have very little with which to buy our goods. They will undersell us in other countries wherever there is direct competition, but that is the result of war, not of a Germany victory. The competition will be British just as much as it will be German.

On the other hand, we have many means by which to promote our trade. Outside of price competition, we are infinitely better equipped than the Germans will be. Those who threaten us with the destruction of our trade never specify how it is to be destroyed.

Sometimes it is claimed that the Germans will marshal all the buying power of Europe and approach the Argentinians, for example, with the demand that they sell their wheat for 2 cents a bushel. Of course, that assumes a control over the buying power of England and France, which certainly we did not think of imposing on Germany in 1919. But it is the situation imagined by those who favor the South American cartel.

Some use just the opposite and inconsistent argument. They say that the Germans will be so kind to the Argentinians that they will sell them German goods for practically nothing, with a government subsidy to turn them away from their friendship with us. Frankly, we could play at both games ourselves, if it would do us any real good. Unquestionably the Germans and the British will have an advantage in Argentina, because they will take Argentine exports and we will not. On the other hand, we take the greater proportion of the Brazilian coffee crop and other tropical products, so we have an advantage in Brazil. So also we have an advantage in Colombia and Venezuela.

It is said that the Germans will establish a world of barter. Why cannot we barter as well as the Germans? I doubt very much whether a barter policy in the end will do the barterer any good. The Germans will barter because they have to, but barter is a clumsy makeshift. Most nations would prefer to take the money which we can pay them.

Undoubtedly governments will have more to do with foreign trade in the event of German victory; but I am afraid that is true no matter who wins. Last week Secretary Hull himself presented to the Senate, and the Senate ratified, a treaty putting the coffee trade of the world on a quota system, and incidentally raising the annual cost of coffee to the consumers of this country by \$25,000,000. We have seen today how the whole sugar trade of the world is divided into quotas. I am afraid we are bound to have Government control of international trade no matter what happens after the war. Undoubtedly governments will have more to do with foreign trade. I see no reason why Government control of foreign trade should result in any greater regimentation or control of free enterprise and free competition within the United States than we already have. The United States is almost a self-contained



unit, and competition is severe in many industries in which foreign markets are not now a factor. We can keep competition open if we wish to do so. Why not?

What is the South American trade about which we are so tremendously concerned? Our total exports to the entire world in the 2 years before the war amounted to about \$3,000,000,000, or 5 percent of our entire trade. Our foreign trade did not solve our cotton problem, our wheat problem, or our unemployment problem. Only \$300,000,000 went to South America. That represents one-tenth of our total exports, or one-half of 1 percent of our production.

Of course, we would not lose all that trade. We must buy most of the Brazilian coffee crop or it cannot be sold. We have a dominating position in Colombia and Venezuela and we can maintain it. Of the total foreign trade of \$3,000,000,000, \$800,000,000 is with North America. There seems to be no reason why it should decrease, whether Hitler wins or not. Half a billion dollars of that trade is with Asia. No matter how unfriendly Japan may be, she is most anxious to trade with us. Even if Japan should take the Dutch East Indies, what possible market could she find outside the United States for the rubber produced in the Dutch East Indies?

Our trade with Europe would undoubtedly be somewhat decreased, but, no matter how much Germany may seek to dominate world trade, there is no logical argument for maintaining that the American foreign trade can be cut off more than \$1,000,000,000, or from \$3,000,000,000 to \$2,000,000,000 a year. Even that we should not lose entirely because most of the things we might cease to import could and would be made in this country, perhaps at slightly greater expense, but providing jobs for those who have to leave the export industries.

Frankly, I do not think the American people, calmly considering the alternatives, will deliberately go to war over the question of foreign trade. The whole idea of making war on a country which has not attacked us, because some day that country may be a successful competitor for foreign trade, is completely alien to the point of view of the American people. I do not contend that German victory would make no difference to the United States, but I do contend that it would make less difference than a world war of which no man can see the end.

I think our position today is the same as that which the Senator from Maine [Mr. WHITE] read in the Farewell Address:

Europe has a set of primary interests, which to us have none, or a very remote relation. \* \* \* Our detached and distant situation invites and enables us to pursue a different course. \* \* \* Why forego the advantages of so peculiar a situation? Why quit our own to stand upon foreign ground? Why, by interweaving our destiny with that of any part of Europe, entangle our peace and prosperity in the toils of European ambition, rivalry, interest, humor, or caprice?

#### THE TERRIBLE ALTERNATIVE OF WAR

We are threatened daily by the horrible things which will happen to this country if Britain should surrender after we have given all possible aid short of war. I have tried to show that those threats are illusions created by emotion and by deliberate policy. But we hear little about the results of a policy which drags us into war. In violation of the idea of the Kellogg Pact, war is coldly considered today as an instrument of national policy to determine the future of our trade and of our ideology. It seems to be looked upon by many as a kind of world-series game, in which one nation or the other wins the pennant and receives a majority of the gate receipts. Some look forward to an emotional uplift of patriotism and self-sacrifice—a great crusade for democracy, marching triumphantly around the globe.

We seem to forget that war today is murder by machine. It is more destructive than it ever has been. It threatens to wipe out in a few years the whole civilization which Europe has been building for a thousand years. It kills civilians—men, women, and children—as well as soldiers. All the glamour has gone from it, and most of the heroism. It is said that men are not required from us; but once we are really in the war, there can be no limit to what we must do to win the war. Our men can be used in Africa, in Greece, in Singapore, and in the Philippines; perhaps, later on, on the Continent of Europe. We cannot let others fight our war, once it is our war, and refuse to send our own men. We must draw our young men from every home in the land. We must break up families. We must destroy the progress they have made, and the plans for living which thousands have laboriously worked out. The boys who are 14 today will be old enough to be drafted before this war is over.

In the World War approximately 50,000 American men were killed. Today, 22 years after the end of that war, over 10,000 veterans are in the hospital with service-connected disabilities—57 percent of them for neuropsychiatric causes, their lives utterly wrecked. Three hundred and forty-two thousand men have some kind of disability received from the war, in addition to 100,000 disabled who have already died. Sixty-seven thousand of the living are suffering from nervous and mental troubles resulting from that war. And that time we only came in at the finish. Today we would face a war of many years. Even more than in 1864, even more than Sherman knew, "War is hell."

For many years we have been building up the standard of living of our people. We have been trying to provide happiness for more people in greater amount. We have adopted all kinds of devices; but the general purpose has been to improve the material happiness of millions of families. Two years of war will wipe out all the progress we have made. We may retain social-security laws, and the like, but the general reduction in standard of living and the burden of taxation which

inevitably result from war will more than balance any benefit those laws can give. War has always in the end wrecked finance and trade. There may be a short artificial boom, but it is bound to be followed by depression and hardship and unemployment. The petty difficulties of foreign trade would be a drop in the bucket compared to a few years of war at \$50,000,000,000 a year.

It is said that we are to go to war to preserve freedom and the democratic way of life throughout the world. Nothing will destroy democracy so quickly as will war. We see today in this very bill a demand for powers more arbitrary than any President has ever asked. Already the Government has power to draft men and to draft industry. If war is once declared, it can take over the railroads, the telegraph, the radio, and the utilities. In short, it can establish a completely socialistic state, and there are plenty of persons in Washington who would like to use these powers for that purpose. Certainly the present administration is more likely to use them than was that of Woodrow Wilson.

The World War was fought to make the world safe for democracy. It resulted in more dictatorships than the world had seen for 100 years. England today is necessarily almost a socialistic state. The best opinion is that it will continue to be so after the war. In the meantime, in this country we would vastly increase Government activity. We would put the Government into every business. We would pile up a national debt so great that repudiation would stare us in the face, as it does the British today. A debt as great as that which will exist in England and the United States after a long war invites repudiation. It invites a capital levy. It invites a wiping out of the whole financial structure and a new beginning. When we begin again, we are likely to set up some kind of national socialism. A system of free enterprise is like Humpty Dumpty; it can never be put together again by the hand of man. I have no question that a long war—and this would be a long war—would end the American way of life as we have known it.

#### A WAR TODAY WILL INVOLVE US PERPETUALLY IN EUROPE

If we enter the war today only in order to save the British Empire, we shall be involved in war for many years to come. It is difficult to see how Britain and ourselves together can produce more than a stalemate in Europe. Certainly it will take many years before a force can be landed on the Continent to overwhelm Hitler, as the shouters for war seem to think they can do within a year. Their only war aim is to lick Hitler. On the other hand, even if we should enter the war, Britain might still collapse in spite of all our aid, for that aid in 1941 cannot be very material. That would leave us holding the bag, engaged in war with all the military and naval forces of the earth. It is easy to get into war. It is not so easy to get out.

Furthermore, we should be in and out of war for hundreds of years to come. If



the great British Empire cannot stand without our aid, we shall have to be forever bolstering that Empire. If we admit that the English Channel is our frontier, the British Isles become forever an outpost of our defenses. The English Channel is not a strong defensive position under the conditions of modern air warfare. Even if Germany is repulsed today, there will be a constant temptation to renew the attack. The weak position of maintaining a vulnerable outpost 2,500 miles from the United States would be a constant invitation to war. If we place our boundary at the English Channel, and take on this war as our war, it will inevitably involve us in operations on the Continent of Europe.

The British are today talking of invading Germany in 1942 or 1943, and that may be ultimately the only way in which the English Channel can be defended. If our interest in the channel is the same as that of Britain, we must join in such an invasion. If the safety of the channel is essential to the United States, and if the only way the channel can be made safe is by our interfering on the Continent of Europe, then we cannot stop with defense or naval aid, but our boys must go on and try to clean up Germany, and at best, if they succeed, police forever an impoverished world. This is the logical result of a war policy. It is the logical conclusion from the argument that this is our war.

This war is not our war. We did not start it. We were not asked for our opinion. We have not been told what the ultimate aims of the people are after Hitler is defeated. There is only one policy which can keep this country a peaceful country. That policy is to recognize the Atlantic and Pacific Oceans as our boundaries, and to defend those oceans. We can defend the Atlantic Ocean far more easily than we can defend the English Channel. Furthermore, the difficulty of attacking us across the Atlantic Ocean is so great that no enemy will consider attacking us if we maintain a strong Navy and air force.

The alarmists picture the ideology of fascism spreading over the world by the mere strength of the ideas contained in it. It is said that the world cannot be half democratic and half autocratic. Why not? The world has always been half democratic and half autocratic. Different ways of life have existed since the beginning of time. We have never had anything in common with the ideals of India, or China, or Russia, or many parts of Europe. When I think of the people back on the farms and in the cities of Ohio, I cannot imagine their accepting the ideals of fascism simply because Hitler is victorious in Europe. If our democracy is not based on a sounder foundation and more profound conviction than that, it does not deserve to survive. The very victories of Hitler will make fascism more repulsive to the American people.

#### WAR DEFEATS ITS OWN ENDS

In short, Mr. President, war is a vain policy, except a war fought at home to establish or preserve the freedom of a nation. War cannot bring peace, but

only breeds more wars. War defeats its own ends. A war for democracy destroys democracy. A war for trade costs more than the trade is worth; and finally peace must be made perhaps in no way different from that which could have been made in the beginning; or it may be a peace like that made at Versailles, containing only the seeds of future war. War cannot impose on other peoples forms of government which they do not want. It cannot make other people happy. It never has attained and never will attain the four objectives stated by the President in his address on January 6.

War will never spread freedom of speech and expression anywhere in the world. War will never bring freedom from want anywhere in the world. No; it will bring only poverty and hardship and suffering. War will never bring freedom from fear or disarmament or national security. If we wish to bring about the objectives which the President always states so well, if we wish to preserve democratic government in the world, then war is the most futile means to that end.

We can only spread democracy as we did it in the nineteenth century—by the example of our own success. If we can show the people of the world that a democratic government can itself retain freedom of speech and of religion, freedom from want, and freedom from fear, then there is some hope that the other peoples of the world will rise against their dictators, and establish the form of government which has brought freedom and happiness to millions in this country. By assistance and encouragement and friendship and cooperative action we can increase the force of our example.

#### PEACE IS THE HOPE OF THE WORLD

Peace in America is the only hope of the world. I believe we can still keep out of this war and still give to Great Britain the assistance for which she is asking. We are not in the war today and we will not even be in the war if the lease-lend bill shall be passed. But in the broad language of the bill we are asked to give one man the power to take us into war, and by passing the bill in its present form we are in effect approving a war policy if he sees fit to declare it. There is no need to give these powers if we intend our aid to Britain to be short of war. Such aid can be given under my substitute, or any of several other bills which have been presented.

The Senate faces the choice now. If the people show clearly their opposition to war, I doubt if the President will exercise his privilege of going to war. But the people are going to face the same choice during the next 6 months.

Are we going beyond the tremendous assistance we can give Britain by a speedy, efficient, and unlimited production of war materials to plunge into the caldron of European war? Are we going to assume the task of maintaining forever the balance of power in Europe? Are we going to allow emotion to involve us in a war of which no human being can see the end? Or shall we in calm and reason insist on remaining at peace, by which course alone we can increase

the volume of human happiness and hold aloft the torch of liberty?

[Manifestations of applause in the galleries.]

The PRESIDENT pro tempore. The occupants of the galleries will be in order and refrain from demonstrations of approval or disapproval.

Mr. BARKLEY. Mr. President, I understand the address to which we have just listened is the last scheduled for today. I wish to make an observation, and to advise the Senate with reference to the program for next week.

There may be still 2 or 3 days of what might be called general debate. The debate has proceeded this week on a very high plane. I think the country at large, regardless of varying opinions on the pending measure, will agree that it has been a long time since a debate involving so much of controversy has been conducted for so long a time on as high a standard and plane as that which has characterized this debate. I congratulate the Senate and those who have participated in the debate.

I think that next week the Senate should sit a little longer each day in order that we may proceed with the remainder of what may be termed set addresses, and at the same time take up amendments to the bill. Except on one day when we ran out of speeches a little earlier than had been expected, we have not attempted to consider amendments, and it was thought we might gain a little time by taking up some of the committee amendments, and I suppose we did gain a little time in discussing at least one of them.

I think the Senate should understand that if there should be any lag in the debate next week there will be no reason why we cannot proceed to consider amendments, not only the committee amendments, of which there are only three, but also amendments offered from the floor. The mere fact that the Senate may be considering amendments will not preclude any Senator from speaking on the bill. So at some stage of the proceedings next week we may find it convenient and desirable to intersperse speeches during consideration of amendments which may be offered. Of course, the consideration of amendments would not preclude the right of Senators to make speeches.

In consideration of these circumstances, I hope that beginning on Tuesday the Senate will be willing to meet at 11 o'clock a. m. instead of 12 noon. I suggest Tuesday because Monday is rather a hard day on which to begin earlier sessions, since Senators have their mail which has come in over the week end. Therefore I would not wish to have a session at 11 o'clock Monday, but beginning Tuesday, and during the remainder of the consideration of the pending bill, I hope the Senate will be willing to meet at 11 o'clock.

I now move that the Senate proceed to consider executive business.

Mr. WHEELER. Mr. President, before the Senator makes a motion—

Mr. BARKLEY. I am not making a motion with reference to the pending



bill. I am merely advising the Senate that I shall ask that the Senate meet at 11 o'clock on Tuesday.

Mr. WHEELER. I wish to say just a word at this time. For several months we have been meeting and adjourning for 3 days at a time. As the Senator has said, the debate on the pending bill thus far has been on a high plane, and I hope it will continue so. But if Members of the Senate are to be forced and driven into making speeches at times when they cannot be entirely prepared, I say to the Senator in all sincerity that we shall be forced to resort to making speeches which perhaps may not be entirely to the merits of the bill.

We have been making great progress in our speeches. I appreciate that the Senator has the votes, if he desires to have us meet at 11 o'clock on Tuesday, to bring that about, but I can assure the Senator and the Senate that when Senators wish to make speeches in an orderly way and to have time to prepare them, no time will be gained by attempting to force us to remain in session extremely long hours. It is not fair to the Senate, and I do not believe the country wants it or expects it.

The pending bill is of tremendous importance to the United States, to 130,000,000 people. It is the most important piece of legislation that has come before the Congress during my 18 years' membership in this body, and I for one, if I have to stand on my feet day and night, will not permit myself to be shut off in debate or have anyone else shut off, and I do not intend to be put to the necessity of standing here from 11 o'clock in the morning until 6 o'clock at night. That will not accomplish any good, it will not tend toward unity in the country, and it will not tend toward unity in this body.

Mr. BARKLEY. Mr. President, I think the Senate will agree and the country will agree that no effort has been made to force any Senator to speak when he was not prepared to speak, or to shut off any Senator from speaking as long as he pleased. No effort has been made to limit anyone in his right to speak indefinitely. I may say that some on the other side of the question at issue have cooperated fully and generously in trying to arrange a schedule of speaking in order that we might put in a full day's work.

It will be practically 4 weeks next Monday since the hearings on the bill started. The transcript of the hearings has been printed and has been available for a week. We have been engaged in the debate for a week. It seems to me there is no reasonable excuse for any Senator who has any opinions on the bill not being prepared during the coming week, during the early days of the coming week, to deliver any address he may desire to make, no matter how long it may be.

The suggestion I have made is not intended to force anyone to do anything. We hear much about trying to force and drive men. No one has tried to force or drive anyone. So far no one has asked that any Senator be limited in the length of his address. Those with whom I have

conferred, including the Senator from Montana, have agreed that it is not necessary that all the speeches which are to be made should be delivered before we begin to consider amendments to the bill, amendments suggested by the committee, or amendments offered from the floor.

I think it is the duty of Senators—I do not say this in any spirit of criticism—to devote their time and their presence to the Senate of the United States while this measure is under consideration. I do not believe that any Senator has the right to ask the Senate to postpone the consideration of the bill in order that he may travel all over the country and make speeches to other people who will not vote on the bill. Certainly we could devote our time undividedly to the matter before us. There may be some persons in the country who do not care whether it ever comes to a vote, and I do not include anyone in the United States Senate in that suggestion. There may be some outside the Senate who might not be disappointed if it never came to a vote. But I think the country will agree that the Senate of the United States now, under present circumstances, ought to devote itself single-mindedly to this proposition, giving everyone an opportunity to speak as long as he wants to speak, and then bring the matter to a conclusion. In that view, I thought it fair to the Senate to advise it that on next Monday I would ask the Senate to meet a little earlier on Tuesday.

Mr. CLARK of Missouri. Mr. President, has the Senator concluded?

Mr. BARKLEY. I will be glad to yield to the Senator from Missouri.

Mr. CLARK of Missouri. I agree with the Senator from Montana [Mr. WHEELER] completely that the Senator from Kentucky has the votes if he wants to start a pressure method in the consideration of the bill. I know there are certain preferential motions which can be made when the Senator from Kentucky makes his motion on Monday to meet at 11 o'clock on Tuesday. I know that a preferential motion would be to adjourn or to recess until 12 o'clock. I know that the Senator from Kentucky has the power to carry the motion which he has announced he intends to make.

Mr. President, on Tuesday, when I opened the debate on behalf of the opponents of this bill, I stated that I spoke by authority—which I did—that there was no desire whatever on this, the most important proposition which has been presented to the American people within the lifetime of any of us, possibly the most important measure which has been presented to the American people since the foundation of the Republic—there was no disposition on the part of those who were opposed to the bill to delay the vote on the measure, and all that we asked was full and fair discussion of it.

Of course, we all know that there are several different methods by which the majority can try to put pressure on the minority. One of them is cloture. The Senator from Kentucky knows, as does everyone else, that while a cloture resolution may be submitted on a matter of this importance, it is not possible to get the necessary two-thirds of the Senate

to vote for it, so the Senator from Kentucky, as I understand his proposal, is now attempting to resort to another pressure method—long-hours pressure.

Mr. President, so far as I am concerned, if the debate can be exhausted, not only on the bill, but on amendments, I have no disposition whatever, and I am certain that my associates who are opposed to the bill have no disposition, to string its consideration out beyond the end of next week, or certainly not to an unreasonable extent. But the method suggested is an attempt, in my judgment, to apply pressure in restriction of fair debate on a measure of tremendous importance.

I think I may say, in all fairness, that, while no opponent of the pending bill, so far as I know, has ever suggested or desired to be put in the attitude of a filibusterer before the American people, nothing will be gained by meeting at 11 o'clock, because, if necessary, the reading of the Journal in full will occupy the time between 11 and 12 o'clock.

Mr. President, I do not think that the proposition which the Senator from Kentucky is now advancing is a fair one. As I have said repeatedly, and as everyone else has said, no one desires to hold up the consideration of this measure; no one desires to delay action on it. Every argument of the proponents of the bill is that something must be done to aid England. I challenge any Senator on this floor to rise at the present moment, or at any future time, and say that a delay of 2 or 3 days, 3 or 4 days, even a week, will have any effect on any military situation that may develop in Great Britain, or on the continent of Europe, or in Africa, or Asia, in the next 60 or 90 days. I say that it is very much more important that the Senate of the United States have the opportunity to perform its sworn duty of considering the consequences of a bill which may essentially and forever change the permanent form of our Government, than that the bill be rushed through 2 or 3 days earlier.

Mr. President, so far as I am concerned, I give warning now that if the pressure method presented by the majority leader, of starting in with long hours, and trying to wear out legitimate debate, is to be pursued, then I shall withdraw any pledge I have ever made to refrain from pursuing any appropriate parliamentary method of defeating such a move.

Mr. BARKLEY. Mr. President, I wish merely to say a word in reply to what the Senator from Missouri has stated. The proposal which I made was advanced at the suggestion of numerous Senators on both sides of this proposition. It was not made in order to shut off anyone. That is not the intention. In my judgment, it will not have that effect.

As I said a few days ago, the committees, aside from the Appropriations Committee, are not now meeting in the morning regularly. No major legislation, in the main, is now being considered by them. How long that situation may continue to exist no one can tell. The Congress has now been in session for 2 months. It is inconceivable that we can go on much longer without all the com-



mittees being crowded with business. I do not think my proposal is an unreasonable one. It was not made with the view of applying pressure; it was not made with the view of tiring Senators out. If I had any desire to tire Senators out, I would not choose the Senator from Missouri or the Senator from Montana as prospective victims of my efforts to tire anyone out. I have no such motive. I would not want to tire them out if I could, and I know that I could not if I would. But while committees are not in session and we are not so busy in the morning as we will be a little later, it occurred to me that it was not asking too much to request that the Senate meet an hour earlier.

It is always within the power of the Senate to adjourn or recess at any time in the afternoon that it sees fit. One Senator, who has not yet spoken, advised me that he may want to speak for 4 or 5 hours. I would not curtail him by one-eighth of a sentence. Of course, if what he said is true, he will occupy all of one day himself, and that is perfectly all right with me. He has a right to do that, and I am not complaining. But if several other Senators who have not yet spoken, or if Senators who have spoken in part and have not yet finished their remarks, should conclude to speak indefinitely or for half a day each, I think all Senators will realize how difficult it will be to bring this matter to an early conclusion.

I have no desire longer to prolong the controversy over that problem, and I now move that the Senate—

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. CLARK of Missouri. In my opinion, no time will be saved between 11 and 12 o'clock on Tuesday, because I give notice now that I shall ask for the reading of the Journal in full and make such appropriate remarks as I may please to make on that motion.

Mr. BARKLEY. Of course, that is within the right of the Senator from Missouri; but that means that the Senator from Missouri is not willing to abide by the majority will of the Senate if the will of the Senate should be to meet at 11 o'clock. That is all his statement can be interpreted as meaning.

Mr. CLARK of Missouri. I assure the Senator that I shall be present at 11 o'clock.

Mr. BARKLEY. What the Senator is doing is serving notice on the Senate that if it wishes to begin consideration of the bill earlier than 12 o'clock he will resort to some parliamentary device to prevent it.

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. WHEELER. The Senator knows that the Senator from Missouri [Mr. CLARK], the Senator from Ohio [Mr. TAFT], the Senator from Michigan [Mr. VANDENBERG], the Senator from California [Mr. JOHNSON], and myself have been working diligently and trying to urge Senators to have their speeches prepared in time. However, it is not always possible to persuade Senators to speak

in the Senate at a late hour. No one knows that better than does the Senator from Kentucky. They do not like to speak late in the afternoon. Whether or not we are having committee meetings, every Member of the Senate is pulled and hauled from the time he reaches his office until the time he comes into the Chamber. Then, if he is paying attention to what is going on in the Senate, by the time 4 or 5 o'clock in the afternoon arrives he is pretty well fagged out from nervous exhaustion.

This is important legislation. Let me say to the Senator that if after a while it should appear to the Senator that Senators are trying to tie up the Senate, then I should not blame the Senator for asking that the Senate meet at 11 o'clock, but until such time comes, and while everything is going smoothly, why ask the Senate to meet at 11 o'clock? It would work a hardship upon me, I can say to the Senator. It would work a hardship upon the others of us who are trying to be cooperative in the matter. I think it is a mistake to make such a request. I am appealing to the Senator from that standpoint, not to press his request that beginning on Tuesday the Senate meet at 11 o'clock. One Senator has said to me that he wishes to begin his address at 12 o'clock on Tuesday. Others have said to me that they wish to begin at a certain time on Monday. However, it is very difficult to persuade them to say that they will begin late in the afternoon.

Mr. BARKLEY. Mr. President, we cannot all have the choice of hours of the day to deliver our addresses. I realize that Senators do not like to address the Senate during the luncheon hour, when their colleagues are absent from the Chamber replenishing the inner man. I realize that none of us likes to make a speech at such an hour that it will not reach the headlines in the next morning's newspaper or in the late editions of the afternoon newspapers; but I do not know how the Senate can control the distribution of time so as to make it possible for any Senator to reach the headlines in the newspapers, or to have the largest audience in the Senate. The problem presents a difficulty. We are all more or less prima donnas. I am one myself.

Mr. WHEELER. We all are.

Mr. BARKLEY. As the Senator once said, if he had not been one he would not be here.

Mr. WHEELER. That is correct.

Mr. BARKLEY. Even admitting that, we must make some concessions. I realize that it is difficult to arrange a schedule satisfactory to all Senators, but we must do a day's work. Everybody else in the country who has a job is doing a day's work. I do not mean that we are not. I presume I am about as busy as any other Senator.

Mr. WHEELER. That is correct.

Mr. BARKLEY. I try to keep up with my office work, my work on the floor of the Senate, and my work in committees, of several of which I am a member.

I wish to say further that the suggestion which I made did not contemplate in the slightest or remotest degree any

threat, remote or proximate, of a filibuster. I have said publicly that, so far as I know, there has been no deliberate effort on the part of any Senator to delay the debate on the pending measure. However, frankly, I think some Senators have been a little dilatory in preparing to address the Senate, and that ought not to be so.

Mr. WHEELER. That statement does not apply to me.

Mr. BARKLEY. I am not applying my remarks to the Senator from Montana.

Mr. WHEELER. I will say to the Senator, in addition, that, so far as I am concerned, I expect to address the Senate for some little time. I do not know how long my address will require, but I do not care whether I begin my address at 12 o'clock or 2 o'clock. However, I do not wish to begin late in the afternoon, when I am tired.

Mr. BARKLEY. I will say to the Senator that I shall do the best I can to help arrange matters so that he will not have to begin his address late in the afternoon.

Mr. WHEELER. I appreciate that statement.

Many persons think that all Members of the Senate have to do is to sit in the Senate Chamber. They do not give us credit for having anything else to do. With the concentration of power in Washington today, everybody is looking to Washington, and Senators have much to do beside appearing in the Senate. Senators have matters before the various bureaus and departments on behalf of their constituents. If they are to do their work properly in the Senate and look after the interests of their constituents before the various departments, they have a difficult task, and the Senator from Kentucky knows it only too well.

I urge the Senator not to try to put his suggested plan into operation on Tuesday or Wednesday. However, if it should become necessary later in the week, I will say to the Senator that I shall have no objection. I do not believe we ought to start on Tuesday. As the Senator from Kentucky knows, we have been trying to cooperate with him in every possible way to expedite matters.

Mr. BARKLEY. I will say to the Senator and to other Senators that I shall be glad to discuss the matter over the week end. I felt that, in view of the situation, I ought to advise the Senate that it might be necessary to adopt such a plan. I realize that a delay of 1 day in the date on which the law becomes effective may not make any difference; but I think we are approaching a time when we may have many other things to consider, and that this particular measure ought to be disposed of as promptly as possible consistent with the right of every Senator and of the country at large to give the bill the consideration to which it is entitled.

#### PROBLEMS OF SMALL BUSINESS

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. O'MAHONEY. Now that the discussion of the pending business appears



to have been concluded for the afternoon, I desire merely to take a moment's time to call the attention of Members of the Senate and of readers of the CONGRESSIONAL RECORD to the fact that the study of the problems of small business which has been carried on over a period of more than a year by the Temporary National Economic Committee has been concluded.

A monograph on this subject—monograph No. 17—is now available at the office of the Superintendent of Documents at the Government Printing Office. Many persons throughout the country have written to the chairman and to other members of the committee with respect to this study, and I am sure it is of some value to have it noted here that copies may now be obtained from the Superintendent of Documents.

This study is divided into three parts. The first part deals with the factors that enter into the survival of small business. The second part deals with matters having to do with market security. The third part deals with the financing of small business. In addition to this, there is an appendix in which are gathered numerous matters and statistics of importance on this subject.

#### EXECUTIVE SESSION

Mr. BARKLEY. Mr. President, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

The PRESIDENT pro tempore. If there be no reports of committees, the clerk will state the nominations on the calendar.

#### POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. BARKLEY. I ask that the nominations of postmasters be confirmed en bloc.

The PRESIDENT pro tempore. Without objection, the nominations of postmasters will be confirmed en bloc.

That concludes the calendar.

#### RECESS

Mr. BARKLEY. As in legislative session, I move that the Senate take a recess until 12 o'clock noon on Monday next.

The motion was agreed to; and (at 5 o'clock and 30 minutes p. m.) the Senate took a recess until Monday, February 24, 1941, at 12 o'clock meridian.

#### CONFIRMATIONS

Executive nominations confirmed by the Senate February 22 (legislative day of February 13), 1941:

#### POSTMASTERS

##### OKLAHOMA

Roy Ruel Castleberry, Bokchito.  
Sam C. Ritter, Wyandotte.

## SENATE

MONDAY, FEBRUARY 24, 1941

(Legislative day of Thursday, February 13, 1941)

The Chaplain, Rev. Zeb Barney T. Phillips, D. D., offered the following prayer:

Almighty God and Heavenly Father, whose power cannot be measured, beyond whose fostering care we cannot drift: Grant to each one of us, as we bow in reverent adoration and offer ourselves to Thee in answering love, that we may be delivered from all insincerity, from satisfaction with ourselves, and find contentment only in the doing of Thy will.

Let the ears which have harkened to Thy voice be closed to the mordant notes of clamor and dispute; let the eyes which have glimpsed Thy patience and forbearance behold constantly Thy blessed hope; let the tongues which have sung the antiphons of praise and benediction speak always words of living truth; let the feet which have traversed Thy courts ascend the paths of holy aspiration and walk in realms of light. So may we this day become partakers of that perfect manhood which Thou hast revealed in Thy blessed Son, Jesus Christ, our Lord. Amen.

#### THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day of Saturday, February 22, 1941, was dispensed with, and the Journal was approved.

#### MESSAGES FROM THE PRESIDENT— APPROVAL OF A BILL

Messages in writing from the President of the United States were communicated to the Senate by Mr. Latta, one of his secretaries, who also announced that on February 19, 1941, the President had approved and signed the act (S. 187) to provide for the establishment, administration, and maintenance of a Coast Guard Auxiliary and a Coast Guard Reserve.

#### CALL OF THE ROLL

Mr. HILL. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Capper	Hatch
Aiken	Caraway	Hayden
Andrews	Chandler	Herring
Austin	Chavez	Hill
Bailey	Clark, Idaho	Holman
Ball	Clark, Mo.	Hughes
Bankhead	Connally	Johnson, Calif.
Barbour	Denaher	Kilgore
Barkley	Davis	La Follette
Bilbo	Downey	Langer
Bone	Ellender	Lee
Brewster	George	Lodge
Bridges	Gerry	Lucas
Brown	Gillette	McCarran
Bulow	Glass	McFarland
Bunker	Green	McKellar
Burton	Guffey	McNary
Byrd	Gurney	Maloney
Byrnes	Harrison	Mead

Miller  
Murdock  
Murray  
Norris  
Nye  
O'Mahoney  
Overton  
Radcliffe  
Reed  
Reynolds  
Russell

Schwartz  
Sneppard  
Shipstead  
Smathers  
Stewart  
Taft  
Thomas, Idaho  
Thomas, Utah  
Tobey  
Truman  
Tunnell

Tydings  
Vandenberg  
Van Nuys  
Wallgren  
Walsh  
Wheeler  
White  
Wiley  
Willis

Mr. HILL. I announce that the Senator from South Carolina [Mr. SMITH] is absent from the Senate because of illness.

The Senator from Colorado [Mr. JOHNSON] is detained on important public business.

The Senator from Florida [Mr. PEPPER], the Senator from Oklahoma [Mr. THOMAS], and the Senator from New York [Mr. WAGNER] are unavoidably detained.

Mr. AUSTIN. I announce that the Senator from Nebraska [Mr. BUTLER] is absent because of the death of his wife.

The Senator from Illinois [Mr. BROOKS] is absent on official business.

The VICE PRESIDENT. Eighty-eight Senators having answered to their names, a quorum is present.

REPORT OF PRESIDENT'S COMMITTEE ON CIVIL SERVICE IMPROVEMENT (H. DOC. NO. 118)

The VICE PRESIDENT laid before the Senate the following message from the President of the United States (with an accompanying report), which was read:

*To the Congress of the United States:*

Whatever differences there may have been as to details, there is no disagreement among thinking men that the great social and technological advances of our national community have made inevitable a large extension of governmental activity. The civil-service conception is a postulate of our Government. Therefore, the effective administration of the laws by which this new governmental effort has been brought about, no matter how carefully they may have been formed, has demanded extension of the civil service to take care of these new undertakings. Since March 4, 1933, many positions have been placed by Executive order within the civil service, but for obvious reasons we have been rather laggard in extending it to those higher positions in the Government which are especially dependent on initiative, imagination, and flexibility. We ought now to appraise the qualities necessary for those who discharge those highest functions, as well as to achieve for them an independence and security which assure the conditions for the best governmental service. These are, after all, the underlying elements of the civil-service ideals. I have deemed it important to try to work out ways and means whereby the country would have the advantages that come from a professional and permanent public service even in the most exacting positions of the national administration.

To that end, by Executive Order 8044, of January 31, 1939, I appointed a committee which should give assurances of disinterestedness and represent ample



pleted by 1946. On the basis of such a program, it is his opinion that were the two subject matters coordinated ships could now be constructed on the Great Lakes under contracts with both the Maritime Commission and the Navy Department, calling for delivery simultaneously with the completion of the St. Lawrence seaway, or in 1946 or 1947.

In concluding this report it is the opinion that if there existed a proper organization among the businessmen of the city of Milwaukee such organization might be able to obtain some contracts for small craft from the program now being carried out, providing that prompt action would be forthcoming. The Chief of the Bureau of Ships, United States Navy, expressed his desire and willingness to receive a comprehensive report based upon facts of what can now be done at Milwaukee in connection with the shipbuilding program at present being considered by the Navy.

Suggestion is made of the possibilities of organizing a committee with specific reference to a shipbuilding development at the city of Milwaukee, such committee to analyze the immediate situation and to study the cost of plant and equipment, and also the cost of building, making due allowance for amortization of any investment that may be contemplated. It is recommended that such committee be formed of competent representatives from the marine-construction industry, the steel industry, engine manufacturers, welders, the Milwaukee Common Council, and the Milwaukee Board of Harbor Commissioners, these representatives to select a practical economist, a finance expert, and such labor representation as they may desire.

Conclusive recommendations are: (1) That prompt action be taken by those willing and capable of handling a local shipbuilding program, as there may be a possibility of obtaining some contracts for small boats if handled in this manner; and (2) that such committee as outlined above be organized with specific instructions to investigate all possibilities pertaining to the development of shipbuilding in the city of Milwaukee, with authority to retain a competent consultant, if such is found essential, and report its findings to the Milwaukee Steering Committee on National Defense Construction.

The above report is respectfully submitted.

S. S. THOMPSON,

*Alderman,*

C. U. SMITH,

*Chairman,*

*Milwaukee Steering Committee on  
National Defense Construction.*

#### REPORTS OF COMMITTEES

Mr. GURNEY, from the Committee on Military Affairs, to which was referred the bill (S. 840) to create the grade of aviation cadet in the Air Corps, Regular Army, and to prescribe the pay and allowances therefor, and for other purposes, reported it without amendment and submitted a report (No. 66) thereon.

Mr. VAN NUYS, from the Committee on the Judiciary, to which was referred the bill (S. 881) to permit the reemployment by the Federal Bureau of Investigation of persons retired under the Civil Service Retirement Act, reported it without amendment and submitted a report (No. 67) thereon.

#### ENROLLED BILL PRESENTED

Mrs. CARAWAY, from the Committee on Enrolled Bills, reported that on February 18, 1941, that committee presented to the President of the United States the enrolled bill (S. 187) to provide for the establishment, administration, and main-

tenance of a Coast Guard Auxiliary and a Coast Guard Reserve.

#### EXECUTIVE REPORTS OF COMMITTEE ON THE JUDICIARY

As in executive session,

Mr. MCFARLAND, from the Committee on the Judiciary, reported favorably the nomination of Dave E. Hilles, of Oklahoma, to be United States marshal for the western district of Oklahoma, vice W. Joe Ballard, deceased.

Mr. CONNALLY, from the Committee on the Judiciary, reported favorably the nomination of Stanford C. Stiles, of Texas, to be United States marshal for the eastern district of Texas.

#### BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. GEORGE:

S. 940. A bill to amend the first paragraph of section 22 of the act of February 23, 1931 (46 Stat. 1210); to the Committee on Foreign Relations.

By Mr. CHANDLER:

S. 941. A bill for the relief of Ralph C. Hardy, William W. Addis, C. H. Seaman, R. J. Polk, and E. F. Goudelock; and

S. 942. A bill for the relief of A. M. Mauret, administrator and trustee of the estate of W. F. Woodruff, deceased; to the Committee on Claims.

By Mr. McNARY:

S. 943. A bill for the relief of the Forest Lumber Co., the Lamm Lumber Co., and the Algoma Lumber Co.; to the Committee on Claims.

S. 944. A bill for the relief of Jacob S. Silverman; to the Committee on Military Affairs.

S. 945. A bill authorizing the Secretary of the Treasury to convey a certain tract of land to the State of Oregon for use as a public park and recreational site; to the Committee on Public Lands and Surveys.

By Mr. REYNOLDS:

S. 946. A bill to amend the act entitled "An act to make unlawful the transportation of convict-made goods in interstate commerce, and for other purposes," approved October 14, 1940; to the Committee on the Judiciary.

By Mr. SCHWARTZ:

S. 947. A bill to amend the Interstate Commerce Act, as amended; to the Committee on Interstate Commerce.

By Mr. BROWN:

S. 948. A bill to authorize the sale, exchange, or other disposition of certain securities held by the Secretary of the Treasury; to the Committee on Banking and Currency.

S. 949. A bill to provide funds for acquisition of a site, erection of buildings, and the furnishing thereof, for the use of the diplomatic and consular establishment of the United States at Warsaw, Poland; to the Committee on Foreign Relations.

By Mr. WHEELER:

S. 950. A bill for the relief of Dora Thompson; to the Committee on Public Lands and Surveys.

#### IMPORTATIONS OF RED CEDAR SHINGLES—INVESTIGATION BY TARIFF COMMISSION

Mr. BONE submitted the following resolution (S. Res. 79), which was referred to the Committee on Finance:

*Resolved*, That the United States Tariff Commission is authorized, pursuant to the authority conferred by section 332 of the Tariff Act of 1930, as amended, to investigate the effect upon the red-cedar-shingle indus-

try in the United States of importations of red-cedar shingles from Canada.

#### CHANGE OF REFERENCE OF A RESOLUTION

Mr. BARBOUR. Mr. President, on the calendar day February 19 (legislative day of February 13). I submitted on behalf of myself, the senior Senator from New York [Mr. WAGNER], the senior Senator from Kansas [Mr. CAPPER], and the junior Senator from Michigan [Mr. BROWN], Senate Resolution 75, creating a special committee to investigate the participation of Negro citizens in the various phases of the national-defense program, which was referred to the Committee on Military Affairs. I ask unanimous consent that that committee be discharged from the further consideration of the resolution and that it be referred to the Committee on Education and Labor.

The VICE PRESIDENT. Without objection, it is so ordered.

#### ADDRESS BY THE VICE PRESIDENT ON DEMOCRACY'S ROAD AHEAD IN THE WORLD CRISIS

[Mr. BARKLEY asked and obtained leave to have printed in the RECORD a radio address delivered by Vice President Wallace at Des Moines, Iowa, on February 22, 1941, which appears in the Appendix.]

#### ADDRESS BY SENATOR GREEN ON AID TO AMERICA

[Mr. HILL asked and obtained leave to have printed in the RECORD a radio address on the subject Aid to America, delivered by Senator GREEN on the evening of February 23, 1941, which appears in the Appendix.]

#### ADDRESSES BY SENATOR CAPPER AND OTHERS ON WASHINGTON'S BIRTHDAY ANNIVERSARY

[Mr. CAPPER asked and obtained leave to have printed in the Appendix three addresses by himself, Col. James A. Moss, and Edward J. Finlayson, delivered over the radio on February 21, 1941, in celebration of Washington's birthday, which appear in the Appendix.]

#### ADDRESS BY SENATOR TRUMAN ON GEORGE WASHINGTON

[Mr. CONNALLY asked and obtained leave to have printed in the RECORD a radio address by Senator TRUMAN, delivered on February 22, 1941, on George Washington, the Man and the Freemason, which appears in the Appendix.]

#### ADDRESS BY SENATOR CHANDLER ON LEASE-LEND BILL

[Mr. BARKLEY asked and obtained leave to have printed in the RECORD a radio address on the lease-lend bill delivered by Senator CHANDLER on Sunday, February 23, 1941, which appears in the Appendix.]

#### ADDRESS BY SENATOR DANAHER ON GEORGE WASHINGTON

[Mr. BARKLEY asked and obtained leave to have printed in the RECORD a radio address on George Washington, delivered by Senator DANAHER on February 21, 1941, which appears in the Appendix.]

#### ADDRESS BY SENATOR MEAD ON THE LEND-LEASE BILL

[Mr. GEORGE asked and obtained leave to have printed in the RECORD an address by Senator MEAD on Saturday, February 22, 1941, on the subject Democracy Supports the Lend-Lease Bill, which appears in the Appendix.]



# ADDRESS BY SENATOR MURDOCK BEFORE NATIONAL LAWYERS GUILD

[Mr. THOMAS of Utah asked and obtained leave to have printed in the RECORD an address delivered by Senator MURDOCK before the National Lawyers Guild on Saturday, February 22, 1941, at a meeting to honor Dr. J. Warren Madden, which appears in the Appendix.]

# ADDRESS BY SENATOR AIKEN ON GEORGE WASHINGTON

[Mr. TOBEY asked and obtained leave to have printed in the RECORD an address on George Washington delivered by Senator AIKEN on February 22, 1941, which appears in the Appendix.]

# ARTICLE BY HON. THURMAN ARNOLD ON MONOPOLY IN FARM PRODUCTS

[Mr. GILLETTE asked and obtained leave to have printed in the RECORD an article on monopoly of farm products, written by Hon. Thurman Arnold, Assistant Attorney General, and published in the Nation's Agriculture, which appears in the Appendix.]

# DANGER OF INVASION—ARTICLE BY OSWALD GARRISON VILLARD

[Mr. WHEELER asked and obtained leave to have printed in the RECORD an article appearing in the Christian Century for February 12, 1941, by Oswald Garrison Villard, entitled "A Primer of Invasion," which appears in the Appendix.]

# CONDITIONS IN FAR EAST—EDITORIAL FROM NEW YORK DAILY NEWS

[Mr. REYNOLDS asked and obtained leave to have printed in the RECORD an editorial from the New York Daily News entitled "My Name Is Trusty," having to do with conditions in the Orient, which appear in the Appendix.]

# LETTER FROM W. S. FARISH ON ALLEGED TRANSHIPMENT OF OIL

Mr. GEORGE. Mr. President, I ask unanimous consent to have inserted in the RECORD a letter from the president of the Standard Oil Co. of New Jersey, responsive to a statement made by Joseph Curran in the recent hearings on the pending bill, in which Mr. Curran, as a representative of certain C. I. O. shipping unions, made the definite statement that oil had been shipped by the Standard Oil Co. to the Canary Islands for transshipment in Axis tankers to Germany and Italy. The letter is a positive denial, to the knowledge of the writer, of the truth of the statement.

The VICE PRESIDENT. Without objection, the letter will be printed in the RECORD.

The letter is as follows:

STANDARD OIL CO.,  
New York, February 14, 1941.  
Hon. WALTER F. GEORGE,  
Chairman Committee on Foreign  
Relations, United States Senate,  
Washington, D. C.

MY DEAR SENATOR GEORGE: The statement was made before your committee by Mr. Joseph Curran on Tuesday last during the hearing on the lease-lend bill, according to press reports, that subsidiaries of Standard Oil Co. of New Jersey have been shipping oil to Tenerife, in the Canary Islands, for transshipment in Axis tankers to Germany and Italy.

It occurred to me that in order to keep the records straight you might be interested in the facts of this situation.

It is true that several cargoes of crude oil, gasoline, and fuel oil have been shipped in tankers flying the Panama flag from Caripito,

Venezuela, and Aruba, Netherlands West Indies, to the Compania Espagnola de Petroleos, S. A., at Tenerife, Canary Islands.

All shipments made by our subsidiaries to Tenerife have been fully covered by British navicerts (clearance by British authorities), a procedure with which our State Department is fully familiar. To our knowledge, not a single barrel of these cargoes has ever been picked up by Axis tankers or has been delivered to Germany.

We will appreciate very much if you will include this letter in the record.

Very truly yours,

W. S. FARISH

# PROMOTION OF NATIONAL DEFENSE

The Senate resumed the consideration of the bill (H. R. 1776) further to promote the defense of the United States, and for other purposes.

Mr. CLARK of Idaho. Mr. President, there is little likelihood of my adding much to the discussion on the pending bill. The issues involved are so tremendous, so far-reaching in their consequences, so devastating in their possible implications, that I approach the subject with considerable timidity.

Upon what we do here may depend, not only the future of our country but perhaps the very future of civilization itself. Because, however, I have some very deep convictions concerning the implications of the measure the Senate is now considering, and because of its overwhelming importance, I think I should be remiss in my duty to the people who sent me here were I not briefly to discuss those issues as they appear to me.

I do not consider this bill an isolated piece of legislation. I do not consider it legislation at all in the ordinary sense. I do not believe we can either intelligently discuss or intelligently comprehend this measure without first a historical analysis of the general pattern which has led to its introduction here. I regard the bill as nothing but a culmination of circumstances which have been gathering for the past 2 years. I regard the bill as merely one little tile in the whole mosaic of war. I regard it as just one design in the pattern of conflict. I regard it as only one more link being forged in a chain which may soon entwine the throats of our liberties. So if I believed as some here believe, I should consider it of the utmost importance.

I am not particularly concerned with the mechanics of this bill. I am not vitally interested in its internal technical structure. I do not regard such questions as of transcendent importance. I am not alarmed that the bill gives sweeping power to the President of the United States.

If I believed, as some of the proponents of the measure believe, that England is fighting our battle, that the fate of America depended upon the fate of the British Empire, then I would not be debating the bill at all; I would give more power to the President. Indeed, if I felt as they feel, I would declare war, and I would declare it now. But because I do not believe these things, I am interested in the bill insofar as it is a declaration of national policy. I am interested in it because I think it authorizes the President of the United States to declare war, in a form, or at least to con-

duct an undeclared war. It is from that angle, as a declaration of national policy, and not from the viewpoint of giving undue powers to the President, that I shall endeavor briefly to discuss some of the implications of the measure.

Whence came this bill? What is its background? What devices have been used during the past 2 years to condition the minds and the hearts of the American people so as to prepare them for the introduction of a measure of this kind? What conditioning, what softening process has been used? Why is it that if this measure had been introduced in this Chamber only a year or so ago it would have received scarcely a handful of votes, and yet today it will pass by an overwhelming majority? In order even slightly to understand the historical sequence of events which have led up to the proposed legislation which authorizes the conducting of an undeclared war, we must turn back some leaves in the book of history.

Twenty-four years ago, at almost this very time of the year, the Senate of the United States was debating the question as to whether we should go to war with Germany. Then there was some provocation for war. American vessels were being sunk upon the high seas. American lives were being lost. As I have said, there was some provocation, but, despite that, for 2 years the paid propagandists had been busy, again conditioning the American mind for the declaration of war which was promulgated about 24 years ago. Again they devised their clever phrases—"Making the world safe for democracy," "Fighting a war to end wars," "The British Navy is our first line of defense." So by the time some of our ships were sunk, and some American lives were lost, the American mind was softened in its fiber, and our people went to war.

We won that war, and up to the time he went to the peace table at Versailles the immortal Wilson thought we were fighting that war for democracy. Then, as he sat among the cruel, cunning politicians of Europe, who had cast off all semblance of democracy then, and saw once more that he was in the power politics of the Old World, it broke his spirit and his health, and he came back a sorry, a saddened, and a disillusioned man.

What a ghastly price we paid—tens of thousands of the flower of American manhood buried in the blood-drenched soil of France, hundreds of thousands of their comrades streaming back here, where the hungry hospitals waited to engulf them, crippled and maimed, to live only half of their natural lives, to spend the remainder of their days in a living death. Billions upon billions upon billions of the money garnered from the toil of the humble folk of our country were also poured into the hungry maw of war, a staggering load, which has to this day not been repaid.

Then, our erstwhile Allies, not content with our expenditures of blood and money, came again with outstretched hands and asked for billions of dollars more by way of a loan. This they promised to repay; and who would doubt the



English word or the British honor? They lied. They did not repay it, and it hangs over the heads of our weary taxpayers unto the present moment. What a ghastly experience it was.

When the American people settled down once more, the same paid propagandists wrote numerous books, which are on the shelves of our libraries today, in which they boasted of their technique in deluding and duping America into war. They even explained the mechanism of the hoax.

As the years rolled by, a disillusioned, a sobered, and a saner America settled down in contemplation of what fraud had been perpetrated upon it, a sad and a wise Nation then. A committee of the Senate was appointed to make a sweeping investigation into the munitions industry, and the reports of that investigation, under the able leadership of the Senator from North Dakota [Mr. Nye], still remain volumes high. The startling disclosures there evoked and developed showed beyond the question of doubt some more of the mechanism of the international banker-financiers getting us into the last war in order to sell and send abroad their weapons of death.

So the people of America, a calm and a sane America, contemplating these things, decided in their coolness that it should never happen again. Therefore they instructed their Congress to devise means whereby never again would they depart from the teachings of Washington and Jefferson and the other founders of our Republic and embroil themselves in Europe's bloody conflicts. But, being a little afraid, knowing of the tremendous force of propaganda, they were frightened at themselves, so their Congress here, in the cool sunlight of reflection and disillusion, wrote into the law of the land the Neutrality Act of 1935.

That act was based upon traditional America; it was based upon the teachings of our fathers. By that act the American people resolved never again to depart from those teachings. That act mirrored Washington and Jefferson at their best. That act was drawn in contemplation of the very war that later burst upon us. It was drawn because we knew that another war would soon be here; because we knew that we wanted our country to have none of it.

Then the war came. Its pattern was the same as that of every other war throughout the centuries of Europe's history. Germany was on one side. France and England were on the other. The same pattern, the same belligerents, the same war that was fought so disastrously in 1914. So, the same propagandists began to work, and they reached into the musty craves of 1917, took therefrom the moldy slogans and the decaying phrases, polished them up a bit, and again we were told that we must fight to save democracy; again we were told that England's war was our war; and so the propaganda went on.

Then a year and a half ago the same Congress, under the lash and whip and the same propaganda, undid all that it had done in its quieter, saner moments of

a few years before. In a mounting hysteria Congress repealed the arms embargo.

Mr. President, even then the proponents of the repeal of the arms embargo acted in the name of neutrality. They were still willing to admit, or to claim, that their reason had not so far been distorted by the propaganda of the day that they were willing to become unneutral. So they called the measure, which destroyed our neutrality, a neutrality act; still proceeding under the banner of neutrality, and at the same time breaking it off at its base.

We went ahead from there. Step after step on the road to war was taken. Foreign powers were needlessly insulted. Naval vessels were traded or given away. All those things conditioned the minds of the American people up to the time of the introduction of the bill which pends before the Senate today.

That, briefly, is the background of war. That, briefly, comprises the steps that have led us up to the situation in which we now find ourselves.

Mr. President, what reasons are advanced by the proponents of this measure for the purpose of taking us into an undeclared war as an ally of England? Certainly no reasons are propounded which were not used in 1917. I hesitate to call them reasons at all. They are more in the nature of emotional bolts leveled at the heart rather than at the head. Instead of elevating reason, they dethrone it. Instead of provoking thought, they destroy it. But let us examine them in all of their new garb, and yet changed very little during the past 20 years.

The proponents of the bill say that England is fighting our battle. I deny it. I challenge it with all the intenseness of my heart and soul, with all the emphasis I can command. Never in history has England fought the battle of anyone but England, and more power to the English on that score. I deny that we have a battle with anybody. I admit that we can create a fight or a battle. If we send forth an army looking for a fight, and it finds a fight, we will find England on whichever side of that fight inures to the benefit of England.

I only wish that we in America were as cool and cold and patriotic as the English. Yet when these perfectly obvious historical and present facts are stated by men today these men are called pro-Nazis, "fifth columnists," or anti-British.

Now, let us get this anti-British suggestion straight, once and for all. I am not anti-British. The great majority of my forebears came from England. I think the British are the greatest people on earth. Starting with a little tiny kingdom, small in numbers, cut off from the mainland of Europe, by their courage and ability they were able to fling their empire clear around the earth, and make it the greatest empire of all times. Not only that, but they have contributed immeasurably to the civilization of the past and of the present. The arts and sciences have not suffered at their hands.

Anti-British! I say again that I regard the British as the greatest people on earth.

Mr. President, there is one factor which I have often thought has contributed more to the success of these marvelous people than any other, and that is their intense patriotism. With an Englishman it is England first, last, and always. An Englishman will borrow, beg, steal, plunder, pillage, and kill for England—and often has.

But, despite my tremendous admiration for the English, despite a very considerable English heritage of my own, when the white heat of English patriotism reaches over into my country and tries to take the sons of American mothers and the daughters of American taxpayers over there to enhance the grandeur of their empire, when the long arm of England reaches over here and by means of every sort of propaganda deceives citizens of the United States, then with what little feeble voice I have I shall undertake at least to tell the American people what is happening to them. If that be anti-British, then, Mr. President, you will have to make the most of it.

What else do the proponents of the bill say? They say that England is fighting the battle of democracy. Shades of 1917! Go over to Arlington Cemetery, in front of the Tomb of the Unknown Soldier, and bare your head in reverence, and then ask him whether England fought the battle of democracy in 1917. Go into the veterans' hospitals throughout this land, and as you look at the human wrecks, ask them whether England fought the battle of democracy in 1918, and whether she is fighting it today. England never fought a battle for anything but England or for anything but commercial supremacy.

We often forget even the elementary genesis of this war. After the Treaty of Versailles, Germany set up a republic, the old Weimar Republic; and had it not been throttled and strangled by European capitalism it might have succeeded. Then France and England—properly enough, if we accept the theory of the Treaty of Versailles—undertook an encirclement program. They made military alliances with Poland, Czechoslovakia, and Austria, until, as they expressed it themselves, they had formed a ring of steel around Germany. Then came Hitler, driven up as froth from a belching volcano. If it had not been Hitler, it would have been someone else. What happened was the explosion of a whole people, and not the conquest of any one man.

Hitler started to rearm Germany. Suggestions have been made that it was done with English funds. I do not know as to that. Hitler said he was going to take part of Czechoslovakia, and finally at Munich England and France gave him a part of Czechoslovakia. He lied at Munich, and they lied, too, because France had a treaty, and England had a military alliance with France. They lied because they violated their treaty obligation and betrayed Czechoslovakia. Who



was the worse, the liar who received or the liar who gave?

Then Hitler said he was going into Poland, and England told him that if he invaded Poland she would declare war upon him. He went into Poland. He took more than he said he would. He lied. England declared war.

Mr. President, did you ever wonder who declared this war? England and France undertook to declare it. Did they consult us? They did not. So, with the English Navy and the French Army, they undertook to starve out Germany. They undertook to starve Germany into submission and surrender in a war which they declared. With the Maginot line on one front and the British Navy on the other, it looked easy. They miscalculated. They are now in a "devil of a fix," and that is about all I can see to this war.

We often hear high-sounding phrases about fighting for Poland and fighting for democracy. When Josef Stalin came in and picked up the half of Poland which Hitler did not take with armed forces, did England declare war on Russia? If she had been fighting for democracy, if she had been fighting for Poland, if she had been fighting for the freedom of small nations, how could her actions possibly be justified? Quite the contrary, she has been cuddling up to Mr. Stalin ever since. It is an amazing thing that these musty old slogans should be trotted out of the closets of the past and used again, in the face of the historical record, to lead the American people into war, yet there is little we can do.

I care not what nationality one may be. I care not whether he be English, German, French, or any other. I know that neither his forefathers nor mine left whatever country they came from to make a pleasure tour of America. I know they did not come from England, any more than they came from Germany, to see our mountains, our forests, and our streams. I know that they pulled up the roots of their homes to face the hardships of a new and tough continent. I know why they did it, and so do you. They left Europe to get away from the quarrels and the tyrannies of the Old World. There is little difference between the various forms of tyranny. I submit that the nazi-ism of Germany, the fascism of Italy, the communism of Russia, and the imperialism of Great Britain are but the same thing underneath. It was to escape all those things, Mr. President, that your folk and mine came over here and hewed from this wilderness a new country where they might at least try to work out their own destiny.

What else do the proponents of the bill say? Perhaps the most compelling argument, insofar as the psychology of the American people is concerned, is that if Britain is defeated Hitler will attack us next. With all due deference, I respectfully submit that not one scintilla, not one shred of either proof or evidence can be adduced here or in any other forum to sustain such an assertion as that in any of its many forms. Of course, I cannot disprove it, either. I cannot very well disprove a negative.

When the statement is made—as it has been made time and time again—that if Britain falls we shall be attacked next, and this statement is used as one of the compelling arguments for the passage of the bill, one of the compelling arguments for going to war, I submit that the burden of proof is upon those who make such an assertion. No competent military or naval man in the United States has said or will say that such a statement has any foundation in fact. If Hitler should capture all the shipping of the world he could not effectively transport an army over here. Most naval authorities would agree that if he should seize the whole British Navy and learn how to manage it, and then try to use it, together with his navy and the Japanese Navy, we could easily defeat them in our oceans.

It is said that Hitler will not make a direct attack, but will go into South America, and proceed by a process of infiltration. South America presents a very difficult problem. Unfortunately, South America produces everything of which we have a surplus. By and large, we cannot trade to any great extent with South America. All the important products which South America produces we also produce. Such products include wheat, meat, oil, cotton, and many others. Both England and Germany are importing countries, and they need the commodities which South America produces. One might as well try to dam up the cataract as to stop the normal channels of international trade. So, no matter who wins this war, Germany and England both are going into South America.

For years England has owned the Argentine, to all intents and purposes. For years British capital has overrun South America, its oil, its tin, its beef, its wheat. So have the German traders, looking, if you please, for produce to feed and supply their hungry population; and we never paid any attention to it until the slogan-mongers got busy and undertook to call it "infiltration."

In the West, when the white man was blazing his trail of conquest against the Indians, whenever the Union soldiers won a battle it was called a great victory; but when the Indians once in a while repulsed their more heavily armed foes it was called a great massacre.

So when for years—and rightly so; there is no criticism of it—British capital and British civilians have overrun South America, it has been called "benevolent capitalism"; but when a few German traders go into Brazil to get their share of the business there it is called "subversive Nazi infiltration."

It is phrases of that sort that befuddle thinking and drive emotions to war. It is phrases of that sort that condition the minds and hearts of the American people to the passage of such legislation as this. It is slogans of that sort that are brought about by unscrupulous journalists.

I desire to use one illustration, and then I am about to conclude.

In the opening speech of the Senator from Kentucky [Mr. BARKLEY], the majority floor leader, whose intense lucidity

of intellect and electric character need no praise at my hands, as one of the bases for a rather extended argument he quoted at length from an alleged speech which was supposed to have been delivered at Hitler's instigation by Reichminister Darré. Those of you who heard the speech will concede that it was a scurrilous thing. It propounded philosophies of government and social relationships that might have sprung from the nethermost depths of hell itself. It was a speech calculated to inflame every decent sentiment that resides within the human heart or the human intellect. I shall not read that speech. Among other things, it advocated chattel slavery, and things of that sort. I shall not read the speech; but these are the words of the distinguished majority floor leader in his remarks prior to reading the speech:

In May 1940 a group of leading Nazis were called together in Germany to hear a speech made at Hitler's instance by Walter Darré, reichminister of agriculture in the Hitler government. He said to them, among other things—

Then there are almost two columns in the CONGRESSIONAL RECORD quoting the great bulk of that speech, in order to show, I presume, that this philosophy is so devastating that America must cope with it now, immediately.

It occurred to me that I had seen that speech somewhere; so I went back to my December 10 issue of Life magazine, and I found there, as one of the leading articles, a secret Nazi speech:

Reich Minister Darré discusses the world's future under German rule—

A bloodcurdling thing. If this speech had been made, it would have been made by a man with an utterly disordered mind. However, this is what Life magazine said about it in their editorial insert in black type:

How Life came into possession of this amazing speech, delivered in early May 1940 by Richard-Walther Darré, Germany's Minister of Agriculture, to a group of high Nazi officials cannot be divulged.

In the first place, they refused to divulge their source.

Nevertheless, after thorough investigation, Life has satisfactory reasons for believing that this speech is authentic as briefed—

Note the "briefed"—

as briefed on these pages.

Now, listen to this: They refuse to vouch for it. They refuse to give its source. They say they have satisfactory reasons for believing its authenticity "as briefed on these pages." Now, listen:

An even better reason for printing this secret address exists in the fact that, even if it was not delivered exactly as recorded here, it might have been.

That speech was picked up, and the next day was printed on the front page of the New York Times. Oh, of course, the clever gentlemen there printed a little editorial insert, too, in which they said they would not vouch for its authenticity, on the front page of the New York Times, and it was reprinted there. Then it found its way into another magazine,



as I understand, which did not have the editorial insert, where it was seized upon by our distinguished leader as a speech in fact.

Not being content with that, I checked the files of the New York Times. I find that they printed on the back page a complete and absolute denial of that speech by Darré, in which, in an official press dispatch, he called it a tissue of lies, in which he said he never made any speech like that, or approaching it, in any year whatever.

However, still not content, and still wanting to find out to what depths certain forms of journalism had degenerated in this country, I telegraphed the editor of Life. This is my telegram of a few days ago:

Some controversy has arisen here concerning the authenticity of the speech alleged to have been delivered by Reich Minister Darré, published in your issue of Life of December 9 last. In view of the importance of this matter, would you be good enough to give me the following information:

(1) Are you now in a position to divulge to me the sources from which this address was obtained by you?

(2) Are you prepared, as editor of Life Magazine, to vouch for the authenticity of this address?

(3) In your editorial insert you state that the speech has been briefed. Will you tell me approximately how much of it is a literal translation from the German and how much of the original text was eliminated?

My last two questions were completely ignored. To the question asking if Mr. Luce, as the editor of Life, would vouch for its authenticity, and also asking him what he meant when he said he "briefed" the speech, this is the only reply I have received until this day:

Darré speech as reported was given to Life with understanding we would not divulge source. Am checking back with our source to inquire whether there is any change.

Every Member of this body knows that for the distinguished leader of the Senate not only I, but every other Senator on the floor and off the floor has only the highest esteem and regard. His integrity and ability are known so well in this country that defense at my puny hands would be like painting a lily. I only used that incident to show how the lowest and most vicious form of journalism can worm its way from one publication to another until it finally comes to rest in a major speech delivered in the United States Senate as a reason for passing one of the most momentous bills that has ever been before this body. If with all his experience, with all his ability, the majority floor leader of the Senate of the United States can be "taken in," if I may use that expression, by a scurrilous fraud such as that, what, in the name of heaven, are the little folk of America to do?

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. CLARK of Idaho. I am happy to yield.

Mr. BARKLEY. I appreciate the compliment the Senator paid me with respect to the address which I attempted to deliver a week ago. Of course, I do not know and do not pretend to know whether Mr. Darré delivered the speech referred to, but I had never heard any denial, and

not only was it published in the magazine Life and the New York Times but it was published in a magazine called New Europe, which is printed, I think, in the city of New York. It has been current ever since it was supposed to have been delivered. Probably if it was delivered—and I frankly believe it was, in spite of Minister Darré's denial—if he delivered it secretly under the instigation of Hitler to a select group of Nazi officers or party workers or government officers, he would have, of course, denied it, as Hitler has denied many things he has been accused of saying, but whose denials have come not to be taken very seriously. It is entirely possible that this speech was delivered in secret. It may have leaked out as many things leak out in this country, as confidential information given to committees by Army officers finds a way to leak out. It may be that that is what happened over there; I do not know; I am not in a position to state certainly that this speech was delivered by Mr. Darré; but I think we all understand fairly well that, regardless of whether he delivered the speech, what he described as transpiring in Poland, the kind of slavery he pictured for the rest of the world, is now being imposed upon the people of Poland and many other sections of Europe over which Hitler has been able to achieve domination.

So, regardless of the speech, if he did or did not make it, it pictured what the Nazis are now undertaking to do in at least a part of the countries which they have undertaken to overrun and have succeeded in overrunning.

Mr. CLARK of Idaho. Mr. President, I hold no brief for Hitler; I think that is clear enough; but I think it is about time to brand this as a scurrilous fraud. I so brand it because Life itself will not vouch for it, because it will not disclose its source; I so brand it because Life says if it was not delivered it should have been delivered; I so brand it because they will not answer two questions in my telegram; I so brand it because Darré himself denied it, despite the fact that his word may not be believed, and because it has back of it no semblance of law, no semblance of logic, and no evidence. I used it merely to show the extent to which this species of propaganda has gone.

I have no doubt the events portrayed may be happening in Poland, I will say to the Senator from Kentucky; but, on the other hand, I have yet vivid memories of faked and forged pictures of Belgian children with their hands cut off, of mutilated women, and of crucified men, which later were reprinted in books when the propagandists of those pictures began to brag about how they put the United States into the war.

Mr. TOBEY. Mr. President, will the Senator yield?

Mr. CLARK of Idaho. I am glad to yield.

Mr. TOBEY. I would not forget, if I were the Senator from Idaho, to mention the "black hole of Calcutta."

Mr. CLARK of Idaho. I thank the Senator from New Hampshire. He knows, if we want to go back into Indian history and Irish history and Boer history in South Africa, that we can find

every condition referred to in that speech and more; but I do not want at this time to resurrect ancient history of that sort, because then it would be said "he really must be anti-British."

Mr. CHAVEZ. Mr. President—

Mr. CLARK of Idaho. I am glad to yield to my friend from New Mexico.

Mr. CHAVEZ. Without going back into ancient history, whether the things stated in Life are occurring in all Poland, there is no question that they are occurring in that part of Poland which is controlled by Russia, that they are possibly occurring in Lithuania, in Estonia, and other places that are not controlled by the German Government.

Mr. CLARK of Idaho. I thank the Senator from New Mexico, and, pursuing his line of thought, every indictment that was brought out in the able speech of the Senator from Kentucky against Hitler, every indictment that has been drawn by the other proponents of this bill against Hitler—and I do not deny them—is applicable with equal force and even more force to Stalin; and yet—

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. CLARK of Idaho. I will yield in a moment—and yet our Government is now also cuddling up to Stalin, removing the moral embargoes and undertaking to say that communism is in a class higher than nazi-ism. I am now happy to yield to the Senator from Kentucky.

Mr. BARKLEY. In my address the other day I made no reference to what is happening in the part of Poland which is controlled by Russia. I do not know whether there is any opportunity to obtain any information as to what is going on in the part of Poland controlled by Russia, and certainly by my reference to what is going on in that part of Poland controlled by Hitler I was not, by innuendo or by implication or in any other way, asserting or denying that equal atrocities are not in progress in the portion of Poland controlled by Russia, but when we have the evidence of a great church and distinguished members of a great church as to what is going on in Hitler-controlled Poland, it seems to me that it gives us no right to assume that the same sort of things are or are not occurring in another part of Poland about which we have heard nothing since it was taken over.

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. CLARK of Idaho. I am happy to yield to the Senator from Montana.

Mr. WHEELER. Does the Senator intimate that nothing has been heard as to what is taking place in the part of Poland which has been taken over by Russia?

Mr. BARKLEY. I did not mean to intimate that the Senator from Montana has not heard what is taking place, but I say to him that in the speech I made the other day—and the Senator was absent when we began this discussion—I was using as evidence of what was going on in the part of Poland that is now in the control of Hitler, statements made by outstanding and distinguished members of certain religious denominations. There was no effort made to discuss what is going on in the part of Poland controlled



by Russia in anything I said the other day, nor shall I now or at any time in the future undertake to justify what Russia is doing in Poland or any other part of the world, for I am not in any way justifying what Russia is doing, but I do not think what Russia is doing, if she is doing anything, justifies what Hitler is doing.

Mr. WHEELER. If the Senator from Idaho will pardon me, I know the Senator from Kentucky well enough to know that he would not countenance what is being done by Russia in the parts of Poland taken over by her, nor would he countenance what Hitler is doing, and I do not think there is a Member on the floor of the Senate who would countenance what either of them is doing; but if the Senator, as I caught it, implied that there was not anything being done in those parts of Poland that has not been brought to anybody's attention except my own, let me say that the heads of some of the great churches of the world have openly stated what was happening, and the newspapers, as a matter of fact, at the time were full of what was happening to the people of Poland in the part taken over by Russia.

The only information I have about it is what was carried by the Associated Press and the newspapers of the country, and what was said by some of the great religious leaders.

Mr. BARKLEY. I was being mildly taken to task by my friend from Idaho because I had not depicted the atrocities that are going on in Russian-occupied Poland. I was not discussing that phase of the situation. It may become necessary at some time to discuss it; and whenever that time comes I shall be just as vigorous as any other Senator or anybody in the United States in denouncing what is going on in the part of Poland controlled by Russia. Not only that, but the Senator from Montana and I visited Russia together a little over ten years ago. We spent a month in Russia. We saw in Russia herself many things we could not condone or approve. I am quite certain we should find probably even more in a territory that she has taken over without the consent of the inhabitants.

Mr. WILEY. Mr. President, will the Senator yield?

Mr. CLARK of Idaho. I am glad to yield to the Senator from Wisconsin.

Mr. WILEY. I desire to compliment the Senator from Idaho on making a point to which I think America should be awake, and that is that in America itself a great battle is going on.

We know that if we were in England's place we should like to have America in the war on our side. We know that if we were in Hitler's place, we should like to prevent America from getting into the fray. As I understand, with that incident, the distinguished Senator was trying to bring to the attention of the American people the fact that here in America there is constantly going on a propaganda fight which frequently results in unbalancing the American mind so that it cannot see the truth; and I think the Senator again has clearly demonstrated the need of all America getting into a position where it can see straight.

I repeat that if we were in England's place we should want America as an ally, and if we were in Germany's place we should want to prevent America from getting into the war. Hence, we know, both countries are flooding America with all possible propaganda and are using all the tools they can use to accomplish their purpose.

Now, I am sure, the Senator from Idaho will continue his very fine address.

Mr. CLARK of Idaho. Mr. President, I thank the Senator from Wisconsin for his contribution. I am about through. I think the Senator has correctly interpreted what I have in a faltering way tried to express.

Mr. BARKLEY. Mr. President, may I make one further interruption?

Mr. CLARK of Idaho. I shall be very happy to have the Senator from Kentucky interrupt me at any time.

Mr. BARKLEY. In the address which I delivered last Monday I also quoted from statements which Hitler had made with respect to certain objectives headed this way. I wonder if the Senator from Idaho is in a position to say that Hitler did not say the things I quoted him as having said, which, although not as crude as those spoken by Darré, if he spoke them, nevertheless had in mind the same general idea.

Mr. CLARK of Idaho. Of course, the Senator and I will have to disagree on that subject. That is a matter of interpretation. The speech of Darré was a perfectly vicious thing; and Hitler's speeches, although possibly a little bit extreme, I do not think would be placed in that category.

That, however, is a matter of disagreement between the Senator and me. It is a matter of opinion. I want the Senator again to know that nothing I have said was said for any other purpose than to show the genesis, through the channels of propaganda, of what I regard as a spurious document.

Mr. President, I have about concluded. I shall vote against this bill. I shall vote against it because I think it amounts to war. I shall vote against it because I think war is an inevitable result of its passage. I think it is almost a mandate given to the President of the United States to proceed along those lines.

I realize that I am too late. I realize that the current is too swift. I realize that we cannot escape the inevitable. I realize that I am but sounding brass and a tinkling cymbal insofar as any results are to be obtained—a voice crying in the wilderness.

People of America, you are on your way to war. You are moving there in a turbulent cataract of misinformation, untruths, and heavily subsidized propaganda. You are being driven there by international financiers who will coin money out of the blood of your sons. You will find with those financiers a few exhibitionists, small of stature, but who will appear great against the blood-red back drop of war.

You will like war at first. You will revel in its glitter and its glamour. It will be an exciting thing. Your pulses will quicken. Your temples will throb. The

bands, the parades, the fanfare of the trumpets, the emotional surge of it all—these will fascinate you, America, in the same way that the shimmer of the flame fascinates the little white moth. Yes; you will love war.

Big businessmen of America, you, too, will love war. The staccato beat of the huge hammers in your many factories will increase in tempo as they fashion armament, armament, armament. Profits will roll in, and you will be once more able to buy the yachts that the economic plight of the American people forced you to sell during the past 10 years. Yes; big businessmen of America, you will love war, too.

Little businessmen of America, you also will love war. You will love it because you will garner in, like the beggar at the banquet table, a few of the crumbs that your larger, fatter, and more opulent brothers carelessly brush down to you.

Mothers of America, you will not like war quite so well at first. You, more than any other group, have so far withstood the ravages of the propaganda that has been leveled at your hearts; but you, too, will love it soon, and when the propagandists get through you will once more proudly send your sons across the seas to feed the insatiable greed of Europe's immortal god of war. You will think they are dying for an ideal, and you will mutter to yourselves, as you excuse it, prayerfully, tearfully, something about democracy. You will not know what democracy means; neither will your sons, because there will not be any democracy then, and perhaps never again. You will forget that 23 years ago other young boys, old enough in those days to be your brothers, likewise marched across the sea, many of them never to return. You will forget the crippled and maimed that clutter the hospitals of our land today. You will love war, too, because the propagandists will dress it up in glittering finery. Diamonds will sparkle from its bony hands. Rich raiment will cover its sepulchral body; and because your vision will be dimmed and warped, you will not be able to see the empty sockets of its eyes. Yes, mothers of America, they will make you love war, too.

Humble folk of America, toilers in the fields, workers in the shops, you will love war. War, among other things, is an escape mechanism. It will make you forget the humdrum of your daily lives. It will make you forget that we who presume to govern you have, in this land of plenty, failed to give you meat and bread and even reasonable security.

It will make you toilers in the fields, little people of America, forget that the crops for which you grub and sweat your lives away will not bring to you cost of production.

It will make you workers in the shops forget that millions of your comrades are starving today for want of food in the greatest, richest, most overflowing land on earth.

Yes, it will make you forget that this great, powerful Government of yours, which can carelessly toss away billions and billions and billions of your money



into the mouth of Mars, cannot even provide for you adequate pensions in your old age, when your work here is nearly done. Yes, you will love war, too. You will bask in its brilliant sunlight, and you will forget your cares. You will try to save democracy abroad, and you will lose it at home. But after awhile you will forget your troubles. A few glasses of the heady wine of war and the cares of your day will dissolve in the madness of the wine. Or is it wine? It is so red.

Yes, little people of America, little folk, you will love war, too, and we in Washington will love war. Why should we not? It will cover our mistakes; it will hide our amazing failures. Those who are pygmies among us here will seem like giants as they stand upon the broad, armored shoulders of war. Why should we not love war, too?

Yes, it will blind our constituencies to the fact we are unable even measurably to solve their problems in a land of plenty. It will blind them to our mistakes, because when their minds have been conditioned, their vision then will not be able to encompass anything but the gigantic colossus of war, of Mars, as he stands astride their hearts and their souls.

Soon the Senate will make a declaration of war. It will not be called that. We call it, I think the lend-lease bill, in the same way that a year and a half ago we called a bill which destroyed our neutrality forever a neutrality act.

The number of the pending bill is 1776, a sacred number in American history. Could it be a queer prank of fate that the number which gave liberty to America should be the one to take it away?

Yes, we will love war in Washington. It will make wandering troubadours out of defeated Presidential candidates. It will make us all great when people see us in the magnifying smoke that comes up from its hellish flames.

We will love it at first. People of America, all of you, will love war at first, too, but when the heartless shells begin to scatter the bodies of your boys amidst the yellow, damp mud of some European or Asiatic battlefield, you will not love it quite so much. When the long streams of coffins, bids for which the War Department has already requested in great numbers—when those long streams of coffins start to roll into your homes, if there is anything left to put in coffins, then you will know something about the love of war. When the crippled and the maimed and the insane begin once more to fill new and hungry hospitals, and you have to close your eyes rather than look upon the horror of the thing, then you will have some idea of war.

And when for the next hundred years you and your children and your children's children begin to toil and sweat and grub the dust to pay back the billions and the billions and the billions which are being so carelessly tossed away to preserve the financial and the far-flung empires of the world, then you will not like war.

When the democracy which you sought to save abroad has vanished at home, when the freedoms of today are but misty memories, when the Government has

taken over the railroads, the radio, the utilities, the newspapers, and other forms of public expression, when labor is conscripted and the farmers regimented, then, people of America, you may, amidst your blood and your tears, have some faint glimpse of modern war. What a ghastly hang-over it will be.

Mr. LA FOLLETTE. Mr. President, I realize that at this stage of the debate upon the momentous question before us no Senator speaking upon either side can add much to the arguments upon both sides of the issue which have been so ably presented by my colleagues. Nevertheless, convinced that at this hour we must make the most momentous decision America has ever been called upon to make, I should feel derelict in meeting my responsibilities as a United States Senator, I should feel unfaithful to my heritage, were I not to present the arguments which long study and prayerful consideration compel me to submit for the RECORD, and for the consideration of my colleagues and my countrymen.

Mr. President, the passage of this bill will mean that Congress has given the President the green light for war.

If the President invokes the full scope of the warlike and war-provoking authorizations in the bill, the American people will hold all those who voted for it to a strict accountability. They will not find much distinction to make between the man who pulled the trigger and the men who handed him a loaded gun, and told him to use it as he pleased.

To my mind, one of the heartbreaking tragedies of the great national debate over foreign policy which has been going on in this country since war was declared in Europe in September 1939, has been the use, in America, of slogans and phrases which served to reassure the people that the steps being taken were designed to keep this Nation out of war.

#### EMBARGO REPEAL ARGUMENTS

It was 17 months ago, when this body was debating the repeal of the arms embargo, that we were assured again and again by the advocates of repeal that it was intended, not to take sides in Europe but to safeguard our own neutrality and to prevent us from taking the same steps which ultimately plunged us into the last World War.

I recall that then the senior Senator from Kentucky [Mr. BARKLEY] rose in this Chamber and said:

So far as I am concerned, I am not interested in what England wants or does not want, or what Hitler wants or does not want. \* \* \* I do not want any Member of the Senate to be actuated by the desire of either side as to what we shall do with the embargo and the neutrality law. I certainly am not actuated by any desire on the part of either side.

It was the junior Senator from Texas [Mr. CONNALLY] who said that the purpose of the arms-embargo repeal was to "be absolutely fair and impartial between the parties." He added, moreover:

We were dragged into the World War. I say we were dragged in. We did not want to go in. We were dragged up to the door several times, and then we broke away and we would not go in. Our ships were sunk, our citizens were murdered, just as our ships

will be sunk now and our citizens murdered if the embargo is kept as it is written now, because our ships are going to sail from our ports.

Finally I quote a few of the words of the senior Senator from Georgia [Mr. GEORGE], now the distinguished chairman of the Committee on Foreign Relations. In replying to questions raised by the senior Senator from North Dakota [Mr. NYE], the Senator from Georgia said:

Now, I wish to invite the Senator's attention to the fact that although credit was not extended directly by the munitions makers, was it not one of the chief vices of the 1914, 1915, and 1916 period that credit was extended in the United States for arms, munitions, and war supplies? \* \* \* I know the Senator is not unmindful of the fact that in the measure now before the Senate we have pressed our ingenuity almost to the breaking point to prevent the extension of credit for arms, ammunition, and implements of war \* \* \* and "to prevent the building up of a war economy, at least on a credit basis, which was the vice of conditions which arose in the United States between 1914 and 1916, inclusive."

I recall the 1939 words of three of the outstanding supporters of the present bill only to remind the Members of this body that every step along this one-way road to war has been advocated as a means to insure our remaining at peace.

Seventeen months ago the Nation was sold the theory that we could be neutral, that we could be absolutely impartial, by repealing the arms embargo, by refusing to go in for credits, by spurning the building up of war economy.

#### "STEPS SHORT OF WAR"

Yet today many have moved so rapidly from an avowed position of neutrality that the intermediary stage of "steps short of war" is now only an episode to which historians will devote a sardonic paragraph in the recital of our entrance into the present war.

And mark this! No longer are many of those in favor of this bill talking about national defense, which for a time replaced the slogan of "steps short of war." They are openly admitting that this bill means intervention—and quite logically, of course, intervention means war.

Mr. BAILEY. Mr. President—

The VICE PRESIDENT. Does the Senator from Wisconsin yield to the Senator from North Carolina?

Mr. LA FOLLETTE. I yield.

Mr. BAILEY. The distinguished Senator gives me an opportunity to say just what intervention is. I said it on the floor of the Senate in the debate on the Neutrality Act. It was in that debate that the late distinguished Senator from Idaho, Senator Borah, whose memory we each will always honor, took the view that the Neutrality Act was an act of intervention. I took the opposite view. We discussed the matter, and I learned a great deal from the Senator.

I made some investigations of my own. I am prepared to say that the standard definition of intervention is this: Two nations being at war, and a third nation being neutral at the outset of the war, if the third nation so changes or alters its policy as to aid one of the nations at



war, or to become a disadvantage to a nation at war, that is intervention, but that is not war. That does not predicate war. If I cared to now I could mention nations that are intervening, but Great Britain is not fighting them. That is a simple matter of fact which we all know. So intervention is not war. Armed intervention is war. Aid is intervention, but it is not war. I think that distinction ought to be in the RECORD.

Mr. LA FOLLETTE. Mr. President, I am happy to have the interpretation by the distinguished Senator from North Carolina of the legalistic connotation of intervention. Of course, I accord each and every one of my colleagues in this body the right, which I claim for myself, to state my honest and frank convictions as to the course upon which I believe my beloved country is about to embark. But I say, Mr. President, that in the light of the magnitude of the struggle now going on in Europe and Asia, fine-spun legalistic definitions of the term "intervention" are of no more use to the people of this country or to the Senate in deliberating upon this question than would be an umbrella in the center of a tropical hurricane.

Mr. WHEELER. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. HILL in the chair). Does the Senator from Wisconsin yield to the Senator from Montana?

Mr. LA FOLLETTE. I yield.

Mr. WHEELER. Many of those who are advocating intervention—I do not mean the Senator from North Carolina—including the well-known interventionists who belong to the White committee and other committees which are supporting the bill, are saying that we should intervene; and when they say that we should intervene they are saying that we should intervene to an extent which will assure the victory of one side. If one side will win unless we intervene in total war, how can such intervention be interpreted as anything less than war?

Mr. LA FOLLETTE. I agree with the Senator from Montana; and in the course of my remarks I not only intend to discuss what committees outside the Senate are saying and what their members are doing but I propose to point out that I believe the administration's foreign policy is predicated upon a premise which means involvement of the United States in war.

Mr. President, every Senator who votes for the bill has now been warned what some administration Senators themselves really believe the bill means. It means war. And all America should also know that it means war.

As for myself, I am opposed to our entering the war. I will not give my vote for any bill which is one step nearer another blood bath for our youth, one step nearer totalitarianism for the United States. I am not willing to add my vote to help in any way a course of action which I am convinced can end only in the same bitter disillusionment and futile disaster of the last war.

#### BILL MEANS WAR

For the bill means war. Whatever fine trappings it is decked with, it hides the

skull and bones of death on Old World battlefields and death on the seven seas. Who will assume to limit where the graveyards of this war will be?

That is why I am so unalterably opposed to the pending proposal. Studied consideration of every sentence, every phrase, and every word of the bill has convinced me that it authorizes the President to engage in operations which will inevitably result in our becoming involved in actual war.

So far as the American people are concerned, it makes little difference whether we are engaged in a declared or an undeclared war. And what difference will it make to those who die and the families they leave behind? What difference will it make when we reckon the cost in wealth, when we shoulder the burdens of economic dislocation and social upheaval, when we sow the seeds of racial and religious intolerance—what difference will it make whether the war be declared or undeclared?

If it be answered that Congress alone has the power to declare war and that the bill does not disturb that constitutional power, I say the answer is only a play with words which have lost their meaning. The bill gives the President power to create a state of war, leaving to Congress only the permission to say "Ja" with a formal declaration of war recognizing the situation created by the Executive.

#### PRESIDENTIAL STATEMENTS

The full implications of this measure are not to be found by reading the bill itself. You judge a man not by one act alone but by the sum total of his acts. So the bill must be judged against the background of other statements by the President, as recently as his radio address to the Nation on December 29, 1940, and his message to the Congress on January 6, 1941. The bill is a blank check to permit him to make good the reckless assurances he gave the world when he over-drew on his authority to speak the convictions of the American people. His assurances to the world were: First, the United States will guarantee a smashing victory for the British Empire; and, second, the United States is committed to the establishment of the "four freedoms" everywhere in the world.

I want to pause here for a moment to say that I am certain that the vast majority of the American people want to see the valiant fight which Britain is making against brutalitarian aggression crowned with success. They favor aid to Great Britain, but almost religiously on a short-of-war basis, as every survey of public opinion reveals.

Much as they desire British success against gangster invaders, the great mass of Americans are not willing to acknowledge that the fate of America must be decided by the Battle of Britain.

#### FALSE PREMISE

The entire foreign policy of the administration, including the bill to implement that policy, is predicated on that false premise. I grant that the defense of the nations which are victims of ruthless aggression may be of great interest to us. I concede that by the repeal of the arms embargo we have established the

policy of furnishing aid to them short of war. The victory of any nation may be useful, but it is not vital, to the United States. The defense of any nation outside this hemisphere and our possessions is not vital to the defense of the United States. Webster defines "vital" to mean "contributing or necessary to life."

I deny with every emphasis I am able to command that the defense of Britain, Greece, China, or any other nation in the Old World is essential to the life of the United States. I do not believe, and I reject the assertion, that the fate of 130,000,000 Americans will either now or in the foreseeable future be dependent upon or be determined by the outcome of war in Europe, Asia, or Africa.

The false premise is scattered all through this bill. I quote one paragraph in section 3 (a), as follows:

In section 3 (a)—

(1) To manufacture in arsenals, factories, and shipyards under their jurisdiction, or otherwise procure, any defense article for the government of any country whose defense the President deems vital to the defense of the United States.

Mr. President, never before in our history have we been asked to cringe and to cry out to the whole world that the life of our great Nation is dependent upon the fate of another. I cannot recall a great Nation in all history that has believed—let alone declared by statutory enactment—that it could not meet its own destiny and was unable to defend its own sovereignty.

This, in my judgment, is the fatal error in the policy we are urged to pursue. It involves the only risk to our fate as a Nation in the troubled world in which we live; for, if we follow the course which is being marked out for us, it is possible so to cripple our own defense in the effort to support the nations "the President deems vital to the defense of the United States" that in the event of their defeat this great and powerful Nation would go down with them. This is not wild speculation. Nation after nation which has placed its fate in the hands of some other country or has shaped its policy upon the actions of another, has experienced bitter defeat and is even now suffering under the heel of the brutal conqueror.

Even before this bill is passed a sharp controversy is raging as to whether we can spare any more destroyers from our fleet. Mr. Willkie has stated "upon the highest authority" that we can send Britain 5 or 10 destroyers a month; but Secretary Knox, speaking, it must be presumed, upon the advice of our highest naval experts, flatly asserts that we cannot send one more destroyer without crippling our fleet. Important as the decision involved in this question may be to the future safety of the United States, its possessions, and this hemisphere, I venture to predict that if this bill is passed it will be only the forerunner of decisions of much greater import to the security and defense of this Nation and its ability to meet the solemn commitments made to our sister republics in the New World.

Once we concede that the defense of Great Britain or any other nation outside this hemisphere is vital to the defense of the United States, aid short of



war will be filed under A in the ashen of broken promises solemnly made and solemnly given to the people of the United States. Pass this bill, and let the President make a finding of fact that the defense of Great Britain is vital to our defense; can we then quibble about the number of planes, naval vessels, merchantment—yes, and armed forces—which we are to send to Great Britain, China, or Greece, or any other nation, anywhere in the world, that becomes the beneficiary of aid under this bill?

Mr. President, when this bill becomes law Congress will no longer be in a position to turn back. Congress will have made the determination that certain nations in the Old World are vital to our own defense. Congress will also have given to those nations a large voice in the decisions as to what they require from us for their defense, not only because they are on the battlefield at the moment, but also because they will have every right to assume in honesty and decency in the relations between nations that Congress means what it says by enacting this measure.

Let me quote from the London Times, an organ close to the British Government, speaking of the President's message of January 6, and long before Members of Congress, at least, had seen H. R. 1776:

Mr. Roosevelt's address to Congress, followed by the Budget message yesterday, marks another stage in the evolution of American feeling and determination. From neutrality in deed, though not in thought, the people of the United States have passed through "all aid to Great Britain short of war" to "all possible aid to Britain irrespective of consequences."

#### COMMITMENT TO WAR

The President's message to the Congress was devoid of the assurances he had given the people during the campaign, and, in a drastically limited way, in his radio address to the Nation on December 29, 1940, that the armed forces of the country would not be sent abroad to war unless we were attacked.

Every amendment submitted to the House and to the Senate committee, which would specifically forbid the use of armed forces, has been rejected by the administration's supporters.

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. LA FOLLETTE. I yield to the Senator from Montana.

Mr. WHEELER. In line with what the Senator said with reference to the President's speeches during the campaign, I wish to call attention to the fact, as I have previously done on the floor of the Senate, that I was a member of the Resolutions Committee of the Democratic National Convention. We drafted a platform plank pledging that no men would be sent abroad, but before the subcommittee of the Resolutions Committee and before the full committee the spokesman for and those who were supposed to be representing the President of the United States in the convention, fought to have that provision eliminated. Then, after it was adopted by the full committee by an overwhelming vote—and not twice but four or five different times, was

the opposition voted down—that plank was adopted by the convention; but afterward in the President's speech accepting the nomination, he practically paid no attention to the provision in the platform, and practically repudiated it. It was stated by the New York Times and other newspapers of the country that he had repudiated it; and it was only in Philadelphia, toward the end of the campaign, that he actually took the platform to his bosom and not only came out for it but repeated it word for word as those who were in favor of peace had written it into the platform.

Mr. LA FOLLETTE. I thank the Senator for his statement. I intend to quote from the President's speech at Philadelphia, because I think, regardless of what happened in the secret meetings of the platform committee, regardless of what the New York Times may have said about the implications of his acceptance speech, the people of the United States had every right to place full faith and confidence in the public statements which he made to them during the campaign.

Mr. WHEELER. Will the Senator allow me to interrupt him there further?

Mr. LA FOLLETTE. Certainly.

Mr. WHEELER. Of course, they had a full right to expect and believe also what Mr. Willkie said.

Mr. LA FOLLETTE. Yes; and I shall quote him, too, if the Senator will bear with me.

Mr. President, who can doubt that the governments of Great Britain, Greece, China, and such other nations as may be named subsequently will conclude that we are committed to war?

What other interpretation could we expect Great Britain or any other nation to place upon a solemn statutory declaration that their defense is vital to ours?

When the demand comes that we furnish portions or all of our fleet, will the advocates of this bill, who shout that Britain is fighting our battle, be in a position to refuse?

When it becomes evident that an expeditionary force is required to achieve the kind of smashing victory about which the President spoke, will the supporters of this measure say, "No, you can have our tanks and ships and guns and planes and money, but you cannot have our men even though you are fighting our war"? I have too much respect for the intellectual integrity and character of my colleagues who are supporting the pending bill to suggest for one moment they would follow such a pusillanimous course.

Mr. President, they will not be able to turn back then. They will be caught in the remorseless trap of their own logic, their own untenable position that Britain's blood, toil, tears, and sweat are being expended to save our skins for us.

The people in Great Britain are not being fooled. Their newspapers, many of which often reflect official opinion, are telling them that the United States is committed to seeing Britain through with actual warfare if necessary.

Only those persons in this country who still believe that the administration's policy is aid short of war will be disillusioned. I fear the effect of still more disillusionment upon our morale. I

deeply regret that in the last great citadel of democracy in the world the fundamental issue was not frankly presented to the people in the recent Presidential campaign; and I assert, Mr. President, that there has been no fundamental change in the international situation which justified the withholding of the most precious right which the citizens of a democracy have, namely, to pass upon the issue of peace or war.

#### CAMPAIGN STATEMENTS

It is my personal opinion that a majority of the people would have repudiated by an overwhelming vote a policy which they were convinced would lead inevitably to war. But that is not the question. The voters were assured again and again by both candidates for President of the two major parties that their policy was to be aid for the victims of aggression short of war.

There are some words in the English language, especially multisyllabic ones, which have crept in from the Latin, which are difficult, perhaps, to understand, but the words "short of war," Mr. President, are subject to no misrepresentation or misunderstanding, either by the person who speaks them or by the citizen who reads them.

Speaking at Philadelphia on October 23, 1940, President Roosevelt said:

To Republicans and Democrats, to every man, woman, and child in the Nation I say—your President and your Secretary of State are following the road to peace.

We are arming ourselves not for any foreign war.

We are arming ourselves not for any purpose of conquest or intervention in foreign disputes. I repeat again—

Said the President—

that I stand on the platform of our party: "We will not participate in foreign wars, and we will not send our Army, naval, or air forces to fight in foreign lands outside of the Americas except in case of attack."

It is for peace I have labored, and it is for peace I shall labor all the days of my life.

In a speech at Cleveland, October 2, 1940, Mr. Willkie said:

The American people do not want war. They have no idea whatever of joining in any conflict, whether on the Atlantic or the Pacific. They are determined to keep America at peace. In this determination I stand with them.

I am for keeping out of war. I am for peace for America.

The President, in his message of January 6, confirmed the conclusion that the people had no real choice on the issue of foreign policy. He said:

In the recent national election there was no substantial difference between the two great parties in respect to that national policy.

And Mr. Willkie, fully aware of the great antiwar sentiment in this country, and anxious to capture it for himself, only a few days before the election attacked the President's foreign policy; but during his defense of this bill before the Foreign Relations Committee he admitted that that attack was "a bit of campaign oratory." One of the men who had made that solemn pledge that he was for peace, and that he would stand with the American people in their desire for peace, has already publicly acknowledged that it



was a bit of campaign oratory; that it had no conviction behind it. I say, Mr. President, that is one of the most shocking things that ever happened in public life in America; and it has done no good to the faith of the American people in democracy to observe one of the men who pledged himself to do everything he could to keep this country out of war admitting that a previous statement was "only a bit of campaign oratory."

I do not wish to overemphasize the point; but, as one who desires above all else to see democracy survive in the United States, I believe any blows struck at the confidence of the electorate in the democratic process help to weaken its chances of survival. The disillusionment following the 1916 campaign and the last war did democracy no good at home.

The disillusionment now of millions of people who supported the candidate of their choice in the sincere belief that either of them would keep us out of war will help to undermine their faith in the value of one of the greatest of all the instruments of democracy—free elections.

It is too late as far as the last election is concerned, but we should be frank with the people of America at this fateful hour of decision. I pay my respects to the supporters of this bill who spoke their sincere convictions when they said they were ready for war.

#### NOT READY FOR WAR

I am not ready for war. I am opposed to this bill because I am convinced it means war. I do not take this position because I am a pacifist. I am not. I stand ready to vote the last man and the last dollar to defend this Nation and this hemisphere; but I am opposed to our going to war in Europe, Asia, or Africa, because I do not believe we can achieve our objectives, whatever they may be.

We did not make the world safe for democracy in the last war. We did come close to losing it at home. I do not pursue this point because I think this war is the same as the last one. I base my assertion upon the profound conviction that modern war has become such a destructive process that it cannot achieve its announced objectives, no matter how lofty or how venal they may be. We can learn that lesson from the last war, no matter how much this one may differ from its predecessor.

Economists estimate that in the last World War three hundred billions of wealth were destroyed. The economy of every nation was distorted by the demands of war production. The flower of the world's manhood was decimated. The hates of the peoples of every nation involved were mobilized; and finally, after 4 years of destruction, and the greatest sacrifices of human life, military victory was achieved.

#### FAILURE OF VERSAILLES

Then came the Treaty of Versailles. It is not my purpose at this time to discuss its effect on the peace of the world; but I do want to point out that the nations, except our own, which had won a knock-out victory made an effort to obtain from that victory great economic and territorial benefits.

Let me quote a passage from one of the speeches made by my father in this Chamber when the Versailles Treaty was under consideration:

Mr. President, this little group of men who sat in secret conclave for months at Versailles were not peacemakers. They were war makers. They cut and slashed the map of the Old World in violation of the terms of the armistice. They patched up a new map of the Old World in consummation of the terms of the secret treaties, the existence of which they had denied because they feared to expose the sordid aims and purposes for which men were sent to death by the tens of thousands daily. They betrayed China. They locked the chains on the subject peoples of Egypt and India. They partitioned territory and traded off peoples in mockery of that sanctified formula of 14 points and made it our Nation's shame. Then, fearing the wrath of outraged peoples, knowing that their new map would be torn to rags and tatters by the conflicting, warring elements which they had bound together in wanton disregard of racial animosities, they made a League of Nations to stand guard over the swag.

This effort to extract economic rehabilitation from military victory failed. The economic collapse in the victorious nations was different only in degree from the one which fastened itself upon the vanquished countries. The difference was sufficient to permit the temporary survival of democracy in Great Britain and France. But in the rest of the nations in Europe which were involved in the last war the inevitable economic collapse spawned dictatorships varying in the degree of their hideous aspects, but dictatorships nonetheless.

#### WAR AIMS

Mr. President, we are not permitted to know the ultimate war aims of our allies in this war. We have before us no official statement of our own aims except the "four freedoms" mentioned in the President's message. Despite the betrayal of the 14 points at Versailles, we are about to underwrite, if we have not already done so, a smashing victory for Mr. Churchill's government. Its aim so far has been defined to include the destruction of Hitler and Hitlerism. I do not say that we cannot, after a huge drain upon our human and material resources, achieve the war aim of hanging or shooting Hitler. But I do say that it is my firm belief that the destruction of life and wealth involved in attaining the military victory which will make it possible, will make it impossible to "found a world upon four essential freedoms." I quote from the President's last message:

The first is freedom of speech everywhere in the world.

The second is freedom of every person to worship God in his own way everywhere in the world.

The third is freedom from want, which, translated into world terms, means economic understandings which will secure to every nation a healthy peacetime life for its inhabitants everywhere in the world.

The fourth is freedom from fear, which, translated into world terms, means a worldwide reduction of armaments to such a point and in such thorough fashion that no nation will be in a position to commit an act of physical aggression against any neighbor, anywhere in the world.

That is no vision of a distant millennium. It is a definite basis for a kind of world attainable in our time and generation.

Mr. President, I do not question anyone's sincerity when I say that the world will not be in a condition of economic health after a knock-out war, which will make these lofty ideals attainable.

Mr. BONE. Mr. President—

The PRESIDING OFFICER (Mr. STEWART in the chair). Does the Senator from Wisconsin yield to the Senator from Washington?

Mr. LA FOLLETTE. I yield.

Mr. BONE. To achieve any such desirable status would mean that we would have to remodel the lives and the political and economic concepts of 2,000,000,000 people in the world. Because that implies so much, it impels me to revive a suggestion which was made by a number of Members of the Senate, that while there is yet time, and in the interest of democracy, for which the sacrifice would be made, we take a plebiscite in the United States to determine whether the people of the United States are willing to send soldiers abroad to accomplish these ends if it becomes necessary and desirable that it be done. Our sacrifices which are in prospect are to be made for the preservation and the extension of democracy, and that is why I, as one Senator, supported the proposed amendment to the Constitution, which I hoped would be submitted to the people, to determine whether the American people were willing to make the sacrifices implied in sending soldiers out of this Western Hemisphere to fight in Europe or Asia. I think that now, while there is time left to us to determine this momentous question, we might well seriously think whether or not we as a Congress, though we have the power to do it, should without further consultation with the American people send soldiers to either Europe or Asia.

I believe in such an amendment to the Constitution. I think it is sound democratic doctrine—although this is not a pure democracy, it is a representative republic. But there certainly can be nothing morally wrong in submitting to the American people, while there yet is time, the momentous question whether they would be willing to have Congress send the boys of America to either Europe or Asia. Certainly it is a democratic process, and I cannot imagine how anyone in his heart can find anything wrong with it.

Mr. LA FOLLETTE. Mr. President, the Senator well knows that I was one of those who joined in sponsoring the proposal. I believe in it thoroughly. But when I saw the strenuous efforts of the administration to prevent it from even coming to a vote in the House of Representatives, and when I see the majority which is lined up for the pending bill, I do not have as much hope that we will be able to get a two-thirds majority in this Congress to submit the amendment to the people as I once did.

Mr. BONE. Even the polls which were taken the last time on this question indicated an overwhelming preponderance of sentiment for the submission of that sort of a plebiscite to the people, indicating, I think, that there are 80 to 85 percent of our people in favor of it. It seems to me we might well determine



that question in order to guide us in our deliberations at this time.

Mr. LA FOLLETTE. I should be very happy to submit it to the people, and I have no doubt of what their verdict would be if they had an opportunity of passing on the question in the democratic way.

Mr. CLARK of Missouri. Mr. President, I do not wish to delay the Senator in his very eloquent speech, but in view of what the Senator from Washington said, I should merely like to call attention to the fact that if the pending bill shall be enacted, neither the Congress nor the people will have anything to say about getting into war, because under the bill the President would have full authority to get us into war.

Mr. LA FOLLETTE. I agree with the Senator in his latter statement.

Mr. BONE. Mr. President—

Mr. LA FOLLETTE. I am perfectly willing to submit to questions, and I do not want anyone to think I am not ready to yield, but I should like to get along with my speech.

Mr. President, I want it clearly understood that in what I said before the Senator from Washington first interrupted me I am not urging Great Britain to make a negotiated peace. I have neither the right nor the inclination to advise those heroic people who are so bravely defending themselves and their homeland. But I do conceive it to be a part of my responsibility as a United States Senator to study the consequences of action taken by our Government and to say frankly to my colleagues and my constituents what I believe those consequences will be to the people of the United States.

No matter how righteous the aims of Great Britain may be, no matter how just and ideal our own dreams of a future world are, the economic collapse produced by the effort to achieve a knock-out victory will frustrate the British aims and smash our dreams. When and if that military victory is achieved the Four Horsemen of the Apocalypse—plague, war, famine, and death—will dictate the treaty of peace.

#### THIS IS BRITAIN'S WAR

Let me say further that the British are not fighting our war. The speeches to that effect made by interventionists in the United States will never convince the men who control the Government of Great Britain that they are shedding their blood to win a war for the United States. The British are fighting a war to defend their homeland and to preserve the British Empire. It does not detract one iota from their gallant expenditure of blood, toil, tears, and sweat to conclude that they will determine for themselves when and upon what terms they will end hostilities. They will be governed in that decision by circumstances and by the vital interests of the British Empire—not by the vital interests of the United States. I have no desire here to review the whole gloomy story of Britain's post-war behavior. Every page and every chapter of that story is dictated by the type of British self-interest to which she is entitled and which she will again invoke when this war is over. I only recall in

passing that when it was to her interest in Asia to allow Japan to take Manchuria, she did so. When it was to her interest in Africa to allow Mussolini to take Ethiopia, she did so. When it was to her interest in Europe to allow Hitler to take Austria and Czechoslovakia, she did so.

It was only after she realized that she had been feeding the dictatorships too much raw meat that she reversed her policy and declared war against the beneficiaries of her then recent acquiescences. The same yardstick of self-interest dictated Britain's action in first blacklisting Russia and then trying to appease the red dictatorship.

#### DÜSSELDORF AGREEMENT

In this connection I wish to remind my colleagues that after 6 years of Hitler's brutalitarian control of Germany—after 6 years of bloody denial of freedom of speech, freedom of religion, freedom of conscience, freedom of press, and every other freedom we cherish—after 6 years of Hitler, the most powerful British industrialists sat down at Dusseldorf with the most powerful industrialists in Nazi Germany. There they entered into an agreement designed to bring about collaboration between them to capture a larger share of the world's trade at the expense of our own.

I quote from the London Economist of March 25, 1939:

For compelling reasons of a general nature the Government has been prompt to declare that the agreement must be regarded as still-born. M. Stanley on Wednesday—

And, I interpolate, he was then a member of the British Government—

and the Prime Minister on Thursday, shared the regret that political considerations have killed the agreement.

The reasons, however, are different, for the F. B. I. (the Federation of British Industries) regard the suspension as a mere postponement, and Mr. Stanley described it as a "valuable piece of work which might have served as a basis on which the individual industries of the manufacturing countries of the world could have solved a great many of their difficulties."

Of condemnation of German methods, even by the gentlest and most indirect implication, the agreement is entirely innocent. Indeed, by including as one of the approved objects of trade the provision of "a volume of foreign currency sufficient for (Germany's) economic needs," it concedes the whole basis of Dr. Schacht's policy. A number of changes in policies hitherto pursued are approved in the agreement. But, without exception, they are all changes, not in German, but in British policies.

Instead of securing from the Germans an abandonment of their unfair methods, the British negotiators seem to have swallowed them, lock, stock, and barrel.

I now quote from the Dusseldorf agreement or the trade pact itself:

The two organizations realize that in certain cases the advantages of agreements between the industries of countries or of a group of countries may be nullified by competition from the industries of some other country that refuses to become a party to the agreement.

Regarding this part of the agreement, the London Economist said:

The United States is one country that would be most unlikely to become a party to the agreement. The clause consequently

means that in given circumstances the F. B. I. contemplates seeking British Government subsidies to help Germany trade against America. Is there something in the atmosphere of Dusseldorf that causes sensible men to lose their wits?

Mr. President, I do not cite this agreement, in which here again Great Britain acted in accordance with what she conceived to be her own self-interest, to prove that the present British Government would feel the same today as Mr. Stanley felt in 1939, only 2 short years ago. But I do say that we shall be tragically fooled if we do not realize that there are substantial and powerful groups in both Britain and France who regard their economic interests as being more closely akin to those of German economic interests—yes; even those of Nazi Germany—than to our own.

#### ECONOMICALLY UNITED EUROPE

Furthermore, it is my belief that we will have to face an economically united Europe no matter which side wins this war. Every American would prefer to see the inevitable economic unification of Europe under British control rather than under Nazi domination. Our problems would be much less difficult, but I regard as pure wishful thinking the idea that a British victory will fill the world with sweetness and light insofar as world trade is concerned. Regardless of how friendly the British people may feel toward us when this war is over, if Great Britain wins she will be forced to utilize her control of world trade as a means of attempting to revive the collapsed internal economy of Great Britain and the Empire. Political and economic necessity will compel her to serve first, last, and all the time the economic interests of Great Britain, Canada, Australia, New Zealand, South Africa, India, and Egypt.

It is absurd to assume that in the post-war period she will be in a position to shape her world-trade policies to benefit the American farmers, industrialists, and financiers. I am not at all certain that sentiment of a friendly nature toward the United States will prevail in Great Britain and certain portions of her Empire; nor will the sordid idea that we are aiding her "to buy time for ourselves" with their blood and sacrifices result in a post-war friendship on the part of people in the British Empire for us when the war is over. I cannot forget that after the sacrifices we made in the last war the majority of Englishmen called us Uncle Shylock, not Uncle Sam.

Mr. President, I am forced to the conclusion that a British victory will not solve our problems of foreign trade, much as I would prefer to face those problems under British control of the Old World's foreign trade. In short, no matter who wins this war, American farmers, workers, industrialists, and financiers dependent upon world trade will face economic problems and adjustments of the first magnitude.

#### INVASION HYSTERIA

Of all the varied and often contradictory arguments used to high-pressure the American people into reluctant acceptance of the bill, the one with the greatest sales appeal has been the hysterical cry of imminent invasion.



Spokesman after spokesman for the administration has pounded at America's faith in herself and has made us contemptible in the eyes of the world with our moaning of weakness and imminent collapse.

Hitler had to organize fifth columns to soften and sap the moral fiber of Norway, Belgium, Holland, and France before contemplating actual conquest of those nations. In this country the faith of America in America is being battered to bits by Americans, despite a gigantic national-defense program.

The apostles of fear would have us believe that after several years of stupendous war effort Nazi Germany, with a population of 80,000,000 people, will be in a position to undertake in the near future the most staggering military adventure in all history across 3 to 6 thousand miles of ocean, desert, jungles, and mountains. The shipping tonnage necessary to transport and supply an overseas military expedition in modern warfare is almost incomprehensible. To supply an army of 1,000,000 men in this hemisphere would require at least 13,000,000 tons of shipping. This is according to an objective estimate of the military expert of the New York Times, Mr. Hanson W. Baldwin—which, so far as I know, has never been disputed publicly by other military authorities. The transportation of a small force of 50,000 men would require 375,000 tons, perhaps 40 ships. Double that tonnage—perhaps quadruple—would be necessary monthly to supply such a force, according to the same authority. In other words, half the original German merchant marine would be necessary to supply merely 50,000 men.

We are asked to believe that this military adventure will occur in the face of sullen opposition and smoldering revolt among 285,000,000 of plotting, German-dominated Britons, Frenchmen, Austrians, Poles, Norwegians, Czechs, Danes, Hungarians, Hollanders, Rumanians, Bulgarians, Greeks, and Slavs—not to mention the Russian horde of 170,000,000 people, with Dictator Stalin waiting to play the role of a vulture in war-sick Europe.

#### OPINION OF THE NAVAL AFFAIRS COMMITTEE

I do not propose to quote at length from the numerous military and naval authorities who have testified emphatically against the hysterical outcries of invasion. I ask your indulgence, Mr. President, for but one quotation; this from the unanimously adopted report of our own Naval Affairs Committee only 9 months ago. I quote:

The most important question before the Congress at the present time is that of maintaining peace and making sound provisions for our national defense. In view of world conditions, the committee has made a survey of our national-defense problem, with particular regard to the needs of our Navy. The views on national defense recorded in this report which the committee considered in arriving at its conclusions and recommendations do not represent the views of any one person or group of persons. They represent composite opinions derived from one or more of the following sources: Statements made by our best informed citizens who have studied this problem, prior reports made by

the committee to the Senate, and data presented to the committee during the past 5 or 6 years by the most responsible naval officers and naval experts in America, including such prominent officers as Admirals Stark and Leahy, Chief and former Chief of Naval Operations; Admirals King and Cook, former Chiefs of the Bureau of Aeronautics; Admiral Laning, former president of the Naval War College; Admiral Taussig; and an outstanding national-defense expert, Maj. George Fielding Eliot.

From the military point of view the United States must be considered as an insular nation. We are separated from potential enemies on the east and west by broad and deep oceans. On our northern and southern borders are nations which have been friendly heretofore. Across these land frontiers could come no armies of sufficient strength to menace our security. Our situation is not similar to that of the British at the present time. Prior to the advent of air power the British Isles were insular countries. This complete insularity is now comprised in the military sense in that they are subject to damaging attack by aircraft based on the Continent.

#### INSULAR NATIONS

The armies of Europe and Asia do not menace us. To be a menace they must be transported across the sea in ships. Airplanes based on the Continents of Europe and Asia do not menace us. To threaten seriously our continental security they must be conveyed across the sea and operated from bases in or near this hemisphere.

The armed forces of no foreign nation or group of nations can seriously threaten our continental security if we make sure that we command the seas which separate us from all potential enemies.

History is replete with instances demonstrating beyond a reasonable doubt that no insular nation (using the word "insular" in a military sense) is ever defeated so long as she retains command of her vital sea communications and further showing that her decline—a decline which eventually ends in defeat—begins with the decline of her sea power.

No qualified expert, or student of history, would contend that Great Britain faces defeat until she loses command of the sea and air approaches to the British Isles and her vital trade routes.

Should Germany's submarines and aircraft succeed in overcoming the greatly superior fleets of Great Britain and France and destroying British sea power, there is every reason to infer that they could probably also overcome the United States Fleet if we entered the war and sent our fleet and aircraft to operate in European waters within ready reach of short-range aircraft and numerous small submarines. If it is assumed that British sea power will be destroyed or that the combined British and French Navies cannot retain command of the sea in and around the British Isles and the coast of France, the inference must be made that the United States Fleet, operating from bases in this hemisphere, could not command the sea approaches to France and supply American expeditionary forces with food, supplies, and equipment.

The naval, military, and air forces necessary to prevent any foreign nation or group of nations from challenging us in our part of the world are well within the power of this Nation to create and maintain without regimenting all our vast resources under a single control, without wiping out our democracy and without abandoning our American ways of life and free government.

#### IMPREGNABLE DEFENSE

If we realize that the important causes of war are in human minds and emotions, that force cannot change materially human nature, give up the illusion that American

armed forces can bring permanent peace to a warring world, and confine our military objectives to the defense of this country, we shall find that our problem of national defense becomes relatively simple. An impregnable defense for America will be costly but infinitely less costly in the long run than engaging in another futile attempt to "save the world for democracy" and certainly less costly than conquest and consequent confiscation of resources and enslavement of all our people. It is believed that the American people are ready and willing to make any sacrifices necessary to protect their birthright and their liberties, but that they are not willing to endure the horrors of war to take part in the age-old quarrels of Europe and the game of power politics.

Why not take advantage of our peculiar situation, develop the sources of raw materials available in this hemisphere, and construct the instrumentalities of war which will enable us to pursue our way in peace, free from the horrors of invasion, the perils of bombs from the sky above us, the burdens of supporting vast armies, and the perils to our liberties which any involvement in war would bring?

In a world where unprovoked aggression is the order of the day and force the final arbiter, this is the path to security; this is the path to peace: That we be able, ready, and willing not only to defend ourselves but to inflict such serious damage on any aggressor who threatens us as will enable us to compel him to sue for peace.

The committee's attention has been directed to articles and items which have appeared in the public press alleging that military and naval experts are of the opinion that it is inevitable that the United States will become involved in the European war and that the United States should take an active military part in the war.

The committee can state that some of our best informed naval experts are of the opinion that the United States should not participate in the present European war under any circumstances now conceivable and that United States soldiers should never again be landed on a foreign continent. None of the naval experts or civilian witnesses who appeared before the committee recommended that this country participate actively in the present European war.

I have quoted at length from this report, first, because it represented the unanimous judgment of our Naval Affairs Committee, which in turn based its conclusions on the best naval testimony available in this country, and second, because the report was prepared in a relatively unhysterical period, at a time when nobody in authority was trying to sell the American people a piece of legislation designed to assure a smashing British victory and enforce our way of life on peoples everywhere in the world.

#### LOOSE LANGUAGE OF THE BILL

It is not my intention today, Mr. President, to enter into any fine-spun discussion of the specific details of the bill. The lawyers in this Chamber have done an extraordinarily fine job in placing the clauses and the commas under the microscope.

I do want to suggest that far more important than purely legalistic interpretations of one section after another is the fact that the passage of the bill will be construed by our potential allies as a congressional grant of power to the President to place in operation the fantastically sweeping objectives he stated in his recent utterances.



The loose language and the rubbery phrases of this measure can and will be stretched to meet any situation or emergency which the administration may create by its own actions.

All the legal "soothing sirup," which has been so generously distributed during this debate, has not put my mind at rest. I firmly believe that every word in the bill was chosen with great care to grant sweeping power to the President. Mr. President, if the men I believe drafted the bill actually drafted it, every word in the bill is loaded with meaning. The assurances that the powers will not be used—that the words do not mean what they say—only serve to make me more certain that the bill grants more power to the President than is enjoyed by any other head of a nation in the world, save only Stalin, Hitler, and Mussolini.

The bill confers on the President of the United States the power to take complete control of our national economy, and to harness our economy to war "anywhere in the world."

It does not take a constitutional lawyer to understand that this measure circumvents the Constitution of the United States by entrusting with the Executive alone the power to conclude military alliances. How else can anyone interpret the provision of the bill which authorizes the President, and him alone, to decide which nation's defense is essential to our defense, and proceed, on his own initiative and without securing the approval of anyone, to supply those nations with the help that he and he alone decides they need, and on the terms under which he decides they are to obtain it.

The constitutional provision which divides the treaty-making powers between the Executive and the Senate was never intended to be construed as reserving for the Senate merely the Hitler-Reichstag power of saying "Ja" after the act has been committed.

#### STRIPPING THE DEFENSE

The bill permits the President to strip the military and naval defenses of the United States to support a quixotic adventure overseas. I confess I am left absolutely cold by the administration argument that, of course, the President would not do any such thing. I am more than willing to accept the sincerity of the President and of those who make that argument in his behalf; but I cannot for the life of me understand why it is necessary to write these fantastic powers into law if there is no intention to use them in full. I have yet to hear a common-sense explanation of the motives which impel men to demand powers which they insist they have not the slightest intention of using.

I am also singularly unimpressed by the nature of the so-called concessions made by the administration in the form of amendments. Painting stripes on a tiger does not make him a zebra. I do not think one can take a keg of dynamite, paint it red, white, and blue, shorten the fuse, and put a fancy automatic lighter to it and expect that the explosion will be any less destructive because of a few outward refinements.

#### ATTEMPTED CAMOUFLAGE

It is unfortunate that the crucial issues involved in the passage of this bill have been obscured to the public by the successful camouflaging of the measure as a proposal for national defense.

Every Senator supporting this bill knows that the Congress of the United States is united as one man in voting for every measure genuinely designed to make this Nation invincible. Bills have been passed almost overnight when they were bills for the national defense and not bills for intervention in Europe. I have cast my vote for every one of them, and they run into countless billions of dollars. As I have already said, if I were convinced that it were necessary, I would vote the last man and the last dollar to safeguard this Nation, its possessions, or this hemisphere against attack.

While the Congress and the country are united on the need for an impregnable national defense, neither the Congress nor the country is united on the need for this far-reaching legislation.

The Nation has been deluged of late with polls of public opinion. I think it is well worth reminding the Members of this body that the divisions of public opinion have been fairly close, at least close enough to show a shocking lack of national unity, on such momentous issues as the bill under discussion.

#### AGREEMENT OF PUBLIC OPINION

On three propositions there has been a preponderance of national agreement; and these three propositions are:

First. The United States must build an invincible national defense.

Second. The United States must not become involved in foreign war.

Third. The destiny of the United States lies in the Western Hemisphere, and the United States must be prepared to defend her sister nations in this hemisphere from any potential or actual aggressor.

More so than any other proposals submitted to the American people in polls of public opinion, these three propositions have won the support of preponderant majorities. In the case of all three, more than 85 percent of the people are reported to be united in agreement.

This, Mr. President, is all the more a remarkable demonstration of the common sense of the great mass of Americans who, in spite of the terrific outpouring of propaganda by the best phrase-makers that money can buy, stand resolutely by the three cardinal principles of American security:

First. Build an invincible national defense.

Second. Stay out of foreign war.

Third. Make the Western Hemisphere our area of opportunity and defense.

#### HEMISPHERE DEFENSE

Mr. President, I should like now to direct the attention of the Senate to the third of these public expressions—the conviction that we have ahead of us a challenging job to defend the entire hemisphere from attack.

The results of a Gallup poll announced only a few days ago revealed that an overwhelming majority of the people—86

percent—appears to be much more aware than are many men in public life of the crucial significance of forging a hemisphere defense and building a hemisphere economy.

Because of the paramount significance attached to this problem by the people themselves, I take the liberty of quoting from the statement by Dr. George Gallup analyzing public reaction to the questions of hemisphere unity. I quote:

1. Most people in the United States regard Central America and South America as a region of great natural resources and potential wealth that is destined to become powerful and important in the world scene. Only a tiny minority think of the region as poor, weak, or backward.

2. The great majority believe that Nazi Germany will try to get control of South American countries or is already trying, and sentiment is nearly unanimous that we should do all in our power to prevent this.

3. There has been a significant increase in the number of Americans who think the United States should fight to defend Central America or South America against foreign attack. The number favoring such aid has nearly tripled in 3 years.

4. A sizable majority believe the United States should lend money to Latin-American countries for the building of industries, railroads, and defenses.

I regard the results of this poll as little short of remarkable in view of the fact that every engine of propaganda in the land has been pressed into duty to focus public attention on the war in Europe, Africa, and Asia.

It is worth pondering for a moment, while we are on the verge of making momentous decisions in foreign policy, that almost the same proportion of people which opposes armed intervention in the Old World supports the far more realistic, the far more attainable concept of making our own hemisphere a prosperous and invulnerable entity.

#### GOOD-NEIGHBOR POLICY

One of the monumental achievements of the present administration was its good-neighbor policy; but, like so much of its other home work, the administration has now relegated the task of working for hemisphere unity to a position of secondary rank, while it pours its energies into the war overseas. How odd it is, Mr. President, that the one area in the world which is truly vital to our defense and prosperity is almost neglected in the torrent of words about Europe, Africa, and Asia. Here and there a Government bureau, a private organization, a publication tries bravely to make hemisphere defense and hemisphere unity a living reality, but we have made them a tiny sideshow to the big tent which is the war in the Old World.

I wish to note that recently some departments of government—notably, the Department of Agriculture—are coming to grips with the problem of strategic raw materials obtainable in Central and South America. These efforts deserve our greatest encouragement; and I, for one, hope we can get this tremendously important undertaking out of the W. P. A. stage and make it a first-line policy of the United States.



## LATIN-AMERICAN POTENTIALITIES

I was greatly impressed, Mr. President, by an unusually clear analysis of Latin-American potentialities presented in an article appearing in the January number of Harper's magazine. I urge every Member of this body to read and study that analysis. It will, I feel confident, do much to shake the hazy notion that we are, and must be for all time, absolutely dependent on the raw materials of Asia and Africa for many of our strategic needs.

I am not now speaking of agricultural products such as wheat, meat, and cotton, of which many persons think we have too much, despite the one-third of the Nation's ill-housed, ill-fed, and ill-clothed people. I speak of raw materials which we lack and require urgently for our national economy and defense.

Mr. Charles Morrow Wilson, in his excellent article in Harper's, makes the striking and significant point that many of the raw materials we now sail more than halfway around the world to secure in Asia and Africa we once bought in Latin and South America. I quote from Mr. Wilson's article a significant passage which reveals how British, Dutch, and French ingenuity and subsidies have made us dependent on their overseas empires for vital supplies:

It is not commonly known that during the past 40 years we have either cut down or stopped altogether the importation of a number of raw materials from Latin America and have gone elsewhere for them. These products are rubber, coconut, and cocoa. Next to them is a long list of other imports including tannins, hard fibers, and quinine.

Once Latin America was the only source of these imports; in recent years, however, the cultivation of these crops has been transferred to Africa and the East Indian tropics. Seeds and plants were taken from Latin America—sometimes smuggled out—and their culture commenced on distant plantations. The British, French, and Dutch Governments aided this work by subsidy; plantation management was efficient and the cultivation scientifically carried on. Meanwhile the culture of these crops in Latin America declined and in some cases died out altogether. In the end American importers found themselves dependent on far-distant sources and forced to pay prices controlled by great cartels.

At this present moment the United States Government fears that our far eastern supply of rubber may be cut off; if we want to promote close relations with Brazil we might well aid her in the resuscitation of rubber culture. We consume more than half of the rubber produced in the world. Quinine today is listed as one of the strategic materials, but quinine culture was taken away from Latin America 25 years ago. Peanuts are a native American crop, but even the goober has been transplanted to the Far East and we import 35 percent of our needs, or at least we did during 1938.

The great Latin-American problem of today, yesterday, and tomorrow is the problem of selling its harvests from fields, mines, and forests. Stretching from the Rio Grande south to Tierra del Fuego is a great frontier territory, the largest and richest in the world. Agriculture, not industry, produces the wealth of this immense frontier territory. A resident Nazi agent after the fourth or fifth drink is likely to tell you that the best of the Goebbels propaganda is a sorry substitute for solvent export markets. The United States can provide those markets.

## BUILDING TRADE RELATIONS IN THIS HEMISPHERE

Mr. Wilson presents some extremely important official data to show that we have not begun to scratch the surface in building-trade relations profitable to the southern countries and ourselves, and vital in the job of freeing ourselves from fancied dependence for so many materials on the outlying possessions of the European nations.

There is cocoa, for instance. Here is a product whose consumption has doubled each decade for the past century. Ordinarily it is the greatest export crop of Venezuela and Ecuador; the second greatest crop of El Salvador and the Dominican Republic; the third greatest of Brazil and Costa Rica, and a highly important crop in Panama, Colombia, Mexico, Guatemala, Honduras, Nicaragua, Haiti, Cuba, and other southern neighbors.

In spite of the vital importance of cocoa to the nations of Central and South America, we have gone to Africa for the largest share of our cocoa needs. The African product is cheaper but distinctly inferior. The savings, Mr. Wilson reports, "mean nothing to the consumer," as a rule.

The United States today consumes more than half the world's total exports of rubber—600,000 tons of natural rubber a year. We buy approximately 96 percent of this crude rubber from empire possessions of Britain, Holland, and France, although the rubber industry was founded in the Western Hemisphere in Brazil, and British, French, and Dutch interests used seed and planting stock which they took from Latin America.

We have made a small beginning in the field of rubber experimentation in the Western Hemisphere nations to the south. It takes several years, I know, but the expenditure of some real American energy, ingenuity, and cash will repay us many, many times over in needed materials and in the type of cordial trade relations with our southern neighbors which we all desire, and which some think may become of vital importance to the United States. We have the time to do this job, too, if we do not fritter it away.

## HABANA CONFERENCE

We made progress toward hemisphere solidarity at the Inter-American Conferences in Habana and Panama. Our representatives conducted themselves with honor and distinction. Out of the Habana Conference came the foundation for a truly enlightened hemisphere program. But the foundation remains almost untouched. Measured in terms of the billions of dollars we have spent and are to spend for aid to nations in the Old World, there is little money, time, or energy to build our own edifice in this hemisphere. We are too busy trying to put out fires all over the rest of the world.

The spirit of the Habana and Panama agreements calls for the nations of the hemisphere to consult on matters affecting their defense and foreign intercourse.

## PAN-AMERICAN CONSULTATION

Yet I do not know that this Government has consulted with our southern neighbors on this most far-reaching bill which intimately affects our entire for-

eign policy and theirs also. The reason for this failure is clear enough. If we may accept the word of a seasoned Washington observer, Mr. Ludwell Denny, the administration felt that it could not get the approval of some of our Latin-American neighbors, and thus decided, in violation of the Panama and Habana agreements, to ignore them. It has been reported that protests against this bill have been lodged by several Latin-American Ambassadors to the United States. If this be true, we are weakening our incompleting foundation for hemisphere solidarity in favor of foreign adventures in the Old World.

But this is not the only way in which we are impairing the confidence of our neighbors in our capacity to be their friend and their protector, if necessary. I hope I am wrong, but I fear that some of the supporters of this bill will rue the day they shouted from the housetops that the Nazis would run us out of South and Central America if they succeeded in conquering their European enemies. More perhaps than any other argument advanced in support of this bill, I have hated to hear the counsel of fear which has been pounded into our people in order to wring from them acceptance of this bill.

I have previously touched on the shattering effect such a counsel of fear and despair is having on the morale of our own people. These public exhibitions of fear and hysteria are also doing much to weaken whatever confidence the Latin-American nations may have had in us. A cunning Nazi agent, bent on lining up business and political collaboration with South American nations, could find no more effective sales technique than to whisper into the ears of the southern peoples the statements of our own officials in which they moan about how weak, defenseless, and ineffective we are. No potential customer wants to do business with an outfit which officially announces every day that it is on the verge of ruin. I fear that other countries will not be anxious to accept leadership from a nation which, by statutory enactment, proclaims its inability to defend itself without buying protection from nations three to six thousand miles away.

The opportunities which lie to the south of us—opportunities for the mutual advancement of both our neighbors and ourselves—stagger the imagination. The realization of these opportunities calls for the same kind of courage, energy, and resourcefulness that our forebears showed when they pressed ever westward against the peril-ridden frontier. But in our time we can achieve by friendly cooperation and mutual understanding what they took by force of arms or by courageous pioneering.

I have dwelt at such length on this hemisphere problem because it impresses me as the second most vital problem which confronts this Nation, second only to national defense itself. I am profoundly convinced that the destiny of the United States lies in the Western Hemisphere; but so long as we continue to burn up our precious energy and resources on the endless bloodlettings of



the Old World we shall never tackle that vital problem with the concentration and energy required for its solution.

#### CONSEQUENCES OF WAR

The economic and political consequences of our participation in the war raging in Europe, Asia, and Africa will be catastrophic. The first casualty will be our own democratic form of government. This bill, conferring upon the Executive far-reaching, sweeping, and unprecedented power, is but a mild foretaste of things to come.

By the enactment of this measure Congress relegates itself to the status of a mere rubber stamp. The very nature of modern war will necessitate a complete dictatorship. Then it will be an undeserved compliment even to call Congress a rubber stamp. The superstate of war dictatorship inevitably embraces control over every man, woman, and child in the country. Modern war poisons democracy, often fatally. Men cannot speak, think, or write freely. No longer do they participate as citizens of a free state. They will be subjects of the war dictatorship. They will be objects under the control of the war machine. There will be censorship of the radio and the press. Only the other day, although we still pretend to be at peace, the President of the United States played around with the suggestion of exercising the so-called voluntary censorship invoked during the last war.

If war comes—and it will come if we pass this bill—tolerance will die. Hate will be mobilized by the Government itself. Neighbor will be set to spy on neighbor; bigotry will stalk the land; labor, industry, agriculture, and finance will be regimented, if not taken over, by the Central Government.

#### WAR ENDS CIVIL LIBERTIES

Mr. President, for several years I have had the honor of serving as chairman of a subcommittee of the Senate Committee on Education and Labor charged with investigating suppressions of free speech in the world's greatest democracy. Pains-taking investigation, extending over a period of 4 years, disclosed a shocking number of violations of our own Bill of Rights, even in peacetime. Yet we are now asked by the administration to guarantee to the nations everywhere in the world freedoms which we have not made universal in our own country in more than a century and a half.

We have achieved a measurable degree of freedom after more than 15 decades; but now we are urged to risk our own hard-won liberties in the illusory hope of fastening our way of life on peoples everywhere in the world.

And will it be just for the time being—for the duration of the emergency of the war? Appalling as it may be to contemplate the immediate effects of war upon our democratic way of life, my greatest apprehension is that the wartime dictatorship will be continued indefinitely in the period which, for want of a better term, we may call peace.

The last war struck staggering blows to our own democracy. It created and intensified economic problems which brought this Nation to the brink of disaster.

Unemployment, idle money and machines, huge debts, economic dislocation of agriculture and industry are the tragic reminders today of our last mad adventure into war abroad. These problems will be intensified a thousandfold by our entrance into another foreign war.

Despite the tragic lessons to be learned from the collapse of France, not only in a military way but on the home front as well, there is every evidence that our efforts to solve our domestic problems now are to be relegated to the limbo of forgotten dreams. Eight years of heart-rending effort, often against terrific odds, to grapple with the crucial economic problems of our time, are to be filed away under the head of unfinished and forgotten business.

#### NEW DEAL IS SICK

The latest word from the administration on this front came from the Secretary of the Treasury. Despite substantial and drastic cuts in the Budget message, only a few days ago he urged Congress to reexamine nondefense expenditures with a magnifying glass. I should like to say to my liberal and progressive friends in America who saw in defense and war a means of achieving their social and economic aspirations for this Nation that they are being proved tragically wrong. The New Deal is very sick, and the latest bulletin from its bedside is that the patient is sinking fast. The so-called fat cats are no longer dodging brickbats on the back fence. They have moved into the dining room. And how big they are growing.

It is in the post-war period with chaos, hatred, and intolerance rampant in a disillusioned land that I fear for the survival of our own precious heritage of racial and religious tolerance, political and economic freedom. They should not be sacrificed casually on the altar of a fallacious assumption that our vital national interest is involved in the outcome of war in Europe, Asia, or Africa.

Let this be clearly understood. I am not arguing for one moment that war for the United States cannot be justified under any circumstances. If I believed, as do some of my colleagues in this Chamber, that our very national life was at stake in the Old World's war, I would not be for this bill which will get us into war by the back door. If I felt that our existence as a free people were tied up inextricably in the bloody upheaval abroad, I would be supporting a forthright resolution to declare war and to defend our national life with everything we have.

#### WAR IS NO. 1 ENEMY OF DEMOCRACY

What I am driving at is simply this: War is enemy No. 1 of democracy. It should be invoked by a democratic country only as a last resort, and only when its genuine vital interest is at stake. I repeat, I stand ready to sacrifice the last man and the last dollar, if necessary, to defend this Nation and this hemisphere. I would vote for war at the drop of the hat the moment I was convinced that our national interest was in real danger.

President Wilson said in an address in Washington on May 12, 1917:

We have gone in with no special grievance of our own, because we have always said that

we were the friends and servants of mankind. We will accept no advantage out of this war.

We go because we believe that the very principles upon which the American Republic was founded are now at stake and must be vindicated.

After terrific sacrifice, the military victory was won in 1918, but "the very principles upon which the American Republic was founded" were not vindicated.

Today there is even less assurance; there is less hope that the principles for which we would say we were fighting could prevail in the war-torn and war-weary world. What if we should succeed in hanging Hitler and the gangsters around him, crush the entire Nazi military machine, topple stumbling Mussolini and the Fascists from Italian power? What if we even make Stalin and the Communists disgorge their ill-gotten gains—if mention of the latter while the administration is lifting the moral embargo is not verboten?

What after we have staged this mass lynching bee everywhere in the world? Do we stand guard forever and a day to prevent the recurrence of more violent explosions? Do we use our bayonets to enforce the four freedoms everywhere in the world?

#### WE CANNOT POLICE THE WORLD

I know there are well-meaning Americans who feel that we were divinely appointed to police the world. But after months, perhaps years, of bloodshed, misery, and economic dislocation, will the war-exhausted people of America feel that their job has only just begun, that peace will only mean changing the khaki uniform of the soldier to the blue uniform of the world police force? \* \* \*

We have a job to do at home—a job that challenges the very best that we have and are—the job of putting our own house in order and proving by our example to oppressed peoples everywhere in the world that democracy can function, that democracy can meet head-on the problems, which, when left unsolved in Europe, spawned dictatorship and war.

We have the men, the machines, the brains, the brawn, the resources and the ingenuity. Here in America we move 43 percent of the world's freight, produce nearly 40 percent of the world's raw materials for industry, generate 50 percent of the world's horsepower, and 35 percent of its electric power.

#### AMERICA'S STRENGTH

Here in America we produce 34 percent of the world's coal, 62 percent of its petroleum. We are rich in iron ore, copper, lead, and zinc. We make more than a third of the world's pig iron and steel.

Here in America we grow half the world's corn. We have half the world's telephones. We have three-fourths of the world's automobiles, two-thirds of the trucks and busses, more than half of the world's radio sets.

We have the most gigantic productive capacity the world has ever seen.

We have 130,000,000 American men, women, and children who are ready—yea, they are anxious, if need be—to shed the last drop of their blood to defend America against any aggressor or any combination of aggressors.



Mr. President, I appeal to my fellow countrymen to throw off this fear, this hysteria; to reject it for the false and hideous propaganda that it is.

Here in America we are richer in resources than Russia, Germany, France, Great Britain, Italy, and Japan combined.

If to our own breath-taking resources we add the resources of a friendly Latin America, we emerge with rubber as our major deficiency—rubber which was first developed in the Western Hemisphere and may now be brought back to satisfy our needs. Tin may be a problem also, but we have not explored it fully on a hemisphere basis. The administration has been fiddling around for months trying to decide to whom it will give the concession for establishing an American smelter for the reduction of low-grade South American tin ore.

With these fabulous resources, with the man power and machine power to convert them into goods to satisfy man's hunger for sustenance and significance, we can end the paradox of poverty in the midst of plenty. We can hold aloft a beacon to light the free way of life for all mankind.

#### CONSTRUCTIVE ALTERNATIVE TO WAR

Mr. President, I offer this as an American alternative to the mad foreign adventure which the bill envisions.

I urge that we make the "four freedoms" prevail in America before we try to ram them down the throats of people everywhere in the world.

I urge that we stop trying to solve other peoples' problems until we have lifted dispossessed and pauperized farmers in America out of the poverty which has been theirs for so long.

I urge that we shorten our gaze at least until we have done something constructive and permanent for the 10,000,000 unemployed Americans in urban and rural areas.

I urge that we stop trying to run the whole world until we have built decent homes here, until we have reconstructed our monetary and credit system, so that we can meet the challenge which is behind the hideous brutalitarian aspects of the Nazi-German revolution. I urge that we stop trying to run the world until we have provided a program of sound and adequate medical and hospital care for the masses of our people, until we have provided a generous security for the old and full opportunity for our youth. Mr. President, in all sincerity I urge that we stop wearing a halo of righteousness until we do something about factors which have caused approximately 40 percent of our men—supposedly the flower of the Nation—to be rejected as physically or mentally unfit for military training.

I urge, likewise, that we end the campaign of fear. I urge, instead, that we buckle down to the job of national defense. I urge at the same time that we prepare to meet the inevitable dislocations which will follow the end of this armament boom.

I urge that we stop misleading the valiant defenders of Britain, Greece, and China into thinking we are going to war; or stop misleading the American people into thinking that we are not going to war.

In short, Mr. President, I urge that we reject this bill and resume the job—the uncompleted job—we dropped a year ago, that we throw everything we have into accepting the awe-inspiring challenge of our time.

I urge this, Mr. President, because in the long pull, such a course will not only preserve the American way of life, but it will liberate us from fear and doubt and impoverishment. In this way, and in this way only, will we be able to blaze a trail which the war-weary, blood-sick peoples of the world can follow on their long, weary, and painful trek back from war toward peace and prosperity.

Mr. VANDENBERG. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. ELLENDER in the chair). The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	George	Norris
Aiken	Gerry	Nye
Andrews	Gillette	O'Mahoney
Austin	Glass	Overton
Bailey	Green	Radtke
Ball	Guffey	Reed
Bankhead	Gurney	Reynolds
Barbour	Harrison	Russell
Barkley	Hatch	Schwartz
Bilbo	Hayden	Sheppard
Bone	Herring	Shipstead
Brewster	Hill	Smathers
Bridges	Holman	Stewart
Brown	Hughes	Taft
Bulow	Johnson, Calif.	Thomas, Idaho
Bunker	Kilgore	Thomas, Utah
Burton	La Follette	Tobey
Byrd	Langer	Truman
Byrnes	Lee	Tunnell
Capper	Lodge	Tydings
Caraway	Lucas	Vandenberg
Chandler	McCarran	Van Nuys
Chavez	McFarland	Wallgren
Clark, Idaho	McKellar	Walsh
Clark, Mo.	McNary	Wheeler
Connally	Maloney	White
Danaher	Mead	Wiley
Davis	Miller	Willis
Downey	Murdock	
Ellender	Murray	

The PRESIDING OFFICER. Eighty-eight Senators having answered to their names, a quorum is present.

Mr. DANAHER. Mr. President, I suppose that no really fair-minded man can or should fail to admire the purposefulness of the President. Whatever else you may choose to say of him, he possesses that great quality. I do not agree with the policy of which the pending bill is a part. It is inevitable that there should be a conflict between a strong President and a Congress when a measure affecting our foreign policy comes before us, particularly since the Constitution never has defined the limits of that shadowland where the powers of Congress end and the powers of the President begin. To put it another way, Congress is not without responsibility even though the President be our Chief Executive in matters of foreign policy. A very great deal of the conflict arises where the ultimate purpose of the Chief Executive is not freely and frankly exhibited. This very bill brings the matter to its historical crux.

The ultimate purpose of the bill is not to aid England. That is only what the people are told. That is what the international lawyers call a "desideratum." There can be no question that aid to Britain would be one of the results.

The real purpose of this bill was not stated by Secretary Hull, so far as the record shows. It was not stated by Secretary Knox, or by Secretary Morgenthau, or even by Mr. Willkie.

This bill is from the Henry L. Stimson-Nicholas Murray Butler-James T. Shotwell school of thought. The real purpose of the bill is to engraft upon the Kellogg-Briand Treaty a new series of obligations, and a new series of commitments for our Nation, completely beyond and actually contrary to the intention of the United States when it adhered to that pact. The real purpose of the bill is to give expression to a new principle in international law.

It is a principle which found its expression at Budapest, Hungary, in 1934 when a group of lawyers met unofficially "for the purpose of giving their interpretation as to the meaning of this treaty." Mr. Stimson testified that their statement of interpretation matured the "opinion of a great group of international lawyers as to the deductions which followed from that treaty (the Kellogg-Briand Pact) among the nations which had executed it." I shall discuss the matter further in due course in order to illustrate why, in that view of it, the bill is said to be necessary.

I do not dispute the right of Mr. Stimson or of our President to seek legislative expressions which will crystallize their views and their policy. Quite the contrary, in this representative Republic of ours it becomes their duty to submit to the people's representatives the most elaborate explanation of what their real purpose is.

It is because they are seeking to do by indirection what should be done directly, what should be canvassed fully, and what should be explained clearly, that so many misgivings have arisen. What I complain about is the failure to set forth the whole situation in this as in other instances. Instead, cloaking the real purpose behind an expressed desire to exterminate Hitlerism and all it stands for, the Congress is led into a discussion simply of aid to Great Britain, without an adequate or accurate or frank explanation of what the acceptance of an enlargement of the Kellogg-Briand Pact will mean to America's future.

Setting aside scores of our domestic statutes is only one of the steps necessary to the accomplishment of the ultimate purpose behind the bill. Validating certain past conduct is only one of the ultimate purposes back of the bill. But for the theory upon which the bill would proceed certain future contemplated actions would be illegal and in contravention of our status under international law as our Nation has heretofore understood and applied it.

The real proponents of this measure would lay a foundation to justify our future conduct by enlarging the application of the Kellogg-Briand Pact and by imposing upon us obligations quite foreign to our previous assumptions.

But one would never think so or realize it if he were to read the testimony of witnesses before the House and Senate committees, except as Mr. Stimson touched upon the point, and except as



the majority report mentions the subject in one single self-serving paragraph.

Perhaps by now we should have become so accustomed to the devious methods by which much legislation has been achieved of late that there no longer would be elements of surprise. On the other hand, the very experience we have had is enough to cause many of us to scrutinize the more carefully measures which would tend to implement the policy which is being fashioned for our country.

Is any man so naive as to suggest that the pending bill was demanded by our people? As a matter of fact, it does not so much as represent the original view of any Member of this Congress. It is of a piece with the whole program, which has not only created new instruments of public power, if I may borrow a term, but has centralized control of our Government, its institutions, its people, and their destiny in the hands of those who, through plan and design, have brought our Nation into its present position.

We need not be startled by our realization that one purpose is proclaimed and another result achieved. We could have seen the evidence before us month by month.

Let me illustrate. Only a little over a year ago—on January 8, 1940, to be exact—the Senator from Michigan [Mr. BROWN] introduced Senate bill 3069, then entitled, "To provide for certain loans to the Republic of Finland by the Reconstruction Finance Corporation." The bill would have authorized the R. F. C. to make loans to Finland in an aggregate amount not exceeding \$60,000,000 to enable Finland to finance the purchase of whatever articles or materials it might require for use in its defense against the aggression of Russia. Our people uniformly felt that Finland should receive our support in its gallant resistance to the attack against which Finland struggled so mightily. Let us see what happened. On the 16th of January the President sent us a special message and, taking careful note of American sentiment, said:

There is without doubt in the United States a great desire for some action to assist Finland to finance the purchase of agricultural surpluses and manufactured products, not including implements of war.

Mr. Jesse Jones appeared before the Banking and Currency Committee the following day and testified that on December 13, 1939, more than 1 month earlier, authorizations had been made through the Reconstruction Finance Corporation for a \$10,000,000,000 credit to be made available to the Export-Import Bank, of which \$3,000,000 was promptly set up, but none had been used through December 31, 1939. However, in January, up to the date of his testimony, only \$500,000 had actually been spent by Finland. Of course, Finland was not looking for agricultural surpluses. She wanted arms, ammunition, and implements of war to defend herself.

I might remark in passing that the President said in conclusion in his message:

There is at the same time undoubted opposition to the creation of precedence which might lead to large credits to nations in Eu-

rope, either belligerents or neutrals. No one desires a return to such status.

But more of that later.

Meanwhile, in the 4 months commencing in September of 1939 we had made Russia our No. 1 customer for tin, rubber, copper tubing, molybdenum, gasoline, and machine tools, all essential and critical supplies necessary for the prosecution of her war against Finland. This was the same Russia which had already seized more than two-thirds of stricken Poland. This was the same Russia whose gold we continued to buy throughout that period.

Let us see what happened to Senator Brown's bill. By January 25 it was reported to the Senate with "certain amendments." The amendments struck out every single word of Senator Brown's bill and inserted in lieu thereof a plan to double the capital of the Export-Import Bank. It ought to be recalled that in the summer of 1939 there had been a previous attempt to double the capital of the Export-Import Bank, but the Congress refused so to do. When we concluded, and the Foreign Relations Committee had passed on the proposed amended bill, there was not a word about Finland left in the bill except in the title; and as a last and final coup, the day we passed the bill the last thing we did was even to strike out the title and to insert, in lieu of providing for certain loans to the Republic of Finland, "a bill to provide for increasing the lending authority of the Export-Import Bank of Washington, and for other purposes." The newspapers headlined "Senate passes Finnish aid bill."

Is it remembered, Mr. President, that I pointed out that the President's message cautioned against the "creation of precedents which might lead to large credits to nations in Europe, either belligerents or neutrals? Is it remembered that I read that he also said, "No one desires a return to such a status"? Well, the bill also provided:

That the Export-Import Bank of Washington shall not make any loans in violation of international law as interpreted by the Department of State or for the purchase of any articles listed as arms, ammunition, or implements of war by the President of the United States in accordance with the Neutrality Act of 1939.

Under the smoke screen of aid to Finland we doubled the capital of the Export-Import Bank; but, I am sure, we did not create a precedent.

In a few short weeks we had before us a bill to amend the act of October 6, 1917, commonly known as the Trading With the Enemy Act. Germany had invaded Denmark and Norway. This time we were told that we must not allow the aggressor to possess himself of the avails of his unlawful aggression. The RECORD will disclose the condemnatory speeches reflecting, obviously, the sentiment of the country. Did we draw legislation designed simply to achieve the announced purpose of the then pending bill? Let Senators remember that we gave the President not only the power to regulate but also the power to prohibit any or all transactions in foreign exchange, transfers of credit between banking institu-

tions, the export or hoarding of gold or silver or currency. We even included all stock certificates or bonds in which any foreign government or a national thereof had any interest. We made our law applicable to any person within the United States or any place subject to our jurisdiction. Even so, we were at pains specifically to exempt the Johnson Act or the Neutrality Act from the operation of the statute in any way. Under cover of preventing the transfer of credits of Denmark and Norway, we succeeded in fastening upon our country the essential prohibitions and restrictions of a blocked currency system.

In the name of national defense we gave the President \$200,000,000 for—as he put it—

the furnishing of Government-owned facilities at privately owned plants; the procurement and training of civilian personnel necessary in connection with the production of critical and essential items of equipment and material and the use and operation thereof; and the procurement of strategic and critical materials.

We added to the powers of the Reconstruction Finance Corporation as follows:

In order to aid the Government of the United States in its national-defense program, the Corporation is authorized—(1) To make loans to, or, when requested by the Federal Loan Administrator with the approval of the President, purchase the capital stock of any corporation (a) for the purpose of producing, acquiring, and carrying strategic and critical materials as defined by the President and (b) for plant construction, expansion, and equipment, and working capital, to be used by corporations in the manufacture of equipment and supplies necessary to the national defense, on such terms and conditions and with such maturities as the Corporation may determine; and (2) when requested by the Federal Loan Administrator, with the approval of the President, to create or to organize a corporation or corporations, with power (a) to produce, acquire, and carry strategic and critical materials as defined by the President; (b) to purchase and lease land, to purchase, lease, build, and expand plants, and to purchase and produce equipment, supplies, and machinery, for the manufacture of arms, ammunition, and implements of war; (c) to lease such plants to private corporations to engage in such manufacture, and (d) if the President finds that it is necessary for a Government agency to engage in such manufacture, to engage in such manufacture itself. The Corporation may make loans to or purchase the capital stock of any such corporation for any purpose within the powers of the Corporation as above set forth related to the national-defense program on such terms and conditions as the Corporation may determine. Any corporation created or organized by the Corporation under the preceding paragraph is also authorized, with the approval of the President, to make payments against the purchase price to be paid for strategic and critical materials in advance of the delivery of such materials. Whenever practicable, the Corporation may require the payments so made to be used for purchases of manufactured agricultural commodities to be exported from the United States.

In the act of June 28, 1940, Mr. President, still acting for our national defense, we provided:

Whenever the Secretary of the Navy finds it impossible to make contracts or obtain facilities to effectuate the purposes of this act in the procurement or construction of



items authorized in connection with national defense he is hereby authorized to provide, out of appropriations available to the Navy Department for such purposes, the necessary buildings, facilities, utilities, and appurtenances thereto on Government-owned land or elsewhere, and to operate them, either by means of Government personnel or otherwise: *Provided*, That the Secretary of the Navy is further authorized, under the general direction of the President, whenever he deems any existing manufacturing plant or facility necessary for the national defense, and whenever he is unable to arrive at an agreement with the owner of any such plant or facility for its use or operation, to take over and operate such plant or facility either by Government personnel or by contract with private firms: *Provided further*, That the Secretary of the Navy is authorized to fix the compensation to the owner of such plant or facility: *And provided further*, That the Secretary of the Navy shall report to the Congress, every 3 months, the contracts entered into under the provisions of this subsection.

But the Secretary of War was not to be outdone. The Army would require tens of thousands of items of equipment and supplies, so it was said to be essential that he be authorized not only to procure but to produce equipment or supplies; and, in addition, we gave him the power, with or without advertising—

to provide for the necessary construction, rehabilitation, conversion, and installation of military posts, depots, stations, or other localities, or plants, buildings, facilities, utilities, and appurtenances thereto (including Government-owned facilities at privately owned plants and the expansion of such plants, and the acquisition of such land, and the purchase or lease of such structures, as may be necessary), for the development, manufacture, maintenance, and storage of military equipment, munitions, and supplies, and for shelter.

Moreover, Mr. President, the legislation authorizes him to provide for the manufacture of military equipment, munitions, and supplies, and—

to provide for the operation and maintenance of any plants, buildings, facilities, utilities, and appurtenances thereto \* \* \* either by means of Government personnel or through the agency of selected, qualified commercial manufacturers under contracts entered into with them.

Throughout the entire period, Mr. President, by a studied campaign of fear, the people were being prepared for more things to come. We were threatened with bombings, with invasion. People in high places and in low, in our Government and out of it, were almost daily inculcating our public with the virus of panic. Such arguments finally reached the point where the distinguished senior Senator from Nebraska [Mr. NORRIS] took notice of such claims, and addressed us as follows:

Will any man say that if Hitler wins over Great Britain he will be prepared the next day to make an attack upon the United States? Is any person so unreasonable as to think that a man with any military genius whatever would undertake, with what Hitler will have left, an invasion of the Western Hemisphere without additional preparation?

What must he do first? He must overcome our Navy and our air force, and he must overcome all the preparations for which we have provided. He must overcome the largest standing army this country ever had. Assuming he should make the attack, before he could overcome us we would have ample time

to prepare an army such as could be provided for by compulsory military service, by the selective draft.

Mr. WHEELER. Mr. President, will the Senator from Connecticut yield?

Mr. DANAHER. I yield.

Mr. WHEELER. Does not the Senator know that what we are really doing is buying time; that we are going to furnish supplies so that we can buy time; in other words, we are treating the British as our mercenaries; we are buying time so as to save our skins?

Mr. DANAHER. I dispute any such doctrine. Not only do I not believe that the British are our mercenaries, but we never hired mercenaries, whether they did or not; and we are not a protectorate of the British Empire. They are not our guardians; we ought to be able to stand on our own two feet, and, on that theory, we have voted all the necessary appropriations to make us strong, to keep us competent and able to ward off every alleged threat of attack, which the Senator from Nebraska so scathingly denounced as not within the remotest possibility.

Mr. CHANDLER. Mr. President, will the Senator yield?

Mr. DANAHER. I yield.

Mr. CHANDLER. Does the Senator agree that Alaska is one of the places that ought to be well and adequately defended for the protection of the people of the United States?

Mr. DANAHER. I feel that the people of the United States ought to defend our possessions wherever they may be; yes, and Alaska is one of them.

Mr. CHANDLER. Does the Senator realize that when this crisis developed in 1939 Alaska was practically undefended? Although we did have at Pearl Harbor, I imagine, the most powerful naval base in the mid-Pacific that exists anywhere in the world. We were inviting a potential enemy to come about 1,400 miles shorter distance to get to the United States, at a point where we had practically no protection. I think it was a good thing to authorize the Secretary of War to take immediate steps to protect Alaska.

I do not know whether the Senator realizes it, but I expect we are nearly a year ahead of schedule by giving the Secretary of War authority to immediately construct and augment our defense there. If we all agree extra defenses were needed, then—

If it were done when 't is done, then 't were well

It were done quickly.

Mr. DANAHER. Why was it not done during the past 7 years? Why was not the Army being built up? Why were not our defenses being adequately cared for?

Mr. CHANDLER. One reason is, I think, that, although Congress was appropriating about \$1,100,000,000 per year for national defense, many were objecting to the money being spent, and in some cases voted against it. It takes money to provide for defense, and the Government did not have enough money, although the President had shown the danger of having inadequate defense and was urging the necessity for additional money.

Mr. DANAHER. Let me say to the Senator from Kentucky that between 1934 and 1939 the money was going into such posts as Fort Knox, where in 5 years from 350 men the forces grew to six or seven thousand and three hundred and fifty officers, and where we have spent millions of dollars for new facilities, waterworks, concrete sidewalks, and all the rest of the habiliments of a municipality. That is the sort of thing that was being done with our money.

Let me state further that we were not under any threat from the Pacific; quite the contrary. If we were pursuing that type of policy which 7 years ago found us friendly with every nation on the earth, we would not be in the position of having it said of us that we have not even one friend left. That is the sort of policy which has brought about the situation of which the Senator from Kentucky now complains.

Mr. CHANDLER. Mr. President, will the Senator yield further?

Mr. DANAHER. Yes.

Mr. CHANDLER. Has the Senator ever been to Fort Knox?

Mr. DANAHER. No; but I heard the Senator from Kentucky describe it in such glowing terms that I wish I could go there. [Laughter.]

Mr. CHANDLER. I promise to take the Senator sometime, nothing would give me more pleasure, but the Senator will not be able to find all those beautiful things he has described. However, if there is one place on the face of the earth we are obligated to protect it is that, for we have nearly all the world's supply of gold at Fort Knox, and it is necessary adequately to protect that gold.

Mr. DANAHER. Yes; we dig it up out of one hole and put it in another, and we paid \$35 an ounce for it, which is twice the world's market price for gold. That is the policy which the Senator defends, the same policy, by the way, more than any other which forced barter upon the nations of the world.

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. DANAHER. Certainly.

Mr. WHEELER. Of course, what my friend from Kentucky is afraid of is that Hitler is coming over and dig up that gold; and, consequently, he wants to go to war to preserve that gold hidden in the hills of Kentucky. If that gold were put in the hills of Montana instead of in the hills of Kentucky, then my friend from Kentucky would not be for war.

Mr. DANAHER. Was the Senator from Montana here last summer when the Senator from Kentucky brought up the matter of acquiring additional land surrounding Fort Knox? If not, I will refresh his recollection by pointing out that the lands that were to be bought were to be used for tank maneuvers. We did not have room enough there on that 15,000-acre or 18,000-acre reservation for tank maneuvers, so we bought some more land. I remember I figured it out, as the Senator from Kentucky was talking, that the land we were buying there, land, understand, for tanks to run over, under the bill of the Senator from



Kentucky, was going to cost us \$32 an acre, and I am willing to state, without ever having checked it up, that the average price, even in the municipalities in the State of Kentucky will not run to \$32 an acre. That is the story of the expenditure that is taking our money. The Senator from Kentucky told me at the time that I did not have any idea of the value of land in his "old Kentucky home." I will agree that that is probably true, but I will also say to the Senator from Kentucky, if there were gold in every acre of it, it would not be worth \$32; but that is what we paid for it.

Mr. CHANDLER. Mr. President, will the Senator yield again?

Mr. DANAHER. I will yield.

Mr. CHANDLER. I will say to the Senator that I asked him during that debate if he knew the value of land in Kentucky, and he very promptly said that he did not. We had about 32,000 acres of land there. We now have about 82,000 acres. It was an actual fact that they had insufficient room to maneuver the only implements of war we possessed comparable to those Hitler used in his dash across France. There were then at Fort Knox two divisions of armored tanks. We now have 20,000 soldiers there and soon there will be 36,000. Therefore we needed the additional land for this fort.

The Senator from Kentucky is not for war; he never has been for war; but, faced with the proposition of living in a besieged fortress so long as I live and so long as my children live, I prefer to take affirmative action, and be responsible for it, and help England adequately, because I believe, if she falls, contrary to the belief of some, that Hitler, with the resources—and I hope the Senator will pardon me if I take a little more time—

Mr. DANAHER. Certainly.

Mr. CHANDLER. Hitler with the resources of the conquered countries, will constitute a constant threat to the security of this country. My friend from Wisconsin said a while ago that perhaps Hitler could not defeat us in a fight for trade with South America, but, with the assets of the conquered countries he could give them material and equipment that we would still be trying to sell. I do not fear it; I am not afraid; but I do think that those who do not realize that the situation is dangerous, that if Hitler had all England, with all the resources he now has, and if Japan were free—and Japan would be free then—I can only envision, so far as we are concerned, that we would be compelled to withdraw into continental United States and become a besieged fortress. Senators should read the recent report of the Committee on Naval Affairs submitted by the Senator from Massachusetts [Mr. WALSH], its chairman. That report says that the United States could be conquered without a military conquest of continental United States.

Mr. DANAHER. Has the Senator concluded for the moment?

Mr. CHANDLER. Yes.

Mr. DANAHER. I should like to ask the Senator just one question, without diverging too far from the subject matter in hand. Does the Senator from Kentucky think it should be part of the

function of the United States perpetually and forever to keep 800 people living on a square mile of territory in Japan? Does he think that we should keep 70,000,000 living in an area that is smaller than the State of Montana, since I happen to see the Senator from Montana in front of me? Does the Senator think that ought to be any part of our function?

Mr. CHANDLER. I think the Senator fails to take into account that we all live in the same world, and it is like being sick; if one part of the body is sick, the rest of it, too, becomes sick, even though the pain starts at one place and not some place else. I do not think we should fail to take into account Hitler's threats. He has announced his determination to dominate the entire world. This is a real world revolution, and all of us must suffer because of it. Our chances of ultimate survival are much better, in my opinion, if England stands.

Mr. DANAHER. Although the Senator has not answered the question, let me say that we will not let the Japanese into the United States, Canada will not let them into her country, nor will Australia. There are only three people to the square mile in Australia, and we are going to keep the door open so that China can keep the Japanese out of China, and Russia owns Siberia and will keep them out of that country. Are they going to be continually circumscribed? Does the Senator from Kentucky think that is, or should be, any part of the policy of the United States?

Mr. CHANDLER. I shall have to confess that what we are going to do about all those people is something the Senator from Connecticut knows more about than I do. I do not know whether we are going to do that or what we are going to do. I admit that there is going to be trouble until somebody gives them enough place in the sun and enough food. Until that is done they are always going to have trouble; but of this I am certain:

Hitler has conquered a number of countries, and they are in slavery. Senators talk about losing the rights of this country, but those countries have already lost their rights. I do not want to face the same thing for the people of America, and I have to do the best I can to try to avoid it.

I said yesterday in a speech that I am not certain I am right. If I were certain, I would not hesitate; but I am not certain that the Senator from Connecticut is right, either. I have to take one way or the other, and I prefer to take my way.

Mr. DANAHER. Does the Senator know of any threat of attack upon the United States by the Japanese, via Alaska, in 1939?

Mr. CHANDLER. I think we would be open to attack if England should fall. If I were Japan, and wanted to attack the United States, I would not try to attack it from Pearl Harbor, where we have a strong base. I would take a route 1,400 miles shorter, from Komandorski and that country over there, where we are undefended, and come straight through Alaska. That is the easiest, quickest, and shortest way. If I were Japan, I would come that way.

Mr. DANAHER. Now the Senator is in a field where I concede that he very obviously knows more than I do. I do not even know where Komandorski is, to which the Senator referred. [Laughter.]

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. DANAHER. Yes; I yield.

Mr. WHEELER. The Senator from Kentucky says Japan is going to come over here and attack the United States.

Mr. CHANDLER. No; I did not say that.

Mr. WHEELER. The Senator said that if England lost, and Germany won, Japan would attack the United States.

Mr. CHANDLER. I said I could envision a thing like that.

Mr. WHEELER. I do not see how anybody who has ever been to Japan and has seen the economic conditions of the people of Japan, and realized the poverty and the misery of that country, and what a shell it is, can entertain the idea that Japan can come over and successfully attack the United States. You cannot find a naval officer of any standing in the United States who will say to you that Japan can send its Navy over here and successfully attack the United States. They will tell you that Japan would have to have three times the navy it now has in order to do so.

While I am on my feet let me say one more thing. When Japan took Manchuria, we did not do anything about it. Did we do anything about it when the Japanese took Shanghai? Not at all. Did we do anything about it when they took Nanking? Not at all. Did we do anything about it when they took Canton? No; we did nothing about it. Strange as it may seem, we did not even do anything about it when the Japanese blew up the *Panay*, which had been used for the purpose of conveying Standard Oil boats up the river. Not even then did we go to war with Japan. The only talk about our going to war with Japan is when the Japanese are going down and perhaps threatening British India, and the Malay States, and the Dutch East Indies.

Mr. DANAHER. May I properly infer from the Senator's observations that nothing but the American fleet stands between the British Empire and Japan?

Mr. WHEELER. That is the position in which we are being placed.

Mr. CHANDLER. Mr. President, will the Senator yield?

Mr. WHEELER. Let me finish my statement. The position in which we are being placed is that the Government of the United States, this administration, is going into the Orient, not for the purpose of protecting the interests of America in China, but for the purpose of protecting and continuing the British exploitation of the Hindu people.

Talk about slavery! I have been in India. Go there, if you will; go to Bombay, and you will see tens of thousands of people sleeping on the sidewalks, more poverty stricken than the people in any other place in the world, with nothing under them except the cement and the boards, and nothing over them except the British flag. They are starving in



misery, and we are going to keep up that exploitation!

We are going to war in the Orient for the purpose of keeping those people in subjection and helping to have them exploited by whom? Not by the labor people of England, but by those who are selling them opium, and those who are exploiting them as no other people on the face of the globe have ever been exploited.

We hear men talk about democracy in Shanghai and in India. If the Senator from Connecticut will pardon me just one moment, I was in Shanghai in 1927, when I met with the United States Chamber of Commerce. They were complaining about Chiang Kai-shek coming in and taking over Shanghai. I said, "What is the trouble with Chiang Kai-shek?" A member of the chamber of commerce said to me, "Why, Senator, he will not permit me to buy Chinese kids, but he will permit Chinamen to buy them." Then men talk about democracy, and we are making the United States an arsenal to preserve slavery in China. That is what we are doing. Show me one country or one place in the Orient in which there is any democracy. There is none anywhere outside the Philippine Islands; and, even there, the only reason why they have any democracy is because the American flag has flown over that territory.

Mr. CHANDLER. Mr. President, I am against slavery wherever it exists, and I do not know anybody who is for this bill who favors the situation which the Senator from Montana has explained; but we are talking about the Navy. Let us see what our own Naval Affairs Committee said in a very recent report, if the Senator from Connecticut will yield to me.

Mr. DANAHER. Will it be very long?

Mr. CHANDLER. No, sir; it is very short. Then I will promise to take my seat, because I do not want to take the time of the Senator from Connecticut.

Mr. DANAHER. I thank the Senator.

Mr. CHANDLER. The Senate Naval Affairs Committee said:

From all the evidence available it appears that the United States can be conquered without military conquest of continental United States. An effective blockade against our foreign commerce can be maintained at points thousands of miles from our coasts, and well beyond aircraft range. Our outlying possessions will be captured and used against us as advance bases. There will be nothing to prevent the establishment of bases, by force if necessary, in this hemisphere, from which, as well as from aircraft carriers, repeated bombing raids can be dispatched against our highly industrialized areas. \* \* \*

Under such conditions enemy ships, except in the form of raiders, need not approach anywhere near our shores. With the loss of our outlying possessions, our foreign commerce, and subject to continual raids upon our coastal areas, our ultimate defeat is inevitable. It will be only a question of time, depending on how long our national will to further resist will hold out. Without the power to carry the fight to the enemy, there can be no alternative other than subjugation to his wishes.

That is from the report of the Senate Committee on Naval Affairs.

Mr. DANAHER. Mr. President, I was familiar with the excerpt to which the

Senator from Kentucky has just referred, because I was present when the chairman of the Committee on Naval Affairs reported in behalf of his committee. Let me observe simply that it contains the best argument I have yet heard why we should maintain an adequate Navy.

But, Mr. President, to get back, despite these most interesting colloquies, to the subject matter I had in mind—namely, of demonstrating that this bill has for its ultimate purpose something utterly and completely at variance with the intention and understanding of the Senators generally, and intentionally and designedly so misrepresented, in my humble judgment and notwithstanding the calm reasoning of the Senator from Nebraska [Mr. NORRIS] with reference to the possibilities of our invasion, we passed a conscription bill. We fastened upon the United States a system of militarism providing for the selection and training of millions of our youth; but that is not all we did. In that bill we empowered the President to place an order for some product or material capable of being produced by any individual, firm, association, corporation, or organized manufacturing industry, and provided that compliance with all such orders for products or materials shall be obligatory and shall take precedence over all other orders and contracts theretofore placed with any such contractor. Nothing is said about the protection of the good will of any such contractor who may have spent a century in acquiring it. Nothing is said of the relative status of orders or contracts. If, in the opinion of the Secretary of War, or the Secretary of the Navy, any such individual or plant or even an entire industry—

shall be capable of being readily transformed into a plant for the manufacture of arms or ammunition or parts or necessary supplies or equipment and shall refuse to give to the United States priority or refuse to manufacture the kind, quantity, or quality of articles as ordered, or shall refuse to do so at the price determined by the Secretary of War or the Secretary of the Navy, then the President is hereby authorized to take immediate possession of any such plant or plants, and through the appropriate branch, bureau, or department of the Army or Navy to manufacture therein such product or material as may be required.

Our Government can do all of these things now. Our Government has all this power now. We already have this power of life and death over industry as well as our men in the name of national defense.

Apparently we were not yet ready for the pending bill "to promote the defense of the United States, and for other purposes," which has nothing to say about defense of the United States but much to say about "other purposes."

Then again, there was an election campaign last fall and it would never do to submit these issues to the people.

Meanwhile, the vast sums comprising our stabilization fund were not being overlooked. I am not able to say how long conversations proceeded with reference to its diversion "for other purposes" but there came a day in December when the Secretary of the Treasury appeared

before the Banking and Currency Committee at half past 10 in the morning. By midafternoon the newspapers recounted in great headlines the tale of our use of vast millions from the stabilization fund for the maintenance of the Chinese yuan. It is reasonable to deduce that the transactions among the nations as related in the Treasury announcement were not begun and concluded that day. It was carefully noted by the Secretary of the Treasury that he had told us in 1939, when he asked for an extension of his powers for the use of the stabilization fund, that he would not depart from the practices then prevailing "without coming to the Congress." There was no bill pending when he came before the Banking and Currency Committee in December but he explained the nature of the proposed transaction with China, and on the strength of his explanation asked for a vote of confidence. A motion that his testimony be recorded was overwhelmingly defeated by a vote of many of those sponsoring the pending bill. Not one word was said to that committee about a proposed loan to Argentina in the sum of \$50,000,000 from the stabilization fund and \$50,000,000 more from the Export-Import Bank. The Senators present that morning learned that afternoon about the transaction from the same newspaper articles which recited the vote of confidence. There was no explanation of why we should provide dollar exchange for foreign exporters to Argentina, but the Secretary had come back to the Congress. I might observe that his coming to the Congress was not half as important as where he is going from there.

We could continue almost by the hour recalling those instances in which the language of the proposed legislation has done something far beyond or even far different from the announced purposes of the measure. We could recite instance after instance of the pattern following the trial balloon through the Congress inspired at the White House conferences, and thereafter the articles by columnists and the comments by radio commentators, and the gradual state of acquiescence into which the public is either lulled or beguiled. Then come the bill, the authorizations, the establishment of controls, and finally the appropriations, with the public having nothing whatever to say about the real question of policy involved. All our people have to do is pay the bills and suffer the consequences.

Is it our defense in which we have been interested? We have provided for planes, for ships. We have provided the manpower. We have provided the money. We have laid the foundation for the ultimate nationalization of our industry, but we are digging the pit into which our own tottering economy will ultimately collapse and fall. Meanwhile, we are being told right here on this floor that the pending measure for our defense and that by assisting Great Britain in her defense, we are defending ourselves. We are told that by helping China we are defending ourselves. I have no doubt it will be urged that Greece is fighting our war. If Turkey becomes a belligerent, Turkey will be fighting our battle.



Therefore, it is argued that we must pass this bill; in fact some Senators are already ready to go to war. It is respectfully suggested that if the ultimate destruction of the political control in Germany or in Japan is our objective, we do not need this bill. If our American national interests are actually involved we do not need this bill. On no occasion when we went to war did we have such legislation. Even were we to go to war we would not need this bill. We have already adopted all legislation necessary for our defense to implement the President's execution of the powers conferred upon him by our Constitution.

It might be well to recall that the President of the United States is Commander in Chief of the Army and of the Navy of the United States. As Commander in Chief he has the power to order our Navy and our troops to be dispatched to any portion of the world. Suppose he should say that it is to our national interest to maintain a supply line of ships to deliver tin and rubber to us from the Netherlands East Indies. Suppose he should say that to make absolutely certain that the vessels bringing these essential and critical raw materials to us were protected they must be convoyed by the American Navy. Do you suppose for one minute that any act of Congress can limit his power? Senators, we can take away the Navy if we choose, but so long as we have a navy the President of the United States is its Commander in Chief. You may take away or never create an army in the first place, but so long as you have an army he is its Commander in Chief. He has the power so to deploy both the Navy and the Army as will execute the foreign policy upon which he is engaged. Suppose he should say that a base at Pearl Harbor is too far distant from the East Indies to afford that degree of protection to our ships which he feels to be necessary. Granting that some other nation be willing that we use her ports or her bases, there is no limitation whatever which this Congress can impose upon a Presidential order basing our Navy at such foreign point. The Congress of the United States might pass such resolutions as it chose; we might make speeches, be they ever so many and ever so cogent; they would be merely precatory words, just words, if our President, in executing the policy upon which he might enter, should desire to disregard them.

Let there be no mistake whatever upon that point. Our own history is replete with instances in which our marines have been ordered ashore, in which our Navy has become embattled, in which the military and naval forces of the United States have been employed by the President without the slightest consultation with Congress or even the necessity therefore. In that vast field, involving the exercise of the discretion of the Executive in our foreign affairs, in laying down policy and in its execution, he is our Chief Executive, and the Constitution so provides, and his power to act does not depend upon whether we like it or not.

This is not to say that our President would disregard the plain intentment of congressional action which would pur-

port to arrest or limit or guide his conduct of our foreign policy. I doubt that we have ever had a President more completely cognizant of popular or congressional attitudes than our present President. How popular wishes can be and have been developed in advance to coincide with the President's desires is a very different subject, upon which I need not elaborate beyond what I have already said. The creation of public sentiment in advance of the promulgation of a given course should be recognized by now as so much a part of the pattern and routine as to make further reference unnecessary.

If, then, the Presidential desire be to aid Great Britain, or any other nation, through innumerable day-to-day steps, in a thousand and one ways, he can do it within the Constitution and existing law, as he has done and is doing it. He can even precipitate such action by our Army and our Navy as will finally involve us directly in war, and leave the Congress no alternative whatever but to declare what is already the fact, that a state of war exists and that our Nation is in it.

Why, then, does he want this bill? Although there may be several reasons, two are fundamental. The one involving our domestic law and the other our status under international law, and I believe they should be discussed in this order.

In that no man's land between the Chief Executive exercising his powers under the Constitution and the Congress performing its legislative function, there has long been a necessary conflict. A very great many matters of domestic concern have given rise to problems which became crystallized into law through the action of the Congress. Such statutes in a great many instances would inhibit, if not actually forbid, the exercise of the powers sought under section 3 of the pending bill. Many such statutes, in addition to possessing domestic application, may have international effect.

Our statutes dealing with piracy, the fitting out of privateers, are instances, indeed, the Neutrality Act itself is an outstanding example of this class of legislation. Down through the years experience had taught us that such statutes were necessary. It would unduly prolong debate to dwell in extenso with the details of the situations giving rise to their several enactments. We might properly, however, pause to consider one instance by way of illustration. During the War between the States Great Britain fitted out certain vessels, such as the *Alabama*, to be used to prey upon the commerce of the North, and great destruction was thereafter wrought by these vessels. After the war the United States presented claims against Great Britain, and as a result of the representations concerning Great Britain's wrongful acts, a treaty was concluded here in Washington on May 8, 1871, by which the United States and Great Britain agreed to arbitrate. By the terms of the Treaty of Washington certain rules were laid down for the guid-

ance of the arbitrators, and it was specifically agreed:

A neutral government is bound first to use due diligence to prevent the fitting out, arming, or equipping, within its jurisdiction, of any vessel which it has reasonable ground to believe is intended to cruise or to carry on war against a power with which it is at peace; and also to use like diligence to prevent the departure from its jurisdiction of any vessel intended to cruise or carry on war as above, such vessel having been specially adapted, in whole or in part, within such jurisdiction, to warlike use. \* \* \* and the high contracting parties agree to observe these rules as between themselves in future, and to bring them to the knowledge of other maritime powers, and to invite them to accede to them.

The arbitrators found that the United States was entitled to recover on its claim, and we were awarded damages against Great Britain in the sum of \$15,000,000 in gold, which Great Britain ultimately paid.

The principle thus established was written into later treaties, the clearest example being found in article VIII of convention (XIII) concerning the rights and duties of neutral powers in naval war signed at The Hague, October 18, 1907, and reading:

A neutral government is bound to employ the means at its disposal to prevent the fitting out or arming of any vessel within its jurisdiction which it has reason to believe is intended to cruise, or engage in hostile operations, against a power with which that government is at peace. It is also bound to display the same vigilance to prevent the departure from its jurisdiction of any vessel intended to cruise or engage in hostile operations, which has been adapted entirely or partly within the said jurisdiction for use in war.

The majority would have us repeal by implication, or at the very least, suspend the operation of our domestic statute which had been adopted for the express purpose of carrying out our obligations under the Hague Convention. The majority would have you believe that the latter "furnishes no obstacle to the giving of aid to nations fighting a cause which we favor." Indeed, the majority report states:

According to article XXVII of the Hague Convention, the convention shall be inapplicable unless "all the belligerents are parties to the convention." In the present world crisis two active participants, Italy and Great Britain, are not parties to the Hague Convention.

The majority dismisses the whole subject with that single, bald statement, but article VIII of the convention has been deemed to state and declare the rules of law among nations independent of whether or not they ever ratified the convention and irrespective of whether or not the belligerents are parties to the treaty. Prof. Herbert W. Briggs, in his excellent article, *Neglected Aspects of the Destroyer Deal*, in the *American Journal of International Law*, volume 34, No. 4, page 569, for October 1940, points out that the British courts considered the problem and applied the rules of the convention as international law, notwithstanding the treaty had never been ratified by the British Government. Of



equal value is the editorial comment by Prof. Edwin Borchard in the same volume, at page 690. Moreover, most of the nations of the world have similarly adopted the declaration as fundamental in international law, and we should not lose sight of the fact that the principle is one which we ourselves first asserted and established in our arbitration with Great Britain in 1871. The British Government itself has asserted this very view in its representations to us in the last war. In the Supplement to Foreign Relations of the United States, 1914, we find a letter dated August 4, 1914, in which Colville Barclay stated that he was acting under instructions from "His Majesty's Principal Secretary of State for Foreign Affairs" and served notice upon our Secretary of State—

That His Majesty's Government will accordingly hold the United States Government responsible for any damages to British trade or shipping, or injury to British interests generally, which may be caused by such vessels having been equipped at, or departing from, United States ports.

He particularly notes that "the starting point for the universal recognition of this principle" was to be found in the Treaty of Washington, and he expressly states, after citing the provisions of the treaty:

The above rules may be said to have acquired the force of generally recognized rules of international law, and the first of them is reproduced almost textually in article VIII of the Hague Convention, No. XIII, of 1907, concerning the rights and duties of neutral powers in case of maritime warfare, the principles of which have been agreed to by practically every maritime state.

Mr. WHEELER. Mr. President—

The PRESIDING OFFICER (Mr. ARKEN in the chair). Does the Senator from Connecticut yield to the Senator from Montana?

Mr. DANAHER. I yield.

Mr. WHEELER. It is now contended on the floor of the Senate that because Mussolini violated international law and Hitler violated international law, we should get down to their level and should do likewise. Does the Senator from Connecticut agree that such a philosophy should be adopted by our Government and by our people?

Mr. DANAHER. Mr. President, the doctrine which I have just quoted is our doctrine. We asserted it; we established it. All the nations of the world which are maritime powers have accepted it, and it is fundamental law now, irrespective of treaty. But, Mr. President, the real purpose of the bill, let me say to the Senator from Montana, as I will develop shortly, is to focus on a brand new commencing point for international law, a brand new theory, which is said to have been evolved in the twentieth century, and we are to be the proponents of this new school of thought in international law.

I ask the Senator from Montana to bear with me while I develop what the majority really have in mind in this bill. They tell everyone that it is for aid to England. That is the merest incident of it; that is simply collateral to what they are really after. I will develop that later, let me say to the Senator.

Mr. WHEELER. Mr. President, I entirely agree with the Senator from Connecticut, and when I come to speak upon the subject I expect to point out exactly that aid to England is only incidental and that it is the other purposes which are the real, though hidden, purposes of the bill.

Mr. CHANDLER. Mr. President, will the Senator yield at that point?

Mr. DANAHER. I yield.

Mr. CHANDLER. Do I understand the Senator from Montana to suggest that we are going to frame new international laws which no country will abide by except ours?

Mr. DANAHER. Mr. President, if the Senator from Kentucky asks me what the Senator from Montana understands, let me say to the Senator from Kentucky that I will answer whatever question there may be in his mind, and I will presently, I hope, prove conclusively that that is precisely the ultimate objective of the proponents of this measure, and it is neither American in origin nor American in thought, but it has been espoused by certain individuals in the United States Government at the present time. I will say to the Senator from Kentucky that the principles which they seek to establish by the proposed legislation are the other purposes that are contemplated in the title of the bill.

Mr. CHANDLER. I should like to have the Senator explain to me how international law is to be maintained if no nation in the world abides by it except us.

Mr. DANAHER. I expect I will be able to explain that to the Senator from Kentucky, but let me point out what our Department of State said in answer to Colville Barclay. Mr. Colville Barclay said:

The above rules may be said to have acquired the force of generally recognized rules of international law, and the first of them is reproduced almost textually in article VIII of the Hague Convention, No. XIII of 1907, concerning the rights and duties of neutral powers in case of maritime warfare, the principles of which have been agreed to by practically every maritime state.

So asserted Mr. Colville Barclay, representing His Majesty's Government, when he wrote to our Secretary of State in 1914.

Under date of August 19, 1914, our Secretary of State made reply to Colville Barclay and the representations from the British Government, and said:

The communication states the principles of neutrality, as contained in the treaty signed at Washington May 8, 1871, by representatives of the United States and Great Britain, and reproduced, as you say, almost textually in article VIII of the Hague Convention, signed October 18, 1907, concerning the rights and duties of neutral powers in case of maritime warfare, the principles of which have been, as you state, agreed to by practically every maritime power.

In the same letter our Government asserted:

The United States has always looked upon the three rules of Washington as declaratory of international law, and as the necessary and natural consequences of the doctrine of neutrality, proclaimed and enforced by the United States since the wars of the French Revolution, to which Great Britain was a

party. \* \* \* The United States, since the earliest days of its existence, has been as solicitous of its neutral duties as of its neutral laws, and without further consideration of your communication at this time, I request you to state to your Government that there is no reason to anticipate that the United States will be less mindful of its duties or of its rights as a neutral in the present case than it has been in the past.

During the World War the Attorney General pointed out that our neutrality laws were defective in that they applied to individuals only and not to the Government; and in order to implement them to accord with our existing international obligations the Congress passed the act approved June 15, 1917, in which we find the following in section 3:

During a war in which the United States is a neutral nation it shall be unlawful to send out of the jurisdiction of the United States any vessel built, armed, or equipped as a vessel of war, or converted from a private vessel into a vessel of war, with any intent or under any agreement or contract, oral or written, that such vessel shall be delivered to a belligerent nation, or to an agent, officer or citizen of any nation, or with reasonable cause to believe that the said vessel shall or will be employed in the service of any such belligerent nation after its departure from the jurisdiction of the United States.

This very Congress in the act of June 28, 1940, expressly provided that—

nothing herein shall be construed to repeal or modify sections 3 and 6 of title V of the act approved June 15, 1917 (40 Stat. 222; U. S. C. title 18, secs. 33, 36).

We even provided that:

No military or naval weapon, ship, boat, aircraft, munitions, supplies, or equipment, to which the United States has title, in whole or in part, or which have been contracted for, shall hereafter be transferred, exchanged, sold, or otherwise disposed of in any manner whatsoever unless the Chief of Naval Operations in the case of naval material and the Chief of Staff of the Army in the case of military material, shall first certify that such material is not essential to the defense of the United States.

By the adoption of the pending bill such safeguards, protections, and restrictions would be rendered nugatory. Section 3 (a) would authorize the President to act "notwithstanding the provisions of any other law." We would render null and void our statutes affected by that clause. We as a Congress would abandon our constitutional duty. We would transfer to our Chief Executive a power whose exercise clearly devolves upon us.

I undertook to point out the field in which our President is supreme as our Chief Executive and as the Commander-in-Chief of our Army and our Navy in the formation and the execution of our foreign policy. One limitation upon his power arises under article VI of the Constitution, which provides that:

All treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land.

Such treaties, solemnly made by the President, with the concurring advice and consent of the Senate, bind both the President and the Congress as well as our Nation, as the terms of the treaty may provide. Another limitation, and the only one remaining to the Congress upon the power of the President, is to be found



in article IV, section 3, of the Constitution, where we read:

The Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States.

Under this bill, by section 3 (a) we will not only unlawfully and unconstitutionally abdicate our power "to dispose of" property belonging to the United States, but by section 9 we would even abandon our duty to make all needful rules and regulations, for section 9 of the bill reads:

SEC. 9. The President may, from time to time, promulgate such rules and regulations as may be necessary and proper to carry out any of the provisions of this act.

Mr. President, I wonder if the Congress fully realizes what is being done? Whatever authority the President has—and it is great, and in some fields supreme—he derives from the Constitution of the United States. Whatever limitation upon the exercise of that power may remain in the hands of the Congress, derives from the Constitution of the United States. We are being asked to forsake our sworn duty. We are being asked to relinquish the power the Constitution gives us over the subject matter affected by the bill. In order that Senators may have some concept of the domestic legislation which would be affected and suspended and rendered null by the bill, I append a partial list of the statutes with a brief reference to the subject of each. I do not assert that this list is all-inclusive, but that the following will serve sufficiently to indicate what we are being asked to do.

Let me cite a few:

United States Code, title 18, section 23, making it unlawful to fit out or arm in the United States a vessel with intent that it shall be employed by a foreign belligerent against a power or people with which the United States is at peace.

United States Code, title 18, section 33, making it unlawful during the war in which the United States is neutral to send out of our jurisdiction any vessel built, armed, or equipped as a vessel of war for delivery to a belligerent nation.

Mr. President, without taking the time of the Senate to recapitulate, either by reference or subject matter, the scores of statutes which are thus affected by section 3 of the pending bill, I ask unanimous consent to include the complete list in the RECORD at this point as a part of my remarks.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

United States Code, title 18, section 23, making it unlawful to fit out or arm in the United States a vessel with intent that it shall be employed by a foreign belligerent against a power or people with which the United States is at peace.

United States Code, title 18, section 24, making it unlawful to increase or augment in our ports the force of a ship of war or other armed vessel belonging to a belligerent power.

United States Code, title 18, section 29, requiring detention of vessel manifestly built for warlike purposes and about to depart, whose cargo is principally of munitions, when circumstances make it probable that such vessel is intended to commit hostilities on foreign states or persons with whom the

United States is at peace until President orders release.

United States Code, title 18, section 33; 40 Stat. 222; June 15, 1917, title V, section 3, making it unlawful during a war in which the United States is neutral to send out of our jurisdiction any vessel built, armed, or equipped as a vessel of war for delivery to a belligerent nation.

Public 671, Seventy-sixth Congress, June 28, 1940, section 14 (a), providing that notwithstanding the provisions of any other law, no military or naval ships, aircraft, supplies, equipment, etc., owned by the United States to be transferred, exchanged, sold, or otherwise disposed of unless the Chief of Naval Operations, if Navy material, or the Chief of Staff of Army, if military material, shall certify that it is not essential to the defense of the United States.

Public 757, July 19, 1940, section 7, providing that no vessel, ship, or boat (except ships' boats) now in Navy, or being built or hereafter built, to be disposed of except as now provided by law.

United States Code, supplement V, title 50, section 165; 50 Stat. 887; September 1, 1937, section 4, in part prohibiting export of helium unless licensed by the Secretary of State on recommendation of the National Munitions Control Board and the Secretary of the Interior.

Public Resolution 83, Seventy-sixth Congress, joint resolution, June 15, 1940 (aid to American Republics), section 1 (b), providing that no contract shall be entered under this bill, interfering with or delaying full use of shipyards, arsenals, munitions plants, and other equipment by the United States for its own purposes.

United States Code, title 10, section 1372; 33 Stat. 837; March 2, 1905, providing that no steamship in the transport service of the United States is to be disposed of without the consent of Congress first obtained.

United States Code, title 50, section 31; 40 Stat. 217; June 15, 1917, section 1, making it unlawful to obtain or to permit to be obtained defense information.

United States Code, title 50, section 32; 40 Stat. 218, June 15, 1917, making it unlawful to disclose or communicate defense information.

United States Code, title 34, section 491-492; 22 Stat. 296, 599; providing that if ships are found unfit they shall be removed from the Navy register and reported to Congress; that if they are to be sold, there shall be advertisement for sealed proposals for purchase; and that no vessel shall otherwise be sold, or be sold for less than the appraised value, unless the President of the United States shall otherwise direct in writing.

United States Code, title 34, section 493; 39 Stat. 605, August 29, 1916, providing that the Secretary of the Navy may sell auxiliary ships of the Navy which are 18 years of age or over, and which are unsuited to present needs, and can be sold for at least 50 percent of cost; and that the receipts of such sale shall go to the Treasury as miscellaneous receipts.

United States Code, title 14, section 69; 38 Stat. 800; January 28, 1915, section 1, authorizing the President to sell Coast Guard cutters which are deemed unfit, the proceeds to be paid into the Treasury.

Public 891, Seventy-sixth Congress, December 16, 1940, providing that the Secretary of War shall cause to be manufactured at Government arsenals or factories all supplies or articles that can be done so on an economical basis.

United States Code, title 41, section 10 a, b, c; 47 Stat. 1520; March 3, 1933, title III, providing that, unless it be inconsistent with public interest, all supplies purchased shall be of American source if they are to be used within the United States and if there is sufficient and reasonably available quantity and quality obtainable in the United States.

United States Code, Supplement V, title 34, section 544; 52 Stat. 693; June 15, 1938, in part, providing that no old material of the Navy shall be sold or exchanged, if it can be used in construction or repair, but shall be stored; and that if it cannot be profitably so used it may, upon advertisement, be sold at auction.

United States Code, title 40, section 314; 40 Stat. 1173, July 9, 1918, amended by February 25, 1919, authorizing the President to sell (including specifically sale to foreign governments engaged in war against a government with which United States is at war) any supplies, materials, or equipment, and any building, plant, or factory and land on which located, acquired since April 6, 1917, used to produce such supplies, materials, or equipment which were purchased, acquired, or manufactured by the United States during the emergency existing July 9, 1918.

United States Code, title 34, section 573; section 3723 of Revised Statutes, providing for manner of making contracts, for naval supplies, to be executed in foreign countries: advertisement, bidding, certificates, etc.

United States Code, title 10, section 1252; 41 Stat. 272, July 26, 1919, providing that no tents are to be loaned except to certain veterans' organizations.

United States Code, title 10, section 1261, authorizing the President to sell under regulations of Secretary of War military stores which are damaged or unsuitable for public service.

United States Code, title 40, section 303, March 3, 1879, July 28, 1892, May 29, 1928, authorizing the Secretary of War to lease for a period not exceeding 5 years (revocable at will) property (except mineral or phosphate land) not required for public use for the time being and for which there is no other authority to lease in existing law.

United States Code, title 50, section 172, July 9, 1918, authorizing the President to sell lands or real-estate interests acquired for lumber and timber-products production and logs manufactured or otherwise procured for Army, Navy, and certain other agencies.

United States Code, title 10, section 1265; 5 United States Code 211, July 11, 1919, authorizing the Secretary of War to sell surplus supplies, including motortrucks and automobiles owned by and in possession of Government on July 11, 1919, for War Department use to States, municipalities, individuals, or corporations.

United States Code, title 10, section 1263, July 11, 1919, authorizing the President, through any department head, to sell or lease real property or interest therein or appurtenances thereto, acquired since April 6, 1917, for Army storage which is no longer needed.

United States Code, title 20, section 93, November 19, 1919, authorizing the Secretary of War to sell, upon application in writing and under his regulations, machine tools for school use owned by and under War Department control and not needed for Government use to trade, technical, and public schools, etc.

United States Code, title 10, section 1266, April 17, 1920, authorizing the Secretary of War to sell dental outfits in excess of needs of Government, preferentially to persons who served in armed forces or Red Cross and are licensed to practice dentistry.

United States Code, title 10, section 1262, June 5, 1920, authorizing the Secretary of War to sell any surplus material, supplies, or equipment (except foodstuffs) not needed for military purposes, and for which there is no adequate domestic market to any state or foreign government with which the United States was at peace on June 5, 1920.

United States Code, title 10, sections 1594-1603, March 12, 1926, and May 26, 1928, authorizing the Secretary of War to sell at public sale or to certain preferred purchasers



military reservations named upon determination by Secretary of War that they are no longer needed for military purposes.

United States Code, title 49, section 175 (d) May 20, 1926, authorizing the head of a department, agency, airport, etc., to sell in emergencies and under department regulations, fuel, oil, equipment, supplies, mechanical service, and assistance to an airplane owner to aid him to continue on course to private airport.

United States Code, title 10, section 1210, June 1, 1926, authorizing the Secretary of War to exchange deteriorated and unserviceable components and ammunition, not desired to be retained, for cost of converting such ammunition into usable form.

United States Code, title 10, section 1258, February 28, 1936, authorizing the Secretary of War to dispose of obsolete or no longer needed machinery, mechanical equipment, and tools to selected schools for use in vocational training and instruction.

United States Code, title 10, section 1209, June 1, 1926, authorizing the Secretary of War to exchange deteriorated and unserviceable ammunition and components thereof for ammunition or components in condition for immediate use.

United States Code, title 5, section 118 (d), April 15, 1937, authorizing any Government department to exchange used parts of refrigerators, thermostats, watchmen's clocks, etc., for payment toward new or reconditioned parts.

United States Code, title 10, section 1192 (a), July 27, 1937, authorizing the Secretary of War to sell, loan, or give, under regulations, to contractors which are or may likely be manufacturers or furnishers of supplies and equipment for War Department or Army, drawings, manufacturing and other information, and samples, etc.

United States Code, title 50, section 92, June 16, 1938, authorizing the Secretary of War, with President's approval, to loan with first educational order gages, dies, jigs, tools, drawings, accessories, parts, etc.

United States Code, title 10, section 1271 (a), May 11, 1939, authorizing the Secretary of War to exchange obsolete, unsuitable, and unserviceable machines and tools, etc., pertaining to repair or manufacture of ordnance material for use in national defense for new machines and tools of same or equivalent general character.

Public, No. 703, Seventy-sixth Congress, July 2, 1940, section 1 (a) (3), authorizing the Secretary of War to exchange deteriorated, obsolescent, or surplus military equipment, munitions, and supplies for other similar equipment, etc., of which there is a shortage in order to expedite building up of national defense.

Public, No. 703, Seventy-sixth Congress, July 2, 1940, section 1 (a) and 1 (b): Secretary of War may lease, sell, or otherwise dispose of, with or without advertising, plants, buildings, utilities, facilities, appurtenances, and land acquired under act on such terms as Secretary of War deems advisable in interest of national defense.

Public, No. 829, Seventy-sixth Congress, October 10, 1940, section 1: President may sell or otherwise dispose of articles and materials, the export of which denied by Public, No. 703, July 2, 1940, to persons or corporations of the United States when the President determines in public interest, until June 30, 1942.

United States Code, title 41, section 5; section 3709 of Revised Statutes, as amended, providing for advertising and bidding on all Government contracts and purchases of supplies.

United States Code, title 34, section 566; 27 Statute 732, March 3, 1893, providing contracts for purchase of gun steel or armor for Navy shall be made by public competition by advertisement.

United States Code, title 19, section 1307, 46 Statute 689, June 17, 1930, title III, section 307, prohibiting import of goods produced by convicts, forced, or indentured labor, under penal sanctions.

United States Code, title 31, section 487; section 3618 of Revised Statutes, providing that proceeds of sale of old materials, etc., or public property of any kind shall be deposited in Treasury as miscellaneous receipts and shall only be withdrawn or applied by subsequent appropriation.

United States Code, title 50, section 74; 42 Statute 1142, January 22, 1923, providing that proceeds of sales of useless Navy ordnance material shall be covered into Treasury as miscellaneous receipts.

Public, No. 1, Seventy-fourth Congress, January 31, 1935; 49 Stat. 1-2, 5, as amended by 50 Stat. 5, January 26, 1937; 53 Stat. 510, March 4, 1939; Public, No. 420, Seventy-sixth Congress, March 2, 1940; Public, No. 792, Seventy-sixth Congress, September 26, 1940: In part, providing "That the Export-Import Bank of Washington shall not make any loans to any government which was in default in the payment of its obligations, or any part thereof, to the Government of the United States on April 13, 1934, or in violation of international law as interpreted by the Department of State, or for the purchase of any articles, except aircraft exclusively for commercial purposes, listed as arms, ammunition, or implements of war by the President of the United States in accordance with the Neutrality Act of 1939."

Public, No. 792, Seventy-sixth Congress, September 26, 1940: "To assist in the development of the resources, the stabilization of the economies, and the orderly marketing of the products of the countries of the Western Hemisphere by supplying funds, not to exceed \$500,000,000 outstanding at any one time, to the Export-Import Bank of Washington, through loans to, or by subscriptions to preferred stock of, such bank, to enable such bank to make loans to any governments, their central banks, or any other acceptable banking institutions, and, when guaranteed by any such government, a central bank, or any other acceptable banking institution, to a political subdivision, agency, or national of any such government, notwithstanding any other provisions of law insofar as they may restrict or prohibit loans or other extensions of credit to, or other transactions with, the governments of the countries of the Western Hemisphere or their agencies or nationals: *Provided*, That no such loans shall be made in violation of international law as interpreted by the Department of State or of the act of April 13, 1934 (48 Stat. 574), or of the Neutrality Act of 1939. Upon the written request of the Federal Loan Administrator, with the approval of the President, the bank is authorized, subject to such conditions and limitations as may be set forth in such request or approval, to exercise the powers and perform the functions herein set forth. Such loans may be made and administered in such manner and upon such terms and conditions as the bank may determine."

Mr. DANAHER. Mr. President, in order to have a check on this subject, I also directed letters to most, if not all, the agencies and administrative departments having to do with section 3 or any of the phases of its operation, insofar as I could perceive its application. Among others, I sent a letter to the Reconstruction Finance Corporation and received a very courteous reply from Mr. Emil Schram, chairman of the Board. I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks the reply of Mr. Schram.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

RECONSTRUCTION FINANCE CORPORATION,  
Washington, February 20, 1941.

Hon. JOHN A. DANAHER,

United States Senate, Washington, D. C.

DEAR SENATOR: Reference is made to your letter of February 13, 1941, requesting a list of any statutes relating to Reconstruction Finance Corporation which would limit the President's actions under section 3 (a) of H. R. 1776 but for the phrase "notwithstanding the provisions of any other law \* \* \*," contained in said section.

Most of the statutory limitations pertaining to the activities of Reconstruction Finance Corporation are a part of the Reconstruction Finance Corporation Act, approved January 22, 1932 (47 Stat. 5), as amended, or are contained in other statutes which refer expressly to Reconstruction Finance Corporation. The only authorized activities of Reconstruction Finance Corporation of the character related to those enumerated in said section 3 (a) of H. R. 1776 are those set forth in section 5 (d) of the Reconstruction Finance Corporation Act, as amended by the act approved June 25, 1940 (Public, 664, 76th Cong.). However, since said section 3 (a) of H. R. 1776 contains no specific reference to said section 5 (d) of the Reconstruction Finance Corporation Act, nor even to the Reconstruction Finance Corporation, it would seem that said section 3 (a), by being later in the order of enactment, would undoubtedly constitute an independent authorization dissociated entirely from any limitations contained in section 5 (d) of the Reconstruction Finance Corporation Act or elsewhere. The activities authorized by said section 5 (d) of the Reconstruction Finance Corporation Act, and by other statutes pertaining to the Reconstruction Finance Corporation, are all related to purely national purposes, whereas the activities authorized by said section 3 (a) of H. R. 1776 are related to international purposes. Therefore, according to the ordinary rules of statutory construction, said section 3 (a) of H. R. 1776 could hardly be held to incorporate by inference any of the limitations contained in section 5 (d) of the Reconstruction Finance Corporation Act, or elsewhere.

In view of the foregoing, and in answer to your specific inquiry, it is our opinion that there are no statutes presently in effect relating to the Reconstruction Finance Corporation which would limit the President's actions under said section 3 (a) of H. R. 1776 in the absence of the phrase, "notwithstanding the provisions of any other law," contained therein.

Very truly yours,

EMIL SCHRAM.

Mr. DANAHER. Mr. President, under color then of the profound sympathy of the American people for the cause of Great Britain, behind the smoke screen of proposed aid to England, the Congress is now being asked to do things which are not necessary to attain that objective, but, quite the contrary, will render us bereft of the protection of principle and of right for which we have stood throughout our entire history. We are being asked, unconstitutionally, to repudiate the treaties we have made, which have constituted a part of the supreme law of the land, some of which represented our own concepts, our own assertions, and which have ever since our asserting them been regarded as fundamental to the law of nations. We are being asked to repudiate our own domestic laws and to relinquish our own



constitutional duty to make laws respecting, and all needful rules and regulations affecting, the disposition of property of the United States.

Again, we are being asked to devote the taxing power of the Congress and the taxes levied from the people of the United States to the achievement of the unenviable spectacle of a Congress which would reject its sworn duty. In a few short years we have ranged from that happy position where we had not an enemy in the world to the sad status of a nation which is said now to have not one friend in the world. And the Congress itself, as some abject reflection of its own forlorn condition, would now witness its own subservience being metamorphosed into complete abandonment.

Only a few short months ago our President told us he was seeking "a return to international law." He told us that our Government and our Nation "must exert every possible effort to avoid being drawn into the war." He told us, "the step I recommend is to put this country back on a solid footing of real and traditional neutrality." He told us that if we followed his recommendations we would take the road to peace. He said:

The position of the executive branch of the Government is that the age-old and time-honored doctrine of international law, coupled with these positive safeguards, is better calculated than any other means to keep us out of this war.

And now, without regard to our treaties, in contravention of our Constitution, despite the scores of statutes designed for our protection and embodying the experience and the judgment of generations, we are asked to forswear the rights we have fought for and established under international law, and pass an act so that our President, at his discretion, may take us into any war among any nations anywhere.

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. DANAHER. I yield.

Mr. WHEELER. Does the Senator think that if any candidate for office in the last campaign had advocated a law so far reaching as the measure now before us, he could have been elected in any State in the Union to any office within the gift of the people of this country?

Mr. DANAHER. I certainly do not; and in further answer to the Senator from Montana I will say that if in the last campaign an issue had been made clearly exploring the ramifications over the last few years of the proposed policy, we never should have heard of this bill.

Mr. WHEELER. I entirely agree with the Senator; and I have been amazed to hear Senators for whose opinions as lawyers I have high regard stand on the floor of the Senate and say that if we pass the bill we shall not be delegating any legislative powers to the President of the United States.

Mr. DANAHER. I assure the Senator from Montana that most persons have as yet no conception whatever of what the bill is intended to do.

Mr. WHEELER. I have given a great deal of study to the bill, and I entirely agree with what the Senator is saying.

He has brought out many points of which I had not thought in the careful analysis I have made of the bill. It seems to me that the more the bill and its ramifications are studied, the more definite is the conclusion that it is an extremely dangerous bill to be passed by Congress or to be advocated by anyone who says he believes in a democratic form of government in the United States of America.

Mr. DANAHER. Mr. President, let me say to the Senator from Montana that I appreciate his remarks.

It seems to me that in the midst of all this program of preparation for war in the name of national defense, at least equal thought should be given to preparations for peace. It is not enough merely that we desire peace; there should be some standards by which to measure our own conduct, some yardstick by which other nations will measure us. The President once said to us that—

In the light of problems of today and tomorrow responsibility for acts of aggression is not concealed, and the writing of the record can safely be left to future historians.

The establishment of property rights and the assertion of titles were matters of academic interest only to a peasantry which owned nothing. The development and adherence to standards of international law conversely means everything to us, with most at stake. As time goes on, upon what basis shall we appeal to sister nations if, disregarding or unmindful of a need for standards, we abjure those very tenets upon which our national safety may depend?

This brings me, Mr. President, to the third phase of my remarks upon the pending measure. Eagerly I awaited the report of the majority of the committee which had held the hearings, thinking to find some reassurance, some assertion, some hope held forth for a national integrity which would found a basis for the mutual trust and accord which must prevail if nations will have peace. Instead, the committee has submitted and proposes to adopt a doctrine which not only repudiates the historic and traditional American policy but augurs our perpetual embroilment in the wars of other nations. It is a doctrine which the American people rejected 20 years ago. It is a doctrine which the United States Senate rejected 12 years ago.

Following the now familiar disingenuous pattern I have previously described, let me point out to Senators who have not had an opportunity to examine this phase of the business just exactly what is involved. Bear with me, I respectfully ask, while I direct attention to the startling program to which our Nation would be committed. The committee says—and this is from the majority report of our own committee—

The Kellogg-Briand Pact is recognized by eminent scholars of international law to give any signatory the power, where the pact's provisions are violated by another nation, to cease to abide by the neutrality laws which govern in normal times, and to "supply the State attacked with financial or material assistance, including munitions of war; \* \* \* Italy, Japan, and Germany are signatories of the pact, as are Austria, Czechoslovakia, Poland, Denmark, Norway, Ethiopia, the Netherlands, Belgium, China,

Albania, and Greece. So, also, is the United States.

Members of the committee know very well that for one nation to supply a belligerent with financial or material assistance, including munitions of war, constitutes an act of war. They know very well that such conduct is contrary to the neutrality laws which govern in normal times. I quote their own words. They fully realize that were our Nation to do these things, it would constitute a violation of international law. So they recommend to the Senate that we do these things and undertake commitments pursuant to them, but attempt to excuse the violations in advance. They attempt to justify such conduct on the ground that eminent scholars—these are their words—say that the Kellogg-Briand Pact gives any signatory the power to violate its provisions in the circumstances named.

Not only is the argument specious; it is flatly, positively, and directly contrary to the circumstances and the understandings upon which the United States conditioned its adherence to that pact. It behooves us fully to understand the course to which our Nation will be committed if we are to accept any such doctrine.

There are only three articles in the Kellogg-Briand Pact; and, since the third merely sets out the details of ratification, I can shortly set before the Members of the Senate the two operative provisions. They are as follows:

#### ARTICLE I

The High Contracting Parties solemnly declare in the names of their respective peoples that they condemn recourse to war for the solution of international controversies, and renounce it as an instrument of national policy in their relations with one another.

#### ARTICLE II

The High Contracting Parties agree that the settlement or solution of all disputes or conflicts, of whatever nature or of whatever origin they may be, which may arise among them, shall never be sought except by pacific means.

Mr. President, that is all there is to it. There is not one word in it even to imply, much less to express, that—

Where the pact's provisions are violated by another nation, any signatory may—

And let it be remembered that I am quoting from the majority report of our own committee—

cease to abide by the neutrality laws which govern in normal times, and to supply the State attacked with financial or material assistance, including munitions of war.

That is the language of our own majority.

When the Kellogg-Briand Pact was before the United States Senate, the Senators expressly denied that if a nation violates the treaty we are under any obligation, express or implied, to apply coercive or punitive measures, or that our Nation may do so with impunity. I shall shortly discuss this matter further to make perfectly clear the interpretations and the circumstances upon which our adherence to that pact was based. It is pertinent now, however, that Senators



gain a true perspective of the significance of the doctrine advanced in the majority report, and previously quoted.

In Budapest, in the Hungarian Academy of Science, on the dates of September 6 to 10, inclusive, 1934, certain members of an unofficial organization known as the International Law Association, met for a conference. No nation whatever was represented at the conference by accredited delegates, and certainly the United States was not. The last previous conference had been held at Oxford in 1932, at which time there was appointed a so-called Committee on Conciliation Between Nations, which presented to the 1934 conference a report on The Effect of the Briand-Kellogg Pact on International Law for the consideration of the conference at Budapest.

Senators, I think you should know something about this Committee on Conciliation. It consisted of 10 members, whose names and addresses of record in the report are as follows:

Prof. James L. Brierly, Chichele, professor of international law, All Souls College, Greensward, Headington Hill, Oxford.

M. A. Caloyanni, late judge, Native Court of Appeal, Egypt, 2 Rue de Lyon, Paris.

J. C. Colombos, advocate, 10 King's Bench Walk, Temple, London.

C. G. Dehn, 85 London Wall, London.

Francis Temple Grey, 2 King's Bench Walk, Temple, London.

Mr. Campbell Lee, 1 Brick Court, Middle Temple, London.

Dr. Arnold Duncan McNair, professor of international law, Gonville and Caius College, Cambridge.

G. M. Palliccia (legal adviser to the Italian Embassy, London), 1 King's Bench Walk, Temple, London.

Sir John Fischer Williams, K. C., Bowling Green House, Headington Hill, Oxford.

Wyndham A. Bewes, convener, 2 King's Bench Walk, Temple, London.

The committee reported to the Budapest Conference certain articles of interpretation, these 10 lawyers having previously agreed to interpret as part of the Kellogg-Briand Pact doctrines which were never put there, and which were expressly rejected by the United States Senate when it considered the pact 5 years earlier. In short, this committee, without even one American spokesman on it, undertook to interpret our treaty and enlarge our obligations. In their report they said:

Certain members of the committee will propose desiderata, which it is hoped may conduce in the end to strengthen the organization already existing in the League of Nations for conciliation and the prevention of war.

Mr. President, that is from their report; and it is their interpretation of our treaty that the majority committee report in connection with this bill.

The report was submitted by Mr. Wyndham A. Bewes, and 10 proposed articles of interpretation accompanied the report. The sixth article as pro-

posed, and coming from this committee, reads:

In the event of a violation of the pact by a resort to armed force or war by one signatory state against another, any signatory state, not being a party to the original dispute, may, without thereby committing a breach of the pact or of any rule of international law, do all or any of the following things.

Notice the first thing:

(a) Assist with armed forces the state attacked;

(b) Supply the state attacked with financial or material assistance, including munitions of war;

(c) Refuse to admit the exercise by the state violating the pact of belligerent rights, such as visit and search or blockade;

(d) Decline to observe toward the state violating the pact the duties prescribed by international law, apart from the pact, for a neutral in relation to a belligerent.

Where did we hear that before? It will be found on page 4 of the majority committee report. It is quoted directly from that article.

But the majority report did not tell you that the very same article, only a part of which they quote, provides also for assistance with armed forces to the State attacked.

Mr. Wyndham T. Bewes told the Budapest conference in his status as convener:

As soon as I heard that Prof. Manley Hudson was to be found in Geneva I asked him to come here. He immediately assented, and you will long ago have made up your minds that we are lucky to have him. I would like to begin by reminding you of the opening words of the Covenant of the League of Nations:

"The high contracting parties in order to promote international cooperation and to achieve international peace and security by the acceptance of obligations not to resort to war, \* \* \* and by the maintenance of justice and a scrupulous respect for all treaty obligations in the dealings of organized peoples with one another, agree to this covenant of the League of Nations."

So the new world began. The Briand-Kellogg Pact, which was originally signed in 1928, had not immediately and has not now—

Remember, this was in 1934—

anything like the effect which it deserved and was expected to have when our Oxford Conference took place in 1932. We were fortunate indeed to meet perhaps on the very day when the American Secretary of State, Mr. Stimson, made his famous oration. From that I am going to read a few words, because they are extremely important for the duty we have before us today of interpreting the Briand-Kellogg Pact. They form the foundation which you will also see incorporated in the beginning of our articles for all the interpretation that will come under discussion today.

Mr. Wyndham Bewes quoted Mr. Stimson as follows:

War between nations was renounced by the signatories of the Briand-Kellogg Treaty. This means that it has become illegal throughout practically the entire world. It is no longer to be the source and subject of rights. It is no longer to be the principle around which the duties, the conduct, and the rights of nations revolve. It is an illegal thing. Hereafter, when two nations engage in armed conflict either one or both of them

must be wrongdoers—violators of this general treaty law. We no longer draw a circle about them and treat them with the punctiliousness of the duelist's code. Instead, we renounce them as lawbreakers. By that very act we have made obsolete many legal precedents and have given the legal profession the task of reexamining many of its codes and treaties.

Mr. Manley O. Hudson told the conference that:

There are three instruments in this post-war period which are of such outstanding significance in international law that I think our discussion must necessarily take all three into account. First of all, the covenant of the League of Nations \* \* \* secondly, the statute of the permanent court \* \* \* thirdly, the Treaty of Paris, which we popularly know as the Briand-Kellogg Pact.

From that time on, the conferees at this Budapest Conference devoted themselves for many hours to the proposition of attempting to implement article 16 and other articles of the Covenant of the League of Nations upon the alleged theory that assent or adherence to the Treaty of Paris, the Kellogg-Briand Pact, would bind those nations signatory to the latter. For purposes of their own, they then sought and now seek to bind the United States to their sanctions and their commitments. The proposition contained in the majority report is only one phase, but it amounts through acceptance of the pending bill to new commitments for our Nation, completely contrary to the conditions upon which we adhered to the Kellogg-Briand Pact.

But let us return to the conference in Budapest where these lawyers were laying the foundation for American involvement. Mr. C. G. Dehn, of London, said:

As yet the pact has not received, either at the hands of statesmen, or of international jurists, or of public opinion, the sustained attention and constructive treatment which it clearly deserves.

It is to the pact alone that I propose to devote my observations. Two years ago, and 4 years after the pact was signed, Mr. Stimson, the United States Secretary of State, publicly invited international jurists to deal with the new principles of international law established by the pact, and pointed out that war was no longer the source and subject of "rights." \* \* \* In the view of the committee, the phraseology of the pact enables us to accept the view which Monsieur Briand expressed on the day the pact was signed. "War," he said, "is branded with illegality. It is by mutual accord truly and regularly outlawed." That is the fundamental change in international law which the committee have recognized.

Mr. Campbell Lee, of the Middle Temple, London, next got the floor and pointed out:

The pact is a part of the supreme law of the United States.

Notice, Mr. President, even the majority report is weaving the United States into these interpretations.

The pact is a part of the supreme law of the United States, on a par with the Constitution itself, which says: "This Constitution and all treaties made or which shall be made under the authority of the United States shall be the supreme law of the land."



Mr. Lee was already telling the conference that we were bound by our pact, and, notwithstanding our own repudiation here in the Senate of any part in the enforcement of sanctions of any kind by the United States, the conference went on with its program of interpreting the pact in such fashion as to bind us to the course described in the majority report and implemented by the pending bill. Mr. Lee recommended that the conference "put teeth" into efforts for peace under the Paris Pact.

My colleagues might be interested in some of the observations of Mr. Fred Llewellyn-Jones, of Flintshire, North Wales. He said:

The Briand-Kellogg Pact should be made a reality.

Although here in the United States we call it the Kellogg-Briand Pact, in Europe they call it the Briand-Kellogg Pact. I mention this lest there appear some inconsistency in my references. The speaker proceeded:

How is it going to be made a reality? When we met at Oxford 2 years ago those of you who were present will recollect that there was a very interesting discussion upon a memorandum which was placed before us dealing with the law of neutrality on land and on sea. It was rather curious that, 2 or 3 days before our meeting at Oxford, the American Secretary of State, Mr. Stimson, had uttered what I believe was in the minds of most of us, if not of all of us, at that time, and that was this: That there could be no place for neutrality in the future history of the world. I know that the word "neutrality" has rather been banned from the discussion today. The term "nonbelligerency," which perhaps is not such a provocative term as "neutrality," has been used. But I am not certain, in the new order of things, if the Briand-Kellogg Pact is going to mean what it meant in 1928. Is there going to be room for nonbelligerency? Are we not coming to a point when all the States of the world will have to combine to see that the State which is the aggressor is prevented from upsetting the international equilibrium? The aggressor in the world of states is the lawbreaker. He is the breaker of the laws which exist or should exist between states and, difficult as it might be, it is in the interest of the community of states to see that some system is devised whereby the aggressor or even the state which proposes, which contemplates aggression will realize that any attempt at aggression is going to meet with formidable opposition from all the other states. We have not merely to try to set up an organization through the League of Nations or otherwise which is going to take action in order to prevent war when war is contemplated by this state or by the other state. We have got to go a step further. We have got to remove the causes of war. How can we eradicate the difficulties referred to? By the putting into operation of the Briand-Kellogg Pact.

The conferees took note of the fact that the Pact of Paris is not self-executory and that there has to be some sort of legislation to make it effective, particularly since the whole distinction in international law is between aid furnished by governments and that furnished by individuals. Mr. Wyndham A. Bewes, of the Temple, London, said:

It is a part of the subject matter of the treaty that a state aiding a violating state is itself guilty of violating the pact. A large number of states have either directly, or through their subjects, been aiding in the

war that is still going on [1934], alleging the absence of adequate domestic laws. When a nation has assumed obligations to other states, it should put the necessary internal laws in order without delay. It is a matter of public faith.

So, Mr. James A. Petrie, of the Temple, London, added his thought:

I feel very strongly that all foreign engagements to which a country has pledged itself should be made part of its municipal law. Respect for the statute book is absolute in most countries, and the citizen of any country will realize what his government's international duties are much more clearly if they are embodied in the municipal law than if they are merely left as the executive concern of the minister entrusted with the conduct of foreign affairs. It is high time, in my opinion, that our association should emphasize the principle that when a state enters into obligations to another state, its municipal laws should associate themselves with and reflect its position from the point of view of international law.

Mr. President, that is why the Congress of the United States is now concerned with the pending bill. Mr. Bewes and Mr. Petrie and the committee and, finally the conference, asserted views which have so far commended themselves to Mr. Stimson and the administration, that the people of the United States are now being asked to adopt municipal legislation, to write into our treaties language which was never there, and to adopt as part of our obligations the interpretations agreed upon at Budapest.

But let us look in again on the proceedings of these lawyers at Budapest, who are defining American treaty obligations for us. As the conference was about to conclude, Mr. Hudson, who, it will be remembered, had been so fortunately discovered to be at Geneva, made a few remarks. He said:

I feel a great sense of gratification that by the action of the last 2 days the association has more clearly placed itself on record as in favor of the development of a twentieth century international law to correspond to the needs of a twentieth century international society. I believe the acceptance by this association of the legal consequences of the Covenant of the League of Nations, the statute of the Court, and the Briand-Kellogg Pact means throughout the world a larger, a wider recognition of the tremendous significance of those documents.

The Right Honorable Lord Blanesburgh, who was the presiding officer of the conference in his capacity as chairman of the executive council, later said:

(These) discussions make it clear that the signatories had signed something far more binding upon them than they had perhaps suspected.

So far as I can perceive from the record, there is only one American who was a member of the executive council of 49, and he was not present at the conference.

The conference then passed additional resolutions reminding the states signatory to the Kellogg-Briand Pact that it was "their duty without delay to enact domestic legislation to implement their treaty obligations."

What treaty obligations? Not those discussed in the United States Senate. Not those agreed upon by the United States of America when it adhered to

the pact. No; the Kellogg-Briand Pact, as interpreted by this group in Hungary in 1934, whose doctrine Mr. Stimson urged in the hearings on this bill before the Senate Committee on Foreign Relations, appearing at pages 89, 90, and 91 of the hearings report, whose doctrine is only scantily referred to on page 4 of the Senate committee report, in a single paragraph and without explanation.

Mr. LANGER. Mr. President, I should like to ask the Senator who the American delegate at Budapest was.

Mr. DANAHER. The Senator used the word "delegate," and I will ask him to remember that I have stated there was only one member of the executive council of 49 who was an American. Let me clarify that for the Senator. The executive council consisted entirely of European lawyers, presided over by Lord Blanesburgh, to whom I have referred. In that entire executive council there was only one American, and he is a lawyer in New York. He may be a very eminent gentleman; I do not even happen to remember his name; but please do not disparage his status because I have never heard of him. He did not represent the United States, and, so far as the record shows, he was not present at any time during the conference.

There was one American lawyer at the conference who did speak up, a man by the name of Fred Aldridge, of Detroit, Mich. Mr. Aldridge rose and sought to tell the conference, in effect, that they did not have any right to be undertaking to interpret an American treaty. He undertook to assert to them that the treaty which the United States meant was the treaty which it had before it, and which it had ratified, and not something which those people over there tried to read into it.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. DANAHER. I yield.

Mr. TAFT. As I recollect, the principle effect of the Kellogg-Briand Pact was to renounce war as an instrument of national policy.

Mr. DANAHER. That is the first point.

Mr. TAFT. It seems to me that this particular bill is adopting just the opposite policy, in violation of the Kellogg-Briand pact.

Mr. DANAHER. Precisely.

Mr. TAFT. In other words, it seems to me that the effect of the bill is to adopt war as an instrument of national policy—perhaps a worthy national policy, but still war as an instrument of national policy.

Mr. DANAHER. I agree with the Senator's view absolutely. But, of course, it is article 2 of the Kellogg-Briand Pact which is the really operative one, into which the attempt is now made to read interpretations pursuant to which we would be bound not only not to renounce war, but, quite to the contrary, to walk into war everywhere, and to attempt to enforce the alleged declaration as interpreted by these lawyers in Budapest. That is what underlies the bill. That is what the majority of the committee has



quoted in its report. That is back of all this debate about aid to England, as if that were really what the sponsors of the bill had in mind.

Mr. LANGER. Mr. President, will the Senator yield?

Mr. DANAHER. I yield to the Senator from North Dakota.

Mr. LANGER. I still do not understand why there were so many Englishmen and so few Americans in that council of 49.

Mr. DANAHER. Let me say to the Senator from North Dakota that I do not know why it was, but it turned out to be the fact. They are the ones who wrote the articles. They were the conciliation committee. They are the ones whose interpretation was quoted and urged by Mr. Stimson. It will be noticed how many times Mr. Stimson is referred to in this conference as having initiated this, or suggested that, and that there is a new theory of law to be developed in the twentieth century. Senators will notice that in the report of the conference to which I have adverted. Mr. Stimson went into that a little way. He is the only one who went into it during the entire period of the hearings on this bill. He did not go into it at any special length, but he referred to it. I will give him credit for that. He is working for a purpose. He is working for what is undoubtedly in his mind a serious purpose. I do not complain about his purpose, but I want everyone to know what his purpose is, and I think that is the basis on which we ought to discuss and approach the matter. I am not condemning him for espousing the theory; he has a perfect right to do so; but it explains what has been going on during these past many months; it explains why the United States is going to aid these states with armed forces; it explains the fact that after Mr. Stimson became Secretary of War for the first time, following his speech in New Haven when he urged conscription, we were given a conscription bill.

Let me say to the Senator that only a few days before Mr. Stimson was appointed Secretary of War, the Chief of Staff, General Marshall, testified before our committee that if we had an army of 400,000 men it would be all we needed, and even then it would only be temporary. He was asking for an army of only 280,000 men. But after Stimson became Secretary of War, and the new theory began to be evolved, then we began to ship munitions and matériel in large quantities, and in the ensuing months the United States Government—not some manufacturers, but the United States Government—sent enough matériel abroad to equip an army of a million men. Then from that theory was evolved the transfer of the destroyers. We had conscription. All those things stem back to what we see now in this bill.

Mr. LANGER. Mr. President, I still do not know when that council was organized, and who selected its personnel.

Mr. DANAHER. Let me say to the Senator that apparently the International Law Association, not unlike the American Bar Association, or a group of Senators, or any other group which forms an association or club, organized, I would

say, about 1873. One of the chief and moving spirits in it was David Dudley Field. He was a very eminent lawyer. Perhaps he was more responsible than any other for the development of the code of civil procedure in New York. It is his code that was embodied in the code of the State of California.

Mr. LANGER. And in the code of North Dakota.

Mr. DANAHER. And in the code of North Dakota, too. I did not know that. But he was a very great man, an able lawyer in the past century. Senators will remember that there had been many disputes arising out of the Civil War, such as the *Alabama* claims, and the like, which gave rise to the need for some sort of codification of rules of international law, and the United States, as a maritime power, had been foremost in trying to establish some rules of conduct which would govern civilized nations. Naturally, as I have already pointed out, the man who owns nothing does not care anything about any laws to provide for real-estate titles. What does he care about a certificate of title if he does not own anything, and never expects to? That is to say, if he does not own anything he does not care about such matters. But the nation that has something at stake wants some rules of law.

So the United States, represented by volunteers at that time—there was nothing official about it—proposed that there be conferences from time to time in an effort to crystallize ideas, to solidify thought, and that the conferees should return to their respective nations thereafter and submit the proposals of the group. I suppose that the distinguished Senator from North Dakota, a former attorney general of his State, has attended the attorney generals' conferences in Washington. There you get some ideas, and you go back to your own State and submit them to your people and put them into effect. It was that sort of thing that was involved in connection with the meetings of the council.

In 1932 it so happened that the executive council was headed by Lord Blanesburgh. No doubt the association, being purely voluntary, in the first place had invited some Americans to join it. The practice of international law in this country is not extensive, taken by and large. In some of the big seaports, yes; but, taken by and large, there is not very much of it. So, not many lawyers met in this council. However, from time to time American lawyers were present at some of the meetings, and Fred Aldridge, a lawyer from Detroit, apparently a very able gentleman—he certainly was a perspicacious one—saw what they were trying to do, and while I never heard of him before, I certainly honor his foresight, for he at least spoke up and tried to make a record of some protective thought, something to the effect that "the United States has an interest here, and you gentlemen have no right to say that treaties of the United States, ratified by the Senate, are other and different from what the treaties themselves say they are."

But no, they went ahead and adopted as a text what has come to be known as the Budapest Articles of Interpretation,

and while there were some seven of them, article 4, which was the one most involved, I have already read to the Senate, and it is from article 4 of those Articles of Interpretation that Secretary Stimson quoted in his testimony before the Senate committee, and it is the same testimony from which the Committee on Foreign Relations quoted in its majority report.

Now, let it be thoroughly understood that there was nothing official about this conference. There were no delegates from various nations, that is, ostensibly, at least. There certainly were not any delegates from the United States there to represent us.

I will set forth the final text of the Budapest Articles of Interpretation as part of my remarks. Mr. President, I now ask unanimous consent that it be reproduced in the *RECORD* at this point, without the necessity of my reading it into the *RECORD*.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

#### FINAL TEXT<sup>1</sup>

The Conference of the Association held in Budapest, September, 1934, agreed upon the following preliminary Articles of Interpretation of the Briand-Kellogg Pact, to be known as the Budapest Articles of Interpretation:

"Whereas the Pact is a multilateral law-making treaty whereby each of the High Contracting Parties makes binding agreements with each other and all of the other High Contracting Parties, and

"Whereas by their participation in the Pact sixty-three States have abolished the conception of war as a legitimate means of exercising pressure on another State in the pursuit of national policy and have also renounced any recourse to armed force for the solution of international disputes or conflicts:

"(1) A signatory State cannot, by denunciation or non-observance of the Pact, release itself from its obligations thereunder.

"(2) A signatory State which threatens to resort to armed force for the solution of an international dispute or conflict is guilty of a violation of the Pact.

"(3) A signatory State which aids a violating State thereby itself violates the Pact.

"(4) In the event of a violation of the Pact by a resort to armed force or war by one signatory State against another, the other States may, without thereby committing a breach of the Pact or of any rule of International Law, do all or any of the following things:

"(a) Refuse to admit the exercise by the State violating the Pact of belligerent rights, such as visit and search, blockade, etc.;

"(b) Decline to observe towards the State violating the Pact the duties prescribed by International Law, apart from the Pact, for a neutral in relation to a belligerent;

"(c) Supply the State attacked with financial or material assistance, including munitions of war;

"(d) Assist with armed forces the State attacked.

"(5) The signatory States are not entitled to recognize as acquired de jure any territorial or other advantages acquired de facto by means of a violation of the Pact.

"(6) A violating State is liable to pay compensation for all damage caused by a violation of the Pact to any signatory State or to its nationals.

<sup>1</sup>As resolved at the closing session on September 10.



"(7) The Pact does not affect such humanitarian obligations as are contained in general treaties, such as The Hague Conventions of 1899 and 1907, the Geneva Conventions of 1864, 1906, and 1929, and the International Convention relating to the Treatment of Prisoners of War, 1929."

Mr. DANAHER. Mr. President, on January 14, 1929, the Committee on Foreign Relations submitted to the Senate its report, which I have in my hand, to accompany the Multilateral, or Kellogg-Briand Treaty. The report said that this treaty—

pledges the nations bound by the same not to resort to war in the settlement of their international controversies, save in bona fide self-defense, and never to seek settlement of such controversies except through pacific means. \* \* \* The committee reports the above treaty with the understanding that the right of self-defense is in no way curtailed or impaired by the terms or conditions of the treaty. Each nation is free at all times and regardless of the treaty provisions to defend itself and is the sole judge of what constitutes the right of self-defense and the necessity and extent of the same.

There is not the slightest question that when the high contracting parties condemned recourse to war and renounced war as an instrument of national policy that is all they did in article I of the treaty. In article II the high contracting parties agree that the settlement of disputes or conflicts among them "shall never be sought except by pacific means." Contrast the clear and obvious intent of the treaty with what was read into it at Budapest. Consider what our own committee said in its report in 1929 before we ratified the treaty, and contrast its clear language dealing with our own right of self-defense with what the majority report now tells us concerning the pending bill. Let us turn to the report. On page 4 of its report the majority says that—

In providing for the manufacture or procurement by the United States Government of defense articles for those nations whose defense is deemed vital to ours, (the bill) contains no violation of international law.

You will notice that from a treaty whose language deals with our defense, the interpretations at Budapest, the pending bill, and the committee report now take us into the realm of "nations whose defense is deemed vital to ours"—all in the name of the Kellogg-Briand Pact.

Let us go further. The majority of the Committee on Foreign Relations dealing with the present bill report that by the Budapest interpretation of the Kellogg-Briand Pact we may lawfully "supply the state attacked with financial or material assistance, including munitions of war."

The treaty was submitted to the United States Senate in 1929, as the Senator from Wisconsin knows. I am glad to have his attention and wish I could have the attention of more Senators. I surmise that many a good lawyer friend of mine in the Senate has not taken the pains to look up this record, if I may be pardoned that comment.

Let us see what the committee said. The majority of the committee told the Senate, before it ever argued the resolu-

tion of ratification or considered it, that—

The committee further understands that the treaty does not provide sanctions, express or implied. Should any signatory to the treaty or any nation adhering to the treaty, violate the terms of the same, there is no obligation, or commitment, express or implied, upon the part of any of the other signers of the treaty to engage in punitive or coercive measures as against the nation violating the treaty. The effect of the violation of the treaty is to relieve the other signers of the treaty from any obligation under it with the nation thus violating the same.

In other words, the treaty does not, either expressly or impliedly, contemplate the use of force or coercive measures for its enforcement as against any nation violating it. It is a voluntary pledge upon the part of each nation that it will not have recourse to war, except in self-defense, and that it will not seek settlement of its international controversies except through pacific means. And if a nation sees proper to disregard the treaty and violate the same, the effect of such action is to take it from under the benefits of the treaty and to relieve the other nations from any treaty relationship with the said power.

This treaty in no respect changes or qualifies our present position or relation to any pact or treaty existing between other nations or governments.

This report is made solely for the purpose of putting upon record what your committee understands to be the true interpretation of the treaty, and not in any sense for the purpose or with the design of modifying or changing the treaty in any way or effectuating a reservation or reservations to the same.

The Honorable Frank B. Kellogg, Secretary of State, appeared before the Committee on Foreign Relations in the Senate on December 7, 1928. He testified:

I made up my mind when we started negotiations that the only way to obtain this treaty was to publish every note as it was delivered, and I do not think the treaty would ever have been signed if it had not been for the opinion of the world passing on those notes as they appeared, so that every country had full opportunity to discuss the treaty, and if they believed there were any obligations imposed on the United States beyond the agreement not to go to war, I think they would have suggested it. They knew, from the notes that I wrote, that I was not willing to impose any obligation on the United States. I knew that was out of the question.

Senator Swanson of Virginia, later Secretary of the Navy, interrupted to ask:

As I understand from what you say, if this multilateral treaty is violated by any other nation, there is no obligation, moral or legal, for us to go to war against any nation violating it?

Secretary KELLOGG. That is thoroughly understood. It is understood by our Government; and no other government made any suggestion of any such thing. I knew, from the attitude of many governments, that they would not sign any treaty if there was any moral obligation or any kind of obligation to go to war. In fact, Canada stated that. The other governments never suggested any such obligation.

Senator McLEAN. You stated that the question as to whether action is in self-defense or not, was to be left entirely to the government interested.

Secretary KELLOGG. Left entirely to that government. I know that this Government, at least, would never agree to submit to any tribunal the question of self-defense, and I do not think any of them would.

Let me emphasize Secretary Kellogg's view by additional random references to the record. The other nations "knew perfectly well that the United States would never sign a treaty imposing any obligation on itself to apply sanctions or come to the help of anybody."

Senator WALSH of Montana. Assume that Germany invades Belgium, claiming she does so in self-defense. Let us assume her claim is a perfectly just one, that she is acting in self-defense. Then, of course, the other nations that come to the aid of Belgium would be breaking not only the Locarno Treaty but breaking this treaty. But what difference does that make to us?

Secretary KELLOGG. None at all.

Senator WALSH. Supposing some other nation does break this treaty, why should we interest ourselves in it?

Secretary KELLOGG. There is not a bit of reason.

Secretary KELLOGG. But how there can be a moral obligation for the United States to go to Europe to punish the aggressor or punish the party making war, where there never was such a suggestion made in the negotiation, where nobody agreed to it, and where there is no obligation to do it is beyond me. I cannot understand it. As I see it, we have no more obligation to punish somebody for breaking the antiwar treaty than for breaking any one of the other treaties which we have agreed to.

Senator SWANSON. I understand in your statement giving official interpretation of this treaty, you state there would be no moral obligation for us to use any force.

Secretary KELLOGG. Yes; and furthermore no country suggested it, and no country said anything about it at all, or made any suggestion at all, except Canada, and Canada said there was no obligation to apply sanctions; if there had been, I am sure she would not have signed it.

The discussions of the treaty upon the floor of the Senate went through many, many hours. Some of the foremost members of this great body expressed themselves as to their understanding of the treaty. It becomes perfectly apparent that if we consider what they said was their understanding, it was not and is not what some Budapest conference of European lawyers says the treaty means. The views of our United States Senators refute completely Lord Blandesburgh's statement that—

These (Budapest) discussions make it clear that the signatories had signed something far more binding upon them than they had perhaps expected.

Let us see what was said in the United States Senate. I shall take random observations. My references will be to volume 70, parts 1 and 2 of the CONGRESSIONAL RECORD for the Seventieth Congress, second session. Referring now to page 1064, Senator Borah, reporting for the committee, said:

A fair construction, therefore, of the language used both in the note and in the debate is that the British Government is attempting to confine itself, and thinks it is confining itself, to a principle contained in



the treaty, and a principle which no one disputes—that is, the right of self-defense.

Another principle with reference to the right of self-defense is that it consists of defense only. When the attack has been resisted and the danger has disappeared, the right of self-defense no longer exists, under any rule with which I am familiar.

Senator Borah further said:

The second proposition of importance is the question of sanctions. What agreement, express or implied, do the signatories to the treaty make with reference to enforcing the treaty? Is force or punitive measures, express or implied, anywhere provided for in the treaty? If a nation violates the treaty are we under any obligation, express or implied, to apply coercive or punitive measures? I answer, emphatically, "No."

It will certainly not be contended that the language of the treaty itself makes any such provision. The language of the treaty refutes the proposition. The philosophy of the treaty is not that of preventing war, but that of organizing peace, which is a wholly different thing. The treaty is not founded upon the theory of force or punitive measures at any place or at any time. It does not rest upon the principles upon which alliances and balance of power ordinarily rest, that of force behind the treaty to be applied in case anyone transgresses the treaty.

Mr. President, I desire to incorporate in the RECORD by reference, without further reading, the remainder of the remarks of the late Senator Borah appearing in the left-hand column on page 1065 down to and including the following paragraph:

But I find nowhere in the language of the treaty or in the correspondence any reference to this matter, or any language which would indicate that it occurred to any of the governments that such implication might arise.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

That is not, in my opinion, within the terms of the treaty. I know it is not within the express terms, and I am equally certain that it is not within the implied terms.

There certainly cannot be any implication for the use of force under a treaty which rejects the use of power or force or under a treaty which pledges pacific settlement of all controversies of whatever nature or kind. From language which rejects war and pledges the nations to the settlement of their controversies through peace how can we imply the implication at any time or under any circumstances to use force or to administer coercive or punitive discipline?

Let us read this treaty again in connection with that argument. It is very brief, fortunately:

"They condemn recourse to war for the solution of international controversies."

The treaty condemns war; not aggressive war, which was rejected, not this or that kind of war, but war as an institution. It rejects war as a method for settling international disputes. War is not condemned under certain circumstances but all circumstances.

That being true and that being the language, how may we imply that outside of the language is an inference that we will do that which the language positively prohibits?

"And renounce it as an instrument of national policy in their relations with one another."

Again, referring to article II:

"The settlement or solution of all disputes or conflicts, of whatever nature or of what-

ever origin they may be, which may arise among them shall never be sought except by pacific means."

So the language, plain, simple, and direct, that under no circumstances or conditions do we recognize coercive measures as a method of enforcing the treaty seems to be clear.

Not only is the language of the treaty, as I have indicated, clear and unmistakable, but at no time in this voluminous correspondence, coming up between 15 nations originally, and the correspondence laying the basis for adherence, has there been an indication or an implication that any nation conceived that there was any implied obligation upon the part of the nations to enforce the treaty or to punish an aggressor. At no time has that ever been suggested. They have swept the entire field of controversy and explanation with reference to possible exceptions or objections, but at no time and in no instance has any nation suggested that that implication might rest upon a government signing the treaty. The shrewd and discerning statesmen of 60 nations have failed to discover any such implications. And these same statesmen are as familiar with punitive measures and sanctions as any man anywhere on earth, for this is the first principle of European treaties.

I take it, Mr. President, that if such an implication should have been thought of, or had occurred to the mind of France or Great Britain, it would have been the first matter for consideration.

But I find nowhere in the language of the treaty or in the correspondence any reference to this matter, or any language which would indicate that it occurred to any of the governments that such implication might arise.

Mr. DANAHER. Again, Mr. President, the Senator from California [Mr. JOHNSON] asked Senator Borah this question:

May I put it a different way, if it be accurate, and I ask whether or not the statement be accurate? Under the Covenant of the League of Nations there was a moral obligation that existed, as the Senator believes.

Mr. BORAH. There was an express obligation.

Mr. JOHNSON. There was an express obligation, and it was an express obligation to enforce a breach of the peace or a violation of the provisions of the League?

Mr. BORAH. Yes.

Mr. JOHNSON. There is no such obligation, express or implied, under the present treaty?

Mr. BORAH. No; there is no such obligation.

Senator Borah further elaborated upon the fundamentals, at page 1127 of the same volume, as follows:

We do not sanction the use of force anywhere. If Senators will read this treaty, and take the treaty for what it says and not what it has been asserted that it says, they will come to the conclusion that there is just one fundamental principle in the treaty, and that is a solemn pledge upon the part of these nations, representing now practically all the inhabitants of the earth, that they will not seek other methods than peaceful methods for the settlement of their controversies.

It may be said that that is not much. I think it is a stupendous fact. I think the fact that 60 nations, representing the inhabitants of the earth, can be drawn together in a solemn pledge, backed by the conscience and the moral forces of their people, that henceforth they will pursue no course save that of peace, is a stupendous fact. We have been so thoroughly saturated, however, with the idea that there is nothing in international affairs save force, that we can give no credence to anything save that which is backed by an army and a navy.

Mr. President, Senators had a very clear understanding of what the limitations were, as well as the rights and duties created by this treaty.

Senator Swanson, of Virginia, in part 2 of the same volume of the RECORD, at page 1188, said:

Mr. President, the treaty contains no sanctions for its enforcement. No obligation, moral or legal, is assumed by the signatories to use punitive measures against any nation that may violate the treaty. No possible interpretation could construe a treaty promising not to go to war into an obligation to wage war. The indirect implication would be contrary to and irreconcilable with the positive promise. The promise in the treaty is limited to the individual obligation of the signatory and contains no guaranty for any other nation.

Mr. President, on page 1189 of the same volume of the RECORD, Senator McLean said:

I think the American people and the rest of the world clearly should understand that this treaty attempts to do nothing more than express a mutual and sincere desire for peace; that it contains no obligation to use force or refrain from the use of force; that it does not and will not entangle or disentangle anybody or anything; but that it is the hope of all that its solemn ratification may bring the world a little closer to an intelligent understanding of the real forces and facts that make and unmake peace and good will among individuals, states, and races.

Mr. WILEY. Mr. President, will the Senator yield?

Mr. DANAHER. I yield.

Mr. WILEY. The Senator has gone through all the debate on that subject, has he?

Mr. DANAHER. I have.

Mr. WILEY. Was there any contention by anyone that there was any other interpretation of the treaty?

Mr. DANAHER. There were sporadic efforts on the part of various Senators to assert that there might conceivably be somebody who would raise the question that there were duties or obligations outside the intentment of the clear language of the treaty, but the overwhelming argument was to the contrary.

Let me, for example, call to the Senator's attention the very splendid statement on that very point made by the Senator from New York [Mr. WAGNER]. At page 1340, he said:

All they promise—

With reference to the treaties and their obligations—

is that they will not employ war as an instrument of policy. In the event of violation no machinery of enforcement is provided. No sanctions are established. A breach of the treaty does not bring upon the violating state any consequences springing from the treaty. There is no obligation whatever upon any signatory state to punish a treaty-breaking state. The treaty, in other words, is not a contract. It can scarcely be called a legal instrument.

The Senator from New York went on to say, on the same page:

This country is therefore surrendering under this treaty nothing that it has not already voluntarily forsaken—except possibly the right to change its mind. Should it in the future change its mind about its cardinal principle, then, of course, it will no



longer be the Nation that the fathers founded. Even so, should it change its mind, no legal consequences follow from the treaty.

I emphasize that paragraph, Mr. President, particularly because the Senator from New York was speaking with really great authority, which applies particularly with reference to the pending bill and the attempt to predicate it upon interpretations of the Kellogg-Briand Treaty. The Senator from New York was eminently correct when he said that if we ever take that step, if we change our minds, if we forsake all that we have ever stood for, then this will no longer be the Nation the fathers founded. The Senator from New York was right.

The Senator from New York further said—and I quote from his remarks on page 1341—

The discussion of sanctions under the treaty reveals more clearly than anything else how debatable are even the most elementary factors in a plan for a world free from war. The treaty has been ridiculed because it provides no sanction and no machinery or method of enforcement of the promises to refrain from war. It has likewise been challenged because it is said to impose upon the United States the duty to punish, by force of arms if necessary, a treaty-breaking state. This latter criticism is absolutely without foundation. There is no language in the treaty proper upon which the most astute of lawyers could pin an affirmative obligation to do anything.

That is what the Senator from New York saw in the treaty; but he did not know that 5 years later an astute group of 10 lawyers of a conciliation committee from England were going to meet at Budapest, and, astute or not, were going to write a series of interpretations which they are now trying to make law in this country.

Mr. President, as I recall, the Senator from Kentucky [Mr. BARKLEY] our distinguished and much-loved majority leader, had something to say on the point. I turn to what he said at page 1456. I want the opinions of really great lawyers, and I am going to quote the view of the Senator from Kentucky, for I fear that what the majority committee called in its report "eminent lawyers" were not known to the committee who used that expression. I think they might have borrowed the expression from Secretary Stimson's testimony. But at page 1456 of the RECORD, the Senator from Kentucky said:

Mr. President, I am unable to read into this treaty or into any of the correspondence preliminary to it, or into any possible interpretation of the treaty, any obligation on the part of the United States or any other nation that is signatory to this treaty to interfere in the internal affairs of any other nation in the world. If all the colonies of Great Britain should on the day following the universal ratification of this treaty rise in revolt and seek to establish their own independence as independent nations of the world, there is not only nothing in this treaty which obligates the United States to interfere with those colonies or nations in their efforts, but, on the contrary, I think the plain implication of the treaty is that we would not have any right to interfere in any such conditions or circumstances.

With that view I find myself in accord.

Mr. WILEY. The Senator is referring to the senior Senator from Kentucky?

Mr. DANAHER. Yes; the senior Senator.

Mr. AUSTIN. Mr. President, will the Senator from Connecticut yield?

Mr. DANAHER. I yield.

Mr. AUSTIN. I have been greatly interested in this very able discussion of the Kellogg-Briand Treaty, and I note that it has proceeded distinctly on the affirmative side. I wish to ask the Senator a question, because I desire to know his views about the negative side.

As I view the claim which the Senator is making, it is that the opening of our ports, for example, as allowed by the pending measure, would not be a pacific act, but would be a casus belli under international law.

Mr. DANAHER. That is correct.

Mr. AUSTIN. Is not that the real foundation of the argument?

Mr. DANAHER. That is correct—that and similar acts of war which might be perpetrated.

Mr. AUSTIN. I am perfectly willing to stand on that. I myself think it would be. But now, as to the interpretation of the treaty, it does not seem quite so clear to me, for the treaty deals with negative things. Has the Senator the proclamation of the treaty before him?

Mr. DANAHER. I have.

Mr. AUSTIN. The proclamation contains the statement on page 1, at the bottom of the page:

Convinced that all changes in their relations with one another should be sought only by pacific means and be the result of a peaceful and orderly process, and that any signatory power which shall hereafter seek to promote its national interest by resort to war should be denied the benefits furnished by this treaty.

That sets up a denial of what might otherwise be an affirmative benefit under the treaty. It is a withdrawal from an aggressor of those pacific means and peaceful and orderly processes of change in the relations between the countries.

Assuming that aggressors have violated that peaceful and orderly process, is it not the meaning, that none of these aggressors can justify their commencing a war with us by virtue of any similar acts of ours, that is, any act which is not pacific and is not the result of peaceful and orderly processes? Have I made myself clear?

Mr. DANAHER. The Senator has made himself clear, I am sure, and the answer must of course be in the negative, and the reason why it must be in the negative is that the preamble binds no one. There was no agreement to anything with reference to it. Whatever obligations there were arising under the treaty are to be found in articles 1 and 2. They were the operative parts of the treaty.

The real force of the argument I should like to have the Senator take away with him is that there is a whole series of acts of war, which are so regarded under international law as it stands today, authorized and permitted by virtue of the pending bill. The majority report

clearly recognizes that such acts are acts of war.

To exculpate us, the United States, from the effect of their being so construed against us as acts of war, it is written that where the pact provisions are violated by one nation the ordinary rules would be said not to apply, and therefore it is said that when one of the signatories ceases to abide by the neutrality laws which govern in normal times, then these things could be done. They purport to justify that result in the articles of interpretation of the Kellogg-Briand Pact, arrived at in the Budapest Conference.

Mr. AUSTIN. Will the Senator yield further?

Mr. DANAHER. I yield.

Mr. AUSTIN. My question did not involve their views; it merely involved our views, the views of the Senator from Connecticut and myself, looking at the proclamation of the President setting forth the formal treaty to which the United States is a party, and to which both Germany and Great Britain are parties. The question I propounded was whether the Senator himself would not say that each party had waived unto the other any right to find fault if the other did change the international relations of the parties hereto by other than peaceful means and peaceful and orderly processes.

Let me say frankly that to my mind it is perfectly clear that this is an express waiver of any right to make any claim of a casus belli for any of the things specified in H. R. 1776, or anything out of it, which would, under normal conditions in international relations, constitute a cause of war. That is the way it strikes me. Of course, I have great respect for the opinion of the Senator from Connecticut, and that is why I have asked him the question.

Mr. DANAHER. I appreciate the very kind references of the Senator from Vermont, and answer him thus, that if he will construe that language in its exact and literal fashion—and he well realizes that treaties embody and use words literally—the parties signatory did not bind themselves to the view expressed by the Senator from Vermont. Quite the contrary, we do not find that it "shall" result thus and so, or that they "agree" that thus and so shall be the result. They utter what are commonly called "precatory" words. They define what the international lawyers call "desiderata." As in the case of the Constitution of the United States, when we adopted the Constitution we did not create a government ipso facto. We had to implement the Constitution, we had to pass legislation to make it effective. We had laid the foundation, we had created the outline. We had said, "Within this structure you can build." But the people, in order to go forward and make the government operate, had to follow the Constitution and enact legislation to make it work.

So, Mr. President, with reference to the desiderata appearing in the preamble to the treaty, there are results which the parties signatory prayed for and said



should follow if and when a given situation such as that posed by the Senator from Vermont arose. But, so far as being bound to a given course which would constitute a "waiver" is concerned, to adopt the Senator's word, I do not agree with him. I think the preamble does not so state.

Mr. AUSTIN. Mr. President, I should like to ask one further question.

Mr. DANAHER. I yield for that purpose.

Mr. AUSTIN. I think we both agree that the ends of the government ordained and established by the Constitution are set forth in the preamble to the Constitution, and that all the rest that is ordained and established has to be construed with reference to those ends. Is not that true?

Mr. DANAHER. Yes; I should say so.

Mr. AUSTIN. My impression is that that is a very common rule, applicable to the proclamation of treaties. Where ends of a treaty are set forth in a preamble or inducement, then all that follows—what is subscribed to, of course; we have to take that into consideration—all that follows has to be interpreted with reference to those ends, and to fulfill them, if possible.

Mr. DANAHER. I thank the Senator for his observations. I know that Senators discussed that very question on the floor when the matter was under consideration. The Senator will understand, that with the hundreds of pages of this record, I do not have at hand the specific discussion dealing with that topic. I know it is there, because I have encountered it in the course of my studies.

Mr. WILEY. Mr. President, will the Senator yield?

Mr. DANAHER. I yield.

Mr. WILEY. As I understand the position of the distinguished Senator from Connecticut, it is that if we were to pass the pending bill, it would be violative, in many respects, of what has been called international law. The thought occurs to me, and I remember the Senator from North Carolina [Mr. BAILEY] discussed it on the floor the other day, that international law itself is based on contract. I should like to get the Senator's opinion on this subject: Assuming that conditions were normal and we passed a bill such as this, and then were to carry out the objectives outlined in the bill, and aid one of the combatant nations in the manner provided, we would violate international law. But we do not have normal conditions now. We have a situation where international "racketeers" have themselves gone out and violated every international law. I am wondering whether, under those circumstances, the violator himself is in position to say now that international law is in existence so far as he is concerned, and to hide behind that cloak.

Mr. DANAHER. Of course, he is not. I mean to say to the Senator that that is not the point of my discussion at all, and the answer to the Senator's question is positively "no." But I do say that we ought to proceed on the theory, it seems to me, that the traditions and the precedents and the principles established during the whole life of our Nation are at stake in this bill. In other words, this

is what it amounts to: Were it not for certain circumstances under which certain lawyers in Budapest purported to say that "if you do A to Z acts, we now say that you should not be held to violate international law"—if you run against that set of circumstances and conditions, you can be said to have adequate justification.

I say the majority come in and say, "We accept the doctrine of the interpretative body over in Budapest. We think they are right. We want to lay a foundation for the United States to do the things contemplated in this bill, without being said to be violators of international law ourselves, and we therefore in effect recommend that you adopt this legislation and let us implement the treaty known as the Kellogg-Briand Treaty."

Mr. President, I deny that that interpretation is admissible, and I say that the Kellogg-Briand Pact clearly never contemplated such a result. Not only that, I say that the distinguished Senator who spoke on the matter repudiated any such thing. I contend that it does not lie in the mouth of any lawyers meeting at Budapest to interpret for us any treaty which will be the justification for any future course of action for the United States to follow. But if we were to adopt their theory, then in the few concluding remarks I intended to make I was about to propose ways and means to take care of the situation.

Mr. AUSTIN. Mr. President, will the Senator permit a short observation?

Mr. DANAHER. I yield.

Mr. AUSTIN. I think I would take just the same position that I have taken even if I should not have corroboration of my view. But I do hold the view that I expressed about the interpretation of that treaty.

I wish to refer to something else in line with the remarks of the Senator from Wisconsin. Mr. Justice Sutherland, after the World War, in 1919 delivered a lecture at Columbia University. It is contained in a little book to which I have formerly referred, *Constitutional Power and World Affairs*, at page 171. He expressed the idea very well. He envisaged a material change in international affairs and international law, and the power of the Federal Government with respect thereto, and I simply wish to put his language in the RECORD by reading it. It will take only a short time.

Mr. DANAHER. Mr. President, will it spoil my argument?

Mr. AUSTIN. No; I think the Senator can carry on.

Mr. DANAHER. Very well.

Mr. AUSTIN. Mr. Justice Sutherland said—

The time is fast approaching, if it be not already here, when we must be able to assert and maintain for that government—

Meaning the United States—the unimpaired powers of complete external sovereignty.

Mr. CLARK of Missouri. Who said that?

Mr. AUSTIN. Mr. Justice Sutherland.

We must not—we cannot—enter upon this field of amplified activity with half developed

limbs. The complete powers of the government of other nations must be matched by the complete powers of our own Government. Upon this enlarged stage of international negotiation and cooperation we cannot afford to play the part of a political cripple.

I am inclined to agree with that, and agree that that time has now come.

Mr. DANAHER. Mr. President, it may well be, before commenting, if I later decide that I shall, upon the observations and the quotations submitted by the able Senator from Vermont, that I would base the problem completely independent of, and different from, the manner in which it has been submitted to us here. Granted, for present purposes, that the time has come for the United States to take some affirmative forward action of a sort which will found a new basis for international law, and the part we are to play in it, I still submit, Mr. President, that this is no time and this is no bill on the basis of which to undertake any such result purporting to justify the course we would take on the Interpretative Articles of Budapest of 1934, where there was not even an American present to urge the American point of view.

It may well be that the very best man we could send to such a conference would be the able Senator from Vermont, and he might even conclude that the committee members who met in Budapest were right, and that their results were correct. But he might differ from them, just as he has differed from me, and I do not therefore accord quite the weight to his judgment which I otherwise would. [Laughter.]

Mr. President, let me conclude. I say that no group of Budapest lawyers or English lawyers meeting at Budapest should be permitted to add by their interpretations rights to some signatories, duties to other signatories, or privileges or immunities, and add them to our treaty, contrary to our understanding of what the treaty meant when it was executed. Leaving out and completely aside the so-called Budapest interpretations, it is perfectly clear that international law, as we understand it, and as we applied it, and as we embodied it in our treaty, would make unlawful the actions contemplated by the pending bill. There is no question on that score. The majority of the Committee on Foreign Relations know that very well, and so does Mr. Stimson, and the only attempt to justify the actions to be taken under the pending bill must rest upon these so-called Budapest interpretations. Now it may well be—let me say to the Senator from Vermont, who has pertinently interpolated Mr. Justice Sutherland's comments—it may well be that international law in advance of war or during war has proceeded as far as it can go upon a voluntary basis.

I do not deny that it could happen, and I do not assert that it has not. I merely say that it may well be, and circumstances certainly would indicate, that at least from the American standpoint that is true; and yet on other than a voluntary basis and on a coercive basis all during the past 20 years they have had an opportunity to apply international



law in Europe, and look what it has brought them to.

I should say, therefore, to the Senator from Vermont that there are problems involved there.

Great Britain was a signatory to the Kellogg-Briand Pact. If she should argue that there is interference with her interests anywhere in the world, whatever steps she takes to repel such interference can, of course, be called self-defense. It most certainly cannot be argued that as a cosignatory to the pact we thereupon became bound, also, to go to her defense. Equally, it cannot be argued that there are any such interpretations of our obligations as will justify us in breaking international law, since under the treaty we had no obligations in the first place either to go to her defense or to punish an invader or an aggressor, or to do any other thing except as the people of the United States, speaking through the Senate, bound themselves in this treaty to do. It well may be that our Nation should in future accept some responsibility for attempting to enforce certain rights of nations under international law as we have always understood it to apply. It well may be that force and might should go hand in hand with our prayers for peace. It well may be that a treaty which was premised by us on the renunciation of war should now be interpreted as the basis for taking us into war everywhere.

But, Mr. President, if we are going to undertake such obligations and adopt and apply new premises of international law of which we are to be the enforcer, let us examine that question. Let us contemplate the extent of our commitments. Let us see how far and for how long we shall be bound. Let us have hearings in which experts in the subject at hand can give us their full advices as to where our national interests lie and as to what steps we should take to safeguard them. Let us not achieve the final result by indirection, but let us meet the issue forthrightly, fairly, squarely, honestly.

Judged by such standards, the action of this Congress as to our future course would thereafter meet with universal acquiescence born of the sure knowledge that the representatives of the people have performed the full duties devolving upon them. Judged by such standards, this bill must and should fail. The principle upon which this measure proceeds is indefensible, and should not be tolerated in, or meet the acquiescence of, the Senate. There can be no compromise of the principle here involved.

Mr. President, in the first place, the President has the power to do what the proponents of the measure say they want to have done.

In the second place the bill would repeal statutes dealing with subjects over which the Congress never should relinquish control.

In the third place, it would violate the constitutional sanctity of the treaties into which we have previously entered, and which today recognize and identify the standards of international law to which we now adhere and always have adhered.

And fourth, Mr. President, in the last phase of the matter, it is perfectly clear that under no circumstances whatever, under international law as commonly interpreted and enforced today, can the United States justify the particular course sought for under this bill; quite the contrary. The purported action of the majority of the Committee on Foreign Relations would rest simply upon interpretations adopted by some lawyers at Budapest, in Hungary, in 1934. These interpretations are contrary to our own treaty, to the understanding we had when we entered into it. They violate everything the people of the United States ever stood for.

I submit that the proper course to be taken in regard to this bill is to send it back to the committee and have the matter reconsidered, if we want to tackle the question of what we are going to do as to a future statement of international law; but let us not, Mr. President, meet it by indirection. Let us meet it directly, in the American way.

Mr. CLARK of Missouri obtained the floor.

Mr. BARKLEY. Mr. President—

Mr. CLARK of Missouri. I claim the floor for debate. I am willing to yield to the Senator from Kentucky.

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Kentucky?

Mr. CLARK of Missouri. I do.

Mr. BARKLEY. I desire to bring the session to a conclusion; but before doing so I wish to make an observation.

On last Saturday, in a colloquy on the floor of the Senate, I suggested that I hoped the Senate would be willing to meet earlier, beginning tomorrow. I have had some conversations with Senators on both sides of this question, and we are in process of working out a program which I hope will be agreeably determined upon. Therefore, if the Senator from Missouri will yield for that purpose, I shall shortly move that the Senate take a recess until 12 o'clock noon tomorrow.

Mr. CLARK of Missouri. I will yield for that purpose if it may be understood that I shall have the floor tomorrow at the convening of the Senate. I have a speech written by a really great man, George Washington, to which I desire to advert. If it is understood that I may have the opportunity of being recognized tomorrow when the Senate meets, I shall be glad to yield to the Senator from Kentucky.

Mr. BARKLEY. Mr. President, I myself have no objection to that procedure. I am not in control of the time, of course; but I had understood that those controlling the time in opposition to the pending measure had some sort of program for tomorrow. I presume, however, the Senator from Missouri has conferred with them about that matter. I have no objection to the Senator's request.

Mr. CLARK of Missouri. Let me say to the Senator from Kentucky that I myself have no particular desire to proceed.

Mr. BARKLEY. I have no objection to the request if it is understood that

the opponents of the bill shall have the time tomorrow, with the possible exception of one very brief speech of which a Senator has given notice.

Mr. CLARK of Missouri. I think that is entirely agreeable to everyone. My purpose in claiming the floor tonight was that before the conclusion of the debate I desire to advert to the remarks of an old man by the name of George Washington. I think we can agree on that.

Mr. BARKLEY. Yes.

My attention has just been called to the fact that the Senator from Utah [Mr. MURDOCK] has a couple of nominations which he desires to bring up at this time, as in executive session.

#### THE JUDICIARY

Mr. MURDOCK. Mr. President, as in executive session, at the request of the two Senators from Washington [Mr. BONE and Mr. WALLGREN] I report favorably from the Committee on the Judiciary the nomination of Herbert W. Algeo to be United States marshal for the western district of Washington, and also the nomination of Lyle Keith to be United States attorney for the eastern district of Washington, and ask unanimous consent for the present consideration of the nominations.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Utah?

Mr. AUSTIN. Mr. President, reserving the right to object, I ask the Senator from Utah if there is some special reason for waiving the rule and considering the nominations tonight.

Mr. MURDOCK. The senior Senator from Washington [Mr. BONE] advises me that there have been vacancies in these offices for a number of months. I am sure he was very sincere when he came to me and said that there was immediate need for the consideration of the nominations. I am satisfied that there is, or the senior Senator from Washington would not have asked me to wait here this afternoon and ask unanimous consent for their consideration.

Mr. AUSTIN. I have no objection.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Utah? The Chair hears none. The nominations will be stated.

The legislative clerk read the nomination of Herbert W. Algeo to be United States marshal for the western district of Washington.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed, and without objection, the President will be notified.

The legislative clerk read the nomination of Lyle Keith to be United States attorney for the eastern district of Washington.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed, and without objection, the President will be notified.

#### EXECUTIVE MESSAGES REFERRED

The PRESIDENT pro tempore, as in executive session, laid before the Senate messages from the President of the



United States submitting sundry nominations in the Army, which were referred to the Committee on Military Affairs.

(For nominations this day received, see the end of Senate proceedings.)

#### RECESS

Mr. BARKLEY. I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 6 o'clock and 20 minutes p. m.) the Senate took a recess until tomorrow, Tuesday, February 25, 1941, at 12 o'clock meridian.

#### NOMINATIONS

Executive nominations received by the Senate February 24 (legislative day of February 13), 1941:

##### APPOINTMENTS TO TEMPORARY RANK IN THE AIR CORPS, IN THE REGULAR ARMY OF THE UNITED STATES

###### TO BE COLONEL

Lt. Col. George Stewart Warren, Air Corps.

###### TO BE LIEUTENANT COLONELS

Maj. William Cushman Farnum, Air Corps.  
Maj. Charles Milton Cummings, Air Corps.

###### TO BE MAJORS

Capt. Stanley Keith Robinson, Air Corps.  
Capt. Willard Reno Shephard, Air Corps.  
NOTE.—Dates of rank are not specified as the death or other unforeseen change in status of a senior officer might require a change in the dates of rank and necessitate the renomination of these officers.

##### APPOINTMENTS, BY TRANSFER, IN THE REGULAR ARMY OF THE UNITED STATES

###### TO QUARTERMASTER CORPS

Capt. Webster Anderson, Infantry (major, Army of the United States), with rank from June 9, 1938.

First Lt. Wesley Skilton Calverley, Infantry (captain, Army of the United States), with rank from June 12, 1940.

###### TO ORDNANCE DEPARTMENT

First Lt. Addison Vincent Dishman, Field Artillery (captain, Army of the United States), with rank from August 1, 1935.

First Lt. John Franklin Foy, Infantry (captain, Army of the United States), with rank from June 12, 1940.

First Lt. Edward Gray, Field Artillery (captain, Army of the United States), with rank from June 12, 1938.

First Lt. Chalmer Kirk McClelland, Jr., Field Artillery (captain, Army of the United States), with rank from June 13, 1936.

First Lt. Charles Lewis Register, Coast Artillery Corps (captain, Army of the United States), with rank from June 12, 1940.

First Lt. August Schomburg, Infantry (captain, Army of the United States), with rank from August 1, 1935.

First Lt. Albert Curtis Wells, Jr., Infantry (captain, Army of the United States), with rank from June 12, 1938.

First Lt. George Warren White, Infantry (captain, Army of the United States), with rank from June 13, 1936.

###### TO SIGNAL CORPS

First Lt. George Millard Simmons, Infantry (captain, Army of the United States), with rank from June 12, 1940.

###### TO COAST ARTILLERY CORPS

First Lt. LeRoy Lutes, Jr., Field Artillery (captain, Army of the United States), with rank from June 12, 1940.

##### PROMOTIONS IN THE REGULAR ARMY OF THE UNITED STATES

The following-named officers are subject to examination required by law:

##### TO BE LIEUTENANT COLONELS WITH RANK FROM MARCH 4, 1941

Maj. Norman Earl Hartman, Coast Artillery Corps.

Maj. Clarence Turner Davis, Infantry.  
Maj. Frank Rate Williams, Infantry.  
Maj. Harvey John Thornton, Field Artillery.  
Maj. Harold Joseph LaCroix, Infantry.  
Maj. George Joseph Engelthaler, Infantry.  
Maj. Ralph Cobb Benner, Chemical Warfare Service.

Maj. Chester Eugene Sargent, Field Artillery.  
Maj. Joseph Philip Donnovin, Field Artillery.

Maj. Roy Lawrence Dalferes, Field Artillery.  
Maj. Andre Leonard Violante, Quartermaster Corps.

Maj. Leighton Nicol Smith, Finance Department.

Maj. Charles Wilbur Pence, Infantry.  
Maj. Jerome Grigg Harris, Infantry.  
Maj. Henry Eaton Kelly, Infantry.  
Maj. Claude Bayles Mickelwait, Judge Advocate General's Department.  
Maj. William Earnore Sharp, Infantry.

##### TO BE LIEUTENANT COLONEL WITH RANK FROM MARCH 13, 1941

Maj. Marcus Ellis Jones, Cavalry.

##### TO BE LIEUTENANT COLONEL WITH RANK FROM MARCH 15, 1941

Maj. Harold Patrick Hennessy, Coast Artillery Corps.

##### TO BE LIEUTENANT COLONEL WITH RANK FROM MARCH 23, 1941

Maj. Walter Asbury Bigby, Infantry.

##### TO BE LIEUTENANT COLONEL WITH RANK FROM MARCH 28, 1941

Maj. Fred E. Gaillard, Infantry.

##### PROMOTIONS IN THE REGULAR ARMY OF THE UNITED STATES

###### MEDICAL CORPS

###### To be majors

Capt. Alexander Otis Haff, Medical Corps, from March 3, 1941, subject to examination required by law.

Capt. Orlo Charles Paciulli, Medical Corps, from March 12, 1941, subject to examination required by law.

Capt. Gilles Edward Horrocks, Medical Corps, from March 12, 1941, subject to examination required by law.

Capt. Ralph Matthew Thompson, Medical Corps, from March 12, 1941, subject to examination required by law.

Capt. Paul Crump Gilliland, Medical Corps, from March 15, 1941, subject to examination required by law.

###### To be captain

First Lt. Elwood Erwin Baird, Medical Corps (Captain, Army of the United States), from March 4, 1941, subject to examination required by law.

#### CONFIRMATIONS

Executive nominations confirmed by the Senate February 24 (legislative day of February 13), 1941:

##### UNITED STATES ATTORNEY

Lyle Keith to be United States attorney for the eastern district of Washington.

##### UNITED STATES MARSHAL

Herbert W. Algeo, to be United States marshal for the western district of Washington.

## HOUSE OF REPRESENTATIVES

MONDAY, FEBRUARY 24, 1941

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

O God of grace and glory, we pray Thee that Thy name may be exalted in all the earth; here at Thy altar may we prove the power of prayer. Reveal unto us the higher joy of ministering unto human pain, looking for Thee not alone in the secret of the pavilion. Oh, be Thou on the waters when the ship is tossing, in the vales when the hearts are breaking and on the plains of life when sick and helpless hands are struggling. Suffer not, dear Lord, the cloud of depression to rest above our people, who only yesterday were happy with their ships of vision dropping jubilant anchors into the harbors of national security. We praise Thee that the power that formed the deeps unknown and gave the seas their bounds is the same power of a merciful Heavenly Father unto salvation, knitting fading hopes into designs that never die and blending discords into living music. O glorious Christ, open the highway of a deepening peace, sending the gods of war toppling down from their stained pedestals, groping into their dark walls of horror and shame, while the troubled world frames the adorable words: My soul doth magnify the Lord. In the blessed name of our Redeemer. Amen.

The Journal of the proceedings of Thursday, February 20, 1941, was read and approved.

#### MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 3204. An act making additional appropriations for the fiscal year 1941 urgently required for the Work Projects Administration and certain other Federal agencies, and for other purposes.

#### MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Latta, one of his secretaries, who also informed the House that on the following date the President approved and signed a bill of the House of the following title:

On February 19, 1941:

H. R. 2959. An act to increase the debt limit of the United States, to provide for the Federal taxation of future issues of obligations of the United States and its instrumentalities, and for other purposes.

#### COLUMBIA INSTITUTE FOR THE DEAF

The SPEAKER. Pursuant to the provisions of section 4863, Revised Statutes of the United States, the Chair appoints as Directors of the Columbia Institute for the Deaf the following Members of the



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and the facts, and the courts have refused relief to such claimants because actions were barred under the statute of limitation, and mandamus suits have been dismissed because the courts held that the remedy by suit was exclusive (*Morgan v. Hines*, Ct. of Appls., D. C.).

The bill provides further that a claimant may proceed, either by suit on the contract or by court action, to compel the Administrator to perform his ministerial duty if the insurance contract is payable under the law and the facts. The bill also provides that the judgment shall draw interest at the rate of 4 percent per annum, which conforms to the rate of interest on judgments in the Court of Claims. It also provides that costs may be taxed against the Government in a like manner as costs against private litigants in the same district. The Supreme Court of the United States held, in the *Standard Oil Co.* case, that interest and costs could be taxed against the Government under the original War Risk Insurance Act enacted in 1914, granting marine insurance, and I see no reason why World War veterans who secured their insurance under an amendment to that original act should not have the same rights as litigants had under the original act granting marine insurance. The greater portion of this bill is a reenactment of the present law.

There being no objection, the bill (S. 954) to amend section 19 of the World War Veterans' Act, 1924, as amended (U. S. C., title 38, sec. 445), relating to actions on claims, was read twice by its title and referred to the Committee on Finance.

#### CONSTITUTIONAL AMENDMENT FOR REFERENDUM ON WAR

Mr. CAPPER. Mr. President, I desire to make a brief statement concerning a joint resolution proposing an amendment to the Constitution, which I ask leave to introduce at this time and to have appropriately referred. The amendment proposes that Congress shall have full power to declare war upon proclamation by the President that the United States or some place subject to its jurisdiction has been invaded or is in immediate danger of invasion. But in all other cases, and that means participation in some foreign war in which we would not be engaged in a war of defense if we did participate, war can be declared only after a referendum vote by the people themselves.

It is my belief that the people, who have to fight the wars, who have to pay for wars, are the proper ones to say when we shall engage in a foreign war. This proposed amendment would not interfere in any respect with the power of those at the head of the Government to protect the United States or to protect the interests of the people of the United States. It would not in any way interfere with an adequate defense program. But I believe it would act as a powerful deterrent against our becoming entangled in a foreign war in which we have no business. I want the United States to keep out of other peoples' wars and mind our own business in international affairs.

There being no objection, the joint resolution (S. J. Res. 47) proposing an amendment to the Constitution of the United States to provide for a referendum on war was read twice by its title and referred to the Committee on the Judiciary.

#### HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred to the Committee on the District of Columbia:

H. R. 2297. An act to prohibit the introduction of contraband into the District of Columbia penal institutions;

H. R. 3065. An act to amend the act of Congress approved July 14, 1932, entitled "An act to amend an act of Congress approved June 18, 1898, entitled 'An act to regulate plumbing and gas fitting in the District of Columbia'"; and

H. R. 3066. An act to amend an act to provide for a union railroad station in the District of Columbia, and for other purposes.

#### PROMOTION OF NATIONAL DEFENSE— ADDITIONAL COPIES OF SENATE COMMITTEE HEARINGS

Mr. GEORGE submitted the following concurrent resolution (S. Con. Res. 6), which was referred to the Committee on Printing:

*Resolved by the Senate (the House of Representatives concurring), That in accordance with paragraph 3 of section 2 of the Printing Act approved March 1, 1907, the Committee on Foreign Relations of the Senate be, and is hereby, authorized and empowered to have printed for its use 5,000 additional copies of the hearings held before said committee on the bill (S. 275) entitled "A bill further to promote the defense of the United States, and for other purposes."*

#### SPECIAL COMMITTEE TO INVESTIGATE CAMPAIGN EXPENDITURES—MINORITY VIEWS

Mr. TOBEY. Mr. President, as a member of the Senate Special Committee to Investigate Campaign Expenditures it is my desire to present certain minority views. I am advised that it is necessary to ask unanimous consent to have the minority views printed at the same time in the same report with the majority report, and I make that unanimous-consent request.

The VICE PRESIDENT. Without objection, it is so ordered; and the views presented by the Senator from New Hampshire will be printed in connection with Senate Report No. 47.

#### PAPER BY ELIZABETH M. GARBER ON CONTROL AND SALE OF ARMS, ETC. (S. DOC. NO. 19)

Mr. DAVIS. Mr. President, I wish to make available for general use an important contribution to knowledge on the subject of the control and sale of arms, ammunition, and implements of war, which has been prepared by Elizabeth M. Garber, of my staff. It is a scholarly account of the history and present usage in this field, and takes on increased interest because of the national emergency.

Mr. President, the table of contents shows that it has to do with the following subjects:

Chapter I. International law regarding sale of contraband.

Chapter II. International supervision of sale of arms.

Chapter III. United States supervision of sale of arms.

I ask unanimous consent that the paper may be printed as a Senate document.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

#### ADDRESS BY SENATOR JOHNSON OF CALI- FORNIA ON THE LEASE-LEND BILL

[Mr. NYE asked and obtained leave to have printed in the Record an address on the lease-lend bill delivered by Senator Johnson of California on February 24, 1941, which appears in the Appendix.]

#### WAR OR PEACE—ADDRESS BY SENATOR WHEELER

[Mr. WHEELER asked and obtained leave to have printed in the Record a radio address on the subject War or Peace, delivered by him on February 22, 1941, which appears in the Appendix.]

#### ADDRESS BY SENATOR GUFFEY AT PRINCETON '94 CLASS DINNER

[Mr. GREEN asked and obtained leave to have printed in the Appendix an address delivered by Senator JOSEPH F. GUFFEY at the Princeton '94 class dinner, Princeton Club, New York City, February 14, 1941, which appears in the Appendix.]

#### ADDRESS BY SENATOR WILLIS ON LEASE- LEND BILL

[Mr. WILLIS asked and obtained leave to have printed in the Record a radio address on the lease-lend bill delivered by him on February 24, 1941, which appears in the Appendix.]

#### ADDRESS BY EDWIN S. SMITH AT NA- TIONAL LAWYERS' GUILD DINNER

[Mr. THOMAS of Utah asked and obtained leave to have printed in the Record an address delivered by Hon. Edwin S. Smith, member of the National Labor Relations Board, at the National Lawyers' Guild dinner in honor of Judge J. Warren Madden, at Washington, D. C., February 22, 1941, which appears in the Appendix.]

#### TRIBUTE TO SENATOR REYNOLDS BY NEW YORK DAILY NEWS

[Mr. WHEELER asked and obtained leave to have printed in the Record an editorial from the New York Daily News, of the issue of February 25, 1941, under the heading "Senator REYNOLDS speaks his mind," which appears in the Appendix.]

#### TRIBUTE TO THE UNKNOWN SOLDIER BY VERNER MEURICE WHITNEY

[Mr. BONE asked and obtained leave to have printed in the Record a tribute to the Unknown Soldier, written by Commander Verner Meurice Whitney, of the Veterans of Foreign Wars, together with a letter from R. B. Handy, Jr., adjutant general, Veterans of Foreign Wars, which appear in the Appendix.]

#### VINDICATED BY THE RESULT—ARTICLE BY WALTER LIPPMANN

[Mr. BARBOUR asked and obtained leave to have printed in the Record an article by Walter Lippmann entitled "Vindicated by the Result," published in the Washington Post of February 25, 1941, which appears in the Appendix.]

#### SEIZURE OF FOREIGN PROPAGANDA MA- TERIAL, SENT THROUGH THE MAILS

[Mr. WILEY asked and obtained leave to have printed in the Appendix of the Record an editorial entitled "Expose or Censor," published in the Washington Post of February



22, 1941, dealing with the seizure of foreign propaganda material sent through the mails, which appears in the Appendix.]

**EDITORIAL FROM RALEIGH NEWS AND OBSERVER, ON AID TO BRITAIN AND WAR**

[Mr. REYNOLDS asked and obtained leave to have printed in the Record an editorial from the News and Observer, of Raleigh, N. C., the issue of February 11, 1941, written by Jonathan Daniels, entitled "No Men Wanted," which appears in the Appendix.]

**PROMOTION OF NATIONAL DEFENSE**

The Senate resumed the consideration of the bill (H. R. 1776) further to promote the defense of the United States, and for other purposes.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from South Carolina [Mr. BYRNES] in the nature of a substitute for the committee amendment on page 2, beginning in line 16, which has heretofore been stated by the clerk.

Mr. SHIPSTEAD. Mr. President, I desire to make a statement this morning on H. R. 1776. I shall not take much of the time of the Senate, and as I should like to make my statement as coherent and as chronological as possible, I avail myself of the usual courtesy asked by Senators and request that I may continue uninterrupted.

Before I discuss the bill, I wish to take this opportunity to pay the tribute of my high respect for the chairman of the Committee on Foreign Relations of the Senate, the Senator from Georgia [Mr. GEORGE], and to the members of that committee, especially to the members of the committee who favor the bill. There were long hearings. The chairman conducted them with great fairness and dignity, and it can be said of all the members of the committee that they acted fairly.

Mr. President, I shall vote against the bill. I will have none of it. If the bill becomes law, I think it will be perfectly proper for the Congress of the United States to delegate further power to the President—the power of levying taxes, collecting the taxes, and spending appropriations by fiat decree.

I shall vote for some modifying amendments, but it is impossible to "perfect" such a monstrous proposal. No amount of sugarcoating can make it palatable. Some of its provisions are worse than others, but, in my opinion, they are all bad.

The bill is officially known as H. R. 1776. It should be labeled "A bill to surrender all that has made 1776 the most glorious year in American history."

I trust that the immortal fathers of the Republic, the men who wrote the Declaration of Independence; who at Lexington and Concord challenged the power of a tyrannical monarch; who suffered with Washington at Valley Forge and triumphed with him at Yorktown; and later drafted the Constitution and flung the Bill of Rights into the teeth of Old World autocracy—I say, sir, that I hope these gallant souls have not been in a position to "listen in" on the propaganda and some of the things which have been said in these United States about

this bill. I express that hope because I have no desire to have the fathers of the Republic turn over in their graves, and that is what they would do if confronted by some of the fantastic arguments, the utterly un-American arguments, advanced in support of the proposed legislation.

We have been told that Britain is fighting our battle. That must have been startling news to our friends across the Atlantic. Britain has never fought the battles of any other country. It has devoted its money and its men to fighting its own battles, and that is what all sane and responsible governments do. It is only here in our own country that a combination of well-paid propagandists and starry-eyed dreamers suggest that the British people are calmly awaiting the shock of a Nazi invasion across the Channel in order that they may fight to save our skins.

We are told that the British Navy is, and has been for 150 years, our first line of defense. This is not only a gross affront to the courage of the American people but it is an indictment of their intelligence. I have no desire to resurrect disagreeable facts of history and parade them today. However, every American school boy knows that during our comparatively long national life the only fleet that ever seriously threatened our country was the British Fleet. I do not blame Britain for that. She fights her own battles and pursues her own policy, as any independent government should do.

If the men who controlled that fleet had had their way, this Republic never would have been founded. It was redcoats from the British Fleet who burned our Capitol, who contemptuously burned our Declaration of Independence. Is it necessary to recall that in 1861-65, during the fratricidal War between the States, it was the British Government which used all its powers "short of war" to disrupt this Union?

John Acton, later Lord Acton, English historian and professor at Cambridge, on November 4, 1866, in a letter to Gen. Robert E. Lee, said:

It cannot have escaped you that much of the good will felt in England toward the South, so far as it was not simply the tribute of astonishment and admiration won by your campaigns, was neither unselfish nor sincere. It sprang partly from an exultant belief in the imminent decline and ruin of democratic institutions, partly from the hope that America would be weakened by the separation, and from terror at the remote prospect of Farragut appearing in the channel and Sherman landing in Ireland.

I remind my Democratic friends that it was a Democratic President—Grover Cleveland—who challenged the might of the British Fleet in the Venezuelan incident, and notified Westminster that any attempt to impinge on the sovereignty of Latin America would be repelled by our Army and Navy.

Mr. President, the British Fleet is not, and never has been, our first line of defense. We could not expect it to be. From Lexington and Concord down to this day our first line of defense, and our only line of defense, has been the stout hearts and strong arms of Ameri-

can citizens ready and willing to fight to assure the perpetuation of our democratic institutions.

We are not dependent on Britain or any other country. Any sovereign nation that has to depend for its defense and the defense of its sovereignty upon a foreign sovereign power is no longer free. Whenever Uncle Sam finds it necessary to seek safety between the rear legs of the British lion, our beloved country will cease to be an independent nation and we will no longer be worthy of the precious heritage transmitted to us by our gallant forebears.

May I add that, in my judgment, the most pusillanimous statement ever made by any American statesman was Secretary of State Hull's message to Premier Winston Churchill, asking assurance that, in the event Britain collapsed, the British Fleet would not be surrendered to Hitler.

I hope every Senator will read and reread Mr. Churchill's ironic response. I hesitate to imagine what was passing through his mind as he penned that reply. If he took Mr. Hull's statement seriously, I am sure he felt he was witnessing the decadence of a once virile people.

But, Mr. President, the American people are not decadent, however "jittery" some of their ill-advised leaders may become. They are still able and willing to defend their own. Whatever may happen in Europe, Asia, or Africa on these shores we will continue to hold aloft the blazing torch of militant democracy, as we have up to this time, and as we did with very little trouble until we began to meddle in European politics as an ally or a servant of a foreign government.

Mr. President, I know how hazardous it is to assume the role of prophet, but I make bold to say to those who seem prepared to junk the tested policies and the glorious traditions which have made America the land of the free and offered an asylum to the poor and the oppressed of other countries, that the day will come when they will pray that some charitable hand will erase from the pages of the CONGRESSIONAL RECORD and from some newspapers the unworthy pleas they have made in the course of this debate.

However, I warn them that such a miracle is not likely to occur. The American people have long memories. They will not forget what has been said here, and they will not forgive what a majority of the Senate is apparently about to do here.

I do not suppose any Senator will challenge the statement that the pending bill confers on the President greater power than Congress has ever voted to any Chief Executive in the history of our country, even in wartimes.

But we are assured that this grant of power is limited, that it will expire in 27 months.

That reminds me of another piece of legislation and a decree resulting therefrom. That decree was issued in Berlin on March 24, 1933, just a few days after Franklin D. Roosevelt was sworn in for his first term as President of the United States. It was entitled "Law to Combat



the National Crisis." It was signed by Adolf Hitler, then beginning to grope his way to totalitarian authority as Chancellor of Germany. He wrote into his decree a significant paragraph designated as article V and reading as follows:

This law becomes effective on the day of its publication. It becomes invalid on April 1, 1937. It further becomes invalid when the present national cabinet is replaced by another.

It was under this article V that Hitler assumed the dictatorial power which he still retains.

So, Mr. President, attempting to place a limit on a grant of substantially unlimited power is utterly meaningless.

Twenty-seven months! What is there to justify us in believing that on July 1, 1943, the legislation we have before us will cease to be the law of the land? In the recent history of our own country have we not had enough examples of the way in which legislative embroidery has new fringes sewed on to it before the end is reached which are used as an excuse for the extension of the life of the legislation?

The ironically entitled "Gold Reserve Act" of January 30, 1934, is a fair example. It is now coasting along under its third renewal, with every likelihood of a fourth being sought as soon as we are so hopelessly involved in Old World feuds that the extension may be requested in the sacred name of national defense.

If history teaches us anything, it is that the ruler who craves autocratic authority, and lives to have that craving satisfied, is never content peacefully to restore that authority to its original custodians.

Franklin Delano Roosevelt is as strong and as weak as other rulers who have become impatient with the evolutionary processes of constitutional government and who, if I may paraphrase a striking figure of speech given us by our distinguished colleague the senior Senator from California, demand that they be entrusted with the thunderbolts of Jove to be hurled where and when the brain of one man suggests that a good cause should be advanced or a bad cause should be destroyed.

The English historian Gibbon, in his monumental work *The Decline and Fall of the Roman Empire*, seeks to explain to his readers why so many men who were wise and considerate administrators so long as their authority was held within rigid limitations became insensate tyrants when clothed with dictatorial powers.

Gibbon holds, and in my judgment the experience of mankind sustains him, that this thing we call the brain literally cracks up when its possessor is granted unrestricted authority over the wealth, the natural resources, and the manpower of a great nation. That applies to all men. This is not speaking specifically about any individual. There never was a man good enough or intelligent enough to handle autocratic power over any nation for any length of time and administer justice with understanding and mercy.

In the light of history, no sane man would aspire to such power. He would instinctively question his ability to direct it. Obviously, no insane man should be given such power by an indifferent or servile legislature, unless those who make the grant are willing to repeat the frightful tragedies which mark the advance of the human race from barbarism to civilization.

If and when the bill becomes a law our national sovereignty will be merged with and subordinated to an unnamed foreign power or powers whose policy we do not know, whose secret understandings as the result of this war with foreign powers we do not know, and whose policy, whatever it may be, we agree blindly to accept and to guarantee with the financial and human resources of the United States. In other words, the unnamed foreign power or powers will call the tune, and we will pay the cost with our money, our resources, and the precious blood of American boys.

Among the extraordinary arguments advanced in support of the bill has been the contention that the President has unlimited powers over foreign affairs, and that, as Commander in Chief, he may use our Army and Navy as he sees fit. I am not a lawyer, but I can read English, and I think I can understand a little of it when I read it. May he use the Army and the Navy as he sees fit? The Army and Navy are the instruments of defense, and the provision for the common defense is the duty of Congress, delegated to it by the Constitution. The provision for the common defense is an attribute of sovereignty. The Army and Navy are the instruments of defense, to be used for the common defense; and, of course, the President is Commander in Chief of the Army and Navy.

A public officer, whether State, county, or city, whose duty it is to maintain order, is usually given a gun. He is the sole custodian of that gun. Under the law and the limitations of the law he is to use it for the purposes for which he is entrusted with it. He may not use it to commit a felony. He may not use it to commit murder. He may not use it to commit a crime; but he is the sole custodian of the weapon entrusted to him by public official authority for the protection of the public.

Mr. WILEY. Mr. President, will the Senator yield?

Mr. SHIPSTEAD. I yield.

Mr. WILEY. I believe I understand the position of the distinguished Senator. I wonder if he recalls that when Abraham Lincoln was a Member of the House of Representatives, the year after the close of the Mexican War, he voted for a resolution which was almost unanimously passed, in which the House of Representatives took almost the identical position the Senator now takes. That resolution was to the effect that the President of the United States in precipitating the Mexican War did so unconstitutionally and beyond his power.

Mr. SHIPSTEAD. I am glad to have the Senator's contribution.

I should like to pursue this matter a little further, if I may, without interruption.

Those who do not take this view have cited certain court decisions, particularly a case called the *Curtiss-Wright* case. I have read that case. I do not pretend to be an authority on court decisions or the law, but the English language is plain. I think my argument is perfectly in line with that decision.

The Court says that the President of the United States has plenary power in foreign affairs. He is the spokesman for the Nation. That is correct. Then the court goes on to say that he must conduct that business for the Nation as the spokesman for the Nation within the limits of the Constitution. In the same decision the court refers to the field in which he is limited, the field of negotiation and inquiry, in which Congress may not interfere.

In fixing the authority of the Executive over foreign affairs the Constitution says that the President—

shall have power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur; and he shall nominate and, by and with the advice and consent of the Senate, shall appoint Ambassadors and other public Ministers and consuls.

There is nothing suggestive of dictatorship in those words. Of course, the President negotiates with foreign powers; but the results of his negotiations must be approved by two-thirds of the Senators present before they become the law of the land.

The Supreme Court said in *United States v. Curtiss-Wright et al* (299 U. S. 304):

It is important to bear in mind that we are here dealing not alone with an authority vested in the President by an exercise of legislative power, but with such an authority, plus the very delicate, plenary, and exclusive power of the President as the sole organ of the Federal Government in the field of international relations—a power which does not require as a basis for its exercise an act of Congress, but which, of course, like every other governmental power, must be exercised in subordination to the applicable provisions of the Constitution.

There is nothing suggestive of dictatorship in those lines. They sustain what the makers of the Constitution had in mind, and they support the interpretation placed upon that provision of the Constitution by American statesmen throughout the entire history of the country.

The President directs the "conversations" with representatives of foreign powers, but he cannot bind or commit the country to his agreements without the consent of the Senate. It is not necessary for me to remind men who have taken an oath to support the Constitution that the Constitution charges the Congress with the duty of looking after the national defense. In the *Federalist Papers*, No. 23, we find this important duty of Congress defined as follows:

Authorities essential to the common defense are these: To raise armies; to build



and equip fleets; to prescribe rules for the government of both; to direct their operations; to provide for their support.

These essential powers are given to the Congress, and not to the Chief Executive. They represent a delegation of power to the Congress from the sovereign people, as other power has been delegated by the sovereign people to the President.

We may not give important powers delegated to one division of the Government to another if there are to be checks and balances. Of course, it is claimed that Congress may delegate certain ministerial duties, as the Senator from Vermont [Mr. AUSTIN] pointed out the other day; but the provision for the common defense means the provision of instruments with which to conduct the defense of the sovereignty of the Nation. That power is entrusted to Congress, and Congress may not delegate the power which the sovereign people have reposed in the Congress. I submit that the responsibility of Congress for the common defense cannot be met by a surrender of sovereignty over the instruments of defense.

This is what we are doing in the bill when we say the Chief Executive shall have authority to decide that the defense of any given foreign country is vital to the preservation of our own national sovereignty. To do this is to admit that we, as a Congress, are no longer an independent agency, exercising the sovereignty confided to us by the people who sent us here.

That we are asked to make this abject surrender is clearly revealed by the language of the pending bill, which reads:

Notwithstanding the provisions of any other law, the President may, from time to time, when he deems it in the interest of national defense, \* \* \* authorize the Secretary of War, the Secretary of the Navy, or the head of any other department or agency of the Government—

(1) To manufacture in arsenals, factories, and shipyards under their jurisdiction, or otherwise procure, any defense article for the Government of any country whose defense the President deems vital to the defense of the United States.

If in carrying out that sweeping power the President involves us in a foreign war, what becomes of the constitutional provision that Congress, and only Congress, has the right to declare war?

Obviously, by approving this bill we not only disregard the constitutional injunction to safeguard national defense but we actually attempt to delegate to the President of the United States authority to dissipate the weapons needed for national defense as he or his advisers may see fit, and to precipitate our country into any foreign conflict which at the moment may deeply stir the emotions of the President or his advisers.

Fantastic? Mr. President, that is too mild a word to describe this proposal.

Weapons of defense are at once the expression of sovereign power and vital to its survival. We cannot loan, we cannot lease, we cannot sell or give away our sovereignty or the instruments that are provided by the Congress for the defense

of that sovereignty. It is our national birthright.

We may arm another; we may serve as the arsenal of a foreign power; but we should do so as a sovereign power whose defense rests on its own strength and not do so on the supposition that we must arm a foreign power because that power and the success of that power are necessary to our own defense—which is the assumption that unless that power can save us we cannot save ourselves.

We cannot give anyone a blank check to be placed at the disposal of any foreign power without jeopardizing the articles of defense which are vital to us. In this bill we do that. Simply on the decision of one man that the defense of some foreign power has, in his opinion, suddenly become vital to our defense, we propose to stake our sovereignty.

The phrase which we find in this bill, "country whose defense the President deems vital to the defense of the United States," is, I firmly believe, the most monstrous legislative formula ever proposed in the Congress of the United States. I cannot see how any man in possession of his senses can construe this as anything other than a surrender by Congress for 27 months of all control over our armed forces, our foreign policy, and our Treasury—which, by the way, is to be subjected to the most complete totalitarian raid in our whole history.

Although the bill begins with an unusual number of definitions, it does not contain any definition of the phrase "vital to the defense of the United States"; nor does it set up any standard whereby the defense of another country can be measured. Surely, Mr. President, it is not unreasonable to suggest that this extraordinary measure should carry a specific description of what constitutes defense of another country. For example: Is it defense of its political boundaries at home, or of its strategic fortresses abroad, of its investments, of its trade?

The great naval base at Singapore may be menaced by the armed forces of Japan. That might, in the opinion of those who are to administer this bill, menace the safety of some of the rich colonial possessions of Great Britain and the Netherlands. Would such a threat, under the provisions of the pending bill, warrant the sale, transfer, exchange, lease, loan, or disposal in some other way to the authorities of the country or countries involved, of whatever the United States could spare? Could spare, mark you, not in the judgment of the Seventy-seventh or the Seventy-eighth Congress, but in the judgment of the President of the United States.

The defense of its own interests by Siam—or, as that country is now known, Thailand—or by Indochina, or by China, to whose Government we have already loaned vast sums, might be deemed under this bill to be so "vital" to our defense as to warrant our pouring supplies and ships into the Orient in an undeclared war that might represent only the beginning of a desperate struggle to impose our will on the far shores of the Pacific.

Of course, the chief cost of the hazardous undertakings proposed by this bill will be paid with the blood of American youth; but perhaps at this time it will not be wholly useless to call attention to the financial situation toward which we are heading.

May I ask you to consider the significance of the fact that every 24 hours during the second half of this fiscal year we are spending \$17,000,000 in excess of the nonborrowed revenue received during those 24 hours?

The daily deficit—that is, the average daily deficit—in the 10 years ending December 31 exceeded \$7,000,000; but that represented less than half the deficit we are now piling up.

That is not the worst side of the picture. The deficit for each hour in the fiscal year commencing next July will be little short of a million dollars.

We read that the Minister of Finance in Canada announces that the cost of government in the Dominion will require for the next fiscal year about one-half of the cash income of the Canadian people. He estimates the national income at 5,300,000,000 Canadian dollars. Half of that is to go to the support of federal, provincial, and local governments in Canada. The Canadian people must live somehow on the other half.

Already, without being involved in a great war as Canada is involved, the people of the United States have been turning over not much less than a quarter of their total cash income to the Federal, State and local governments.

Our existing and contemplated program foreshadows that the pressure of taxation will soon absorb a third of our cash income in Federal, State and local expenditures, and this without the extreme situation created by participation in war. Add to that the involvements which this legislation makes possible and encourages, and it is not unreasonable to predict that within the life of this legislation—that is, within the next 27 months—the cost of government will absorb at least one-half the total cash income of our people.

Let us assume that the price levels obtaining on July 1, 1943, will be at least 10 percent higher than they are now, and that wage levels will be 10 percent above their present height. Surely these are conservative assumptions. In that event it would appear reasonable to assume, in the event of our involvement in one or more foreign wars, a great acceleration of the velocity of the movement of money from hand to hand, as well as a further immense increase of the volume of Federal Government spending. This cannot very well be avoided with armed forces in excess of 5,000,000 or 6,000,000, a civilian bureaucracy of 2,000,000 on the Federal Government pay rolls alone, and large numbers added to the industrial forces producing military requirements.

On the basis of these assumptions a national income for 1943 of more than \$100,000,000,000 would be a likely development. Of this, the Federal Government alone would require one-half, leaving the rest to us for a brief time to



meet our other expenditures and support our local and State governments.

Does anyone suppose that in such a situation the executive branch of the Government would dare for one instant to relinquish the power this bill seeks to confer upon it?

No regime imaginable would fail to fight desperately to retain all its power, so as to be able to throttle discontented criticism by a people goaded to the verge of revolution by confiscatory taxation; and do not think for a moment that the rich are going to pay it—the poor are going to pay the bill, as they did for the last war.

The guaranteed debt of the Federal Government now exceeds \$50,000,000,000. Sixteen months from now, if present calculations mean anything, it will not be less than \$10,000,000,000 more. By July 1, 1943, when this legislation is supposed to expire, we should have a total debt to expire, we should have a total debt not far below \$75,000,000,000. That is more than three times the appalling legacy of debt left to the people of this country as a result of our first experiment in doing missionary work in Europe with bayonets, as a consequence of which we have been suffering ever since. The depression that will follow in the wake of the present war, especially if the United States should participate in it, will make the one that has been with us since the last war look like a Kansas cyclone in comparison with a summer's zephyr.

In view of that frightening financial situation, is it reasonable to suppose that those entrenched in the executive branch of Government will, on July 1, 1943, allow the emergency to terminate abroad, if that termination is to mean, as it must mean, a personal and terrible emergency for them, for they will then be facing the day of reckoning for a decade of profligate waste and mismanagement without parallel in human history.

How can we, Members of the Senate and House of Representatives of the Seventy-seventh Congress, have the face to legislate penalties for tax evasion when we are ourselves guilty of stupendous evasion, and, what is worse than anything else, gratuitous evasion of our solemn constitutional duty.

This sort of evasion may provoke one day such outbursts of feeling, such tumultuous reaction in men's hearts, as to persuade them that they have more to lose by supine acceptance of a dictatorship contrived by congressional collusion and evasion than they have to lose by outright acceptance of a dictatorship of their own choice. War for democracy! War destroys democracy, because modern war brings on national bankruptcy, and national bankruptcy causes unemployment, and hunger, and suffering, and discontent, as it did in Russia, as it did in Germany, as it did in Italy, and as it will do here, if the present program continues. Such a condition furnishes the finest soil for the sowing of the seeds of communism and nazi-ism and fascism.

In support of this bill it is sometimes said that "in the interests of the sovereignty and the well-being of our people" Congress should gladly surrender this extraordinary power to one man. "The times demand action," we are told.

I challenge the assumption that Congress cannot legislate with sufficient speed and vigor to maintain the Military and Naval Establishments of this country, and thus assure our national safety.

Those who are familiar with the legislative history of our Federal Government know that the principal obstacle to the effective operation of the legislative process has never been found in the shortcomings or the deficiencies of the Congress itself, but rather in the secretive, evasive, dilatory, wooden-headed, frivolous, profligate, vengeful, and often supremely inefficient character of the executive branch or its ministerial bureaucracy.

I use these adjectives advisedly. Some of them apply to the executive branch and its bureaucratic machinery at one period of our history, though not always, and some to another, but few and brief indeed are the periods to which none of these adjectives may be justly applied.

The Congress has always provided whatever authority and whatever funds were necessary for the defense of the legitimate interests of the United States, and it is in a position to do so now. No delegation of power, such as is proposed in this bill, is required.

If all that is desired is to give aid to Great Britain, that we can do under international law and in accordance with our obligations under the Hague convention of 1907.

Those who refuse to subscribe to the doctrine that the peace and freedom of the United States demand the concentration of power in the hands of the Executive are denounced as isolationists.

This term is intended to carry with it unspeakable scorn; to suggest ignorant men and women, self-centered and indifferent to the fate of democracy and freedom, or worse, something with which to scare children after dark.

May I call attention to the fact that there was no isolation from European and African and Asiatic affairs, or lack of interest in the progress of human freedom, in the first century of our independence.

On the contrary, there was always the keenest interest in what was going on elsewhere. Yet, freely as our opinions might be expressed, we did not undertake to run the affairs of other continents or to tell other peoples what was good for them, nor did high officials of the Government engage in the lately popular enterprise of exchanging Billingsgate with foreign countries. They conducted affairs with decorum and with dignity when they had to be firm.

From Monroe to McKinley we lived through a period when other nations did not fear our interference. We never tried to interfere; no one could make us interfere; we were an independent sovereign nation. Throughout those years world tasks were not offered to us nor alliances proposed.

But at length the proposals began to come. Lord Salisbury, even before the Spanish War of 1898, sought to enlist John Hay, then our Minister to London, in an effort to create a tri-partite alliance of England, Germany, and the United States. At that time Germany was ruled

by the autocratic Hohenzollerns, but that fact did not seem to influence Lord Salisbury's desires. He wished the alliance to balance the Franco-Russian Treaty of a few years before.

We did not formally go into that alliance; but from that day until this there has been a steady stream of propaganda designed to make us the ally of Great Britain in the sense that we would supply most of the money and most of the men, but would not mention having any of the spoils, and we have to some extent followed that policy. There has not been much dignity in it. It seems to come from an inferiority complex, a feeling with which Uncle Sam without reason seems to be imbued.

From that time to this anyone who has advocated the ancient doctrine of America—no foreign entanglements, no foreign commitments—has been an obnoxious isolationist.

The long and illustrious line of men who served in the Senate or as Secretaries of State who maintained a humane and sympathetic interest in the welfare of the rest of the world, yet jealously preserved the unconditional freedom of action of this Republic, have all been relegated to the dusty archives as men of outmoded ideas.

Look at the maps of the world and see what has happened to all the governments that have trusted to what is called joint security. Treaty after treaty has been made by representatives of governments in Europe who, when they signed the treaty, knew they would break it at the first opportunity.

We have reached the point where unity and cohesion is now put forward in some quarters as the spirit which should animate the English-speaking world today.

It is charmingly suggested that 200,000,000 human beings speaking the same tongue may "roll along" swiftly to a great place of dominance in world affairs, imposing the will of the English-speaking people upon Europe, Asia, Africa, and the islands of the seas, to force the blessings of freedom of speech, freedom of religion, freedom from fear, and freedom of assembly upon every country in the world within our time and within our generation. It is an ambitious and a laudable program but it is fantastic.

Are we going to war with Japan to make China a democracy? And can China be made a democracy? Are we going to war with Russia to compel her to give freedom of speech, freedom of religion, freedom of assembly, freedom from fear, and restore the old borders of Finland? Are we going to war with Italy to help the Greeks and to compel freedom of speech, freedom of assembly, and freedom from fear in Italy, or in Germany? Are we going to lick the world? That seems to be the program to be accomplished within a generation and within our time.

How else can it be done? Can we inspire and inject into the human soul the principles of democracy, and eliminate the pagan philosophy of nazi-ism and communism and fascism by going all over the world with bombs and stick-nate people with bayonets?



Mr. President, Great Britain and the commonwealths of which she is the foremost unit can impose their will upon Europe and Asia only with our aid.

If it were not a question of imposing their will on Europe, Asia, and Africa, but merely one of coming to a reasonable settlement—the kind of settlement which has followed all wars in the past—they would not need military aid, but they certainly would require our financial and material support.

Has it occurred to any of you that what we may be destined to draw is the double role of financially sustaining the British Empire after it has come to terms in Europe, and at the same time, and by ourselves, becoming seriously involved in Asia?

Are the unity and cohesion of the English-speaking world worth that price? I say "No."

I do not believe so. I do not think we have the price to accomplish that result.

This Republic was dedicated to the maintenance of representative government and individual freedom for those who came to our shores and accepted our laws, and not to mythical race crusades that may carry our men and women to death on the shores of Europe, Asia, and Africa. It reminds one of the crusades of old—noble in purpose but terribly futile and tragic in results.

Because I love my country—the land which extended hospitable arms to my forbears and made me a free citizen—I shall vote against this measure and confidently appeal to the calm judgment of posterity to vindicate my course.

In doing this I shall be solaced by the knowledge that I am keeping faith with the men and women who made me a Member of this august body. In 1917 I opposed the entry of this country into the first World War. I said then that to project our country into Old World wars would be a monumental blunder. Subsequent developments more than vindicated that declaration.

For more than 20 years, on every appropriate occasion, I have repeated the pleas of Washington, Jefferson, Hamilton, Madison, and all the other fathers of the Republic that my country avoid all entangling alliances, concentrate on the task of solving its domestic problems, and strengthen its armaments to the point where its liberty would be secure.

Only last fall, when I was a candidate for a fourth term in the Senate, I reiterated my position with all the vigor and clarity I could command.

Evidently the voters of Minnesota approved, for they reelected me by the largest plurality I have ever received, and I believe the largest—certainly one of the largest—they have ever given any candidate for any important public office.

Other gentlemen who sought the voters' favor in that campaign made similar promises. So far as I know, no candidate for House or Senate suggested that he favored anything even remotely resembling the monstrous measure we now have before us; and I may add that none was more vociferous in reprobating all talk of active participation in Euro-

pean and Asiatic conflicts than Mr. Roosevelt, the Presidential candidate of the Democratic Party, and Mr. Willkie, the standard bearer of the Republican Party.

Yet today we find the Congress of the United States—pushed on by those two distinguished party leaders—about to pass the pending bill, which every thoughtful man knows will almost inevitably put us into a world war so widespread and devastating as to make World War No. 1 appear like a mere prologue to Armageddon.

Why are we taking this fateful step? Mr. President, before I attempt to answer that question, let me say that I have not the slightest disposition to question the patriotism of those who are supporting this measure. I have no doubt that every man in this Chamber, if he were of military age, would be packing his kit at this moment and impatiently awaiting his country's call.

However, Mr. President, there is small chance that any of us will be given an opportunity to make that sacrifice. We shall still be here, safe and comfortable, when, as a result of what we do here, thousands and tens of thousands of American boys are dying on European and Asiatic battlefields.

I submit, Mr. President, in the circumstances, that I should not be accused of maudlin sentimentality if I suggest that we move circumspectly, and that we weigh the consequences of our actions.

I repeat: Why are we about to take this fateful step? Mr. President, the chief arguments advanced in support of this bill are so fantastic that if they had been uttered on this floor even 2 years ago, the Senator who sponsored them would have been laughed out of this Chamber. They are just as ridiculous now as they were then.

We were never stronger than we are today—that is, if we will only have the good sense to resist this evil spell which foreign propagandists have apparently cast over us.

What our fathers won and developed, we, with the help of God, can adequately defend.

The only danger that menaces us is that we will follow this jack-o'-lantern of lavishly financed propaganda into the foul morasses of foreign hates and fears. The seed of hate has already been planted, and people, like other beings, cannot hate unless they are first afraid. When the cowboys on the plain want to stampede cattle and steal them, they first make them afraid, and as a result of their fear they become madly irresponsible, so they go wherever they want them to go. The danger is that we shall become active participants in the age-old conflicts of the lands from which our fathers fled in order that they might set up on this continent a republic dedicated to freedom and democracy, so far away from the religious bigotry, the political and the military upheavals and feuds of Europe that it could be defended by free men.

In conclusion, I make this one solemn statement: The Congress has permitted the control of foreign policy in recent

years to be taken, little by little, from its hands. Now it is asked formally to renounce its last vestige of supervisory power for a period of time which, of course, is intended to be indefinite.

If the Congress yields to this demand, it is authorizing in advance a series of reckless, ill-coordinated, inefficient measures, carried out in an atmosphere of arrogance hardly matched in Moscow, Berlin, or London, and which will successfully alienate every last friend of the very few this country still has.

We shall have produced universal destitution, and our own impoverishment will not rid us of the accumulated hatred of the rest of the world.

The isolation that may come upon a great nation looking for a lot of trouble everywhere, and all at once, will be an isolation the like of which none of us can ever have known—spiritual isolation amid the deadliest loathing.

The unity and cohesion of the English-speaking world, as men think of it here in Washington in 1941, is a mirage floating above the cemetery of the memories of shattered peoples. And over the gateway of that cemetery is the inscription:

"The nation which exchanges its liberties for the laurels of empire has already set out on its journey here."

It is not necessary to recall the sad experience of our last venture into Europe to save democracy. The policy and the aims were made alluring. We were told that the Emperor of Japan and the Imperial Czar of Russia were on the side of democracy. What did we do to democracy? The German people instituted a democratic form of government, and by the provisions of the Treaty of Versailles and the economic war we have conducted since, and especially Great Britain and France, we murdered the democratic republic and made Hitler possible. They are as responsible for Hitler as was the royal, corrupt monarchy of France responsible for Marat and for Robespierre.

We must remember that there is such a thing as the result of a cause. How much have we had to do with the present situation by bringing to power Stalin, Mussolini, and Hitler? Conditions in Germany made Hitler possible. During the World War, after the fall of the Imperial Government of Russia, we were induced by England and France to send several armies to Archangel and Siberia, to protect American, French, and English investments, and the Japanese went in with us also. What was the result? We did not save the investments, but we brought on such a condition in Russia that when the Russian people found the armies of four countries fighting their people, they joined the Bolsheviks, and that made bolshevism possible in Russia. We helped to put Lenin and Stalin in power because of our misguided foreign policy. We have some responsibility, and we will have more if we pursue this course.

Mr. President, at some future time I hope to discuss briefly the possible economic effect of the present policy, in the light of the economic effects of our last experience in European affairs.

I do not like to see Uncle Sam skulking between the hind legs of the British lion.



I should like to see Uncle Sam stand on his own feet, as he used to do, on his own land, and fight with his own strength, not beg bread from a friend or ask mercy of an enemy. If he wants to survive, let him call on 130,000,000 people to support him in his policy of independence, for our democracy will go like those who follow a will-o'-the-wisp have gone in a misguided effort to save the loot acquired in other wars for other nations.

#### MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Calloway, one of its reading clerks, announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 3204) making additional appropriations for the fiscal year 1941 urgently required for the Work Projects Administration and certain other Federal agencies, and for other purposes, asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. TAYLOR, Mr. WOODRUM of Virginia, Mr. CANNON of Missouri, Mr. LUDLOW, Mr. SNYDER, Mr. O'NEAL, Mr. JOHNSON of West Virginia, Mr. RABAUT, Mr. TABER, Mr. WIGGLESWORTH, Mr. LAMBERTSON, and Mr. DITTER were appointed managers on the part of the House at the conference.

#### PROMOTION OF NATIONAL DEFENSE

The Senate resumed the consideration of the bill (H. R. 1776) further to promote the defense of the United States, and for other purposes.

Mr. MURRAY obtained the floor.

Mr. GEORGE. Mr. President, before the Senator from Montana proceeds, will he yield to me to suggest the absence of a quorum?

Mr. MURRAY. I yield.

Mr. GEORGE. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Ellender	Norris
Austin	George	Nye
Aiken	Gerry	O'Mahoney
Andrews	Gillette	Overton
Bailey	Green	Radcliffe
Ball	Guffey	Reed
Bankhead	Gurney	Reynolds
Barbour	Harrison	Russell
Barkeley	Hatch	Schwartz
Bilbo	Hayden	Sheppard
Bone	Herring	Shipstead
Brewster	Hill	Smathers
Bridges	Holman	Stewart
Brooks	Hughes	Taft
Erown	Johnson, Calif.	Thomas, Idaho
Bulow	Kilgore	Thomas, Utah
Bunker	La Follette	Tobey
Eurton	Langer	Truman
Byrd	Lee	Tunnell
Byrnes	Lodge	Tydings
Capper	Lucas	Vandenberg
Caraway	McCarran	Van Nuys
Chandler	McFarland	Wallgren
Chavez	McKellar	Walsh
Clark, Idaho	McNary	Wheeler
Clark, Mo.	Maoney	White
Connally	Mead	Wiley
Danaher	Miller	Willis
Davis	Murdock	
Downey	Murray	

The VICE PRESIDENT. Eighty-eight Senators having answered to their names, a quorum is present.

Mr. MURRAY. Mr. President, I rise to state my position on the pending meas-

ure, H. R. 1776. I realize that the questions presented by this measure have already been pretty well explored. However, I feel that I should define my position on this vital national issue and place my views on record.

The war which has been raging in Europe since September 1939 when Adolf Hitler, the German dictator, started his military forces on the march, has created the greatest crisis of modern times. The war aims of Mr. Hitler, as indicated by his pronouncements and his expanding campaign of aggression, have created consternation in all the capitals of the world. In no period of history has armed conflict among nations created such intense alarm or resulted in such widespread upheaval in the lives of people.

I will not take the time of this body to review in detail the various historical occurrences leading up to Hitler's move to achieve the dictatorship of Europe and practical mastery of the world. Nor is it necessary. The day this debate opened, the distinguished Senator from Kentucky, beloved leader of the majority in this body [Mr. BARKLEY], as well as other able and distinguished Senators following him, laid before the Senate a comprehensive and dramatic picture of the events which have been enacted in Europe during the past quarter of a century leading up to the present crisis. It now appears to be pretty well conceded that Mr. Hitler seeks not only the control of Europe, but the domination of the seas, which means mastery of the world.

Upon the basis of a full consideration of the acknowledged aims and ambitions of Hitler, no one can now doubt that the accomplishment of his designs will directly affect and seriously endanger the safety and security of this country. Already he has invaded and conquered the greater part of Europe. He has condemned the people of those conquered nations to a state of practical slavery. His plan is to concentrate the great industrial activities of Europe in Germany and become the dominant industrial power of the world. He proposes to establish a new world order after the image of a Nazi-dominated Europe. In order to constitute himself complete master of the Continent and the potential dictator of the world, he now only needs to accomplish the defeat of Britain and the capture and destruction of the British Navy. He has aroused the people of this country to a state of alarm never before equaled. He has produced the greatest crisis in our history.

It may be confidently asserted that there is no responsible citizen in the United States today who does not candidly acknowledge that the fall of Great Britain and the control of the Atlantic by Hitler would directly imperil the peace and the whole future of the United States. Every one of the informed and distinguished witnesses appearing at the hearings of the Committee on Foreign Relations made this frank admission. The heads of the various departments of the Government—State, Treasury, War, and Navy—as well as the Chief of Staff of the Army and Chief of Naval Operations and other recognized authorities on international affairs possessing the fullest infor-

mation in relation to these world conditions, have advised us that the success of Hitler and the defeat of Britain would be a manifest threat to our future security. Surely we cannot question the patriotism or honesty of those officials of our Government who appeared before our committee for the purpose of aiding us in the study of the pending legislation.

The great mass of the American people, who have been giving serious thought to this situation, have been gripped by a sense of fear and apprehension regarding our safety and continued existence as a democratic nation. They apparently foresee the consequences of Hitler's threat to establish a new world order based on force. They apparently visualize the struggle that will eventually ensue when Hitler, if successful, seeks to extend his power and dominion into the Western Hemisphere. They realize the economic consequences of a Hitler victory.

If Hitler wins, he will dominate the international trade and commerce of the world. By his brutal aggression he will have acquired for his industrial empire all the iron deposits of Europe and all the blast furnaces and steel mills of that continent, including England. This will give Germany a steel production 50 percent greater than that of the United States. It will have a shipbuilding capacity five times that of the United States, and also facilities for general industrial production far beyond those of this country. If Hitler wins, he will re-enter Africa and capture the vast deposits of copper, manganese, chrome, gold, and other vital minerals and materials of that continent. With this vast industrial power in the hands of Hitler's totalitarian empire, exercising mastery over Europe and the Atlantic, what chance will the United States have in future world trade?

American agriculture will be the supreme victim of Hitler's victory and the establishment of his new world order. Hitler's plan will throw the whole world out of gear. If the Southern States should permanently lose their foreign cotton markets they would inevitably be forced to go into general agriculture in competition with the West. All American agriculture would be demoralized.

Under our economy, American trade is private enterprise. Under Hitler's system, industry, trade, agriculture, labor, and finance are state controlled and dominated. We could not compete with him. He could invade the markets of South America and drive out every vestige of American trade at will. We could not meet his bargaining power under our democratic system and high plane of living. If he defeats Britain, he will command the seas and will be a continuing menace to the safety of this country and the world as long as his empire stands. He will compel the permanent militarization of the United States, which means bankruptcy.

In the face of this ominous threat, the people of the United States will expect the Congress to take all necessary steps to provide a sane national policy which may guide our country. They will expect the Congress to take every step



essential to strengthen our defenses and to safeguard our country from the dangers implicit in Hitler's criminal acts of aggression.

This issue, Mr. President, presents several questions to be answered, namely, Can we safely ignore this reign of unbridled aggression which threatens the liberties and the freedom of peoples everywhere? What chance have we in America to continue to maintain our democratic form of government and successfully maintain our democratic system of free enterprise in a totalitarian world where labor and industry are not free, and where the state rules in place of the people? How can we carry on international trade and commerce, vital to our existence, in such a totalitarian world controlled by the Axis Powers—Germany, Italy, and Japan? What is the best policy for our country to follow in dealing with the situation which confronts us so as to protect all our national interests and at the same time avoid involvement in war?

In undertaking to consider these questions we must set aside all considerations of bias, animosity, or ill will. We must be tolerant; we must exercise our brains, and not our emotions. This is a cold question of American security and safety. We must be influenced by no considerations other than American considerations. We must look at the problem which confronts us solely from the standpoint of our American interests and security.

As a member of the Senate Foreign Relations Committee, I have undertaken to give the closest study to the statements of the eminent witnesses who appeared before the committee. I have kept in close touch with all these events. I have watched with great apprehension the developments in Europe. Mr. President, I cannot ignore these undisputed facts. It is clear to me that we have no choice in this emergency except to aid the nations who are fighting this battle against Hitler, fighting against the creation of a so-called new world order patterned after the image of a Nazi-dominated Europe, where country after country has been subjugated, despoiled, and forced within the orbit of the totalitarian system, with Hitler as the dictator of their future destiny. Clearly, a Hitler victory would mean the end for generations to come of democratic government and individual freedom for 400,000,000 of the human race in Europe. It is inconceivable that any American of democratic instincts could stand idly by, a passive spectator of this destruction of democracy, without joining in the demand for aid to the nations being attacked and invaded.

The enactment of this measure, providing aid to block Hitler's conquering march of aggression, is in accord with the true interests and national policies of this country. It is in accord with the policy we adopted in 1939 when we lifted the embargo and established the principle that we would permit nations who may become victims of ruthless aggression to come to this country and secure arms to defend themselves against an invader. With a brief exception, that has been the consistent policy of this

country throughout its existence; and, of course, we ourselves must rely, in case of attack, on reciprocal treatment from other nations with whom we are on friendly terms. During our history we have been compelled to rely on aid from other countries. In case of a conflict in the Pacific, we might very well experience the desperate necessity of securing aid from other friendly countries.

The principal objections to the measure are, first, that it does not merely provide aid to protect England from invasion, but it actually puts this country in the war; that it is a war measure and not a defense measure; and, second, that it reposes too much power in the hands of the President and virtually creates a dictatorship. There are a number of other technical objections dealing with administrative matters, but if the foregoing main objections are overcome, there can be no reasonable objection to the merits of the measure or to its final passage.

I think it must be admitted that it is the will of the people of this Nation to extend all possible aid to the democracies of Europe resisting Hitler. This was an issue in the last national campaign, and the policy of all possible aid to England and other countries invaded by Hitler was emphatically endorsed by the people. It is contended, however, that this measure goes further than the people contemplated, and that it actually takes us into war. I can see no merit in that contention. By empowering the President to give material and effective aid to countries whose defense is necessary to our defense, the bill undertakes to insure us against involvement in the war. I think the bill provides the most effective method of keeping this country out of war. It will contribute to ending the war in Europe and keeping it away from our country.

Opponents of the measure, however, say that it gives the President too much power, and that under it he will put the United States into the war. In other words, they are unwilling to trust him as the agent of the Congress in administering this measure. They virtually say that the President designs and intends to use any power he may secure under this measure to carry the United States into the war.

Of course, there can be no argument with one who assumes such an attitude. If they distrust the President, who is the Commander in Chief of the Army and Navy and the properly constituted authority to carry out the purposes of this measure, the point cannot be argued. Under our constitutional system of government, if the President and the heads of the various departments of our Government, the Chief of Staff of the Army, and the Chief of Naval Operations, are to be suspected and distrusted in a crisis such as this, our democratic system is a failure. If the President is dishonest, and corruptly desirous of involving this country in the war, he can do so regardless of this measure.

Personally, I can see no merit to these contentions urged against the bill. I have a high faith in our democratic system, and I believe the President will not

act contrary to his pledged word or to the will of the people.

I need not pursue this argument.

Mr. President, the Senate Foreign Relations Committee, after 2 weeks of hearings and the fullest consideration of all the issues involved, and after proposing certain important changes and amendments, reported this measure with the following endorsement:

Your committee wishes strongly to emphasize its considered conviction that H. R. 1776 is not a war measure but a practical safeguard aimed at keeping us out of war.

The committee which made that finding is composed of men whose ability, patriotism, and integrity cannot be questioned, and whose chairman, the distinguished Senator from Georgia, Hon. WALTER F. GEORGE, is a man of high patriotism, of great personal courage, and of exceptional ability. The senior Senator from Georgia is a highly trained lawyer, a former judge of the Supreme Court of Georgia. He construes this measure as a practical safeguard aimed to keep this country out of war. Some Senators argue to the contrary. Any argument regarding the construction of a statute or written instrument is entitled only to such consideration and respect as may be justified by the logic, reasoning, and standing of the person expressing it.

To my mind, most of the attacks made on this measure as taking us into war and setting up a dictatorship are mere oratorical outbursts. A few days ago, in the course of the debate, the following statement was made:

President Roosevelt seeks to set himself up as the supreme dictator of all the world.

That is not logic or argument. It is a mere conclusion, entitled to no respect from any intelligent person. It seems to me the arguments to the effect that this bill will take the United States into the war, or that it creates a dictatorship, are mere flights of fancy and rhetoric.

I have heard it shouted on the floor of this chamber that this bill is not only a step "but a leap into dictatorship." I have heard it stated here that if the bill is passed "we will, with one fell swoop, legislate the country into war." I have also heard it stated, with great display of oratory, that "this bill, if enacted, will make the Chief Executive of the United States the over-all, all-out director of all the foreign wars of the world and will dissipate and destroy the resources and the liberties of men throughout the world." Never before have I heard such gross exaggerations. Of course, in this country we are prone to political oratory. A first-class orator can stir up a great amount of false alarm and fear among the people on an issue like this; but he does so only by gross rhetorical exaggerations and unfair appeals to emotion. We witnessed a like display of oratorical exaggeration when we had under debate the neutrality and Government reorganization measures. The gloomy prophecies of dictatorship and national ruin we then heard have failed to materialize.

Mr. President, this bill, as I see it, relates solely to the defense of our country and defines the policies which will guide us in a war-mad world. I can see no



design in it to drag the United States into war. Regardless of the provisions of the measure, there is no way that we can get into this war unless we deliberately decide to enter it, and that can be accomplished only by a declaration of war. We are justified, in our own defense, to protect our country from the threat of the tri-partite agreement of the dictators representing Germany, Italy, and Japan. We are, therefore, entitled to contribute aid to England and thus block the Axis scheme to dominate the world.

This is a correct policy and constitutes no violation of our Constitution and no violation of international law. Hitler, in any event, is in no position to make any claim that we are violating international law. He has ignored and repudiated international law from the very beginning, and it does not lie in his mouth to assert that any other country defending its interests is violating international law. The doctrine of mutuality prevails in international law just the same as it does between individuals in courts of law. Hitler has ruthlessly violated the neutrality of nearly every country in Europe. That being true, no other country whose security is endangered by him should be bound by international law. That is not only good international law, but it is good international common sense.

Even though this measure might ordinarily be regarded as a violation of the principles of international law, as heretofore understood, such violation could not be urged against the United States by Hitler. As stated by Secretary of State Cordell Hull, international law in the world today has been suspended, and the higher law of self-defense is the only law any nation can depend upon. The United States is entitled to take that course which it conceives to be most likely to protect its interests and safety.

Furthermore, Germany was a party to the Kellogg-Briand pact, which Hitler violated in starting the present war. The United States, Britain, and the countries invaded by Hitler were also parties to that pact. It is well recognized under international law that, since Germany has violated that pact, the other nations party to it are released and are entitled, under the terms of the pact, to supply any state attacked by Germany with financial and material assistance, including munitions of war.

There is, therefore, nothing in this measure which can properly be construed as a violation of international law. The measure merely provides for the defense of this country through aiding other countries whose defense is vital to ours.

Mr. President, it seems to me that the opponents of this measure are seeking to draw inferences and conclusions from its provisions that are utterly unjustified. I fully recognize their sincerity, but I cannot agree with their conclusions.

Dr. Beard, the noted historian, who appeared before the Senate committee during the hearings on this measure, pointed out that questions of foreign policy are extremely complicated matters; that there are so many hidden factors and imponderables that there is no human mind capable of knowing exactly the correct and all-wise course to pursue. "Yet," he

said, "there are some amongst us who speak with the assurance of Almighty God, as if they knew the intimate nature and ultimate design of His universe."

Mr. President, it seems clear that we should decide this issue on the basis of what is for the best interests of our country, and not on purely legalistic notions regarding international law. So far as present world conditions are concerned, international law is a dead letter. It seems to me, no matter what policy we adopt it cannot be an infallible guaranty of peace; but the vital and important thing in this country is that we should have unity back of any policy which may be adopted by the Congress. No single individual in this body is so all-wise as to determine the infallible formula for national peace and security. This is a case where, as Dr. Beard implies, two heads are better than one and, on the same principles of chance, a majority is better than a minority.

The charge that the measure places excessive power in the hands of the President has been so fully answered that little need be said. The power and authority of the President, under provisions of the bill and amendments which have been made to it, is defined and controlled. It specifically limits the authority of the President to extend aid by requiring him to come to the Congress for appropriations and for authority to make contracts necessary to carry out the purposes of the bill. In other words, Congress holds the purse strings. The Congress, therefore, stands as a constant check and control. The bill does not give the President a blank check or give him unlimited authority.

The bill expressly provides that it shall not be construed to authorize or permit the authorization of conveying vessels by the Navy of the United States. It expressly provides that the act shall not be construed to authorize or permit the authorization of the entry of any American vessel into the combat areas which have heretofore been established. The bill merely gives the President the necessary power to carry out the purposes of the measure; that is, to extend aid within the foregoing limitations to other countries whose defense is essential to our defense. The measure also expressly provides that the powers granted to the President shall terminate and end whenever the Congress shall adopt a concurrent resolution to that effect. How, then, can it be said that this bill grants excessive power or creates a dictatorship?

The carrying out of the purposes of this measure, in itself, can in nowise be regarded as putting this country into war. Hitler will never declare war on the United States merely because of this measure. He has intelligence enough to recognize it as a legitimate exercise of the right of self-defense by the United States. If he wants to declare war against the United States, he will do so whether we pass this measure or not.

Mr. President, this debate seems to present to the country a strange paradox. Everyone speaking in opposition to the pending measure has expressed the utmost abhorrence of Hitler and nazi-ism. They have expressed the fervent hope

that Hitler may be destroyed in order to save the world from the chaos which threatens. Everyone opposing the measure utters an eloquent prayer for the triumph of Britain because, as they assert, it is to our American interests that Hitler shall not achieve mastery of Europe and domination of the seas; that he must not be permitted to gain a position where he may threaten our way of life in this country. Everyone acknowledges that if Hitler wins, and his new world order is established, we cannot possibly expect to compete with him in international trade and commerce; that he will undoubtedly seek to extend his system to South America and threaten the peace of the Western Hemisphere.

Everyone opposing the measure has expressed a genuine desire to extend aid to Britain to the fullest reasonable extent short of involving our country in war. Everyone who has opposed the bill has acknowledged the necessity for the gigantic program of national defense now in progress, involving untold billions of dollars, and taxing our wealth and resources to the limit.

It should be pertinent to ask, Why are we thus arming ourselves? Why is it necessary to saddle on the backs of the workers and producers of this Nation such a crushing burden? Who is the enemy by whom we expect to be attacked?

Mr. President, in truth and in fact, are we not already paying the price of war? War is not merely the movement of contending armies on the field of battle. National defense in this age means enormous military and naval establishments and millions of men withdrawn from active production. It means huge industrial plants of the country working not on instruments of peace but on machinery of war. That is our situation at this very moment. We are engaged in enormous war-preparation activities consuming the resources of the Nation. We are involved in all the methods of war except actual military conflict. It is conceded that this tremendous defense program which Congress sponsors, if continued indefinitely, will bankrupt the country.

Let me ask, then, upon what basis can we justify support of this stupendous defense program? It seems to me the only answer is that we are fearful of the success of the Axis Powers. We fear the economic consequences of their domination of the world. We are alarmed over the possibility of ultimate conflict with them. We are preparing for war. We are a wholly united people on this defense program. All this being true, are we not justified in seeking to avert such threatened consequences by giving to the British the most effective aid possible, thus ending the war over there and escaping the burden of the ruinous program of armaments we are now compelled to sponsor?

If Hitler fails to invade England, his war machine will soon collapse. If Britain can maintain its naval strength and build up its air forces so as to contest with Hitler for supremacy in the air, or even nearly approach his strength in the



air, Germany will see the handwriting on the wall, and the end will not be far off.

Mr. President, this world revolution aimed at the destruction of democracy certainly affects us here in America. We cannot escape it. It has already seriously disrupted our agricultural economy. Our industrial economy is on a partial war basis. This world revolution is seriously shaking our confidence in the future. War, war, and rumors of war is all that we talk about. It is the obsession of the whole country. We are in every respect paying the price of war right now, and there will be no peace in this country as long as we continue to feel this ominous threat to our safety and security from the European dictators. There can be no peace for our country if Hitler wins, because his system is at war with ours, and we shall eventually clash.

The correct policy of this country, therefore, should be one which will block the success of the totalitarian movement in Europe and end its threat to our peace here in the United States. With Hitler defeated, the Continent of Europe can be reorganized on a basis which will correct the conditions that produce these recurring wars. Already, plans are being considered for such reorganization of Europe along the principles embodied in our own form of government. I think the pending measure is a sound solution of our defense problems. By stopping the war in Europe we shall keep it out of America. It is the judgment of the great majority of this body that it offers the best chance of avoiding war.

Mr. President, arguments have been presented here undertaking to construe this as a measure to help Great Britain in a war in which we have no concern. All the past crimes and wrongs perpetrated by Great Britain through the centuries have been conjured up to show that we should have no interest in extending aid for the defense of British imperialism.

Mr. President, I am under no delusions regarding the past history of Great Britain or any of the imperialistic world powers. But, Mr. President, we are not here to punish any nation for its past sins. We are here only to protect the interests of the United States and provide for its defense. We can serve no useful end by going into the past history of Great Britain for the purpose of studying the mistakes, the wrongs, and the oppressions which she may have perpetrated during her existence. Mistakes, crimes, and oppressions can be unearthed in the history of all nations. They balance off each other pretty well. Such matters in past history do not preclude peaceful relations between countries.

It is not an easy matter to cast a vote here which may seem to favor a great imperialistic nation which, with its allies, is in a large measure responsible for the conditions in Europe rendering this legislation necessary. Certainly I cannot approve the statesmanship at Versailles, or its failure in more recent years in European diplomacy. As an

American citizen of Irish descent, I have never failed to express my earnest criticism of Great Britain for its oppression of the people of Ireland. I have always taken an open and public part in arousing sympathy and support for the oppressed people of Ireland during their struggle for freedom. Happily, their relations are being steadily adjusted by peaceful means through intelligent statesmanship. But, Mr. President, my personal feelings in relation to these nations are not relevant to this issue. My first allegiance is to the United States. I am obligated by my oath to defend the United States, and to bear true faith and allegiance to it, without mental reservation or evasion. That is the exact language of my oath. I am acting on the pending measure purely on American considerations. This measure is designed to protect the interests and aid the defense of the United States. According to my conscience, a vote against this bill would be a vote against the security of the United States.

Mr. President, in this country we have nothing but sympathy for the unfortunate peoples involved in the European cataclysm now burning so fiercely in the Old World. We do not hold the peoples of these nations responsible for the mistakes or injustices of their governments. They are fighting on each side of this war with deep convictions as to right and justice. They are human, and are affected by their emotions. It would be an utterly dishonest and evil thing to base our action in reference to the enactment of this measure upon any considerations of bitterness or ill will against any race or nation involved in the war.

No one who has studied the problems which lie at the base of this great crisis can excuse the injustices perpetrated on Germany by the Treaty of Versailles. We here have always favored the correction of every wrong created by that treaty. This country, through the leadership of President Wilson, had sought to point the way to a just peace at Versailles. If his 14 points as a basis of European peace had been accepted, what a different history we would be reading today. Unfortunately, his leadership and advice were rejected. Following the Versailles Treaty, however, we extended generous aid and assistance to the people of Germany in their struggle to overcome the economic results of that war. We aided them to the extent of billions of dollars, which demonstrated our generous friendship for the German people.

Mr. President, many of the wrongs perpetrated at Versailles had already been corrected when Mr. Hitler began to manifest his complex for power and aggression.

Mr. LEE. Mr. President—

The PRESIDING OFFICER (Mr. Chandler in the chair). Does the Senator from Montana yield to the Senator from Oklahoma?

Mr. MURRAY. I yield.

Mr. LEE. I hesitate to interrupt the able Senator's brilliant speech with which I am in complete agreement, except perhaps with the reference to the

Versailles Treaty. Of course, it cannot be argued that the Versailles Treaty was the cause of Hitler's effort to dominate the world, because there was no Versailles Treaty in 1914, when the same kind of German, imbued with the idea that he was born to dominate, crossed the line into Belgium. I do not agree with the Senator in his statement of the wrongs of the Versailles Treaty. If there was any wrong in the World War, it was that America did not finish her job and take the war into Germany.

Mr. MURRAY. Mr. President, does the Senator claim that the Versailles Treaty was a perfect treaty?

Mr. LEE. I do not claim that anything man does is perfect; but I do not agree that there were wrongs in the Versailles Treaty which would in any way justify Germany in doing what she is doing today. I wish to call the Senator's attention to the fact that Germany was the first of the nations following the Versailles Treaty to default in her payment of amounts agreed to in the Versailles Treaty.

Mr. MURRAY. If the Senator will bear with me, he will find that I am not contending that the Versailles Treaty justified Hitler in undertaking to march his army into, and to take possession of, various European nations. I am not claiming anything of the kind. I am claiming, however, that any imperfections in the Versailles Treaty which might have justified any complaint on his part had been adjusted before he began his march into those nations. If the Senator will bear with me he will find that that is the position I am taking.

Mr. SCHWARTZ. Mr. President, will the Senator from Montana yield?

Mr. MURRAY. I yield.

Mr. SCHWARTZ. Is it not a fact that the provisions of the Versailles Treaty have been one of the principal causes which have kept Hitler in power and enabled him to control the German people?

Mr. MURRAY. The Senator is correct. Anyone who would stand on this floor and approve the provisions of the Versailles Treaty certainly would have a poor comprehension of what it meant and what it accomplished. I do not pretend to claim, and I am not claiming, that the wrongs perpetrated by the Versailles Treaty justified Hitler in going so far as he is going today. I am claiming in my address that every wrong perpetrated by that treaty had been already corrected before he started his armies marching.

Mr. LEE. Mr. President, will the Senator yield?

Mr. MURRAY. I yield.

Mr. LEE. Hitler may have used provisions of the Versailles Treaty as excuses and pegs on which to hang his drive to attain the dictatorship of Germany; but that does not mean that they were wrong. I should like to have the Senator, if he will, point out some of the great wrongs perpetrated by the Versailles Treaty to which he refers.

Mr. MURRAY. Some of the provisions of the Versailles Treaty were corrected by Hitler's aggressive action and in the negotiations which went on between the Allies and Hitler during the past several



years. In my address today I am taking the position only that the wrongs of that treaty do not justify Hitler in attempting to acquire world dominion. I am not claiming anything of that kind, and, if the Senator will bear with me he will discover that that is not the position I am taking. I contend that many of the wrongs perpetrated at Versailles had already been corrected when Hitler began to manifest his complex for power and aggression. He had succeeded in recovering most of the lost German territory; but apparently he had become intoxicated with ambition, and was not satisfied with the mere operation of justice. He was bent on bloody conquest. He desired to dominate Europe and become the greatest conqueror of the ages. He has openly expressed his opposition to the principles of democracy, and proposes to force on the world a new order.

Mr. President, no one can justify what Hitler has been doing in Europe. Nothing that he might have been entitled to achieve can justify the mass murder of innocent and defenseless people by his ruthless military machine.

The last World War proved conclusively that it is as impossible to solve economic and political problems by firing off guns as it is to mend a watch by smashing it with a hammer. The one and only result of modern warfare is the ruin of the vanquished, the impoverishment of the victors, and the general impairment of the civilized world. Civilization can never be promoted by barbaric warfare and bloodshed anywhere in the world. The present war, conducted by Hitler to a victorious end, can do nothing but check the progress of civilization and harm all the nations of the world. When Hitler abandoned the methods of peaceful solution and resorted to war he committed a crime against humanity. He had already won substantially all the vital claims he had been making, and the problems of Europe were gradually being adjusted. That process should have continued in peace. But, Mr. President, when Hitler started his armies marching into neutral and defenseless countries, destroying the lives of innocent men, women, and children he forfeited the good opinion and sympathy of the world.

To summarize my position, Mr. President, Hitler and Mussolini have disturbed the peace of the world. A major war in any area of the world directly affects the United States and produces serious economic consequences. American agricultural products have been forced out of the world markets. American industry is rapidly changing over to a war basis, and the entire country is in a state of confusion and fear. Hitler threatens the subjugation of the whole of continental Europe, the invasion of England, and the capture or destruction of the British Fleet. He aims at the domination and control of the Atlantic. He and his codictators, representing Italy and Japan, have entered into a tripartite agreement under which Japan is to be the dominant power in the Pacific. We are therefore threatened both in the Atlantic and in the Pacific by the success of this Axis program. Between these two blocks we are

to be crushed economically. These Axis Powers propose to supplant democracy in the world and interpose a new order, where the state is to be supreme and labor a controlled commodity. They propose to do away with the essential freedoms of men under which the world has made such marked progress. The United States cannot continue as a democratic power in such a world. We could not compete in trade and commerce with state-controlled labor and other economic devices of totalitarian powers. I do not fear invasion of the United States so much as I do the economic strangulation of our country from the methods of totalitarian competitors.

The able and distinguished Vice President of the United States, who presides here as President of the Senate, delivered a very enlightening address on this subject a few days ago at Des Moines, Iowa. That address has been printed in the CONGRESSIONAL RECORD, and I recommend its perusal in connection with this problem.

In this connection, I also call attention to an address by Prof. Douglas Miller, of the University of Denver, recently delivered before the Institute of World Affairs. Professor Miller answers the question, Can we do business with Hitler and maintain our free economic system? I will quote a few excerpts from his able address:

A totalitarian Europe would operate its economy through highly organized, centralized control. We should not be able to negotiate agreements with individual firms over there. Everything would be routed through a government agency. This is an essential part of totalitarian economic practice. We should have to operate under the regulations laid down by dictators famous for insistence on their own way. The Nazis believe in 100 percent or nothing—and 100 percent for them and nothing for us would be the usual arrangement.

Further he says:

We must get this straight once and for all: There is no such thing as having purely economic relations with the totalitarian states. Every business deal carries with it political, military, social, propaganda implications.

Further on, discussing the situation, he says:

It is an illusion to suppose that after the war we could get rid of our surplus agricultural commodities to a totalitarian Europe on any advantageous basis. Any products of which we had a surplus would be just the product they would not buy. For example, in the last few years the Germans put a maximum price of 6 cents per pound on United States cotton, while at the same time they were buying cotton of inferior quality from Latin America, Africa, and Asia at 9 to 10 cents per pound. They did this to divert trade from this country and to put us in a more difficult trading position.

Nor could we expect to secure from Europe the products which we happened to want. We might find that all those items were on the verboten list. Recently the Nazis have not been willing to sell us what we wanted to buy in the way of scientific instruments, Diesel engines, and certain types of factory installations. On the other hand, they set up a list of 253 special items—largely small, hand-made things, like Christmas-tree ornaments and novelty goods—that we could buy,

provided they were paid for in dollars and not in marks.

In pre-war business with Germany there were always three parties to any business arrangement: The American firm, the Germans who were interested in the commodities in question, and the German Government, which made all the rules and had the last word. In large-scale transactions after the war we would have to have four parties for every deal, adding a representative of the United States Government to protect the interests of the American people. We would have to put all our foreign trade on a license basis and require an official permit from Washington before any deal was concluded. We should not welcome a situation of this kind with its extension of Federal bureaucracy.

Let us never forget that the existence of a democratic, Christian, civilized society in the Western Hemisphere represents a persistent threat to the success of the totalitarian states. We can never be entirely safe so long as Hitler thrives. But neither can Hitler feel safe so long as we remain unconquered. There is no possibility of permanent peace until one or the other gives way.

Mr. BONE. Mr. President, will the Senator yield to me?

Mr. MURRAY. I yield.

Mr. BONE. Is it not inevitable that in dealing with South America we will have to face some of the trade difficulties the able Senator from Montana mentions? For instance, the Argentine is a great producer of corn, wheat, and beef cattle. Therefore, as the Senator from Montana knows and as I know, because we come from a section of the country where those commodities are highly competitive—we have that hurdle to meet with the Argentine. Brazil is now and probably will continue to be a rather extensive producer of cotton. She has rather infinite possibilities for cotton production. Therefore, we cannot only sense, but we are compelled to realize, that cotton from Brazil, as a competitor of American cotton, will complicate our problems still further.

Mr. President, as the Senator from Montana has discussed this question I have been trying to figure out how we can take those hurdles, no matter what happens in the war. That has nothing particularly to do with the current of the Senator's address, but we have to face realistically the fact that if we attempt to organize trade with South America, the most valuable part of that trade will reflect itself in tropical fruits, commodities which are produced in South America, which are not highly competitive with those produced in North America.

I know that the people of my State would not welcome the introduction into this country—and I am neither pressing their viewpoint nor criticizing it; I merely state it factually—of vast quantities of commodities such as those produced in the State of Washington, nor would the people of Montana welcome it, as my good friend, the junior Senator from Montana, knows.

The debate has proceeded far enough so we can clearly see certain things shaping themselves. The declarations made here leave nothing to the imagination. The Senator has stated fairly and frankly, I think, that here is an irrepressible



conflict between two ideas, both of which cannot survive in this world. Then, obviously this struggle has to be won. It has to be won apparently, I hope, once for all, if it is won. But that would imply, it seems to me, unscrambling modern Germany, resolving it back into the little dukedoms and principalities of the pre-Bismarck era, a thing which might have been accomplished after the armistice if the Allies had wanted to do it.

Mr. MURRAY. Mr. President, I think the Senator from Washington takes an erroneous view. It seems to me that in any reorganization of Europe, Germany, the great, powerful nation in the center of Europe, is the power around which Europe could be reorganized on a basis which would do away with these problems of trade, commerce, and access to raw materials. There is no question that Europe can be reorganized, and no question that Germany can be given her proper place, the place to which she is entitled by reason of her industrial development and her contribution to science and learning.

Mr. BONE. Mr. President, Germany was thoroughly crushed at the end of 1918. The people at home were demoralized, and the morale of the Army was such that it simply fell apart. I am advised by friends who were over there that the German soldiers were terrified by what was going on back of the lines at home. It seems to me that then was the opportunity to have achieved some of the objectives which must have been visualized by the men we sent and by those every other ally sent to sit at the peace table and try to work out the problem. Apparently at that time there was no attempt completely to dismember Germany.

There are 86,000,000 Germans in Europe. I have tried in my own mind to visualize what formula would be employed if Germany were whipped in this war. What is to be done? We can go back to the time when the Roman legions under Varus invaded what is now Germany. The Roman legions were met by the Germanic tribes under Arminius and incontinently routed. From that time on the segments of what is now continental Germany were loosely held together by ties of blood, by somewhat common aims, but not until Bismarck's time were they united in what amounted to the new German Reich. If we are to whip Germany, but leave Germany intact territorially, we have the same problem.

I am not asking the Senator to decide this question. I merely pose the problem, because if Germany is to be defeated, we must do something more than merely decide on defeating Germany. That is apparently what the proposal suggests.

It has been suggested on this floor time after time that these two civilizations can no longer parallel one another. One must go down and out. If Germany is to be defeated, is it the Senator's viewpoint that the German Empire should be completely dismembered, its *dissecta membra* slammed all over the face of the shrinking earth, that all hope of German hegemony in Europe should be brought incontinently to an end, and Germany resolved back into its component parts by a

force majeure, a force applied by the dominant powers of the earth, and that it should be made utterly impossible for Germany ever again to be assembled as one state out of the many Germanic groups in Europe? That idea has not been exploited here, but certainly if there is to be a second war in which the so-called German problem—which is the totalitarian problem in Europe—is to be solved, it seems to me that there should be some exploitation of that idea so that Senators may get some idea from the picture of where we are going. We ought not merely to whip Germany, have another Versailles, sit at the peace table with her, and say, "All right; we will leave an integrated Germany in Europe, to be a focus of some sort of new infection which in another generation will call for another war."

Does the Senator have any idea in his own mind as to how to deal with the problem? I have not heard that thought exploited here, but does the Senator have any idea what ought to be done?

Mr. MURRAY. I will say to the Senator that, in my view of the situation, I am not contemplating a crushing victory over Hitler. It is my belief that if this war shall be fought to a standstill there will be an effort in Europe to adjust these problems. The balance of power theory will be abandoned, and there will be an attempt to adjust the problems between the countries of Europe on a basis on which the nations of Europe may be able to exist together. If that is not done, I can see nothing but ruin and chaos for the European continent.

Mr. BONE. I am not expressing any attitude of my own toward this immediate psychological problem. Suggestions have been made on the floor of the Senate for our benefit as to the German attitude, which apparently, as it has been explained here, is a desire completely, wholly, and utterly to dominate. Many Senators have expressed the viewpoint that the desire to dominate in Europe—and possibly far beyond the shores of continental Europe—is implicit in the German nature. If that be true, a mere military defeat, without being followed up by a disintegration of the national life of Germany, will merely postpone the bitterness, because if such an attitude is implicit in the German mind, we merely postpone the war; we merely allow humanity to raise a new crop of soldiers, a new crop of boys, every 20 or 25 years, to fight over and over and over again the age-old struggle.

I recall asking Secretary Knox, when he was before the Naval Affairs Committee, if he knew of any period in the history of continental Europe, since the days when the Roman legions invaded central Europe, when there had not been an unending period of bloody brawls, involving racial, religious, and nationalistic aspirations and hatreds, growing out of the causes to which I have referred. Secretary Knox said that he was not aware of any period of any length for thousands of years when Europe was not churned up with such fights.

It seems to me that we should lay down a formula. If we are to put the United States in the position of being a

party in this transaction—and we propose to do so, because we are to guarantee forthright, unlimited, all-out aid to one of the belligerents—it is time for the 96 Members of the Senate calmly, dispassionately, and objectively to set themselves to the task of analyzing the lessons of history and to make up their minds in advance what is to be done with the menace which for hundreds and hundreds of years has been the source of one brawl after another in Europe, because the Germanic tribes have been notoriously bellicose and belligerent. One need only read any good critical history of Europe to know that the German tribes have always been bellicose and belligerent. There are centuries of history to emphasize and prove that statement. By another war we cannot wash out of the blood stream of a great people the impulse for war.

The United States Senate cannot afford to cast the die in another final gesture with any hope that it shall be the end until we get some idea of what is going to happen. I am not one to stand here and insist upon declarations of war aims by belligerents. I know that in the churning up of human relationships and the vast changes in the very chemistry of man's thinking we cannot demand, and have no right to demand, a blueprint and a paper setting forth plans and specifications in detailed fashion of precisely what is to be done.

We have a major problem, which is splashed on the canvas of time in such fashion as to challenge the intelligence and the moral nature of everybody. If Germany is to be whipped, what is to be done with Germany? If one-tenth of what has been said in the way of indictment of Germany as the troublemaker in Europe be true, it seems to me that those who feel that it is essential that once and for all the die be cast and we determine whether or not we are to live in the same world with Germany, should determine what is to be done with Germany. I think it is only fair.

Mr. MURRAY. In answer to the Senator, I will say that he has posed a very serious problem for Europe to work out; but I cannot see how we in this country would be benefited or advantaged by a complete victory by Hitler in the war now being fought. We certainly would not stand to be improved by such a result. However, it seems to me that the people of Europe have come to a realization that their problems must be worked out over there if they are to continue to exist as a part of the civilized world; and it seems to me that if Hitler can be blocked in his present effort to dominate the world, such a solution will be worked out. Already plans are being discussed and considered on the basis of organizing Europe into a sort of United States of Europe, under which the nations of Europe would be given access to raw materials, markets, and so forth. It seems to me that if this war could be fought to a point at which peace could be negotiated on the basis of justice, that would be the only way in which the problems of Europe could be adjusted.

The last war was fought to a victory on the part of the Allies. Unfortunately,



as I have pointed out, the belligerents failed to follow the 14 points of Wilson, which would have given them a peace which would have settled all their problems. We should be reading a different history today if they had accepted the advice and policies of President Wilson; but, unfortunately, they did not. Now we are in such a situation that we stand to be greatly damaged by the result of a smashing victory on the part of Hitler. I cannot escape the conclusion that we should be dangerously affected and our future peace would be in great danger if Hitler should win a smashing victory in this war.

I am not pleading for a smashing victory against Hitler. I desire only to see those European countries adjust their problems on some basis of justice, so that they may be able to go forward and be a part of the civilized world, not always engaged in bloodshed and destruction.

Mr. President, it is impossible adequately to picture the full consequences to this country of a Hitler victory. Britain and its fleet stands in the way of such a victory. Britain seeks aid to block the threatened invasion of her shores. If that invasion can be stopped and England's air forces strengthened so as to enable her to visit comparable aerial assaults on Germany, the Hitler morale will be broken, and peace will loom on the horizon. There would then be a resurgence of democracy in Europe, and an opportunity would be presented to settle forever the causes of these recurring wars. Europe could be reorganized on a sounder basis, and power politics could be banished from the Continent. If Europe would accept the principles of our Declaration of Independence as a basis of government for a reorganized Europe, every serious cause of distrust and conflict among the nations of that Continent could be eliminated. These conflicts among nations are conflicts over trade, markets, and access to raw materials. All these questions must be adjusted if Europe is to end these periodical cataclysms. The nations of Europe could then resume their progress toward higher levels of civilization.

Mr. President, I think this country desires only the most friendly relations with the various nations of Europe. Our whole contact with them has demonstrated our friendship and desire to aid them in the solution of their difficulties.

Mr. CLARK of Missouri. Mr. President, did the Senator ask not to be interrupted during the course of his remarks? I do not wish to interrupt the Senator if he desires not to be interrupted.

The PRESIDING OFFICER. Does the Senator from Montana yield to the Senator from Missouri?

Mr. MURRAY. I did make such a request, but I am glad to yield if the Senator desires to ask me a question.

Mr. CLARK of Missouri. Suppose that, with the best intentions in the world on our part, Europe should not accept our terms for maintaining peace in Europe. What would we do then?

Mr. MURRAY. I am not suggesting that we present any terms for maintaining peace in Europe.

Mr. CLARK of Missouri. Of course the Senator is familiar with the fact that during the past 500 years Spain, for instance, has been engaged in war more than 60 percent of the time; England more than 50 percent of the time; France approximately 40 percent of the time; and that the very conditions the Senator is describing, of rivalries for markets and rivalries for expansion, have existed in Europe since time immemorial. After the war is over, if it ever does end, how does the Senator propose to force our good precepts on the European countries?

Mr. MURRAY. The Senator misunderstands my position. I am not proposing that we put forward any precepts which ought to govern the future of Europe. I am not claiming anything of the kind. I am claiming merely that a smashing victory by Hitler would endanger this country; that we could not avoid conflict in the future if such a thing should occur.

Mr. CLARK of Missouri. If the Senator will indulge me for one further moment, let me point out that, of course, this bill, as I understand it, is designed to implement the President's annual message and his fireside chat, in which he specifically said that we would not acquiesce in a peace which did not contain four freedoms, at least one of which we have not yet been able to achieve for ourselves.

No matter how the war in Europe might end—whether by victory for Hitler or by victory for Great Britain or in any other way—how would the Senator go about imposing those conditions on Europe? If the President says we would refuse to acquiesce in a peace which does not contain those four freedoms, what would we do?

Mr. MURRAY. The Senator may draw his own conclusions about the President's speech.

Mr. CLARK of Missouri. I am only quoting almost verbatim what the President actually said. I am not drawing any conclusions whatever.

Mr. CONNALLY. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Montana yield to the Senator from Texas?

Mr. MURRAY. I yield to the Senator from Texas.

Mr. CONNALLY. Let me say to the Senator from Montana, in response to the suggestion made by the Senator from Missouri, that he and other Senators talk about implementing the President's speech; but we are not about to vote on the President's speech. We are about to vote on what is written in the English language in this bill so that anyone who desires to understand it may do so. All this talk about what the President has said in his speeches in the past 5 or 6 years, and that now we are about to implement what he said, is beside the question.

I simply desire to suggest to the Senator that that is the view of a good many of us; that we are voting on what is in the bill before us, and we do not have to run out and read anybody's speech or get

any letter from anybody to know what it means.

Mr. MURRAY. I will say to the Senator from Texas that that is the position I have taken. I have stated to the Senator from Missouri that he may draw his own conclusions with reference to any speeches or statements that have been made by the President or by any one else. I am not covering that subject in my address. I am discussing the bill that is pending before the Senate. I am not proposing any program of precepts to govern Europe in the future. I am merely undertaking at this time to encourage a policy that will defend the United States and protect this country from the danger that will result from a smashing victory by Hitler.

Mr. CLARK of Missouri. Mr. President, will the Senator yield again?

The PRESIDING OFFICER. Does the Senator from Montana further yield to the Senator from Missouri?

Mr. CLARK of Missouri. If the Senator will yield for just one moment, I will not interrupt him again.

Mr. MURRAY. I yield.

Mr. CLARK of Missouri. If the President's annual message announcing our foreign policy, which was the immediate precursor of this bill, and which this bill was avowedly designed to implement, did not mean exactly what I have said, what did it mean?

Mr. MURRAY. I have already stated to the Senator my position. I am not undertaking to work out a program for the future government of Europe.

Mr. CLARK of Missouri. I do not blame the Senator.

Mr. MURRAY. I do not think it necessary for us to consider such a program here. We are thinking here only of the United States. We are trying to determine what a correct policy will be for the protection and preservation of our country, the United States. We feel, and I think every reasonable-minded man in the United States feels, that it will greatly endanger and threaten our future if we do not do something at this time that will prevent Hitler from winning a smashing victory in Europe and thereby becoming the master of the world. That is practically what would be the result, for he has entered into a tripartite agreement with Italy and Japan which undertakes to divide up among the three of them the government of the whole world. I do not see how we could exist in any such world as Hitler contemplates; and that is all I am thinking about. I am not undertaking to prepare any program for the future government of Europe.

Mr. President, no nation in the world has been more generous to Germany than has the United States, but in the present situation the course of Germany's dictator is a repudiation of all the principles of international justice, honor, and decency which bind nations in their mutual dealings.

Therefore in this great crisis the United States has no choice except to extend aid to Great Britain as an essential step in our own defense. If we in this country are to stand on democracy, how can we supinely witness its destruction in



Europe and the substitution of this proposed new world order in its place? Victory for Hitler will mean the end of our American system of free enterprise. We would be compelled by necessity to reorganize under totalitarian principles, or go into communism or socialism.

This measure will not, as has been charged, take the United States into war. On the contrary, it will keep war away from the United States because, as I have pointed out, the successful defense of England, the strengthening of her air forces, and the awakening of the democratic spirit of the world will start a chain of events that will accomplish the ultimate defeat of Hitler. Many Senators opposing this measure on the floor have stated frankly that Hitler cannot long hold those desperate, hungry, suffering millions in subjugation. Very soon their fury will break loose. I have heard that stated on the floor several times by opponents of the bill when they were claiming that they hoped for the defeat of Hitler in his attempted invasion of England.

In voting on this issue I am impelled by no emotions or feelings for or against any of the belligerent powers involved in this conflict. If Great Britain had started her soldiers marching in Europe, destroying the lives and property of innocent people, her action would be as soundly condemned in this body as we today condemn the action of Hitler. We are seeking here only to protect the interests of the United States and save our people from the dangerous consequences of totalitarianism. The measure declares a sound American policy. It creates no dictatorship and it does not involve us in war. I have full faith in the pledge of the President of the United States to keep us out of war.

Mr. President, for several centuries mankind has made steady progress and has advanced further in that period than in all the preceding centuries. But today the world is confronted with the greatest crisis in its history. Who can peer into the future and say what tragic fate awaits Europe and the world? It may be well for us to recall another period of history known as the Dark Ages, when civilization was all but blotted out. Contemporary conditions today seem to indicate that there is a world-wide moral, intellectual, and economic recession intervening. We may again be confronted with another Dark Age period, the same as that which took place 1,500 years ago when the once powerful Roman Empire declined and fell because of its inability to solve its social and economic problems, which were so strikingly similar to those confronting the world today.

Let America take warning, therefore, and not contribute to this threatened recession of world order and justice through any failure to comprehend where its interests lie.

Mr. President, times like these demand the highest statesmanship we are capable of. The safety and security of our country are at stake. We are all moved by the single motive, to defend the United States. We are seeking but

one end, to deliver this country from the perils that threaten it and dispel from our horizon the clouds of war which darken it. Let us, then, as intelligent, sincere, and patriotic men, resolve this question under the regular democratic processes and unite in the defense of our country in its hour of great danger.

#### URGENT DEFICIENCY APPROPRIATIONS

The PRESIDING OFFICER (Mr. CHANDLER in the chair) laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 3204) making additional appropriations for the fiscal year 1941 urgently required for the Work Projects Administration and certain other Federal agencies, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. ADAMS. I move that the Senate insist upon its amendments, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. ADAMS, Mr. GLASS, Mr. McKELLAR, Mr. HAYDEN, Mr. BYRNES, Mr. NYE, and Mr. LODGE conferees on the part of the Senate.

#### PROMOTION OF NATIONAL DEFENSE

The Senate resumed the consideration of the bill (H. R. 1776) further to promote the defense of the United States, and for other purposes.

Mr. BARBOUR obtained the floor.

Mr. AUSTIN. Mr. President, I inquire if the Senator desires a quorum call?

Mr. BARBOUR. Not so far as I am concerned, though I thank the Senator from Vermont.

Mr. President, first of all, I want to make it entirely clear that I consider it an inescapable conclusion that the survival of Great Britain—

Mr. CONNALLY. Mr. President, will the Senator yield for the purpose of making a point of no quorum? I think the Senator ought to have an audience, and, therefore, I make the point of no quorum.

The PRESIDING OFFICER. Does the Senator from New Jersey yield for that purpose?

Mr. CONNALLY. The Senator from New Jersey has already yielded.

The PRESIDING OFFICER. He has not yielded.

Mr. BARBOUR. I said to the Senator from Vermont not to make the suggestion on my account, but I am very glad to have a quorum here if Senators want to have it.

Mr. CONNALLY. I suggest the absence of a quorum.

The PRESIDING OFFICER. Does the Senator from New Jersey yield for that purpose?

Mr. CONNALLY. He has yielded twice for that purpose.

The PRESIDING OFFICER. The Chair did not so understand. As soon as the Chair so understands, he will order a roll call.

Mr. BARBOUR. The Chair is quite correct. I have not yielded for that purpose. I will do so, however.

The PRESIDING OFFICER. The Senator from New Jersey now yields, and the clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Ellender	Norris
Aiken	George	Nye
Andrews	Gerry	O'Mahoney
Austin	Gillette	Overton
Bailey	Green	Radcliffe
Ball	Guffey	Reed
Bankhead	Gurney	Reynolds
Barbour	Harrison	Russell
Barkley	Hatch	Schwartz
Bilbo	Hayden	Sheppard
Bone	Herring	Shipstead
Brewster	Hill	Smathers
Bridges	Holman	Stewart
Brooks	Hughes	Taft
Brown	Johnson, Calif.	Thomas, Idaho
Bulow	Kilgore	Thomas, Utah
Bunker	La Follette	Tobey
Burton	Langer	Truman
Byrd	Lee	Tunnell
Byrnes	Lodge	Tydings
Capper	Lucas	Vandenberg
Caraway	McCarran	Van Nuys
Chandler	McFarland	Wallgren
Chavez	McKellar	Walsh
Clark, Idaho	McNary	Wheeler
Clark, Mo.	Maloney	White
Connally	Mead	Wiley
Danaher	Miller	Willis
Davis	Murdock	
Downey	Murray	

The PRESIDING OFFICER. Eighty-eight Senators having answered to their names, a quorum is present.

Mr. BARBOUR. Mr. President, first of all I desire to say to my colleagues, if I may, that I feel that since I came here in 1931 there has never been before the Senate of the United States a problem which gave rise to such honest and sincere differences of opinion as confront my colleagues and me at this hour. We should all have, therefore, the greatest respect for the opinions of those who disagree with our own views, as we do for the opinions of those who agree with us. By the same token, I realize that there are many who are not of my opinion in the assertion I am about to make; but be that as it may I desire to make it absolutely clear at the very outset that I am one of those who consider it an inescapable conclusion that the survival of Great Britain in its war against the aggressor and totalitarian powers is essential, in this crucial hour, to the defense of the United States itself.

I am convinced, Mr. President, so far as my own conscience is concerned, that the realization has come over the American people since the fall of France that the survival of Great Britain and the British Empire is no longer a certainty, and that the continuance of the British Fleet as the world's greatest naval force is now by no means certain. Thus into bold relief has come the full appreciation, for the first time in many generations that the loss by capture or destruction of the British Fleet would place upon the unprepared United States the sole and complete responsibility for the defense of the Western Hemisphere.

That this realization has not only permeated the rank and file of our people, but has reached even those here in the Congress of the United States who before



were less alert to the implications of a British defeat, is clearly indicated in the rapidly rising sentiment in the Congress for greater and greater defense appropriations during the past 3 years, for all of which I voted.

In May 1938, 4 months before Munich and 15 months before the outbreak of the war, 28 Senators voted against what most certainly was a very modest expansion of the American Navy. A year later, after Munich and 4 months before the beginning of the war, only 14 Senators voted against the 1939 naval bill. In the following year, 1940, each Member of the Senate of the United States who cast a vote did so unanimously in favor of establishing the so-called two-ocean navy.

In other words, some of the foremost opponents of the pending bill, H. R. 1776, voted against the 1938 and 1939 Navy authorization, but were included among those who in 1940 unanimously agreed to infinitely larger authorizations. Of this sudden swing of sentiment there is only one possible explanation, and that is that in 1938 and 1939 the sea power of Great Britain was regarded as impregnable, while in 1940 it was regarded as threatened with possible destruction.

To my mind, this fluctuation of sentiment is a clear indication of the conviction on the part of many, if not all, the Senators who voted for the 1940 appropriation that the maintenance of a two-ocean navy by the United States is now an essential defense step in the light of the threatened possible destruction of the British Navy, and, conversely, that this danger to us is lessened in the meantime in direct proportion to any gain in strength in the British situation as a whole, and as time is afforded us to accelerate our own capacity to produce eventually in mass-production quantities the implements of war with which alone we can secure our own adequate defense against an uncertain future.

As a matter of fact, Mr. President, I feel that there has been really no substantial opposition to the general proposal to lend effective and expeditious aid to Great Britain and her allies. In the main, I think the Members of the Senate and the House desire to see this objective achieved in the interest of the national defense of the United States itself. So, we really come down to the fact that very largely, I believe, those who oppose H. R. 1776 allege that, if enacted into law, it would vest in the President unprecedented and dictatorial powers, subject to no restraint other than self-restraint. It is further alleged that by enacting this bill Congress would lose control of the purse. With these conclusions I do not agree.

Let me interject here, Mr. President, though it may be neither relevant nor important, that perhaps my disagreement with the charge that I have heard so often raised in opposition to this measure as giving the President unjustified and selfish power, is at least interesting in that it so happens I am the only Senator of the United States who ran in each of the 3 years—1932, 1936, and 1940—when President Roosevelt ran for election. Certainly from the Republican point of

view, Mr. President, those elections were not only very hard "work-outs," I might say, for me in each instance; but they did bring to me a truer realization of the dangers that I opposed in each of these elections, including the third-term tradition, which I sincerely hoped would never be broken by anyone. In other words, I think my testimony at this time in support of the pending bill may perhaps carry, for those reasons, a little more weight than in the case of those who supported the President in his three elections.

But, be that all as it may, at the outset it should be noted that the bill is concerned with foreign relations and national defense, not with the regulation of purely domestic matters. As Mr. George Rublee, an internationally recognized lawyer, stated in a report on H. R. 1776, made public in the Washington Post of February 4, 1941:

This measure does not add to the powers the President already has as Commander in Chief of the Nation's armed forces, and under which powers he could get us into war today if he wanted to. Under these powers the President now can commandeer any plant and allot its production of defense materials between the United States and the Allies. The principal powers conferred on the President by this bill are those enabling him to finance allied war purchases in the United States, to release articles of defense to the Allies, and to concentrate under his authority the entire defense-goods production of this country. With this power the President could coordinate the whole program, ours and the British, and avoid delays growing out of separate and possibly conflicting orders.

The powers of the President on domestic matters are not affected in any manner by this bill. His control over manufacturing plants is neither enlarged nor diminished.

Section 3 (a) (1) of H. R. 1776 authorizes the President to manufacture and procure defense materials for any foreign government whose defense the President deems vital to the defense of the United States; but this power may not be exercised until and unless Congress appropriates funds for such purposes, or authorizes the execution of contracts. In this way Congress reserves the right to determine, in effect, the total value of defense materials which may be manufactured or procured for foreign governments under this provision.

Moreover, the President's authority under section 3 (a) (2) of the bill to transfer to foreign governments existing defense materials and materials on order for the United States is limited in two definite respects. First, the Chief of Staff or the Chief of Naval Operations must be consulted; second, the total value of such transfers can in no event exceed \$1,300,000,000. Thus it is clear that Congress has not lost control of the purse strings.

In many respects, as I view it, this particular control is the most important prerogative and responsibility of the Congress. It is, and always should be, the one prerogative which the Congress must never surrender; the one duty they cannot under the Constitution ever give

up, regardless of the existence of an emergency, however grave; regardless of other powers which may of necessity, because of an emergency, be properly and legally vested in the President.

Defense materials now owned or ordered by the Government can be disposed of only to the extent that their total value does not exceed \$1,300,000,000, and the amount of defense materials which can be manufactured or procured for foreign governments will be controlled by appropriations made available by the Appropriations Committees and Congress for such purposes.

Additional checks are provided for in other sections of the bill.

Congress is to be kept informed of the activities of the President under the proposed law by periodic reports, not less frequently than every 90 days, and accurate records of the amount of materials transferred pursuant to this measure must be kept by the executive branch of the Government. Any moneys received in exchange for materials delivered to a foreign government are to be available only for 2 years from the date of their receipt. Finally, all of the powers conferred on the President by the bill expire on June 23, 1943. This final limitation is qualified in that contracts or agreements executed prior to the termination of the act may be carried out up to July 1, 1946. The need for such a qualification is self-evident. Yet as many of us have sat here during the past interesting and informing days, we would have felt, if we had not studied it ourselves, that there are no restrictions in the bill, that there are no limitations, that it is a wide-open grant of new and extraordinary powers; but it is not.

In two respects, however, discretionary power is granted to the President. Any foreign government whose defense the President deems vital to the defense of the United States may receive aid under this measure, and the determination is to be made by the President. The consideration which this country will receive in exchange for materials so transferred or made available to a foreign government is also to be determined by the President. Flexibility in these two particulars is necessary to meet the fast changing situation in the war abroad and to permit the President to negotiate the most favorable terms to this country in the light of our own interests of national defense.

The granting of discretionary power in the field of foreign relations and national defense has been recognized for many years by both the judicial and legislative branches of this Government. In *United States v. Curtiss-Wright Export Corporation* (299 U. S. 304) the Supreme Court sustained a joint resolution conferring upon the President the authority to prohibit the sale of munitions to the countries engaged in the Chaco conflict, or to impose conditions upon such sale, if the President found that such action would promote the reestablishment of peace. In the course of the opinion, Mr. Justice Sutherland said:

It is important to bear in mind that we are here dealing not alone with an authority vested in the President by an exertion of legislative power, but with such an authority plus the very delicate, plenary, and exclusive



power of the President as the sole organ of the Federal Government in the field of international relations. \* \* \* It is quite apparent that if, in the maintenance of our international relations, embarrassment—perhaps serious embarrassment—is to be avoided and success for our aims achieved, congressional legislation which is to be made effective through negotiation and inquiry within the international field must often accord to the President a degree of discretion and freedom from statutory restriction which would not be admissible were domestic affairs alone involved. \* \* \*

And in the same opinion, in discussing the Federal power over external affairs, it was stated:

In this vast external realm, with its important, complicated, delicate, and manifold problems, the President alone has the power to speak or listen as a representative of the Nation. He makes treaties with the advice and consent of the Senate; but he alone negotiates. Into the field of negotiation, the Senate cannot intrude; and Congress itself is powerless to invade it.

Almost from the inception of the National Government to the present date there has existed a legislative practice to grant discretionary power to the President in matters concerning foreign relations. The act of June 4, 1794, authorized the President to lay, regulate, and revoke embargoes on ships and vessels "whenever, in his opinion, the public safety shall so require."

By the act of February 9, 1799, the President, "if he shall deem it expedient and consistent with the interest of the United States," was empowered to suspend certain restraints and prohibitions imposed by the act with respect to the French Republic.

Similarly, by the joint resolution of March 14, 1912, the President was given the authority to forbid the exportation of munitions to any American country whenever he found that "conditions of domestic violence exist which are provoked by the use of arms or munitions of war procured from the United States."

And in the joint resolution of May 28, 1934, the President, if he found that such action would promote the reestablishment of peace, was authorized to prohibit the sale of munitions to the countries engaged in the Chaco conflict.

Many other examples could be noted, but from the instances mentioned it is clear that discretion has, from the time of the formation of this Government, been granted to the President to deal adequately with foreign affairs. The discretionary power contained in H. R. 1776 is therefore neither unprecedented nor novel.

Most of us, I believe, are agreed on the objective—to lend effective aid to countries resisting aggression in the interest of our own national defense. The chief issue in the controversy, therefore, it seems to me, is as to the means to accomplish that end. I know that this does not satisfy those who feel that it makes no difference what happens to the British Empire, or its fleet, or its possessions at this peculiar and dangerous hour. But I do refer to those of us who feel that these considerations are very important in the interest of our own security right here in the United States. The need to confer the powers on the

President envisioned in this measure is essential as I see it and that power must include the authority to negotiate and dispose. With the limitations on the President's powers as set forth in the bill, I am satisfied that the grant of basic authority is neither excessive nor unprecedented, and that the means are adapted to the objective desired.

I favor the broad purposes of the bill for many reasons. But I have limited myself largely to answering the charges of some people who oppose its enactment for reasons which appear to me to be unsound. In conclusion, Mr. President, I can but emphasize the obvious relationship between the survival of Great Britain and the security of the United States.

Mr. AIKEN. Mr. President, I may say to Senators present that I do not intend to proceed very long, and I should prefer not to be interrupted until I shall have concluded my address.

Mr. AUSTIN. Mr. President, will the Senator yield to me for the purpose of suggesting the absence of a quorum?

Mr. AIKEN. I yield.

Mr. AUSTIN. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. WALLGREN in the chair). The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Ellender	Norris
Aiken	George	Nye
Andrews	Gerry	O'Mahoney
Austin	Gillette	Overton
Bailey	Green	Radcliffe
Ball	Guffey	Reed
Bankhead	Gurney	Reynolds
Barbour	Harrison	Russell
Barkley	Hatch	Schwartz
Bilbo	Hayden	Sheppard
Bone	Herring	Shipstead
Brewster	Hill	Smathers
Bridges	Holman	Stewart
Brooks	Hughes	Taft
Brown	Johnson, Calif.	Thomas, Idaho
Bulow	Kilgore	Thomas, Utah
Bunker	La Follette	Tobey
Burton	Langer	Truman
Byrd	Lee	Tunnell
Byrnes	Lodge	Tydings
Capper	Lucas	Vandenberg
Caraway	McCarran	Van Nuys
Chandler	McFarland	Wallgren
Chavez	McKellar	Walsh
Clark, Idaho	McNary	Wheeler
Clark, Mo.	Maloney	White
Connally	Mead	Wiley
Danaher	Miller	Willis
Davis	Murdock	
Downey	Murray	

The PRESIDING OFFICER. Eighty-eight Senators have answered to their names. A quorum is present.

Mr. AIKEN. Mr. President, after weeks of committee hearings and several days of debate upon this floor, it seems that almost everything has been said that could be said for or against the lend-lease bill. I readily confess that the decision we are called upon to make is a hard one.

I came to the Senate with the fullest intention of going a long, long way to aid Great Britain in her fight against the totalitarian governments. I still have that intention.

On the day I arrived in Washington, H. R. 1776 was introduced and advocated by its sponsors as the most logical way of extending such aid.

An intense difference of opinion has developed as to this question, not only in Congress but also throughout the country.

I would give a great deal, as I feel nearly everyone else here would, to know that I am taking the right stand in this momentous matter. But the decision I have reached is in full accord with my conscience.

Although I have heard statements made upon this floor since the debate began with which I cannot concur, yet I believe that they were made by each speaker in full sincerity. I hold no rancor toward anyone and do not doubt the sincerity of anyone with whose conclusions I do not agree.

I spent what time I could at hearings of the Foreign Relations Committee. From day to day I listened to an impressive array of witnesses both for and against the bill. I heard great men who have been appointed to the Cabinet of the United States express their earnest beliefs. I heard great educators propound their theories. I heard businessmen, publishers, aviators, and ex-political candidates, all giving the committee the benefit of their judgment, but frequently disagreeing in their conclusions.

As I attended the committee hearings, I looked in vain to see on the witness stand just one of those people upon whom the ultimate safety and future of our country really depends; just one person like the ordinary folks that sent us here to represent them. I looked in vain to hear just one of the common people of America tell his story and give his opinion on this matter which concerns his well-being, his family, his home, and his life.

These people do not own great industrial plants; but without them such plants could never operate. They do not run great insurance companies or banks dealing in securities of foreign countries or foreign corporations, yet without their labors the wealth represented by the money such establishments lend could never have been created.

They are ordinary folks to whom a new suit, some new furniture, or a college tuition is a big thing; but they are the most important people in the world.

There are plenty of such folks in America. Nearly 50,000,000 of them marched to the polls last November to vote for one of two Presidential candidates, both of whom pledged themselves to keep America out of foreign wars.

The Americans whom we have not seen here are men and women from fields and farm, from the mines, the shops, and the offices from all over our great country.

Perhaps they could not come. I do not think many of them had the money to come. Perhaps they do not belong in this picture anyway. Maybe they do not understand international affairs well enough.

Maybe they cannot see why it is so important to their welfare to have the great corporations of America protected by our soldiers and sailors in their exploitation of the natural resources of other lands. Maybe the common folks of America are just supposed to go on paying for our wars and do most of the dying, as usual.



Through all the debates of recent weeks, in the committee room and on the Chamber floor, we have heard few facts. Perhaps few facts have been presented because facts as to the future—and we are discussing a matter that concerns the future—are extremely hard to ascertain and to present.

For the most part we have listened to the personal opinions of those who have testified and argued. I admit that all I have to guide me in casting my vote on this matter is my own personal opinion. But I have formed this opinion on the basis of my own observations and not on the basis of the ideas of the great and near great which have been advertised as facts.

A great newspaper recently stated that I was one of four Senators who had not made up their minds how to vote on this matter; and several thousand people have volunteered their assistance in helping me to do this. But, in order to relieve any further suspense regarding my vote, I want to say now that my mind is made up to vote "No" on this bill.

I was up in the hills of Vermont over Sunday. I saw many of the folks who were missing from the Foreign Relations Committee hearings. Some of them were not dressed any too well. A good many of them have mortgages on their farms and homes which they are trying to pay off with 70-cent dollars.

Every one of them would defend his country and his flag to the death; and there would not be any "cost plus" condition to their patriotism, either.

The farm and village folks of my State do not want war. Their sympathies are with Great Britain. They would go all the way, down to the last dollar and the last man, to protect Canada. But they do not see why American boys should give their lives to define the boundaries of African colonies, or to protect American promoters and exploiters in Indo-China or New Guinea. Neither do I.

But they are confused. Many persons are confused. We do not have to go outside Washington to find persons who are confused. They were told at first that House bill 1776 was a peace bill. They read it in the newspapers, some of which are owned and controlled, in one way or another, by great corporations. They heard it on the radio. They received propaganda circulars, and it has been impressed upon them by able speakers at rallies and other places.

Yet, upon reading the bill it seems to be nothing more or less than authorization—some might even interpret it as a direction—to the President of the United States to put our country not only into Britain's war, but into any and every war on the face of the globe that he thinks should be our war too. It does not look so much like a peace bill to them now.

It is not a peace bill. In our hearts nearly everyone of us knows this.

The pending bill is the final step before the armed forces of the United States are scattered over the waters of the seven seas and the lands of four continents.

Lately there has been a tendency on the part of proponents of the bill to label it exactly what it is, "an act to provide for the intervention of the United States

in other people's wars." They have presented plausible arguments why we should thus participate in the wars of other countries; but, as the junior Senator from North Carolina [Mr. REYNOLDS] pointed out last Thursday, their arguments are as old as American history itself.

When I cast my vote on this bill, I shall regard it as a vote to determine whether or not America shall go to war now.

To all those who, like myself, earnestly desire a British rather than a German victory, I put this question: Does this bill, H. R. 1776, aid England in the most effective way possible? I have not heard that England has asked for the enactment of this bill. I know only that she has asked for help. This bill gives the President of the United States complete control over the blood stream of supplies which we are told is vitally necessary to the life of the British Empire. After this bill is enacted into law, the President of the United States can control this flow of goods even to the extent of depriving England of war materials now on order in this country unless England conducts this war as he thinks she should. Is it not possible that England might prefer to run her own war without this constant threat hanging over her? Do we know that England would rather have assistance granted in this manner than an outright grant of cash or credit?

We have been told by no less an authority than the Secretary of the Treasury himself that England cannot continue to carry on the war because her credit and cash resources have become exhausted. We were told 6 weeks ago that England might fall in 60 to 90 days unless we came to her assistance. The proponents of the bill have now used almost all those 60 days to put through a bill giving the President unlimited powers to meddle in all foreign affairs, if he is so minded, rather than to take 2 days to grant England the credit and cash upon which they said her life depended.

I will say, Mr. President, that this bill disturbs a great many of the most earnest friends Britain has in this country. I should like to quote from a letter which I received just as I came into the Chamber. The letter is from the chairman of one of the most active British-aid societies in my State. I read from his letter:

The "aid to Britain" bill is no doubt disturbing you greatly. The unfortunate feature, as I see it, is that the reason offered for our participation with Britain so closely parallels our entry into the war over 20 years ago. The average citizen would like to see this parallelization eliminated.

I quote further from the letter:

It has occurred to me that instead of this bill being offered in its present form, it would have been much better to have submitted an agreement of cooperation between Britain and ourselves, and then give to the President the proper powers for its fulfillment.

As I have said, the letter is from the chairman of one of the most active British-aid committees in my State. I would give the name of the writer except for the fact that I received the letter just as I came to the Chamber, and I have not had time to get his consent to do so.

But, Mr. President, are we to understand that if the bill fails, its proponents will not consider any other way of aiding England? Is it any wonder that a hundred million people have become confused, and are asking if aid to England is the real purpose of the bill?

From time to time the advocates of the bill have made gestures tending to placate and reassure an awakening American public. Several amendments have been added to it. So far as I can see, the amendments are mostly in the form of window dressing, and provide very little real restriction upon the acts of the Executive office.

It has been suggested to us on this floor that we should know what England's aims may be. If those who make the suggestion really want to know what England's war aims or England's peace aims may be, I suggest to the proponents of the idea that they get behind a resolution requesting the President to ascertain and make known these war aims.

There is something more important the people of America want to know, something the people of America should know. The matter that concerns our people even more than England's war aims is this: What are our Government's aims for war? What are the aims of our Government for peace? Will we sit in at the council table when the armistice between nations is declared, and in what capacity? Will we sit in as a nonbelligerent or will we sit at the peace table as a belligerent? Who will sit there with us?

It is said we can have no peace with Hitler. With that assertion I have no quarrel. The only aim of peace or war that I have heard thus far is to "crush Hitler, kill Hitler." It sounds like an appeal to the neighborhood of nations to attend a first-class lynching party. We of America want something more definite than such statements. When we have crushed Hitler, when the bodies of American boys lie rotting in foreign lands, with whom shall we make peace? Do we intend to set up a puppet government in Germany? I understand that we shall restore the little nations of Europe and set up new governments for them. What kind of governments? Have we so much admiration for Hitler that we would emulate him? Is it our business to tell these countries under what form of government they should live?

What do we plan for the countries we expect to crush? What are we going to do with the 79,000,000 German people living in an area the size of Texas? Imagine Texas with 263 Members in the United States House of Representatives; yet that is the number she would have were she as densely populated as is Germany. What shall we do with the 44,000,000 Italians living in an area the size of New Mexico? What shall we do with the 71,000,000 Japanese who live in a country so small that there is scarcely standing room for them? Are we going to put rings of steel around these nations; or do we expect to do with them, as I have heard supposedly sane people seriously suggest, "kill off half the population" while a large proportion of the world's surface is still undeveloped?



What about Holland? What about Belgium, France, Luxembourg, Norway, Denmark, and the other small nations of Europe, many of them densely populated, all of them starving? We say we intend to restore democracy to them; but is it necessary first to starve them to death? England says "No" when ex-President Hoover suggests feeding these unfortunate people, and in America the great minds of our Government echo "No." These little nations have always regarded America as their best friend, and one to whom they could turn for encouragement and rescue and life for their people.

I ask now, Can we let them starve while a surplus of food rots in the United States? Can we let them freeze while 11,000,000 bales of cotton are in storage on this side of the Atlantic without a market in sight? Is this the kind of America we want to be? Is this the way we want to take to crush Germany? Must we become the most hated nation on earth?

Some have expressed the belief that Hitler would confiscate the food we would send to save the lives of the people in the small occupied countries. Only the other night ex-President Hoover told us that if Germany should confiscate every bit of the food and clothing which we would send to save the lives of millions of people who love and trust America, it would only last the German Nation 3 or 4 days.

But he also told us that during the first World War, when Germany promised not to interfere with the feeding of starving and helpless people, that she kept that promise. Mr. Hoover ought to know best. He was there.

We are doing all we can, and would do more if it could be done feasibly, to take care of the children of England. I doubt if any town of similar size in the United States is doing more in that respect than my own home town in Vermont. I wish we could feed and clothe and take to the heart of America every single one of these little homeless folk, who had nothing to do with bringing the war upon their country, but who are in danger of malnutrition, disease, and death.

I am not much of a Bible student, but I have read it more or less. In all my readings I have never found any place where Christ said, "Suffer little British children to come unto Me."

We in America should not rest, we should not sleep, so long as there is any child in this wide world starving and suffering, regardless of the tongue he speaks or the color of his skin, while food and clothing accumulate and rot in America.

Mr. President, the foremost influence in the United States today is fear. I am not proud of this. Wherever we turn, whatever we hear, it is fear, fear, fear. We are the greatest nation on the face of the globe, the nation with the greatest resources, the nation in the most protected position, and we are crying "fear."

This cry of fear did not originate with the common folks of the country. It has been put upon them by those who really do fear, not for their country, not for the lives of our people, but for their dollars.

Unless they can arouse our people to the fighting pitch, unless they can mis-

lead and fool them into a declaration of war, or a war without a declaration, they are going to lose money.

They want the American flag to float triumphantly in battle around the world. But as they envision their flag waving in glory over the oil fields of Asia Minor and the plantations of the East Indies they see on its field of blue not stars but dollar signs.

The part being played by some American industrialists and corporate interests in world affairs today should fill our hearts with shame. It may be that the reason they fear Germany, that they fear Russia, that they fear Japan, that they fear even smaller nations is that they know all too well how thoroughly they have prepared these nations to war against us.

The junior Senator from Oregon [Mr. HOLMAN] read upon the floor of the Senate not long ago a statement to the effect that the Russian steamer *Angastroy* was at that moment loading \$400,000 worth of tin plate for export to Russia. Tin is a vital necessity for our own defense, a commodity which we do not produce at home, and yet "dollar patriots" were reported to be selling it where they must have known it would likely be used against us whenever we enter this world struggle.

It was also brought out by our colleague from Oregon that carloads of airplane beacons, needed in this country, were on the way to Japan. These alleged facts have never been denied.

Even as recently as 1940 a majority of—in fact, nearly all—the exports of copper, iron, and manganese from the Philippines have been delivered to Japan.

We must not let little things like the lives of American boys and the hearts of American parents interfere with business. It is said that the success of the Nazi government in crushing Poland, in overrunning Holland, Belgium, Denmark, and France was due largely to the superiority of Hitler's equipment made on American machines. But do not think I am questioning the legality of selling vital materials to nations with whom we may be at war next week.

Thirty dollars a month is good enough pay for the boys in our Army. Of course it is. All they have to do is to leave their jobs, their homes, their future, and, it may be, die or come back blind or without their legs or arms or minds. This is not much so long as we can save money for our "dollar patriots" who are driving America into war today.

Let us stop and think a moment, though. We have a million men in the Army now for the first time in our peacetime history. These boys thought they were going for 1 year. They begin to wonder now. They expected to give up a year of their life willingly, gladly, patriotically. They are not coming back at the end of a year if this bill passes. Some of them will not come back at all. They will never see those homes up in the hills or on the prairies again.

The million now in the Army will be greatly increased. I would not be surprised if within the next 3 years we should have 4,000,000 young Americans under arms. Then what? Unless Amer-

ica becomes a military nation, unless war goes on and on and on, unless we unite with or inherit the British Empire and undertake to police that far-flung Empire on which the sun never sets, most of these boys will come back some day.

They will come back just as their fathers did a quarter of a century ago. What will they find when they get back? Will they find the jobs we promised to keep for them? Will they find the Nation ready to do them justice for the sacrifices they have made for their country?

Or will they find the forces which are now urging America into war organized and lined up against them just as their fathers did after the last war? And will it take them 15 years of constant struggle to secure that which is rightly and honorably due them?

I tell you now, Mr. President, that if I had my way, every blood-soaked dollar made by American profiteers during wartime would be taken from them and given to the men whose loyalty to flag and country prompted them to give of themselves.

Besides the human sacrifice, we might as well understand now that war is not free. War will mean national bankruptcy for America within 3 years. At the rate we are going, war or no war, we will have a national debt of over \$100,000,000,000 in that time. What will we do about that? Is not that something to fear as well as Mr. Hitler?

Not long ago we had 13,000,000 unemployed in America. War orders and defense orders for ourselves and our potential enemies have reduced that number. But the problem of unemployment has not been solved. Will we, like Hitler, make war forever on nation after nation in order to keep our men employed? Or will we look forward to the day when we will have not 13,000,000 unemployed but twice that number? Is not that something to fear?

We know what the first World War did to American agriculture. We know that it has never recovered. We know, too, that in an effort to solve the problems of the rest of the world American agriculture has been sacrificed year after year.

Germany used to take a third of American agricultural exports; but we are going to destroy Germany. England, Norway, Belgium, and Japan were all markets for American agriculture; but those markets are pretty well gone, for one reason or another.

Now we are headed for war. We are going to make America an industrial nation as no nation in the world has ever been industrialized before.

If and when this war ends, American industry is going to try to place its goods in every country on the globe and may expect our farmers' markets to be further sacrificed to make this possible. America has already sacrificed part of the greatest market for industrial goods there is in the world by reducing the buying power of American agriculture in order to sell machines to Patagonia and Bohemia.

If America enters another world war now, the greatest economic sufferer will be the American farmer. Is that anything to worry about or not? Have we



not enough trouble at home, anyway, without looking for more in Abyssinia and Siam?

This conflict all over the world is primarily caused by the failure of governments to meet their domestic problems. When they fail in every other way they are forced to choose war as the only way out. Are we admitting failure, too? And will war solve our problems?

Will it restore permanent employment to those who would work? Will it restore solvency to an insolvent nation? Will it provide security for the individual? Will it be a means of adequately regulating monopolies?

Will it result in the conservation of the natural resources of this great Nation? And will it bring about a fair and adequate monetary system?

Perhaps the answer to some of these questions is "Yes." If that is true, then there will be some benefit derived from war, but I cannot conceive of these benefits in any way counterbalancing the horrible cost.

There is one thing more. Call this bill "Aid to Britain," "Defense of America," or any other title you want to give it; there is no disputing the fact that it gives to the Chief Executive of our Nation the greatest authority any President ever had. In fact, I believe it gives him the greatest power any person in the whole world has ever had. The arguments to this effect have been made so often that I shall not repeat them here.

I can stand here before you and tell you truthfully that I have a great admiration for the President of the United States. I think he has brought about many reforms in our country that no one else would or could have brought about. He is a man of exceptional courage. I stand back of most of his program, much to the disgust of my own party organization.

But we are asked to delegate this authority to an office, not to a man. Even if it were to a man, there is no man on earth who should have the power which this bill conveys to the President of the United States. This delegation of authority is a sign of woeful weakness on the part of Congress.

The passage of this bill will be the longest step toward a one-party government and a one-man Government that has yet been made. During the past few years exceptional powers have been granted to the Chief Executive as emergency powers. With the exception of those ordered returned by the Supreme Court, such as the N. R. A., none of these powers has been surrendered, and none of them ever will be.

I know we are following a trend. I know that distances are getting short, that nations are being brought together, and that greater centralization of government is more applicable and more inevitable than it has been before; but the question is, How far are we going in this respect? We have before us ghastly examples of European nations that went too far. Will we follow in their footsteps?

I think this bill, H. R. 1776, goes too far in giving the President authority to

form alliances with other nations, thus obviating the necessity of negotiating treaties which require the approval of the Senate.

It is said that our national safety depends upon this bill, and that unless we enact it, England will fall and we shall be invaded; that free enterprise will be destroyed, as we have heard here this afternoon; that we shall have to fight alone and possibly meet defeat. Mr. President, let me say to you that I would rather see my country go down to defeat fighting gloriously all the nations of the earth, if need be, than to see it go down to defeat through the passive establishment here of a form of government we abhor.

Mr. President, perhaps I should apologize for taking so much time on this floor. I have already taken more time than I expected to take; but I cannot feel at peace with myself unless I speak against the enactment of proposed legislation which I feel will not serve the best interests of my country.

All about us we hear talk of war, war, war. I do not think it is a sign of weakness to want peace throughout the world.

I have believed for the past 3 years that if Americans would devote the effort toward promoting peace throughout the world that has been devoted to sowing the seeds of war, our influence would have been very great, and that we would be almost, if not quite, at the doors of peace today.

There are those who honestly and sincerely fear a German invasion of this country; but let me call attention to the fact that when America was a young, struggling, ununited Nation, weak in arms and weak in everything but the desire for liberty, an invasion of this country was attempted, and we defeated both England and her hired German allies.

My little State of Vermont, which at that time was an independent republic, for 2 years held back the forces of Britain from invading the Colonies by way of the Richlieu River and the Champlain Valley. This has been pointed out as the route Hitler would likely take when he attempts to invade us. When England finally attempted to invade our young Nation by that route she was thoroughly thrashed at Bennington and Saratoga and Hubbardton, and the Revolutionary War was soon over. Never yet has an invasion of this country by way of the St. Lawrence River and the Champlain Valley been successful.

Today the common folks of America who did not appear at our hearings are looking to the Senate. They are looking to us, expecting that while we will give aid to our English cousins we will think and act for America first, last, and all the time. They are not looking to us to lead them into war. Are we going to turn our backs on them and say that we have to send our men to Germany to collect unpaid royalties; that we have to protect foreign investments for financial concerns that turned their backs on the small business interests of America and put their trust in foreign governments? Are we going to say to them that we have to make world-wide markets for guns and oil and materials of

war because a new crop of war millionaires is necessary for our well being, and that the sons of the common people must die in order to bring this about?

What I have said will not be liked by some persons in my State, but I would rather go home now and face the wrath of the money powers of my State than to go home a few years later and face the empty chairs and the empty hearts in the homes of my neighbors.

Mr. NYE obtained the floor.

Mr. WILEY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Ellender	Norris
Aiken	George	Nye
Andrews	Gerry	O'Mahoney
Austin	Gillette	Overton
Bailey	Green	Radcliffe
Ball	Guffey	Reed
Bankhead	Gurney	Reynolds
Barbour	Harrison	Russell
Barkley	Hatch	Schwartz
Bilbo	Hayden	Sheppard
Bone	Herring	Shipstead
Brewster	Hill	Smathers
Bridges	Holman	Stewart
Brooks	Hughes	Taft
Brown	Johnson, Calif.	Thomas, Idaho
Bulow	Kilgore	Thomas, Utah
Bunker	La Follette	Tobey
Burton	Langer	Truman
Byrd	Lee	Tunnell
Byrnes	Lodge	Tydings
Capper	Lucas	Vandenberg
Caraway	McCarran	Van Nuys
Chandler	McFarland	Wallgren
Chavez	McKellar	Walsh
Clark, Idaho	McNary	Wheeler
Clark, Mo.	Maloney	White
Connally	Mead	Wiley
Danaher	Miller	Willis
Davis	Murdock	
Downey	Murray	

The PRESIDING OFFICER. Eighty-eight Senators have answered to their names. A quorum is present.

Mr. NYE. Mr. President, a divided house is not, of course, in the best interests of our Nation, but it does not then follow that there must therefore be unity in the present rush for the enactment of H. R. 1776; indeed, the interests of the United States seems to me to demand quite the opposite of unity if there cannot be unity in opposition to the madness that is H. R. 1776.

When I was interrupted in my address of a week ago in the Senate by a recess in the early evening, I had about finished making in my feeble way the point that it was propaganda that was quickening our heartbeat in support of the appeal to open our purse as wide as we had opened our heart to England, even before England had opened more of her own purse, I told of how bankers, with a seeming yen to get other people's sons into Europe's war, had pleaded with certain newspaper writers to get them to write stories that would convince the American public that it was unfair to ask British nationals to liquidate more of her holdings in America, of how one such writer was told that if he didn't choose to honor himself to the extent of a scoop in writing such a story in conjunction with the accounting of how England was fighting our war, they, these bankers, could get Walter Lippmann or David Lawrence to write the story.



What a reflection upon American journalism that selfish minds and selfish hands can even dare to count on some columnists to do their bidding and their requesting in so sordid a game as that of edging the American people into war.

The failure of England and her nationals to liquidate and do what they could to meet their own bill of expense in the fight to save England does not reflect to the credit of England. Nor does it reflect creditably upon us when we can be easily moved in saving England before England is ready to go the route in saving herself.

Just imagine the emergency that confronts England at the present time. She never has been "up against it" as she is now, yet she has the audacity to anticipate that we will do what she herself is not ready to do to save herself. This thought, the thought that Britain is fighting our war, that it is unfair to ask Britain to liquidate further of her holdings in this country, that we ought to want to help with our purse at the time when England is so intensely under the gun, causes one to recall the hunter carrying a gun with only two cartridges in it, who was chased by a grizzly bear, and climbed a tree. The hunter, perched in the tree, watched for hours as the grizzly pawed the earth below. The grizzly finally moving away, the hunter returned home. To interested friends he revealed his exciting experience of the day. When one of his hearers inquired why he had not used the remaining cartridges in his gun to shoot the bear from the tree in which he was perched, he responded: "Oh, no; indeed no; I was saving those remaining two cartridges for an emergency." Perhaps Great Britain is wanting to save her remaining cartridges for another emergency.

We in America do not know how many cartridges, that is, how much of holdings that could be liquidated and converted into buying power, Great Britain really has in this country and this hemisphere. We only know that the holdings are tremendous, and that there is remarkable inconsistency and confusion in the reports which have been given us concerning British possessions. But here we are today in the light of absolutely declining to conduct an investigation of our own into convertibles owned by Great Britain in our country, and rushing pell-mell to roll out our own resources to save England. Indeed, we go even further and heed the voice of the Lamonts and the Morgans to the effect that we must not ask England to liquidate further than she has already had to do.

The riches of the British Empire are well recognized. The thoughts left by Mr. Morgenthau, and Mr. Lamont, of the banking houses of Morgan & Co., with large banking interests in England as well as here, are hardly the thoughts which should be prompting Americans, at least until Americans know better precisely what are the opportunities for Great Britain to conduct dealings with us on a cash-and-carry basis. Especially is this true when we find England dealing with her own dominions on a strictly cash-and-carry basis, and the dominions

not even thinking of a lend-lease bill in this hour of British emergency. To this matter I shall return later, to deal with it in a larger way.

Just now it is my wish to make point of how propaganda has us marching once again straight to war, how hysteria has our leaders fearing ghosts and shadows, grasping for every fearful thing, every law labeled "fear," but passing up or ignoring every law labeled "reason and sanity." The Senate leader [Mr. BARKLEY], grabs for straws in the form of a foreign speech, which no one can assert was ever made, in order to bring his mind and our minds to support of the lend-lease bill. The Senator from Vermont [Mr. AUSTIN] finds himself grasping the straw which has Hitler moving down the St. Lawrence River, down into Lake Champlain and then into the Hudson River, as a reason prompting quick enactment of the lend-lease bill. Boo, boo, boo has the right-of-way at every turn. Fear and hate have obsessed us, blinded us, fooled us. What we need more than anything else is time to collect reason, and let reason play a more substantial part in our American consideration once again. What we witness now is but a sample of what hate and fear have done and can do again. It may well be our undoing if not checked.

How true it is that in war the first casualty is truth. We are being given the "ride of our lives" here in this country, and falsehood and imagination are making that ride the most reckless Americans have ever taken. The sad part of it all is that this propaganda is precisely what we were amply warned would be our lot, yet some of us do not seem to care to pause even for a moment to see it.

Mr. President, I have said that propaganda has us seeing things. Propaganda has made us so fearful that in our midst are those who imagine a moment when Omaha and Kansas City and some of the other interior cities of the land will be the victims of air attack. Propaganda has made some of us fearful of the possibility of an invasion down through the St. Lawrence and Lake Champlain. Propaganda has engendered and fanned hate and fear to such a point that already we are nearly hating as much as once before we hated "the Hun, the brutes." I wish to heaven that we might pause long enough to know that those who would now make us their allies abroad only a comparatively few months ago were seeding in this man Hitler a much different individual and in the Germans a much different people than they are letting us see now.

Winston Churchill, the present Premier of Great Britain, in January 1927, after a visit to Italy, said this, as reported in the New Leader, of London, of January 20, 1940:

If I had been an Italian I am sure that I should have been wholeheartedly with you (the Fascists) from start to finish in your triumphant struggle against the bestial appetites and passions of Leninism.

I will say a word on an international aspect of fascism. Externally your movement has rendered a service to the whole world.

She (Italy) has provided the necessary antidote to the Russian poison. Hereafter,

no great nation will be unprovided with an ultimate means of protection against cancerous growths.

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. NYE. I yield.

Mr. WHEELER. The Senator does not mean to say that Mr. Churchill, the leader of the great democracy, made that statement in favor of fascism?

Mr. NYE. That is precisely what I am saying. It was the same Churchill who today would make us his ally to the end that he might destroy this thing which he so highly praised.

Mr. WHEELER. Is that the same Churchill who in his book said that every nation ought to be free, and should not depend upon another nation for its defense, and that any nation which depended upon another for its defense was no longer a free nation, or words to that effect?

Mr. NYE. It is the same Churchill, I will say in answer to the Senator from Montana.

As recently as November 11, 1938, we find Mr. Churchill saying:

I have always said that if Great Britain were defeated in war I hoped we should find a Hitler to lead us back to our rightful position among the nations.

This is the same Churchill who today would have us help crush this man Hitler, who himself said he would welcome the likes of Hitler in the event Great Britain were ever defeated.

Lord Beaverbrook, an Englishman of considerable influence, spoke in this manner on October 31, 1938, as reported by the Daily Express in London:

We certainly credit Hitler with honesty and sincerity. We believe in his purpose, stated over and over again, to seek an accommodation with us, and we accept to the full the implications of the Munich document.

Mr. President, how different the talk of 2 and 3 years ago about Hitler from that which we hear now emanating from the mouths of great British statesmen.

Mr. WHEELER. Mr. President, will the Senator again yield?

Mr. NYE. I yield.

Mr. WHEELER. After hearing the Senator from North Dakota read those statements made by Mr. Churchill, I can understand why it is that Wendell Willkie thinks he is such a great statesman. [Manifestation of applause in the galleries.]

The PRESIDING OFFICER rapped with his gavel.

Mr. NYE. Mr. President, it is not for us to judge the statesmanship and the expertness of an American who gives 6 days of his life to a review of conditions in England and returns to tell the others of us what we ought to do about the situation.

Lord Rothermere, an eminent British statesman, speaking as recently as May 1938, is quoted by the Daily Mail, of London as follows:

Great numbers of people in England regard Herr Hitler as an ogre, but I would like to tell them how I have found him. He exudes good fellowship. He is simple, unaffected, and obviously sincere. He is supremely intelligent. If you ask Herr Hitler a question, he makes an instant reply full of information



and eminent good sense. There is no man living whose promise given in regard to something of real moment I would sooner take. \* \* \*

Herr Hitler has a great liking for the English people. He regards the English and Germans as being of one race.

Mr. President, I repeat, this is from the lips of that very eminent Englishman, Lord Rothermere, uttered as recently as 1938.

Not so many weeks ago Lord Lothian was carried to his grave. He spoke to the Royal Institute of International Affairs on March 28, 1938, and his speech was reported in Peace News, of London, of January 17, 1941. This was the same Lord Lothian who during the closing days of his life was striving with all the force at his command, with the aid and cooperation of many Americans, to bring America to the point of greater and ever greater aid to the cause of destroying Hitler and Hitlerism. I quote now from this address, which was reported as having been delivered before the Royal Institute of International Affairs in 1938:

Moreover, I do not think you can see the present position fairly without just weighing for a moment the origins and the outcome of the last war, because what is going on now is in great measure a corrective of some of the things that were done at the end of it.

I am not going to argue the war-guilt clause here and now, except to express my own conviction, having read a great many books about the origins of the war, that the doctrine of the sole guilt will not hold water at all.

It (the World War) was partly the result of a conflict which has reappeared since the war, the conflict between what are called the late comers and the early comers, the haves and the have nots. Germany, then as now, is a late comer. It was partly the outcome of the historic conflict between Slav and Teuton for control over or predominant influence in the Balkans. \* \* \* Finally, the most immediately decisive cause of the war was the military timetable. \* \* \*

As a result of the beliefs we all had at that time about the origins of the war there was a very stiff peace treaty. I do not think anybody disputes that now.

But what is not, I think, generally realized is that what followed the war was far more fatal, at any rate in its consequences for Europe, than what was done at Versailles.

I am still quoting Lord Lothian:

We ought to face honestly the main result of all that history. I do not think there is any doubt that its main outcome was the triumph of Herr Hitler and the National Socialist regime. Nobody who had contacts with Stresemann during these years, still more with Bruening, will forget the way in which they came and said, "Unless you make some concession to the Republic now nothing can prevent Germany yielding to those who say you can get nothing from the Allies by appeals to justice; you can only get your freedom by strength and violence."

Bruening came over and over again, but for various reasons, quite easy to understand, nothing was done.

Mr. President, this is Lord Lothian, not I, applauding the cause of Herr Hitler and the cause of the German people. I continue to quote him:

I have felt for the last 3 years that the most imperative thing was to go and have a real talk with the Germans as to what the basis of a lasting peace should be. Perhaps it was because I felt that they had legitimate grievances which had to be removed before there

could be peace. But I felt also that the time to negotiate with Germany was when Hitler was offering to be content with an army of two or three hundred thousand men or an air force half that of France, or one-third of the neighboring air forces, whichever was the smaller. That was the time to negotiate.

So that I cannot help feeling that we (by "we" I mean the dominant Allied Powers) are largely responsible for the situation that confronts us today.

If another war comes and the history of it is ever written the dispassionate historian a hundred years hence will not say that Germany alone was responsible for it, even if she strikes the first blow, but that those who mismanaged the world between 1918 and 1937 had a large share of responsibility for it.

Mr. President, I submit in all seriousness that the words of those Englishmen of 2, 3, and 4 years ago were certainly worth as much, and were offered in as large a degree of sincerity, as their word and their appeal today are offered.

No one has more roundly condemned the existence of the strife which prevails in Europe today than David Lloyd George, a member of Parliament and a former great Prime Minister of England. What he had to say was not uttered 2 or 3 or 4 years ago, or 5, 10, or 15 years ago. I am about to quote from an address which he delivered on May 9 of last year, after Europe had been involved for many months in strife. I shall quote from an address he made in the House of Commons on that day—an amazing address, an address which one could not conceive an American making with his country at war. But here it is; and I can only imagine that David Lloyd George left the House of Commons feeling much the better, much the stronger, for having delivered himself of these utterances which ought to mean so very much to America.

Lloyd George had been attacked in the House of Commons. He had been charged with responsibility for the strife which was spreading over Europe. He rose to make response to that charge. He said:

As a fellow journalist, I wish to say a word or two in answer to the very kindly and very friendly observations made about me by my honorable friend the member for Wood Green [Mr. Baxter]. I have no reason to quarrel with the tone of his remarks, and I am hoping that he will extend to me some sympathy, because one of the difficulties when you have to write an article at a given date is, as he knows, that it is not always easy to find the necessary matter. I have had to earn my living exactly as he has, although it has not been as sumptuous a success. I only want to say that I would rather at this moment not go into particular instances, because if I did so, I should be guilty of the very deed that the honorable member has admonished me for having done. If I were to go into all the things that have been done during the period between the signature of the Treaty of Versailles and the beginning of this war, the things I should have to point out would show that the faults were by no means all on one side, and I do not think I should be very helpful. He has provoked me to do so—very much so.

The Treaty of Versailles was not carried out by those who dictated it. A good deal of the trouble was due to that fact. We were dealing with governments in Germany which were democratic governments, based on a democratic franchise, with democratic statesmen, and it is because we did not carry out the undertakings we had given to those

democratic governments that Hitler came into power. There was a good deal that was done in Germany, more particularly with regard to disarmament. The solid promise that we gave, not merely in the Treaty itself, but in a document which I took part in drafting, which was signed by M. Clemenceau on our behalf, that if Germany disarmed, we should immediately follow her example, was not carried out, and there is no government that is more responsible for that than the present National Government which came into power in 1931. They had their opportunity. America was ready, Germany was ready—it was a time when Herr Bruening was in charge—but we refused to carry out the terms after Germany had been completely disarmed. We had the certificate of the ambassadors to say that disarmament was completed, but in spite of that, we did not carry out our part.

Mr. WHEELER. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. WALLGREN in the chair). Does the Senator from North Dakota yield to the Senator from Montana?

Mr. NYE. I yield.

Mr. WHEELER. Let me say to the Senator that what Lloyd George said on the floor of the House of Commons, of course, is known not only to every English statesman, but also to every European statesman. The truth is that Great Britain and some of the other countries deliberately refused to help the democratic government of Germany and were responsible for bringing in Mr. Hitler. Not only that, but after Hitler came in they helped to finance and build up his power. Now, after that, and even after some of the German refugees at the present time in the United States helped finance Hitler and helped bring him into power, we are asked to aid England; to send American boys, American airplanes, and everything else over there to fight, because, it is said, England is our first line of defense. That is said despite the fact that England betrayed the treaty that was solemnly entered into, and, as a matter of fact, as Lloyd George said, not only betrayed Germany by not being willing to disarm, but betrayed the United States, which was willing to disarm.

Mr. NYE. Quite so.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. NYE. I yield.

Mr. CLARK of Missouri. I believe I violate no confidence whatever when I say that within the past 2 years, I think, or certainly not much more than that, I was privileged to be a guest at a luncheon given in honor of Lord and Lady Astor in the Foreign Relations Committee room in the Capitol, at which time Lady Astor insisted that her husband be the speaker of the occasion and address the some 20 Senators there present in behalf of an alignment with Hitler. Hitler already was in power in Germany. Lord Astor made a speech, some 15 or 20 minutes in length, I should say, during the course of which he favored an alignment with Hitler, with Lady Astor nodding him on and turning around and remarking that, however, we should have to go along with the British in the Orient, if necessary, to the extent of a war with Japan, in which case we should



have to match the British man for man and ship for ship and gun for gun.

At that point the late Senator from Idaho, Mr. Borah, with an agility remarkable for his age, managed to get to Senator Pittman, who was the host, and Lady Astor, who was the guest of honor, to explain that he had to leave in order to attend a committee meeting. I had started at almost the same time Senator Borah did, but he first reached Senator Pittman. Right behind me was the Senator from Mississippi [Mr. Harrison]. So the policy of a very powerful party in the British Government at that time was no secret.

Mr. NYE. I am greatly obliged to the Senator from Missouri for his contribution of worth-while thought, as well as to the Senator from Montana. Their remarks add strength to the point I am trying to make, namely, that propaganda has brought us to hates and to fears about men and conditions which only a few months ago were not being feared in the least by the very persons who now spread their propaganda about us.

I return to the address in the House of Commons by David Lloyd George, delivered on May 9, 1940, less than a year ago, while England was at war:

The same thing applies to minorities. I repeatedly called attention to it. Mr. Benes, in the conference in Paris—I am sorry to have to go over this at the present moment, but I am not in the habit of failing to reply to attacks—was responsible, first of all, for giving a direct pledge to the conference that if Sudeten Germany were to become part of Czechoslovakia—the same thing applied to the Hungarians and to the Slovaks—the same autonomy would be given to them as in the Swiss Confederation of men of different races under the same flag and forming part of the same federal constitution. It was not carried out. The last conference I attended as Prime Minister was at Genoa in 1922, 3 years after the signature of the Treaty of Versailles. I begged that the promises which had then been given to the minorities, to the Hungarians and to the Germans—the same thing applies to Poland and to the Ukrainians—should be carried out. It was not my fault that they were not carried out.

I do not intend to apportion the blame at this particular moment, but ever since the signature of the treaty I did my very best, as Prime Minister, and I did not alter my policy in the least when I became an independent member of the opposition or when I was leader of the Liberal Party. Of course, as an independent member of this house I could not bring the same pressure as I did when I was Prime Minister, but I urged the conquering powers who were then all powerful to exert their authority to compel these countries to carry out the pledges which they had given. I pointed out over and over again that if they did not do so, it would end in a great European war and that there would be trouble. My predictions, unfortunately, have turned out to be true, and when the history of the whole of these transactions comes to be written, if the honorable gentleman will take the trouble to read it, he will find that most of this trouble has originated in the fact that the victors in the late war did not carry out solemn pledges which they gave in a treaty which they themselves dictated. They had the opportunity. Germany was prostrate. The creation of this terrible power in Germany, the spirit which is behind it, and what makes it so formidable at the present moment is due to the fact that we did not carry out our pledges. What is the result? Democracy has been swept away

in Germany; democracy has been attacked by Germany. That spirit in Germany was created by the fact that the dominating democracies in Europe did not keep faith. We are now confronted with the most terrible answer that has ever been given to those who have broken faith and broken covenants. I do not apologize in the least for the fact that not only when I was Prime Minister but afterward I did my very best to persuade them to carry out the pledges which they had given solemnly in writing to the world.

To the few Senators who honor me by remaining in the Chamber, I point out the number of times in his brief statement in the House of Commons in which David Lloyd George refers to the breaking of pledges and the dishonoring of covenants. Again and again he comes back and fixes the responsibility for the failure of the Allies to redeem their pledges, which, had they been fulfilled, undoubtedly would not only have prevented the mess in which Europe finds herself today but probably would have prevented even the existence of this man Hitler. But the same British lords, earls, dukes, and commoners who only a few months ago were expressing their friendship and paying their respects to Herr Hitler are the ones who today are primarily leading in the effort to have the United States develop an everlasting hatred and fear for this brute; this Hun, who would dominate all the world. I am holding no brief for Hitler; yet I cannot, in honesty and fairness to myself, close my eyes to the fact that the German people—acknowledged so by the leaders of England themselves—have felt that they had to resort to war as the only instrument that could accomplish their purpose, a laudable purpose. Lloyd George again and again comes back to the declaration that had the Allies fulfilled their part of the bargain entered into at Versailles, there would not have been the present trouble.

Mr. President, propaganda has us seeing things and fearing things which in ordinary times one would say surely were impossible of accomplishment in this great, free land of ours. Hatred and fear are moving us in directions far more insane than are being pursued by the peoples who live under the flag of Great Britain today. All this propaganda so successfully operated upon us was planned 2 and 3 years ago by British authorities who were only contemplating the time when again they might need to reach out and cry for help from America.

In 1938 there was printed in Great Britain a volume entitled "Propaganda in the Next War." The work was done by one Sidney Rogerson in a series, the editor-in-chief of which was Liddell Hart. Captain Liddell Hart is a well-known military correspondent of the London Times. The purpose of the different volumes which he supervised, all of which are by experts in their subjects, was to give an idea of the nature of present-day armaments, and the way in which they are likely to be used under modern conditions.

The writer of this particular book, Mr. Sidney Rogerson, himself—

has been engaged in commercial propaganda work for many years, and is one of the lead-

ing authorities in England on the subject. His new book is the first study of its kind to appear in Great Britain. He recalls the belated but effective employment of propaganda in 1918, and the large share it had in the collapse of the Central Powers. He points out that in another war the task of the British propagandist will be more formidable, since in proportion as propaganda has increased its weapons and developed its resources, the defenses against it have grown stronger; and he urges upon the authorities the necessity of preparation now, since the most effective propaganda will be carried out in time of peace. Some of Mr. Rogerson's suggestions will startle and even shock his readers, and he will undoubtedly succeed in his avowed purpose of getting the subject discussed.

This introduction of Mr. Rogerson and Mr. Liddell Hart is found in the cover pages of this volume, produced in 1938. The volume is entitled "Propaganda in the Next War." Obviously it was never intended that this book should be seen or read by any other than authorities of the British Government—authorities who would put these suggestions into operation. It was to be something of a textbook, perhaps, a handbook for those who would be in positions of responsibility.

One chapter of this book is devoted to the manner in which the United States would have to be played with by propaganda, if we were to be brought in on either side in the event of another war, which the British thought they plainly saw coming.

Starting at page 145 of this volume, I read:

For sometime the issue as to which side the United States would take hung in the balance—

Referring to our participation in the last war—

and if the final result was a credit to our propaganda—

That is, British propaganda—

we were helped by the carelessness of the Germans. They continually overreached themselves and, with all their native tendency to overorganization, forgot to cover up their tracks. Their propaganda was as obvious as it was energetic. I repeat, it is unthinkable that such a dogfight between non-Americans will again be permitted in the United States. The American peoples have progressed a long way since those days, when foreign politics were hardly touched upon in any but a few of the greater newspapers. Nowadays the American foreign correspondent is one of the most resourceful and best informed in the world. They have what amounts almost to a passion for "debunking" foreign aims and ideas, but while they have encouraged Americans to interest themselves in politics overseas, they have not yet succeeded in transferring their own objective outlook to their readers. Excellently served though the Americans are by their news gatherers and reporters abroad, they can perhaps hardly be expected, in the security of their own detached hemisphere, to see European affairs realistically. For one thing, the American is the great champion of the oppressed—and frequently of the soi-disant oppressed, which may explain why he is so frequently taken in by the "hard luck" story of London confidence tricksters. Secondly, the American people are still under the influence of much of the Great War propaganda. They are more susceptible than most peoples to mass suggestion—they have been brought up on it—and since 1918 they have shut



themselves off from reality. Thirdly, they are at this moment the battleground of an active propaganda of labels.

Mr. WHEELER. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Montana?

Mr. NYE. I do.

Mr. WHEELER. In other words, judging from what the Senator says, the plain English of the matter is that we are just a bunch of "suckers"?

Mr. NYE. The Senator from Montana will not realize how large a bunch of large "suckers" we are until he shall have finished reading this prophetic chapter devoted to the manner in which America would be brought in on the side of England if England should have to go to war again.

Mr. WHEELER. Let me say to the Senator, if I may interrupt him for a moment longer, that I received, and I have sent for, a pamphlet which was circulated in England by a member of Parliament to the businessmen of England. In this pamphlet he tells the businessmen of England that the United States probably will come into the war on the side of the Allies by way of the Orient. I give great credit to this pamphlet, because if an American Senator wants to find out what the United States is doing, how many airplanes it has, or anything else, the way he can find it out is to go to some English authority. In that way he can find out what our own departments are doing; and if he wants to know what our State Department is going to do next, the way to ascertain the information is to go to England and find it out through some English authority.

This Englishman, who is a member of Parliament, whose name I have and will get and place in the RECORD, goes on to tell English businessmen that we are going to come into the war, but that we are going to come in by way of the Orient. As I say, every move we are taking points that way; and I should not be surprised at any moment to see American troops ordered to Singapore, not for the purpose of protecting American interests, but for the purpose of protecting the stranglehold which England already has over the unfortunate human beings whom she exploits in India.

Mr. NYE. Let me suggest to the Senator that in our own Navy Department in Washington at this time authorities are busying themselves with plans and estimates as to how they might take and hold and keep open the Burma Road, six or eight thousand miles away from the shores which we are swearing a determination to protect with the ever-larger Navy for which we are providing.

The writer of the work from which I have been reading also reveals, as the Senator from Montana has suggested, that perhaps the only way in which the United States could be brought into the next war of England's on the side of England would be through that back door, by way of Japan, as the Senator shall know shortly.

The writer proceeds:

There is no sense in refusing to recognize that there has always been a substratum of suspicion of Great Britain in the United States. The American people may admire some of our traits and hold others in contempt, but they periodically tend to suspect our motives. During the Great War we were particularly vulnerable to indirect propaganda in the United States, and the Germans were able to work up a fierce feeling for the miserable Irish, struggling to get home rule; for the oppressed Indians, writhing under a British military despotism; for the fleasome fellaheen in Egypt, kept on the bare subsistence line; and for the poor Jew whose brethren were periodically beaten up or burned by Britain's allies. It is good to feel that in the next war those horses will not run—certainly not in the same colors. The bestowal of more than Dominion status on Ireland, the Indian Constitution, and the recognition of the Kingdom of Egypt have removed these dangerous centers of propaganda infection. Whatever, if anything, we may have lost by these concessions, they have made us so much the less vulnerable to enemy propaganda attack in America. It will be difficult again to rally American feeling against us on these counts.

Mr. President, I am sure I shall have time before we cease our deliberations this evening to refer to the effort that is being made to indicate that in this country the feeling to which reference was made has been so completely changed that those who hitherto entertained strong sympathy toward Ireland in her relations with England were forgetting them with a view to destroying Hitlerism.

After being appealed to by many Catholic clergymen, I have consented to offer for the RECORD certain information which, it is alleged, much more largely represents feeling than that which has been hitherto afforded.

Returning to "Propaganda in the Next War," I read:

It will be difficult again to rally American feeling against us on these counts. There remain the Jews. It has been estimated that of the world Jew population of approximately 15,000,000, no fewer than 5,000,000 are in the United States. Twenty-five per cent of the inhabitants of New York are Jews. During the Great War—

Listen to this, Senators—

During the Great War we bought off this huge American Jewish public by the promise of the Jewish National Home in Palestine—

A brazen confession, "we bought them off with a promise the last time."

held by Ludendorff to be the master stroke of allied propaganda as it enabled us not only to appeal to Jews in America but to Jews in Germany as well. Since then our attempts to implement our undertaking have landed us in difficulties with the indigenous Arabs, agitated by Italian propaganda, without satisfying the Jews. We have not satisfied the educated British Jews. How much less have we satisfied the more remote Jew community on the other side of the Atlantic? In addition, the recent realist policy of the British Government has been worked up into a propaganda of significant extent and intensity which represents Great Britain as being "half Fascist"—excuse the label—all ready and prepared to "sell the democratic pass" and go "all Fascist" at the first convenient opportunity. This is being developed by the intense Jewish hatred of Germany, and from her of all dictator countries, and backed by

the influence of the Catholic Church and undenominational liberals. At the moment we have a strong section of American opinion against us, but if war were to break out tomorrow between England and Germany this mass of opinion would have to come down on one side or the other and it will be marvelous indeed if German propaganda could succeed in bringing it down on theirs. In general the situation in the United States is more favorable to Great Britain than in 1914, in that the obvious centers of infection have been removed: But less favorable in that we have temporarily at any rate lost caste as a democratic state because of the propaganda which represents us as truckling to or at least having truck with dictators. Though we are not unfavorably placed, we shall require to do much propaganda to keep the United States benevolently neutral. To persuade her to take our part will be much more difficult, so difficult as to be unlikely to succeed. It will need a definite threat to America, a threat, moreover, which will have to be brought home by propaganda to every citizen, before the Republic will again take arms in an external quarrel.

I now call to the attention of the Senator from Montana the point he made:

The position will naturally be considerably eased if Japan were involved and this might and probably would bring America in without further ado.

Oh, Mr. President, what prophetic vision these Englishmen have.

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. NYE. I yield.

Mr. WHEELER. I have here the K-H News Letter, published at Hartfield House, Headley, Bordon, Hants, England, for December 5, 1940, which proceeds to refer to the possibility of our getting into the war by way of Japan, and the final paragraph reads as follows:

Japan's signature of the Tripartite Pact brought the people of the United States of America face to face with the fact that the struggle in the Far East is part and parcel of the war in Europe. This realization has forced the Americans to ask themselves whether or not their country will find it possible to limit their assistance to Britain to "measures short of war." The conviction is growing that the answer is that it will not, and that possibly April or June will see the United States of America at war. Should the Japanese attempt further action in the southwestern Pacific, which appeared to threaten the interests of the democracies in that area—

I should like to have any Senator rise on the floor of the Senate at some time during the course of the debate and tell me where there is a single, solitary democracy in the Orient.

Mr. NYE. Does the Senator think that anyone will undertake to show him that?

Mr. WHEELER. Not if he knows anything about it.

Should the Japanese attempt further action in the southwestern Pacific, which appeared to threaten the interests of the democracies in that area, the Far East may turn out to be the door through which America will enter this world struggle between the totalitarian and democratic conceptions of life.

Yours sincerely,

THE K-H NEWS-LETTER SERVICE.

I also have another letter, along the same line, written by a member of Parliament, sent out to businessmen.



Mr. BARKLEY. Did the Senator say that was "K-K" or "K. K. K."?

Mr. WHEELER. No; this is the K-H News-Letter Service.

Mr. BARKLEY. I thought the Senator said "K-K."

Mr. WHEELER. The K-H News-Letter Service. They do not have any K. K. K.'s in England, I understand. It is only in certain parts of the United States that they appear—but not in Montana. [Laughter.]

Mr. NYE. I thank the Senator. I continue to read from the book *Propaganda in the Next War*:

At any rate, it would be a natural and obvious object of our propagandists to achieve this, just as during the Great War they succeeded in embroiling the United States with Germany.

Mr. President, note, please, this Englishman boasting that British propaganda accomplished our embroilment with Germany in 1917 and 1918, and that they were planning how to manage to get us in if and when England has to go to war again.

Mr. WHEELER. Mr. President, will the Senator again yield?

Mr. NYE. I yield.

Mr. WHEELER. I simply wish to call attention to the fact that we find at the present time the same kind of propaganda going on in the United States. Some prominent Englishmen have said that England spent from \$165,000,000 to \$250,000,000 in this country in the last campaign in an effort to get us into the war. There can be no question that money is now being spent for propaganda purposes in this country. Efforts have been made to have resolutions agreed to in the Senate providing for the investigation of propaganda carried on in the United States by Germany and Italy, and also by England, but up to this time the efforts have not been successful. The Dies committee of the House of Representatives has been permitted to investigate all kinds of propaganda in this country, and I wish to say that that committee has done a good job. But the committee has not reported at any time on evidence which it has collected with respect to English propaganda. I happen to know that that committee has a tremendous amount of evidence showing the propaganda that has been carried on in the United States by British agents.

Mr. President, I have no worry that the American people will reach a correct conclusion if they have the facts. But every sensible Member of the United States Senate knows that we have not been able to get the facts to the American people, because the propaganda has all been one-sided. Propaganda has been carried on through motion pictures and by radio commentators. It is interesting to know who are sponsoring the propaganda that is carried over the radio. I have the facts with respect to that, and I expect to call them to the attention of the Senate later. Never before in the history of the United States has there been so much one-sided propaganda over the radio and in some newspapers, to get is in on the side of England.

I say frankly that when those who carry on propaganda in favor of Soviet Russia are denounced as being subversive, and when those who carry on propaganda in favor of Germany are denounced as being subversive, then we certainly should denounce the columnists and others who are openly urging our entry into the war on behalf of and on the side of England, knowing that it will mean the sacrifice of millions of American boys; knowing that the result will be the expenditure of tremendous amounts of money, which will cause inflation, and then deflation in this country. If anyone in the United States should be denounced from every pulpit and every platform in the United States it is those who are seeking to destroy this country by getting us into the European war.

Mr. President, we should not have to wait until after the war is over to conduct such an investigation as I have indicated. We should investigate now and put a stop to the propaganda. I wish to see German propaganda investigated. If there are those who are putting up money for the purpose of conducting propaganda in this country in favor of the Nazis, I wish to see them investigated. I wish also to see those who are conducting British propaganda in this country investigated. There ought to be an impartial investigation conducted by this body, and it ought to be conducted before it becomes too late. We should not wait until after the war is over to conduct such an investigation.

Mr. NYE. Mr. President, the Senator from Montana is aware how eager I have been to cooperate with him and with others in accomplishing the enactment of such legislation as is necessary to afford a thoroughgoing study of propaganda carried on in America. Were we to have what the Senator from Missouri [Mr. CLARK] has been so earnestly striving to accomplish, I am sure that America would be showing a much greater degree of sanity than it is evidencing at the moment.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. NYE. I yield.

Mr. CLARK of Missouri. I merely rise to say to the Senator from Montana that in his description of the efforts of some columnists to propagandize in this country, he might have gone further and pointed out that perhaps the most strident, the highest priced of the propagandist columnists, Miss Dorothy Thompson, once volunteered to sacrifice a million boys, including her own poor little innocent boy, who is only 12 years old at the present time, and, according to the present law, will not for 9 years in the future reach military age.

Mr. NYE. I thank the Senator. Mr. President, it all seems to me to be utterly silly. Once before we let ourselves be led around and moved by propaganda, as we are now being moved. For 20 years we have laughed at the idea that we could ever again be moved by British propaganda as we were moved once before. We said it simply could not be done. But the Englishman knew better. Coming back to this authority, Mr. Sidney Roger-

son, in his book, *Propaganda in the Next War*, we find him saying:

Fortunately, with America, our propaganda is on firm ground. We can be entirely sincere, as our main plank will be the old democratic one. We must clearly enunciate our belief in the democratic form of government, and our firm resolve to adhere to it. Our minor propaganda will aim at attaching the support of important sections, such as the Jews, probably by the declaration of a clear-cut policy on Palestine and of our intention, if victorious, to put an end to anti-Semitic persecution—and of the Roman Catholic community in similar terms. These should not be difficult to pursue, nor to put over to the American public. We shall as before send over our leading literary lights and other men with names well known in the United States to put our point of view over the dinner table. Our troubles here will be to find men with equally commanding reputations to step into the shoes of such as Kipling, Barrie, Shaw, Galsworthy, and Wells. Conversely, we should exploit to the full the views and experiences of American nationals who might be serving in our forces or those of our allies. We should make much of them, decorate them, signal them out for mention in dispatches and in the press and use their stories as propaganda material to their own people. This was a form of propaganda very ably developed by the French during the Great War. American newspapermen in London are of approved mettle, and, though impervious to any obvious propaganda, should, nevertheless, represent a valuable propaganda force on the strength of the day-to-day news they send over—quite apart from the fact that many of them like this country. In an experience of knowing many of them over a period of 18 years, I can echo Admiral Brownrigg's words praising "their absolute reliability, their honesty in preserving secret information which I had been compelled or perhaps had thought wise to impart to them, and their loyalty in never making use of it until I gave them the word 'go.'" We shall see that they are given every facility for observing and reporting and that their messages are censored sympathetically.

Whatever that may mean.

Similarly with their news-reel men. They should be the first to be allowed to "shoot" pictures of air raids, in order that a proper volume of pictorial "horror" will be available in one of the few great countries where atrocity propaganda will still be operative. Our cables and wireless telegraph services will be available for less urgent or secret messages. Our radio propaganda should also be working at full pressure, but there must be a great improvement upon the present lackadaisical outlook. I can best illustrate this by the following personal experience: On the evening that the world was standing expectantly to hear the Prime Minister's pronouncement on Great Britain's attitude if the Germans followed their coup against Austria by one against Czechoslovakia, I ran into a friend who is possibly our best-known radio commentator. "Tell me what I'm going to tell America," he asked me. "I've got to do my weekly talk on British affairs over the American network in half an hour, and I haven't made up my mind what I ought to say." "But surely you're in touch with the Government," I replied. "Haven't they given you a line, knowing that you regularly reach hundreds of thousands of American listeners?" "Not a word," was his surprising answer. "I'm not in touch with any governmental source of information. They have never tried to get in touch with me, though someone must know what I'm doing. Still, I've tried to get in touch with them." And he explained how he had previously been down to a certain Government department, where he was permitted to see a junior mem-



ber of the press office who could not be of any real service to him. This is sober fact and illustrates as well as may be how much our authorities are doing to counteract the anti-British radio propaganda which is growing in the United States.

I must not, however, give the impression that we are doing absolutely nothing at present to direct propaganda toward foreign countries. That would be unfair to that esoteric body, the British council, which occupies itself in what it calls cultural propaganda, or more succinctly in spreading a knowledge and appreciation of our language, literature, art, science, and education. It has numerous committees composed of politicians, civil servants, manufacturers, and merchants, and educationists, and sends out British lectures and musicians, gramophone records, periodicals, and literature to various foreign countries, entertains editors and educationists visiting England, and generally encourages the young idea, whether in Latvia or Uruguay, to learn and appreciate the English language. Although it has practically no permanent staff it claims to discharge the onerous duties of coordinating the propaganda activities of other bodies, excellent in their own spheres, like the Travel Association (the old "Come to Britain" organization), and the Film Institute (a body which exists primarily to foster the educational and documentary film), and of linking these up with the British Broadcasting Co.'s vague operations. Much of the council's work is no doubt excellent in its way, but it is emphatically not propaganda. In the present situation it is rather like trying to interest a working-class mother in fancy needlework when other energetic people are instructing her how to make her family budget go farther. Cultural propaganda is a dilettante vision. It advances nothing constructive and, despite its hosts of committees, it is not unified. Moreover, it is not controlled either by experts or a permanent staff, but by a collection of enthusiastically minded amateurs. The worst that can be said about it is that it spends thousands of pounds of public money which might be more profitably applied; the best is that it can do no harm and may even wring a tear out of some aged native of Bulgaria or Peru who can recall the days before Great Britain thought it necessary artificially to stimulate an interest in her national culture. Also it may provide a skeleton which, strengthened in the caliber as well as the numbers of its personnel and animated by a propaganda spirit, might be padded out as part of the Ministry of Propaganda in a future war.

#### IV

Lastly, if anything is certain about the next war, it is that we shall have France as our ally in chief, if not as our only certain ally outside the British Empire. Geographically we are bound to France as inexorably as one member of a chain gang to the next; also the only things we have in common with her are this geographical contiguity and the desire to protect ourselves from any aggression on the part of Germany. Other than these we have no real community of interests, methods, or outlook. This is not to say that sections, important and very vocal sections of British opinion, are not sincerely pro-French, or to deny that France has probably the highest intellectual standards and the greatest measure of individual liberty of any country in the world, but propaganda unfortunately demands a unification of policy, and on this score our alliance with France is demonstrably weak. How to advance a concrete policy in line with France has been the difficulty ever since the armistice and will remain in a future war. Had we not been leg-shackled to a logical France determined as a continental nation to defend her own interests as appeared reasonable to her, the course of European propaganda and therefore history would have been different in the

past 20 years. These fetters will hamper our propaganda to neutrals in the next war, and not improbably to the main enemy also. Should we by any fortunate chance evolve a constructive idea for propaganda policy, we shall not be able to press it into use unless and until France agrees, and our outlook being so divergent, it may seldom be possible for her to agree. Equally, as our ally, we shall have to direct a continuous propaganda to her in the nature of a heart stimulant. Always suspicious, she will tend to question the seriousness of our war effort and the weight of our losses unless we give her constant proof. France is a very feminine partner, needing much patience and more attention, who will insist on approving anything we may wish to do, and is capable of distracting us in any course on which we may both have agreed. This is the usual difficulty between allies, perhaps, but I feel that no charge of anti-French bias can be preferred against me for observing that she is not the easiest partner in a world situation like the present. Much propaganda effort will therefore have to be directed to keep her contented that we are also pulling our weight.

One of the most effective methods of convincing allies and neutrals is to provide their propagandists with facilities to inspect and write up our war effort for themselves. This was a sphere in which we excelled during the Great War, and it is one for which we have a special flair on account of our ability to steer a middle course between rigid secrecy and open publicity. But this sort of propaganda is a tricky business which demands imagination as well as patience and tact on the part of those charged with the propaganda duties, and which is seldom welcomed by the fighting forces, who are required constantly to divert responsible officers to "bear-lead" a stream of visiting foreign statesmen, pressmen, photographers, and cinematograph men. Moreover, it contains an element of danger. Still, it is effective. Seeing is believing; and since the aim of the propagandist is to make news and see that it is reported, how better can he do this than by allowing it to be reported by those whom he wishes to influence? But those who have read Brownrigg's entertaining account of his experiences will have no doubts as to the snares and pitfalls which beset this particular propaganda path.

More attention will also require to be devoted to the countries of the Empire, which, owing to the changed status deriving from the Statute of Westminster, will properly claim to be regarded as allies; and there is no ally, not even a brother, who does not need special attention. While on general grounds the Empire can be expected to march in step with the mother country, there is no definite assurance that she will do so. We should take warning from the recent break-away of New Zealand on the League of Nations discussion on Abyssinia, and the possibility of racial or anti-imperial propaganda growing in strength in other Dominions or India. The great relief in respect of propaganda toward allies is that there is no bother about how to reach them. All methods are available. The difficulty is to know just what to say and how much emphasis to lay on it. Indeed, the utmost care is necessary for controlling propaganda toward allies. Most of the feeling of one ally for another is manufactured, and this is particularly true of the British, with whom, as I have indicated earlier, a potential enemy may change with the turn of the political weathercock into a trusted friend. For this reason this type of propaganda is really more important at home. If the French are our allies, it will be our concern to insure that our people think well of the French, and vice versa. Then the propagandist must be careful not to over-stress the note of confidence. I have indicated the reaction of the Russians to confidence propaganda, and there is always the

danger that, whereas in order to bring home the need for a united front it is good to take the line that the allies are hand in glove and that therefore all is going well, some minor ally may argue "Good; but if things are going well, there is no longer the same need for us to obey the more powerful Allied Powers. We'll act more on our own in future."

Mr. President, I have read these extracts not because I wanted to charge the influences which can be brought successfully into play in an emergency such as the one confronting our country; in reading the writings of these authoritative Englishmen I am not undertaking to second their motion; but I do want to say that exceedingly prophetic were the writings of these authorities 3 years ago concerning what they hoped to accomplish with propaganda in the United States.

We move fast, oh, so fast. Almost overnight propaganda converts us from a peace-loving people determined to continue to entertain peace in this hemisphere into a people again hating and striking at the "Huns"—the "brutes" whom Englishmen themselves were praising only a few months ago.

Mark Twain had a keen vision as to what could be done to us Americans when he wrote his Formula for War. Let me read it:

#### MARK TWAIN'S FORMULA FOR WAR [From The Mysterious Stranger]

I can see a million years ahead, and this rule will never change in so many as half a dozen instances. The loud little handful, as usual, will shout for the war.

The pulpit will warily object at first; the great, big, dull bulk of the Nation will rub its sleepy eyes and try to make out why there should be a war and will say, earnestly and indignantly: "It is unjust and dishonorable, and there is no necessity for it." Then the handful will shout louder.

A few fair men on the other side will argue and reason against the war with speech and pen, and at first will have a hearing and be applauded; but it will not last long; those others will shout them, and presently the antiwar audiences will thin out and lose popularity.

Before long you will see this curious thing: the speakers stoned from the platform, and free speech strangled by hordes of furious men who in their secret hearts are still at one with those stoned speakers, as earlier, but do not dare to say so. And now the whole Nation—pulpit and all—will take up the war cry and shout itself hoarse, and mob any honest man who ventures to open his mouth; and presently such mouths will cease to open.

Next the statesmen will invent cheap lies, putting the blame upon the nation that is attacked, and every man will be glad of those conscience-soothing falsities, and will diligently study them, and refuse to examine any refutations of them; and thus he will by and by convince himself that the war is just, and will thank God for the better sleep he enjoys after this process of grotesque self-deception.

Mr. President, what a portrayal that is of the thing which we are already witnessing in part, because primarily we have let foreign propaganda play with us as we have permitted it to play. Let me add one thing more, Mr. President: A moment ago I spoke of a determination to show the sentiment of one class in America toward the English cause. Recently very active in the aid-to-the-Allies cause has been found one Rev. Maurice



S. Sheehy, who, according to the CONGRESSIONAL RECORD carrying his Columbia network speech of February 8, 1941, is head of the department of religious education of the Catholic University of America. It is not my wish to indulge in an exposition of the differing opinions within any church but many representations have been made to me of how very, very far the Rev. Maurice S. Sheehy has come from voicing the sentiments of his own people. One of those obviously determined to object to the representation made by the Reverend Sheehy as to the views of his church is Rev. Thomas J. Hurton, rector of St. Teresa's Church in Philadelphia, who presided at the Irish Race Convention in New York in 1918. It seemed to me that he took particularly violent objection to that part of the Reverend Sheehy's speech over the Columbia Broadcasting System, in which he said:

I am no longer a "fence sitter." My Irish blood clamors for vengeance against England—but only for God's vengeance, which will be accomplished when England returns to the unity of Christendom. Perhaps in the providence of God that day may be speeded by the horrors of war.

Today I am convinced, as a matter of calm reason, with all my inborn prejudices pulling to an opposite conclusion, that England's cause is the cause of freedom, of the United States of America, and of Christianity.

#### Father Hurton writes:

Sunday, February 9, the New York Times published a letter appealing to Congress to pass bill H. R. 1776, which would empower the President to lease or give to belligerent nations a first installment of a billion three hundred million dollars' worth of United States military, naval, and other properties, thereby denuding our own national defense entirely on his own judgment, without consulting Congress. There was no limit to the amount until the people strongly protested. This bill, it is generally believed, would bring the United States to the brink of war and probably into war. It would confer on President Roosevelt, while we are not at war, dictatorial powers greater than were ever enjoyed in wartime by Washington, Lincoln, or Wilson. It would enable him to do acts which would take from the people's Representatives in Congress their constitutional power to declare war or maintain peace. A radio broadcast by a signer of this letter, the Reverend Dr. Maurice S. Sheehy, is publicized in the same number of the Times.

#### WE PROPOSE TO ANALYZE IT

Dr. Sheehy, in the moderate language of the Times, voiced a "strong condemnation" of the "fence sitters," calling them "selfish isolationists." According to the latest Gallup poll, 85 percent of the American people now oppose our entering the present World War despite over a year of such high-powered propaganda.

Dr. Sheehy said, "Today I am convinced as a matter of calm reason, with all my inborn prejudices pulling to an opposite conclusion, that England's cause is the cause of freedom, of the United States, and Christianity." He quotes Pope Pius XII as demanding as a condition of a just peace "the right of every nation, great and small, to live in freedom." All true Americans condemn the Communist, Nazi, and Fascist dictatorships for violating that right.

#### WHAT OF ENGLAND?

But what of England? Every square mile of the one-fourth of the globe in her Empire was conquered by force or fraud. In the first World War she pledged support to the

United States 14 points of freedom; and promptly rejected them when by our aid she won. Not a single Nation subject to her domination was freed; India, Ireland, etc. Besides she added to her possessions, already too large for world justice, over a half million square miles of territory which the Germans were trying to develop in Africa and Oceania. What Allies she sold us in that war for freedom, democracy, and Christianity in the Czar of Russia and the Mikado of Japan, the world's greatest totalitarian tyrants of that time.

Now she is wooing to her side the Soviet Russian Government that has destroyed millions of men, women, and children for mere belief in God and has just crushed Finland, Poland, Lithuania, Latvia, and Estonia. If England effects this alliance we of the United States will be called upon to fight for civilization, Christianity, and democracy beside Soviet Russia. What a fraud.

#### WHAT OF IRELAND?

And now what of Ireland? Dr. Sheehy tells us his "Irish blood clamors for vengeance against England." He lectures Ireland not to yield to "feelings aroused by past injustices" and "work havoc with the cause of freedom in the world." How little Dr. Sheehy understands the Irish people. They are a deeply religious Christian people who have never entertained hatred for the English people. They are truly represented by their calm, world-respected Premier Eamon de Valera, who regularly declares Ireland's desire to live at peace and good will with England. The Irish question is not based on hatred for the past; but on present knowledge and judgment.

In a general election in December 1918 all Ireland voted 70 percent for an independent republic of all Ireland, and this was attested by British officials. In face of this clear expression of a nation's will, the British Parliament passed, in 1920, the Government of Ireland Act entirely by British votes; and so, in the greatest crime against democracy in our time, split the venerable nation of Ireland into two parts. Civil and religious justice are today denied to Irish patriots in the rump state set up by England in the north of Ireland, which even splits the Province of Ulster in two.

#### CONCENTRATION CAMPS

Patriotic Irishmen are now interned in prison camps and prison ships by a hostile English Army which dominates the north and threatens the south. The people of Ireland, who for 800 years have fought for democracy and Christianity against the same oppressor, cannot be forced to regard such inhuman government as representing democracy or Christianity.

It was the English, and not the faithful, always honorable Irish people who abandoned the small nations conquered by Soviet Russia, and who first lured, and then deceived France, Holland, Belgium, and Norway, and now bombs them, and starves their women and children in the name of civilization, democracy, and Christianity.

Mr. President, I should not have sought to have this editorial appear in the RECORD except for the fact that the address of the Reverend Dr. Sheehy had been printed in the Appendix of the CONGRESSIONAL RECORD, page A547.

Mr. President, there are three additional matters which I desire to discuss before I conclude. I want to deal with the matter of our hate of aggressors, and whom we are hating; I want to deal with our fear of invasion; and I want to deal with the parallel which I should like to draw between the period in which we now live and the period from 1914 to

1917. In no one of these undertakings could I get very far tonight in any time short of an hour; and therefore I hope our leader will not insist upon the Senate remaining longer in session tonight.

Mr. BARKLEY. No; I am willing to have the Senate suspend now.

Mr. NYE. I thank the Senator.

#### EXECUTIVE SESSION

Mr. BARKLEY. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

The PRESIDING OFFICER (Mr. WALLGREN in the chair). Reports of committees are in order. If there be no reports of committees, the clerk will state the nominations on the calendar.

#### THE JUDICIARY

The legislative clerk read the nomination of Dave E. Hilles to be United States marshal for the western district of Oklahoma.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Stanford C. Stiles to be United States marshal for the eastern district of Texas.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

That concludes the calendar.

Mr. SHEPPARD. Mr. President, I ask that the President be notified of the confirmation of these two nominations.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### RECESS

Mr. BARKLEY. As in legislative session, I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 45 minutes p. m.) the Senate took a recess until tomorrow, Wednesday, February 26, 1941, at 12 o'clock meridian.

#### CONFIRMATIONS

Executive nominations confirmed by the Senate February 25 (legislative day of February 13), 1941:

#### UNITED STATES MARSHALS

Dave E. Hilles to be United States marshal for the western district of Oklahoma.

Stanford C. Stiles to be United States marshal for the eastern district of Texas.

## HOUSE OF REPRESENTATIVES

TUESDAY, FEBRUARY 25, 1941

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

O Spirit of the living God, fill us with love and power, with righteousness and peace. Thou who art of the strong and weak, teacher of mankind, help us to give again and again that which Thou hast given us. Gather up our desires and motives and harmonize them with Thy will, blending them into a volume of spiritual power. Oh, chart the inner courses of our souls. We give thanks



Helv. 26







# H. R. 1776

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## IN THE SENATE OF THE UNITED STATES

FEBRUARY 26 (legislative day, FEBRUARY 13), 1941

Ordered to lie on the table and to be printed

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## AMENDMENTS

Intended to be proposed by Mr. VANDENBERG to the bill  
(H. R. 1776) further to promote the defense of the United  
States, and for other purposes, viz:

1        On page 4, line 11, of the committee amendment, strike  
2 out "June 30, 1943" and insert in lieu thereof "June 30,  
3 1942".

4        On page 4, line 12, of the committee amendment, strike  
5 out "June 30, 1943" and insert in lieu thereof "June 30,  
6 1942".

7        On page 4, line 18, of the committee amendment, strike  
8 out "July 1, 1946" and insert in lieu thereof "July 1, 1945".

9        On page 4, line 20, of the committee amendment, strike  
10 out "July 1, 1943" and insert in lieu thereof "July 1,  
11 1942".



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## AMENDMENTS

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Intended to be proposed by Mr. VANDENBERG to the bill (H. R. 1776) further to promote the defense of the United States, and for other purposes.

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FEBRUARY 26 (legislative day, FEBRUARY 13), 1941  
Ordered to lie on the table and to be printed



# H. R. 1776

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IN THE SENATE OF THE UNITED STATES

FEBRUARY 26 (legislative day, FEBRUARY 13), 1941

Ordered to lie on the table and to be printed

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## AMENDMENT

Intended to be proposed by Mr. VANDENBERG to the bill (H. R. 1776) further to promote the defense of the United States, and for other purposes, viz:

- 1       On page 3, commencing in line 5, strike out the words
- 2   “except after consultation with the Chief of Staff of the Army
- 3   or the Chief of Naval Operations of the Navy, or both”
- 4   and insert in lieu thereof “unless the Chief of Naval Opera-
- 5   tions in the case of naval-defense articles, or the Chief of
- 6   Staff of the Army in the case of military-defense articles, or
- 7   both in the case of joint-defense articles, shall first certify
- 8   that such articles are not essential to the defense of the United
- 9   States”.



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## AMENDMENT

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Intended to be proposed by Mr. VANDENBERG to the bill (H. R. 1776) further to promote the defense of the United States, and for other purposes.

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FEBRUARY 26 (legislative day, FEBRUARY 13), 1941  
Ordered to lie on the table and to be printed



# H. R. 1776

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IN THE SENATE OF THE UNITED STATES

FEBRUARY 26 (legislative day, FEBRUARY 13), 1941

Ordered to lie on the table and to be printed

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## AMENDMENT

Intended to be proposed by Mr. BYRD to the bill (H. R. 1776)  
further to promote the defense of the United States, and  
for other purposes, viz:

- 1        On page 3, line 10, after the period, insert the follow-
- 2   ing new sentence: "Defense articles procured from funds
- 3   hereafter appropriated shall not be disposed of in any way
- 4   under authority of this paragraph except to the extent
- 5   hereafter specifically authorized by the Congress in the Acts
- 6   appropriating such funds or otherwise."



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# AMENDMENT

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Intended to be proposed by Mr. Byrd to the bill  
(H. R. 1776) further to promote the defense  
of the United States, and for other purposes.

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FEBRUARY 26 (legislative day, FEBRUARY 13), 1941

Ordered to lie on the table and to be printed



the Vice President of the United States, the Speaker of the House of Representatives of the United States, and each of the United States Senators and Representatives from Connecticut.

#### BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. LODGE:

S. 962. A bill for the relief of George McDonough; to the Committee on Military Affairs.

By Mr. McNARY:

S. 963. A bill to authorize completion of alterations to a bridge over the Columbia River made necessary by Bonneville Dam; to the Committee on Commerce.

S. 964. A bill to authorize the construction and operation of a sectional floating drydock at or near Smith Point, Astoria, Oreg.; to the Committee on Naval Affairs.

By Mr. KILGORE:

S. 965. A bill for the relief of Joseph Taylor; to the Committee on Military Affairs.

By Mr. SHEPPARD:

S. 966. A bill granting an increase of pension to Oscar F. Pridgen; to the Committee on Pensions.

S. 967. A bill granting Nancy Bowen and T. R. Bowen the right to sue the United States in the United States District Court for the Eastern District of Texas; to the Committee on the Judiciary.

By Mr. GURNEY:

S. 968. A bill to make crop, feed, and seed loans from the Farm Credit Administration refundable by 10-year installment contracts; to the Committee on Agriculture and Forestry.

S. 969. A bill for the relief of William Hillock; to the Committee on Claims.

S. 970. A bill authorizing the construction of a new veterans' hospital and diagnostic center in the First Congressional District of the State of South Dakota; to the Committee on Finance.

S. 971. A bill for the relief of Emil Navratil;

S. 972. A bill for the relief of John H. Balmat, Jr.; and

S. 973. A bill to correct the military record of Oberlin M. Carter, formerly captain, Corps of Engineers, United States Army, to show that the judgment of court martial in his case is unlawful and invalid; to the Committee on Military Affairs.

S. 974. A bill to amend the Transportation Act of 1940 by amending certain provisions of section 322 of part II of the act; and

S. 975. A bill to amend the Interstate Commerce Act, as amended, by amending certain provisions of part II of said act, otherwise known as the Motor Carrier Act, 1935; to the Committee on Interstate Commerce.

S. 976. A bill to provide for the payment of Sioux benefits to certain women of the Sioux Tribe of Indians;

S. 977. A bill to amend Public Law No. 383, Seventy-third Congress (48 Stat. L. 984), relating to Indians, by exempting from the provisions of such act the Pine Ridge Sioux Tribe of Indians of the State of South Dakota;

S. 978. A bill to amend Public Law No. 383, Seventy-third Congress (48 Stat. L. 984), relating to Indians, by exempting from the provisions of such act the Cheyenne River Sioux Tribe of Indians, of the State of South Dakota;

S. 979. A bill to amend Public Law No. 383, Seventy-third Congress (48 Stat. L. 984), relating to Indians, by exempting from the provisions of such act the Lower Brule Sioux Tribe of Indians, of the Crow Creek Agency, of the State of South Dakota;

S. 980. A bill to amend Public Law No. 383, Seventy-third Congress (48 Stat. L. 984), re-

lating to Indians, by exempting from the provisions of such act the Rosebud Sioux Tribe of Indians, of the Rosebud Agency, of the State of South Dakota;

S. 981. A bill to amend Public Law No. 383, Seventy-third Congress (48 Stat. L. 984), relating to Indians, by exempting from the provisions of such act the Yankton Sioux Tribe of Indians, of the Rosebud Agency, of the State of South Dakota; and

S. 982. A bill to amend Public Law No. 383, Seventy-third Congress (48 Stat. L. 984), relating to Indians, by exempting from the provisions of such act the Indian tribes on the Standing Rock Reservation, located in the States of North and South Dakota; to the Committee on Indian Affairs.

By Mr. REYNOLDS:

S. 983. A bill to amend the act to regulate barbers in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mr. HILL:

S. 984. A bill for the relief of Mr. and Mrs. James C. Loard; to the Committee on Claims.

By Mr. RUSSELL:

S. 985. A bill to amend the Selective Training and Service Act of 1940 to provide for compensation for members of local boards and for other persons assisting in the work of such boards; to the Committee on Military Affairs.

By Mr. SHEPPARD:

S. 986. A bill for the relief of Capt. Thomas C. Gentry; to the Committee on Military Affairs.

#### HOUSE BILLS REFERRED

The following bills were each read twice by their titles and referred as indicated:

H. R. 3155. An act to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes; to the Committee on Naval Affairs.

H. R. 3531. An act to amend certain provisions of the Internal Revenue Code relating to the excess-profits tax, and for other purposes; to the Committee on Finance.

#### AMENDMENT OF INTERNAL REVENUE CODE—MINING OF GOLD AND SILVER

Mr. HAYDEN submitted an amendment intended to be proposed by him to the bill (H. R. 3531) to amend certain provisions of the Internal Revenue Code relating to the excess-profits tax, and for other purposes, which was referred to the Committee on Finance and ordered to be printed.

#### PROMOTION OF NATIONAL DEFENSE—AMENDMENTS

Mr. VANDENBERG. I submit two casual amendments intended to be proposed by me to House bill 1776, the lease-lend bill, which I ask to have printed and lie upon the table. One would require consultation with the Chief of Staff of the Army or the Chief of Naval Operations of the Navy before we fully dissipate our own national defense at home. The other would reduce the life of the emergency powers of this bill from 2 years to 1.

The VICE PRESIDENT. The amendments will be received, printed, and lie on the table.

Mr. BYRD submitted an amendment intended to be proposed by him to the bill (H. R. 1776) further to promote the defense of the United States, and for other purposes, which was ordered to lie on the table and to be printed.

#### CONFIRMATION OF CERTAIN NOMINATIONS IN THE NAVY

Mr. WALSH. Mr. President, out of order I should like to make a request for unanimous consent, to which I am sure there will be no objection, namely, to present for consideration a matter pertaining to the Navy. Six months ago we passed a law permitting the Navy to give commissions in the Regular Navy to several hundred regular Reserve aviators. There had been a provision in the law that for 6 months the age requirement for commissions in the Regular Navy could be waived.

On the desk of the President of the Senate lie certain nominations which the Navy desires to have submitted for confirmation by the Senate. Unless the nominations are confirmed today or tomorrow at the very latest, the 6 months' period will have expired, some of the men recommended for commissions will be over age, and their commissions will not be valid.

In view of these circumstances, I ask unanimous consent that the message from the President submitting these various nominations be laid before the Senate without being referred to the committee, that the Senate confirm the nominations, that the President be notified, and that all this be done as in executive session.

The VICE PRESIDENT. Without objection, as in executive session, the Chair lays before the Senate the nominations of certain naval officers. Without objection, the nominations are confirmed, en bloc; and, without objection, the President will be notified.

#### STATEMENT BY SIDNEY HILLMAN ON NATIONAL-DEFENSE PROGRAM AND LABOR DISPUTES

[Mr. MURDOCK asked and obtained leave to have printed in the RECORD the statement by Mr. Sidney Hillman, Associate Director General of the Office of Production Management, before the Judiciary Committee of the House of Representatives on February 20, 1941, on the question of the effect of labor disputes upon the national-defense program, which appears in the Appendix.]

#### ADDRESS BY J. WARREN MADDEN BEFORE THE NATIONAL LAWYERS GUILD

[Mr. THOMAS of Utah asked and obtained leave to have printed in the Appendix an address delivered by J. Warren Madden at a dinner given in his honor by the National Lawyers Guild, Shoreham Hotel, Washington, D. C., February 22, 1941, which appears in the Appendix.]

#### ADDRESS BY DR. MARSHALL E. DIMOCK ON THE ALIEN, THE GOVERNMENT, AND THE SOCIAL WORKER

[Mr. THOMAS of Utah asked and obtained leave to have printed in the Appendix an address delivered by Dr. Marshall E. Dimock before the thirty-third annual meeting of the Pennsylvania Conference on Social Work, Reading, Pa., February 22, on the subject, The Alien, the Government, and the Social Worker, which appears in the Appendix.]

#### THE STARS AND STRIPES—POEM BY JOHN H. RHOADES

[Mr. MEAD asked and obtained leave to have printed in the RECORD a poem by John Harsen Rhoades entitled "Our Flag—the Stars and Stripes," which appears in the Appendix.]



# LETTER FROM O. M. THOMASON ON LEASE-LEND BILL

[Mr. LANGER asked and obtained leave to have printed in the RECORD a letter relative to the lease-lend bill from O. M. Thomason, of Willernie, Minn., which appears in the Appendix.]

## ARTICLE BY HELEN ESSARY ON NATIONAL DEFENSE

[Mr. WHEELER asked and obtained leave to have printed in the RECORD an article written by Helen Essary and published in the Washington Times-Herald, on the subject of national defense, which appears in the Appendix.]

## CLAUDE KITCHIN AND THIS HOUR—EDITORIAL FROM RALEIGH NEWS AND OBSERVER

[Mr. REYNOLDS asked and obtained leave to have printed in the RECORD an editorial from the Raleigh (N. C.) News and Observer of February 24, 1941, entitled "Claude Kitchin and This Hour," which appears in the Appendix.]

## PROMOTION OF NATIONAL DEFENSE

The Senate resumed the consideration of the bill (H. R. 1776) further to promote the defense of the United States, and for other purposes.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from South Carolina [Mr. BYRNES] in the nature of a substitute for the committee amendment on page 2, beginning in line 16, which has heretofore been stated by the clerk.

Mr. NYE obtained the floor.

Mr. WHEELER. Mr. President—

Mr. NYE. I yield to the Senator from Montana.

Mr. WHEELER. I ask unanimous consent to have inserted in the RECORD a letter, a portion of which I intend to read, sent to me by Reid Robinson, president of the International Union of Mine, Mill, and Smelter Workers, with offices at Denver, Colo. Mr. Robinson was at one time president of the miners' union of the city of Butte, my home town, and grew up as a neighbor of mine. As I say, he is now president of the Mine, Mill, and Smelter Workers' Union, which includes all the unions in the mining and smelting districts of the entire West.

He says:

DEAR SENATOR: The International Union of Mine, Mill, and Smelter Workers respectfully urges that you speak against and vote against passage of S. 275, commonly known as the lease-lend bill.

We urge this action because we feel that this is the most dangerous piece of legislation affecting the workers of America that has ever been presented to the Congress of the United States.

I shall put the entire letter in the RECORD.

Mr. Robinson then takes up the subject of how he believes the passage of the bill will affect labor legislation; and I may say that a careful study of the pending bill from a legal standpoint convinces me that its passage may very materially affect the Walsh-Healey Act and other labor acts, as I shall point out when I make my speech upon the bill.

Mr. Robinson further says:

The administration strenuously fought and defeated in the House of Representatives amendments which would have barred speci-

fically the sending of American troops abroad or the use of our Navy to convoy merchant vessels going into the danger zones. At the same time that it was successfully blocking these amendments, the administration was solemnly assuring the people that it had no intention of ever using these powers, which it insisted must be granted it and must not be limited.

None of the amendments to this bill which have been put forth would alter the basically antidemocratic nature of the bill.

He further says:

It boils down to this:

We may have our feelings regarding the European situation, but we must face the real cold, hard facts that if this bill becomes a law American representative democracy as we know it and love it will become a thing of the past.

The interests of the entire Nation make it imperative that this measure be defeated.

Sincerely yours,

REID ROBINSON, *President.*

I call attention to this letter because this is one group of workers in the western part of the United States that have supported almost unanimously every piece of progressive legislation which has been proposed by the President of the United States. They have fought for the administration in season and out of season. They supported it in 1932, they supported it in 1936, and they supported it wholeheartedly in 1940. They received funds, held meetings, and passed resolutions in support of the administration. This is the first time, to my knowledge, that this great union, covering the States of Idaho, Montana, Washington, California, Utah, Arizona, New Mexico, and all the other Western States, and I believe even taking in the copper-mining districts of northern Michigan, have gone on record against any piece of legislation proposed by the present administration.

The VICE PRESIDENT. Without objection, the letter presented by the Senator from Montana will be printed in the RECORD.

The letter is as follows:

INTERNATIONAL UNION OF  
MINE, MILL AND SMELTER WORKERS,  
Denver, Colo., February 21, 1941.

Senator BURTON K. WHEELER,  
Senate Office Building,  
Washington, D. C.

DEAR SENATOR: The International Union of Mine, Mill and Smelter Workers respectfully urges that you speak against and vote against passage of S. 275, commonly known as the lease-lend bill.

We urge this action because we feel that this is the most dangerous piece of legislation affecting the workers of America that has ever been presented to the Congress of the United States. No matter what our sympathies may be for those who are involved in the wars of Europe or Asia, the most important thing confronting the American people is the preservation of their democratic right of free organization, free speech, and free assemblage, the right to bargain collectively, and the right to strike and picket if necessary to gain their demands.

It is important that the workers maintain such legislation as the Walsh-Healey Act, the Wagner Labor Relations Act, and the Wage and Hour Act. Under the lease-lend bill, the authority is given to the President of the United States to set all of these aside and to establish restrictions against picketing, to force arbitration on the workers, and to pre-

vent them from exercising their constitutional rights.

Some may argue that the President may not exercise these powers. The issue is not one involving the character of the man into whose hands such drastic powers will be given; the issue is whether the American people should ever surrender into the hands of any man the powers which have heretofore been solely in the hands of the people and in the hands of their democratically elected Congress.

If this lease-lend bill passes, Congress may as well adjourn, go home, and stay home.

It is interesting to note that while the protective measures for labor can be ruthlessly swept aside there is a provision written into the original bill which will protect the patent rights of corporations and insure the continuance of their present stranglehold on the economy of America. It therefore becomes a measure that protects the bosses but jeopardizes the rights of the workers and the common people of America.

The bill is full of all sorts of provisions that have no place in a measure whose avowed purpose is merely to facilitate aid to Britain. Actions under this bill are possible which will involve us so deeply in Europe's war that the Congress could not halt our involvement, and the constitutional provisions which lodge the power to declare war only in the hands of the Congress would become obsolete and useless as a protection.

The administration strenuously fought and defeated in the House of Representatives amendments which would have barred specifically the sending of American troops abroad or the use of our Navy to convoy merchant vessels going into the danger zones. At the same time that it was successfully blocking these amendments the administration was solemnly assuring the people that it had no intention of ever using these powers, which it insisted must be granted it and must not be limited.

None of the amendments to this bill which have been put forth would alter the basically antidemocratic nature of the bill.

It boils down to this:

We may have our feelings regarding the European situation, but we must face the real, cold, hard facts that if this bill becomes a law American representative democracy as we know it and love it will become a thing of the past.

With the passage of lease-lend, the labor movement will have lost a great measure of its power to protect the working people. If the application of lease-lend brings us war and military rule of the Nation, the job of putting labor into a strait jacket will have been completed.

The interests of the entire Nation make it imperative that this measure be defeated.

Sincerely yours,

REID ROBINSON,  
*President.*

Mr. NYE. Mr. President, each day for the last 4 weeks at least has brought into the headlines of the press of the country the assurance that by Saturday night surely the pending bill will be out of the way, off the boards. That attitude continues to this hour, even when it is known that there is not a ghost of a chance of a vote being recorded on the bill this week. Yet we are told, and the American public is told, that Saturday night is apt to wind it up; at least that there is hope of finishing the consideration of the bill at that time.

Each day, too, is making it clearer to one and all that H. R. 1776 is nothing more, nothing less, than a "go to war" bill, the newspapers this morning carrying headlines that the President "bars



curbs on British aid—opposes peace before victory.” The President makes it clear in his interview with the press, as reported this morning, that, so far as he is concerned, there is not even going to be talk of peace until this man Hitler is defeated in a military way; that there is going to be no truce whatsoever, according to other wording this morning, on any peace proposals.

Mr. WHEELER. Mr. President—

Mr. NYE. Moreover, it is given us to know that there is to be no change in the pending bill; that no amendments are to be permitted to the bill, not even the Ellender amendment, to forbid the movement of our troops and our military forces out of the Western Hemisphere; that there is not to be entertainment even of an amendment which would save whatever there is left to save of the cash-and-carry features of the neutrality law, to keep our troops out of the war zones and out of the trouble their presence there would invite.

Mr. President, I repeat, each day brings increasing evidence that this is a “go to war” bill, a bill to bring out all possible aid for England, all the aid coming out of the United States.

I now yield to the Senator from Montana.

Mr. WHEELER. I am glad the Senator called attention to this matter, because I read in the New York Times of today:

President Roosevelt expressed the belief today that proposals for peace in Europe must await a British victory. The first thing is to win the war, the President declared in a press conference held after his return to the White House from Hyde Park.

Who are we in the United States of America, and who is the President of the United States, that he should tell the British that the war must go on? In other words, he is saying to the British, “You must not make peace; you must keep on fighting until you win a victory.”

Yet it is said that we are not going into the war. How can the British win a victory unless we go in? Some have said the British cannot win unless we go into the war. Is it any wonder that Jesse Jones says that we are already in the war? Yet Senators stand on the floor and say that the bill before us is a peace measure, when the President himself, by his own words, if the New York Times is correct, is inciting the British and inciting others to carry on the war. That certainly is not the position a neutral should take and is not the position which we should take unless we expect definitely to get into the war.

Of course, I appreciate the fact that Dorothy Thompson, who is now one of the advisers of the administration, says that we should sacrifice a million men, and she is willing to sacrifice her 12-year-old son, when he becomes of proper age.

I think the statement on the part of the President is shocking; but it is in line with what Jesse Jones said; it is in line with what other members of the “inner circle” are saying, that we are in the war.

I submit that we are not in the war unless the President of the United States has already committed us to be in the war; and if we are in the war already, we are in it in violation of the Constitution of the United States, which provides that only Congress may declare war.

Mr. NYE. The Senator is quite right. He amazes me, however, with his announcement that Miss Dorothy Thompson has been taken into the Cabinet, so to speak. If that is the case, the President has brought into the Cabinet perhaps the most violent hater of Hitler the world knows today.

Perhaps the Senator from Montana would be interested in the account which is afforded by one of our colleagues, an account for the authenticity of which I am not ready to vouch, but at least this colleague's account tells us that some years ago Miss Thompson, in her visit to Germany, encountered difficulties and was shown her way out of Germany, and that hatred on her part has prevailed ever since that hour. The story has it further that Miss Thompson left there in such a hurry that she did not have time to pick up her hat, and that now it is a requirement that we send from three to five million American boys back over there to find her hat and fetch it back to the United States.

Mr. CLARK of Missouri. Mr. President, will the Senator from North Dakota yield?

Mr. NYE. I yield.

Mr. CLARK of Missouri. I merely desire to add a word to what the Senator from Montana has said about the suggestion of the President yesterday that it was necessary to win the war, to win a military victory, before anything further could be done. The Senator from Montana inquired, If we are in the war how did we get into the war? Jesse Jones says we are in; the President yesterday practically said we are in. The Senator from Montana says that if we are in, we are in without the constitutional sanction of a declaration by Congress, and I may say further that we are in without the constitutional sanction of the approval of the American people, because certainly in the last campaign no such suggestion was made before the election as that we were in the war. On the other hand, the assurance was given us that we would not be brought into the war. Of course, if anyone says that we can be in the war without sending troops, he is merely playing with words and playing for time until the events develop which make us send troops.

Mr. NYE. How true are the assertions of the Senator from Missouri. Had we had before us in this country in October and November the challenge laid down by the President today, there is not much doubt as to what would have been the public voice, what would have been the reaction and the recording in the November election; even though Wendell Willkie had chosen to “me too” the President's attitude of the present hour, as he is now largely doing.

This sort of leadership, marching us straight to war, is aided, of course, by that thing which I discussed at consider-

able length yesterday, namely, propaganda, which has chased us under our beds like a bunch of cowards, 131,000,000 people presumably frightened by the thought of the conquest that is to be undertaken here in America. Into our cellars we go when some able artist goes on the air and depicts an attack upon the United States from Mars.

Propaganda and this sort of leadership have brought us to an hour when reason seems to have absolutely no place in our American consideration. If that thing which many do not believe is going to happen, which I hope will not be a successful effort, if conquest, if the invasion of England by Germany, were to be accomplished today, there would in this hour of unreason be voices raised against those who were taking one moment of time for the consideration of the pending bill, and we would be blamed for the success which would befall Germany if she were able to accomplish the invasion of Great Britain. That would be true even though every Senator knows that for months to come, with or without the enactment of H. R. 1776, there is not any material aid we could give to Great Britain which is not being given now. Pass H. R. 1776 and, so far as material aid is concerned, unless we are to strip ourselves completely of our own defenses, no adequate aid can be given to Great Britain.

The propaganda which has us by the nose is led by the very people who only a comparatively few years ago were disowning any help the United States had given them, the English people, the English statesmen, belittling our efforts of 1917 and 1918, discounting thoroughly what we did, taking unto themselves alone the credit for the accomplishment of the victory which finally was recorded.

The attitude being what it has been in Great Britain until this present test came to her, it is little wonder that military authorities in the United States should smart and burn, remembering what our Nation had done for Great Britain in her last trying hour. One such voice is that of Robert Lee Bullard, another that of Earl Reed, both very highly respected military leaders of our own country, who in 1939 wrote a little work entitled “American Soldiers Also Fought.” That book meets the British contention of which we have heard so much concerning what we did not do and what we did not contribute in the last World War. There never was credit for us, there never will be credit coming to us from that source, except in those hours when England is again pinched and crowded and needing assistance, or wanting some one else to foot the bills for her wars.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. NYE. I yield.

Mr. CLARK of Missouri. The Senator is, of course, familiar with the fact that at the time of the armistice we had more men in France than England had had at any time throughout the progress of the war.

Mr. NYE. The Senator is quite right. Mr. CLARK of Missouri. And we had 2,000,000 more men at home ready to go over as soon as they could be transported.



Mr. NYE. The Senator is definitely right in his recounting.

Mr. President, if we give our all, as we will do under H. R. 1776, or give what we will for that contest abroad, there never will be any more thanks to the United States for its contribution than there has been thanks coming to us since the last European war.

Mr. CLARK of Missouri. Mr. President will the Senator again yield?

Mr. NYE. I yield.

Mr. CLARK of Missouri. The President on yesterday, so it is reported in the public press, said in his press conference that no consideration of peace would be acquiesced in until there had been a military victory by Great Britain over Germany. Does the Senator from North Dakota know of any military expert at all, except the celebrated Wendell Willkie, who frankly admits that his most solemn utterances are campaign "bunk," who has ever suggested that Germany could really be subdued without a landing on the continent of Europe?

Mr. NYE. I have yet to hear of such an authority.

Mr. CLARK of Missouri. Does not the Senator know that it is a physical impossibility for the British to make a successful landing on the continent of Europe without manpower which would have to be supplied by the United States?

Mr. NYE. With the British armed forces so small in comparison with the German forces that are occupying the Continent, it stands to reason that Britain, without aid, could not begin to undertake such a contest on the Continent.

Mr. CLARK of Missouri. Mr. President, I merely desire to add to what I have suggested that it seems to me the President's declaration in his annual message that the United States would not acquiesce in a peace made except upon certain terms laid down by him, taken in connection with the statement of yesterday that a military victory must be a prerequisite to a peace, is at very sad variance with the statements made to the American people both by Mr. Roosevelt and by Mr. Willkie in the last campaign.

Mr. NYE. Quite at variance.

Mr. CLARK of Missouri. When they both assured the American people that they were opposed to getting the United States into war, and both assured the American people that neither would be a party to sending troops abroad.

Mr. NYE. Mr. President, the inconsistency, if not the mad misrepresentation of that campaign, American history will surely record as something of a betrayal, a political betrayal, of the people of the United States.

The propaganda which has us so frightened in these hours, it will be noted as it is studied, is buttressed in every instance by "ifs," by "ors," or by "maybes." "If this comes to pass," or "if that comes to pass, maybe this might happen," or "assume that that might happen" always precedes the presentation of the fear that we might be in line for invasion here on our own continent, and that in light of the fact that the only invasions of this continent ever undertaken or threatened were by those whom

we would accept as our allies in the present conflict.

Mr. President, propaganda has us fearful of what will be our lot if Britain loses and surrenders her Navy to Hitler, and those who would make us fearful on that score are the very ones who were not at all fearful when we were disposing ourselves of 50 destroyers which our own Military Establishment counted essential to the adequacy of our defense. There is not any fear by those who paint a picture of what would happen if Britain loses and surrenders her Navy to Hitler—there is not any fear on their part that we might make more gifts to England now to be surrendered to Hitler to be used against us in the event that awful and impossible thing should come to pass.

I think it is an insult to the people of America to declare or even to allude to the possibility of a dependence on our part upon the British Navy. The first thing we know we will be hearing and believing that John Paul Jones needed the British Navy to accomplish what he accomplished, or that the success of *Old Ironsides* was due primarily to help from the British Navy.

Mr. President, the United States has never been dependent upon the British Navy. The United States is not dependent upon the British Navy now; and may God forbid that the day will ever come when we shall let our dependence rest upon the British Navy or any military establishment other than our own.

Propaganda has us fearful that the odds will be against us in a large way if the British Navy fails. We call it our first line of defense. We call it just what we called the line in France some months ago before France fell. Then it was said by some that our first line of defense was in France. In all fairness, we ought to call the British line today the second line of defense, for the first line, according to those who indulge in this sort of talk, is already gone.

We let propaganda make us fearful that our ability to produce is dependent upon British orders; and that we cannot make full headway in our own national-defense program until we stabilize and standardize production, and therefore we must enact H. R. 1776. Is our standardization dependent upon Britain? Have we reached such a point of dependence that we cannot even afford a stabilization and a standardization that will permit America to produce her own national-defense requirements with expedition?

Propaganda has us fearful that perhaps it is our war which England is fighting at the present time, when common sense dictates that England is fighting her own war, fighting for her own life, without a care about what might befall us if she should not be able to maintain herself.

Propaganda has us fearful that England is doing for us the job so necessary to be done if Hitler is to be kept off us until we have time to prepare. Mr. President, if there was a shadow of truth in any such suggestion, we ought to hang our American heads in shame, that we would ask England to shed the blood of

her sons while we only furnish the gold in the task of keeping Hitler off the United States.

Propaganda has us fearful that the job is ours of joining hands and stopping the aggressor, and that therefore we should adopt as our ally in that cause the most aggressive aggressor the world has ever known, coming right down to modern days.

Organized propaganda has us fearful of invasion at a time when we have observed the difficulties extending for many months that Mr. Hitler has experienced in getting across a body of water 20 miles wide. I shall deal with that subject at greater length later.

Propaganda is alone responsible for the fear which we entertain. Sadly, it is the very propaganda which we were promised 3 or 4 years ago by those forces which are using it today would be employed. If only we could pause long enough to listen to the best teacher mankind ever had, namely, experience; if only we would give ear to the things we know and to the preachings of those whom we honor day after day, we might then rather well see our way out of the present hysteria. We might, perchance, learn that a No. 1 caution to America always has been to mind to a greater degree our own business.

We have had great teachers, but their teachings are quite completely forgotten, or our backs are turned upon them. Fear blinds us to the advice of men like Jefferson and Washington. The truth is that so long as America pursued the advice of Jefferson and Washington America grew and prospered and became the greatest nation upon the face of the globe. The times when we have really been threatened internally have been those following experiences which found us ignoring this splendid advice, interfering in Europe, and assuming there a hand in the hates, fears, and wars of that continent.

Jefferson told us:

For us to attempt to reform all Europe and bring them back to principles of morality and a respect for the equal rights of nations would show us to be only maniacs of another character.

Yet look upon us. Behold us today. Observe our march straight back into the hopeless task of bringing back to Europe principles of morality and a respect for the equal rights of nations.

A few days ago the Senate, as it does annually, held a session on Washington's birthday and listened to a reading of the grandest words of caution ever left to a nation. At the conclusion of that reading the Senate was forced, during the remaining hours of that national holiday, to devote itself to H. R. 1776, to the end that it might be passed by Saturday night—a measure so diametrically opposed to the advice which was read to the Senate on that day as having been left by Washington that there could be no undertaking, and there was no undertaking, to reveal the relationship between the two.

Washington said:

Observe good faith and justice towards all nations; cultivate peace and harmony with all.



Whereas today our American policy, as afforded by our leadership, has been that of shaking the fist at every power upon this earth, threatening, bluffing, blustering, and inviting trouble.

Washington said:

Inveterate antipathies against particular nations and passionate attachments for others, should be excluded. \* \* \* The nation which indulges toward another a habitual hatred, or a habitual fondness, is in some degree a slave.

Yet today our hatred for one cause abroad and our expressed fondness in every hour for another cause abroad has us moving directly against the grain of that advice by Washington.

Washington further said:

So likewise, a passionate attachment of one nation for another produces a variety of evils. Sympathy for the favorite nation, facilitating the illusion of an imaginary common interest, in cases where no real common interest exists, and infusing into one the enmities of the other, betrays the former into a participation in the quarrels and wars of the latter, without adequate inducements or justifications.

Against the insidious wiles of foreign influence (I conjure you to believe me, fellow citizens), the jealousy of a free people ought to be constantly awake; since history and experience prove that foreign influence is one of the most baneful foes of republican government.

Excessive partiality for one foreign nation and excessive dislike for another, cause those whom they actuate to see danger only on one side, and serve to veil and even second the arts of influence on the other.

The great rule of conduct for us, in regard to foreign nations, is, in extending our commercial relations, to have with them as little political connection as possible.

Yet with that advice before us, Mr. President, here we are contemplating an open alliance with a foreign power.

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. NYE. I yield.

Mr. WHEELER. The Senator has been reading from the words of a very eminent gentleman, the Father of Our Country, and also from the words of other great leaders. However, I wish to read a new doctrine of freedom from another eminent gentleman, who said:

We cannot preserve the American way of life unless we preserve the British way, the Chinese way, the Norwegian way, and the ways of freedom throughout the world.

In other words, we must preserve the Chinese way of life and Chinese freedom.

Mr. NYE. That is correct.

Mr. WHEELER. I wish Mr. Willkie would go over to China and learn something about the Chinese freedom, and see the poverty, degradation, and slavery in China. I wonder if he would then come back and tell the American people that that is the kind of freedom which he wants in the United States of America. He ought to go to India and see there the millions of starving people, and tell us whether or not that is the kind of freedom he wants preserved in the United States.

I call this matter to the attention of the Senator from North Dakota at this particular time to show the contrast be-

tween Mr. Willkie, the Trojan horse of the Republican Party, and the Father of Our Country.

Mr. NYE. Mr. President, I do not know from what the Senator has read; and I am wondering whether Mr. Willkie, having seconded the motion to take certain freedoms to the rest of the world, also favors doing it in our time and generation, or whether he proposes to do it over a longer period.

Mr. WHEELER. I assume he proposes to do it tomorrow.

Mr. NYE. Returning to that eminent statesman, the Father of Our Country, whose principles and purposes we laud day in and day out, listen to this farewell advice of his to Americans whom he hoped might heed the caution which he was ready to afford:

Europe—

He said—

has a set of primary interests, which to us have none, or a very remote relation. Hence, she must be engaged in frequent controversies, the causes of which are essentially foreign to our concerns. Hence, therefore, it must be unwise in us to implicate ourselves, by artificial ties, in the ordinary vicissitudes of her politics, or the ordinary combinations and collisions of her friendships or enmities.

Our detached and distant situation invites and enables us to pursue a different course. \* \* \*

Why forego the advantages of so peculiar a situation? Why quit our own to stand upon foreign ground? Why, by interweaving our destiny with that of any part of Europe, entangle our peace and prosperity in the toils of European ambition, rivalry, interests, humor, or caprice?

It is our true policy to steer clear of permanent alliance with any portion of the foreign world.

Yet, Mr. President, only this morning we seem, by our leader, to be committed to crushing Hitler before there can be any talk of peace; the faintest reference to peace, and even now in our midst are forces that are not going to be content with a temporary alliance and the mere accomplishment of crushing Hitler. We have in our midst forces—the "Union now" forces—that would accomplish an enduring alliance with England.

Mr. President, we have not time now for the Washington kind of advice. Fear has us in its control to such a degree that we are not even permitted the time to think about the things that have occurred in the past; not even to give heed to the caution of those who have gone before us, and whose experiences have prompted them to warn against allying ourselves with one side or the other in the return engagements of war that come to Europe almost generation after generation. Washington and Jefferson gave us this advice, but today we know better. Besides, Washington lived a long, long time ago. If he were here today he would see differently than he did then. Moreover, we are told that the Europe that Washington saw is not the Europe we see today, whereas in truth it is the same Europe that Washington observed insofar as its hates, its jealousies, its wars, and its fears are concerned.

No; we are not going to listen to Washington. We no longer have any ear for Jefferson. They are so ancient; they are not good teachers.

Likewise, however modern 1917 and 1918 are as a teacher, we are not, if we can help it, going to give any ear to the teaching of that experience. There is not time. Hitler may be over here in the morning. Pitch in and help Great Britain do the job she is trying to do.

We are still paying for the lesson of 1917 and 1918, Mr. President, and paying for it in a way that constitutes a tremendous burden upon the people of today—a burden which will have to be passed on, to be borne by generations and still other generations yet to come. But it will not hurt us, Mr. President, to review for a few minutes some of the lessons starting in 1914.

When war came to Europe in 1914, we had at the helm of the Government of the United States as strong or perhaps even a stronger character than ever before or since his time has occupied the Presidency of the United States—Woodrow Wilson. I do not know whence comes the belief entertained by some Senators and others to the effect that I am a Woodrow Wilson hater, when in truth I have always respected most highly this man who tried with all his might to keep this country out of Europe's war 25 years ago.

With the coming of that war, with that strong man at the helm of our country, with a high resolve prevalent to stay out of the war, we nevertheless got a taste of something that was only an invitation for another bite and still another bite. Almost instantaneously with the coming of war to Europe there came a taste of the profit that was available to Americans if only they would feed the needs of that war in Europe. Business in America picked up with a bound. It grew and grew and brought to America a prosperity the like of which America had never dreamed possible. There was danger, and men saw it, that satisfying this developing appetite for the profit from Europe's war might involve us in that war, and that the ships carrying the supplies which were bringing that profit and the men involved in that commercial undertaking might encounter the incident which would take us to war.

Wilson saw that danger. Many of us who have closely studied the record of those hours are driven to the conclusion that Wilson must have wished with all his heart that in that hour there had been upon the statute books of the United States a law which would have forbidden Americans to export munitions of war to nations engaging in war, which would have forbidden Americans to go into the war zone, which would have forbidden American ships to enter the war-infested waters. But there was no such law; and in the absence of it, and out of his desire to keep this country out of war, President Woodrow Wilson promulgated laws of neutrality of his own.

There was propaganda then, as now; yet, in spite of it, the determination to stay out of war was prevailing, and was led most conscientiously by the President himself. Then we scoffed at the invitations of the propagandists, and we wanted nothing to do with them. We did like, of course, the profit that was available, the profit growing out of that war; but,



in face of it all, the President laid down his policy of neutrality, which merely provided that it would not be considered unneutral for Americans to sell munitions to nations at war so long as we made the sales available to both sides alike, but it would be considered unneutral for Americans to loan money to nations engaging in the war.

With that policy we set out, determined to stay out of the war. It is plain that what the President saw when he laid down that policy was the fast-approaching day when Europe would exhaust her resources and could not continue making purchases here of war supplies except as the United States might afford the credit and the loans necessary to carry on that kind of trade.

But with this policy our prosperity continued. Our business with Europe grew. Of course, ultimately we lost all the business we had with one side; but the increased business afforded by the other side more than took up the slack. We were content and quite happy, even though our function was no longer a neutral one of making supplies available to both sides alike.

Determined to stay out, the President of the United States hewed to the line of that declared policy of neutrality through weeks and weeks and weeks of the most trying kind of pressure at the hands of those who were representing the British Government, who were seeing approaching the day when they would want access to Uncle Sam's pocketbook as well as to his factories.

The President bore up under the pressure and rid himself of it day after day, but there came an hour, when Britain, exhausted, or at least alleging that she was exhausted, through her agencies and representatives, was saying to Cabinet officers, who would convey the fears to the President, "If we do not find a way to finance a continuation of British purchases in this country, the British are going to have to cease buying our goods," and when they cease buying our goods that would mean hard times; it would mean a panic, in that it would mean going back to those normal hours of getting along in this country without the profit that was derived from other people's wars.

The pressure behind the President to give in never did fully prevail, but we do find, following a threat by American bankers, the President saying to his Cabinet one day, "Well, if American bankers want to underwrite the credit needs of the Allies, I do not suppose there is anything we can do about it; but do not let it ever be said that I have altered our policy of neutrality, for permitting these credits by American bankers is not a violation of our policy of neutrality, since credits are not loans, and our policy forbids only loans."

American bankers underwrote continuing British needs for many months, until their credit was exhausted. Then came the appeal to permit the floating of Allied bond issues in this country, to the end that the finances could be raised which were necessary to continue Allied purchases in the United States, to the end that we might continue the enjoy-

ment of the prosperity that war was giving us.

Sitting behind the scenes throughout all this time when the President was affording a leadership of conscious neutrality was a Secretary of State, Robert Lansing, who as early as 1915, according to his memoirs, was convinced that we ought to be in that war, who would have liked to have had us in that war then, but who said it was futile to think of taking the American people into the war then; they were not ready for it; they would not tolerate it; and it would, therefore, be necessary to engage in programs of education and enlightenment, to the end that the American people might be brought to see that the war then raging in Europe was really our war. But before the scenes Robert Lansing, custodian of our policy of neutrality, was parading before the American people a determination to keep the United States out of that war.

The Allies wanted to sell bond issues, and they pressured mightily upon the President to win his consent to the floating of such bond issues. I do not know whether it can fairly or honestly be said that Wilson countenanced the sale or the floating of Allied bond issues in this country in violation of its policy of neutrality, but it is true there came a day when the pressure became so great that the President wrote a note to his Secretary of State in which he said:

MY DEAR MR. SECRETARY: My opinion in this matter, compendiously stated, is that we should say that "parties would take no action either for or against such a transaction," but that this should be orally conveyed, so far as we are concerned, and not put in writing.

The bond issues were floated, but about the only people who would buy of the issues were the bankers, the gunmakers, the powder makers, the shipbuilders, and others who were getting immediate and direct profit out of that trade with Great Britain. That trade continued, then, just so long as there were means afforded for the sale of these bond issues. When that was not enough, pressure was brought again and again to get rid of the neutrality policy which was so embarrassing, which was interrupting our prosperity and our trade. We were heading toward that war every hour, as we have been toward the present war, ever since that bridge-dedication speech in Chicago about quarantining the aggressors. Step by step, every day, we were moving into that war, coming ultimately to that day that was inevitable if we continued the course we were then pursuing. It was the day best revealed, best described by him who was then our Ambassador to London, Walter Hines Page.

Thirty days or thereabouts before the Congress was asked for a declaration of war, our Ambassador in London cabled his superiors here in Washington, not about the threat that was confronting democracy, not about the need of saving civilization, not about anything so lofty as that; not yet; but 30 days before we declared war Mr. Page's appeal was to another emotion altogether at that stage. In his cablegram Mr. Page said:

The financial inquiries made here—

Meaning in London—

reveal an international condition most alarming—

Alarming to what? To American democracy? No. But—

most alarming to the American financial and industrial outlook. England is obliged to finance her allies so as to meet their own war expenses. She has as yet been able to do these tasks out of her own resources. But, in addition to these tasks, she cannot continue her present large purchases in the United States without shipments of gold to pay for them, and she cannot maintain large shipments of gold for two reasons: First, both England and France must retain most of the gold they have to keep their paper money at par; and, second, the submarine has made the shipping of gold too hazardous, even if they had it to ship. The almost immediate danger, therefore, is that Franco-American and Anglo-American exchange will be so disturbed that orders by all the allied governments will be reduced to the lowest minimum, and there will be almost a cessation of trans-Atlantic trade. This will, of course, cause a panic in the United States. The world will be divided into two hemispheres, one of which has gold and commodities, and the other, which needs these commodities, will have no money to pay for them and practically no commodities of her own to exchange for them. The financial and commercial result will be almost as bad for one as for the other. This condition may soon come suddenly unless action is quickly taken to prevent it. France and England must have a large enough credit in the United States to prevent the collapse of world trade and of the whole European finances.

Then, intimates Mr. Page, here we are with these neutrality laws forbidding the financing of this war. What are we going to do about it? Mr. Page is quick with the suggestion, for he says in his cablegram:

If we should go to war with Germany, the greatest help we could give the Allies would be such a credit. In that case our Government could, if it would, make a large investment in a Franco-British loan or might guarantee such a loan. All the money would be kept in our own country, trade would be continued and enlarged until the war ends, and after the war Europe would continue to buy food and would buy from us also an enormous supply of things to reequip her peace industries. We should thus reap the profit of an uninterrupted, perhaps an enlarging trade over a number of years and we should hold their securities in payment.

Mr. President, in the light of what did not happen in keeping with Mr. Page's prophecy, let it be pointed out that the only prophecy of his that was fulfilled was the one that "We should hold their securities in payment." We started out, according to Mr. Page's consideration, on the theory that if we just furnished the money we should not have to send men; but we did send men. He said there would be large appreciation for what we did for Britain in that trying hour. When it was all over, the appreciation consisted of a program of name-calling, with Uncle Sam nothing more than "Uncle Shylock."

Returning to the cablegram, we find Mr. Page giving this advice:

I think that the pressure of this approaching crisis has gone beyond the ability of the Morgan Financial Agency for the British and French Governments. The need is



becoming too great and urgent for any private agency to meet, for every such agency has to encounter jealousies of rivals and of sections.

Perhaps our going to war is the only way in which our present preeminent trade position can be maintained and a panic averted.

That is what we had come to, Mr. President. We had builded an economy upon Europe's war that found us one day face to face with the challenge of a panic or going to war—going to war to avoid a panic, to use Mr. Page's very clear language.

The submarine has added the last item to the danger of uncertainty about our being drawn into the war, no more considerable credit can be privately placed in the United States, and a collapse may come in the meantime.

Thirty days later the President came to the Congress with his request for a declaration of war. The air resounded with appeals for the salvation of democracy, and the needs of civilization, and denunciation of the unrestricted submarine warfare which had been inaugurated, and the manner in which our rights were being challenged upon the high seas—all that and more.

Mr. President, I do not know why we cannot more clearly see the parallel between those days and the conditions we have been encountering for the past far too many months. There was, of course, in that hour, too, the propaganda we deal with today, to the effect that there is danger of invasion of the United States; but it was not that propaganda, which played so large a part then, as it does now, which was responsible for our course then. What was most largely responsible for our course then was a determination to continue having access to the gain, the profit that was available to America out of the conduct of the war abroad.

Into war we went at the President's request, with not many "ifs," with not much debate. Away we went, with a mere handful of men voting "nay," men who were followed almost to their graves by Americans crying into their ears "Pro-German! Un-American!" but all of them men who lived to see the day when the course they then chose to pursue was admitted to be the course which should have been pursued by the overwhelming majority in that hour.

Into war we went. It would not be necessary to send men to Europe. That was out of the question. Even though we declared war we would not need to send men, just as we are told now, "Pass H. R. 1776. That does not mean that we will have to send men or ships, but only finance the war"; as was the case then—"only finance it!"

Mr. President, step by step, as has been called to the attention of the Senate time and time again, we approach the actuality called war. We ultimately come to the inevitable day when only an invitation to war will continue to serve our purpose, the purpose we avow to be ours.

Blood! There is not anything England would like quite so much today as to have some American blood shed on European soil, knowing as they do, knowing as Mr. Churchill knew once before, and as he knows now, that if only a little

American blood could be spilled over there it would expedite our operations here, and we would throw all our weight into the war sooner than could otherwise be expected. It happened once before, Mr. President. It found men who will not believe their own words today wishing blood could be shed.

Viscount Esher was the English statesman who, during the years of the war, perhaps stood closer to the Crown than did any other Englishman. He was at the time private secretary to Lord Hartington. He was a Member of Parliament. He was offered the editorship of the *Daily News*. He was offered the editorship of the *New Review*. He was secretary to His Majesty's Office of Works. He was offered the under secretaryship for the colonies. He was offered the under secretaryship for war. He was offered the governorship of Cape Colony. He was secretary to the Committee for Queen Victoria's Memorial. He was Keeper of the King's Archives. He was lieutenant and deputy governor of Windsor Castle. He was a member of the royal commission on the South African War. He was coeditor of Queen Victoria's Letters. He was offered the secretaryship of state for war. He was commissioner of various great exhibitions. He was chairman of the war office reconstitution committee.

Mr. President, Viscount Esher was a leading citizen of Great Britain in that hour. The journals and letters of Viscount Esher have been published under the title "The Captains and the Kings Depart." My attention was invited to these journals by those who advised me that in them would be found the history of a man who despised democracy, who held no brief for democracy in any degree, who hated it—I repeat, who despised it. But in glancing through the letters and journals of Viscount Esher I ran into something new, something rather historic, something revealing how much blood could mean and did mean to Great Britain—American blood, of course.

Let us not deceive ourselves. Starting in 1914, Great Britain hoped for our entry into that war, not alone with our purse and with our machines but with our men; and the British were impatient because American blood was not being spilled sooner than it was.

We went to war in April 1917. Months passed. We had sent no men. We foolishly believed for a part of that time that it would not be necessary to send men, as we ultimately did. But we find Viscount Esher being called upon by Americans desiring to convey to him what might be expected of America. Before we come to that visit, let me read Viscount Esher's entry as of August 3, 1917.

No American is likely to be killed before November. This is unfortunate, as Wilson may require to be steadied before then, and only the death of young Americans can insure him stability.

In other words, in August 1917, months after we had gone to war, the British could not be too sure that President Wilson would bring the whole body of America into that war. That was August 3, 1917, when they were deploring that there had been no American blood spilled on European soil.

On August 11 of the same year we find a most interesting memorandum. It was written in Paris. I read it:

Mr. Henry Morgenthau asked me to call on him at the Ritz Hotel today. Mr. Morgenthau was one of the principal supporters of President Wilson in the campaign for the Presidency, and he possesses the friendship and confidence of the President. He is an idealist like the President. He began the conversation by making a picture of America between 1893 and 1896, and contrasted this with the enormous development of the resources of the United States since that period, her accumulations of capital, the increased railway systems, which in point of fact have doubled the wealth of America between 1896 and 1906. To him—

This is Mr. Morgenthau, the father of the present Secretary of the Treasury—

To him and to men who, like him, supported President Wilson this vast increase of prosperity with its accompaniment of trusts and other parasitic growths, followed by the predominance of wealth in social and political life, appeared to be full of menace to the moral stability of the United States. Religion, morality, and the noblest ideals were submerged in a sea of competition in which men and women were left struggling for gold. The election to the Presidency of Mr. Wilson was the opening of a new era.

From the day of his election to the day when America declared war President Wilson and his friends have kept steadily in view the moral regeneration of their country; and it is with this objective before them that, in spite of the horrors of war, they are ready to sacrifice the lives of American citizens. The war appears to these idealists a crusade, and they call it by this name, in spite of the fact that they count among their following large masses of people who never used the symbol of the Cross. Objectively, the United States is at war on behalf of that form of national political control that goes by the name of "democracy," against individual personal rule associated in the public mind with the Governments of Germany, Austria, and Turkey.

President Wilson's greatest difficulty in entering upon the war was the inclusion among the Allies of the Russian autocracy. Since the Russian revolution the feeling of great masses of the American people who were hostile to the war has changed. The crusade possesses now a material objective, and the American idealists do not intend to accept a peace that will leave the world at the mercy of the strongest armed nation or group of nations.

Remember, Mr. President, this is Henry Morgenthau, Sr., his visit with Viscount Esher being reported by Viscount Esher.

President Wilson is faced, however, with a difficulty that appears to give him much concern. He has associated himself and the United States with the declaration of European statesmen against the German doctrine and practice of militarism. The predominance of any one country at sea appears to be another form of militarism, and its maintenance seems to be inconsistent with the principles laid down by the Allied nations as those for which they are contending. The possession by Great Britain of the almost exclusive rights of coaling ships all over the world creates a problem of much complexity for those who are fighting for a cause that places material considerations on a subordinate plane, and are concerned more with general principles of right and justice than their application to suit the exigencies of any one great power.

I might divert from this entry by Viscount Esher long enough to suggest the pleasure that is mine in finding that



there were Americans, including Mr. Morgenthau, who were pressing then upon Great Britain the urgency of Great Britain abandoning her frightful control of the seas, her military control, if America was to participate in the interest of destroying the monster called militarism.

Recurring to Viscount Esher's journal, covering his visit with Mr. Morgenthau, I read:

After leaving Constantinople some months ago Mr. Morgenthau passed through Berlin on his way to the United States. When in Berlin he had some long conversations with von Jagow and Zimmermann. At that time, that is to say, just before the outbreak of war between Germany and America, the Germans were quite ready, indeed, were anxious to enter a peace conference, even at the risk of finding themselves in a minority there; but they laid stress upon their inability to propose any terms of peace beforehand in view of the strong divergence of opinion between different sections of the German people. The President has told Mr. Morgenthau he may make clear to any persons whom he may meet in Europe that no proposal of peace will emanate from the United States. Having come late into the war, America will not take the lead in making peace proposals, and any suggestion that the Allies are ready to enter a conference must come from one of the nations which has suffered longer and more severely. The President is, however, aware that Germany is ready and anxious for a peace conference without delay. Among the Allies some may have a similar desire, but any proposal will have to come from a direction other than the United States. Mr. Morgenthau is confident that if at any time a hint were conveyed through a secret but official source to President Wilson that England or France would look favorably upon a renewal by Germany of her offer to enter a conference, he would be prepared to suggest its renewal on his own initiative without letting Germany know or suspect that the proposal had originated elsewhere.

Hitherto—

And this is Viscount Esher reporting Mr. Morgenthau—

Hitherto American organization has proceeded slowly. There are reasons concerned with the domestic adjustment of American policy that made more rapid progress impossible. The Government now possesses fuller powers, and progress should be accelerated.

Today we are being asked to enact H. R. 1776 to the end that there may be acceleration of aid to England. Mr. Morgenthau had told Viscount Esher:

The Government now possesses fuller powers and progress should be accelerated. It is the intention at present that the resources of America shall not be dribbled into the field, so that the blow, when it comes, shall be delivered by a force thoroughly organized and trained.

Then, in order that we may see the impossible ends which we sometimes reach—

That there is another aspect of this question Mr. Morgenthau is aware, and he realizes the importance upon the morale of the French Army and the French people of cementing the alliance by shedding American blood at the earliest possible moment.

Mr. President, we all have it in us. We can carry on to a certain point, highly resolved that we will not consent that the blood of an American boy may be shed on foreign soil again; but will

we take one step after another, many short steps aggregating a terribly long step, ultimately, until we shall find ourselves seeing the wisdom of consenting to the shedding of American blood on European soil, to the end that we may more greatly expedite our aid to those European forces which are serving that purpose which we like to believe is being served—namely, holding Hitler off from a conquest of America.

Let it be said that in spite of the resolve made back in that day, we did send men, more men, and ever more men, until at the end of the war the United States had more men in France than Great Britain had. How many more I am not prepared to say, but it was many times more. We did send men. We did finally have a hand in winning the war. We sat down around a peace table where we thought we were going to be a force and an influence. We came away from Versailles with a treaty that ignored every blessed cause which we said we were striving to serve when in 1917 we made our declaration of war.

America smarted and America burned under the beating of her Allies, smarted and burned, and swore again, and ever again, that never would we let ourselves be fooled as we were fooled then; that never again would they make the monkeys out of us that they made of us then.

The Congress authorized a thoroughgoing investigation into the part which perchance the business of munitions manufacture might have played in bringing about that war, and the part which the munitions industry was playing in the post-war days in preventing a better world understanding being accomplished. That munitions investigation devoted 2 and nearly 3 years to its study, a study which revealed the whole sordid tale of how we had been duped, how we had been fooled, how we had been played with, how the masses of the American people had watched a stage of actors who were acting an entirely different performance than that which was rehearsed behind the scenes. Those revelations disclosed the plunder that Americans and others took out of participation in that war; they disclosed how military secrets had been exchanged and sold even to enemies; how the British, before our entry into the war, had used our flag as a shield; how France had armed Germany; how England had armed Germany; how even we had contributed to the armament which Germany used to destroy many American boys in the years that followed.

Mr. President, it was a study revealing how international was the scope of men who could go forth and cut great fortunes for themselves out of the game of arming every power on the earth, arming the world against itself, men like Zaharoff. The study revealed the prices which were paid for the kind of patriotism that was required in industry to win the war after we were in it. It revealed how American industry ganged up on their own Government in that hour of crisis, how they maintained their lobbies, how free industry could be with bribes and program of bribery, how resourceful in planting and fanning war scares all over the world, to

the end that there could be a larger market for their kinds of supplies. The study revealed what a mad chase after profit there was during the World War. It revealed one American family, the Du Ponts, coming out of that war with a profit so great that invested in hundreds of American industries it gives the Du Pont family today control over the most titanic industrial empire the world has ever known, all born out of the profits taken out of the last World War. That was as the result of this study of our experiences of that time.

Mr. LANGER. Mr. President, will the Senator yield to me for a question?

Mr. NYE. I will be glad to yield to my colleague in a moment.

At that time we saw how trade in munitions invited trouble that contributed to taking us into war, how travel in war zones contributed to taking us into war, how the fact that Americans traveled upon British vessels, such as the *Lusitania*, contributed to taking us into war, how our loans and our credits contributed to dragging us into that war.

I now yield to my colleague.

Mr. LANGER. Following immediately thereafter, and as a result of those investigations, was any legislation enacted?

Mr. NYE. I am about to discuss what was done immediately following these revelations.

With the war over, with the facts recorded, when we saw the situation clearly, and when there were no scarecrows frightening us with war alarms, the country thought, and we in Congress thought, that we were seeing clearly what was our duty. We thought we saw some things that could be done which would prevent recurrence of the rotten experience of those years. At the same time we were hearing charges from abroad, coming from the mouths of our allies, that we were only a lot of shylocks, we who had poured our resources of material and lives out to their aid in winning their war. We heard Britons saying things that were very much like what was allegedly said by a very prominent Briton, who said:

America's entrance into the war was disastrous not only for your country but for the Allies as well, because had you stayed at home and minded your own business we would have made peace with the Central Powers in the spring of 1917, and then there would have been no collapse in Russia, followed by communism; no break-down in Italy, followed by fascism; and nazi-ism would not at present be enthroned in Germany. If America had stayed out of the war and minded her own business, none of these "isms" would today be sweeping the Continent of Europe and breaking down parliamentary government.

The author of that alleged assertion has never denied that he made the assertion. Through the British Embassy here in Washington there have been denials that the statement was ever made. Others have said that the statement was not made. But Winston Churchill himself has never denied making that statement. If we had minded our own business and stayed at home, as he said—and others were saying the same thing—England might have ended that war in 1917, and there would not have been nazi-ism, fascism, and the other "isms"



visited upon Europe, if only there could have been a settlement of the controversies at that time.

When we witnessed this whole reaction to our part in the war, again and again we vowed, "Never again," and we looked to our own Monroe Doctrine, and gave notice to the rest of the world of our intent to guard this part of the world against intrusion. At the same time we gave assurance to other nations that we would stay out of their part of the world. We called it good policy, and we vowed we were going to learn to mind our own business and build whatever fortifications were necessary to keep us minding our own business and avoiding involvement again in European wars. We acknowledged that we had accomplished none of the purposes we had undertaken to serve by reason of our declaration of war in 1917.

The revelations growing out of the investigations which were conducted found the country from coast to coast demanding that the practices which had been disclosed be stopped. We heard American people saying, "If international law had no force or effect in such times as that, why should we ever again count upon international law, or tie ourselves to it?"

Speaking now to the question which my colleague [Mr. LINGER] has asked me, the demand came for legislation which would make it utterly impossible for the game of war ever again to reward Americans to the extent to which they were rewarded in the form of war profits during the 4 years of the last war. The American people demanded an end to the rackets which had been established and the racketeering which was being practiced in the name of national defense and in the prosecution of war. There was at once a demand for the enactment of the kind of laws which would prevent recurrences of the Lusitania experience, and jeopardy to our freight and commerce as it entered into war zones during the last war.

The Congress, buckling down to the task, enacted such legislation. The Senator from Missouri [Mr. CLARK] and myself brought in from the Munitions Committee three resolutions, all of them going to the problem of how we might avoid being easily drawn into another war—resolutions forbidding Americans to enter war zones, forbidding American ships to sail into war zones, putting all purchases on a cash-and-carry basis, forbidding the exportation of munitions of war, and forbidding loans and credits.

Those three resolutions, considered by the Senate Foreign Relations Committee, were consolidated, and the name of the late Senator Pittman, chairman of the committee, was attached as the sponsor of the neutrality proposals. When that law was enacted it became known as the Pittman law of neutrality.

It is rather difficult at times to know now just what was the attitude of the administration itself during the hours when neutrality was being discussed. I know only that some of us were called again, again, and again to the White House to discuss the importance of enactments of this kind, in the light of the experience

which had been ours. We were called there by the President, Franklin D. Roosevelt, himself, cheered on, and encouraged to do the job and to do it in a big way.

Congress enacted the neutrality law. That law forbade Americans to go into war zones after war should come anywhere in the world. It forbade American ships to enter war zones. It forbade American citizens to sail upon the vessels of belligerent nations. It forbade the exportation of munitions of war to nations at war; and all the commodities not defined as munitions were covered in that provision of the law which put exportation on a strictly cash-and-carry basis. Unfortunately that one provision of the law carried a time clause, and would expire at a certain date. Somehow at that stage we could not manage to have it included within the other provisions of the law; but it was there, and it could have been renewed. I do not want that fact overlooked.

All those things were accomplishments of the neutrality laws, which were passed overwhelmingly by Congress; and with their passage there was an accompanying cheer from all over the land. Cheer leader No. 1 of these hard and fast laws of neutrality was the President of the United States, who availed himself of many opportunities to praise them and to point out the security which they would give us and the safeguards which they would provide.

Immediately preceding the 1936 election, at Chautauqua, N. Y., the President delivered an address the like of which has never been made in all the history of American politics. No man has ever delivered a more powerful, more appealing, or more assuring address than the one delivered at Chautauqua by President Franklin D. Roosevelt. That speech was delivered just before election. He spoke into microphones which carried his message to the four corners of the land. Millions upon millions of people, already anxious about the challenge which was upon us of another European war and the danger of our being involved in it, sat at their receiving sets, grabbing at the words of assurance by the President that we would not be drawn into any more foreign wars.

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. NYE. I yield to the Senator.

Mr. WHEELER. The overwhelming majority at the Chicago convention was in favor of the platform which was adopted, including the provisions for which some of us fought. It was only reluctantly—and exceedingly reluctantly—that a very small minority in that convention, who were supposedly speaking for the President, finally acceded. Their opposition crumbled, and that platform was adopted.

After that, newspapers all over the country said that the President had ignored the platform pledge. The people of the country would not believe that the President of the United States had ignored the platform pledge, and they would not believe that Mr. Willkie was anything but honest in what he was saying to the American people, to the effect

that he was in favor of keeping the country out of war.

Yet, in view of the statements which have been made since the election by Mr. Willkie and by Cabinet officers and others high in the Government of the United States, is it any wonder that the faith of the American people, in both the Democratic and the Republican leaders in the last campaign, is beginning to be shaken? I say that if there is any purpose on the part of this administration to take us into this war, either through the Orient or directly into the European war, I should hate to think what the American people are going to believe about our President, or about Mr. Willkie's statement. The people are simply going to lose all faith in their Government and in its leaders.

Mr. NYE. Mr. President, the cause of representative government, the cause of the two-party system, and the cause of antagonism to dictatorships, or one-man government, suffered a blow as a result of the campaign last fall. It remains to be seen how much recovery there can be from the blow that was struck primarily by Wendell Willkie at those fine causes. But whatever may be the reaction today or tomorrow, I am reciting what was the attitude of our leadership in the United States, the President of the United States, following the enactment of the hard-and-fast laws of neutrality. I wish to point out what he thought of them then.

Mr. CHANDLER. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. LEE in the chair). Does the Senator from North Dakota yield to the Senator from Kentucky?

Mr. NYE. I yield to the Senator.

Mr. CHANDLER. I am not undertaking to be responsible for the Republican Party platform, or for Mr. Willkie's views of what the country intends in the future to do about going into war or staying out of war.

Mr. NYE. The Senator is not suggesting, is he, that I am willing to take the responsibility for underwriting what Mr. Willkie says?

Mr. CHANDLER. I am not.

Mr. NYE. I am not seeking that kind of a chore.

Mr. CHANDLER. The Senator may assume that responsibility if he cares to; but, as I have said, I wish to disavow any responsibility on my part for Mr. Willkie's views or his platform. However, I do not believe Senators serve the country when they try to make the people of the country have a lack of confidence in the President, because I do not believe the President wants our country to go to war, and I do not believe any substantial number of the American people believe the President wants the country to go to war. I do not believe any Senator does his country a service—whether it be the Senator from Montana, the Senator from North Dakota, or any other Senator—when he attempts to make the people believe that the President of the United States is deliberately trying to take the country into war. I did not recall, and I do not now recall, that in Chicago there was any opposition to the platform of the Democratic Party. I was there when the committee reported,



and there was no contention over its report.

I should like to say to the Senator from Montana that if the President had not wanted the Democratic Party's platform written as it was, it would not have been so written, because nothing happened there that the President did not want. I know that. [Laughter.]

I do think the Senator from Montana had that plank inserted in the platform. I think the President of the United States was responsible for the Democratic Party's putting that plank in the platform; and I do not think the Senator is serving the country when he attempts to make the people lose faith in the President, because we may get into war, although I hope we shall not. I think the President sincerely hopes that we shall not. I do not think he is trying to get the country into war.

I do not think the Senator does his country a service when he tries to frighten the American people and make them think that the leaders—the President, and Mr. Hull, and others who are handling the affairs of the Nation—are deliberately, with this bill or any other bill, trying to involve the country in war.

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. NYE. I yield.

Mr. WHEELER. Let me say to the Senator from Kentucky that, whether he knows it or not, I know that the spokesmen who represented the President, or claimed to represent him—including men in high positions in the Government—in the platform committee fought the platform to the last ditch.

I appreciate that the Senator from Kentucky was not a member of the platform committee, and does not know what went on in the deliberations of the committee. However, I know what went on there; and I challenge anyone who was a member of the convention to say that there were not men who were opposing the platform and the proposals that were put in it, not only by myself but by other members; and they claimed, at least, to be speaking for the President in their opposition. Whether they actually did represent the President, I do not know. I only know what they claimed; and they were men in whom I had confidence.

I am not saying that the President wants to get us into this war, but I take what he himself said this morning. I am not using my own language; I am citing what the President said. When today the President expresses the belief that "proposals for peace in Europe must await a British victory," what does he mean? What right have we in the United States, as neutrals, to urge Great Britain to go on? What must the British people think about it? When we are saying that to them, must they not think we are saying, "Keep up the fight; you must keep on going and fighting until one side is licked"? When the President of the United States says that, how can he refuse to come to their rescue if they happen to be going down? He says, "The first thing is to win the war."

The President is quoted in the New York Times as follows:

President Roosevelt expressed the belief today that proposals for peace in Europe must await a British victory. The first thing is to win the war, the President declared in a press conference held after his return to the White House from Hyde Park.

Coincidentally, Mr. Roosevelt emphasized that he was opposed to any amendment to the lease-lend bill which would hamper the Government in extending all possible aid to Britain.

What is meant by "all aid to Britain"?

"All aid to Britain" means that in the event Britain needs it we are going to send American boys there.

I am trying to be honest with the American people and not fool them, not make "campaign oratory speeches," as Mr. Willkie said, and not fool the American people. This is a democracy. We prate about it and talk about it; but the way to preserve democracy in the United States of America is to tell the people the truth, give them the facts, and, if we intend that the country shall go to war, stand up and vote for it.

If this is our war, we ought to go to war. If it is necessary to lick Mr. Hitler in order to defend this country, if our first line of defense is in Great Britain, in the English Channel, or in France, then I am going to be honest and say that I am willing to vote for war, if it is our war. We should be honest about it.

However, I submit that this is not our war. Much as I hate Hitler and what he stands for and everything he stands for, and much as I disagree with everything Mussolini stands for, and much as I disagree with everything that is being done by the Japanese, I say that I am not willing to have American blood shed upon European soil, and I am just as unwilling to have American blood shed upon Japanese or Chinese soil or upon India's soil in order to preserve the domination of the British Empire, in order to let the British enslave the people in their possessions, in Bombay and other places.

I am not creating lack of confidence in the President of the United States; but when in one breath he says, "I am going to keep the American people out of war," and in campaign pledges says, "I am going to keep them out of war, and I am going to keep American boys out of war," and when every statement he issues and every step he taken lead down the path to war, I say then the American people are losing faith.

I do not want to see that happen. I want the faith the American people have in the President of the United States preserved. That is why I am opposing the pending bill, because it is a step toward war, and everyone on the inside, Cabinet officers and New Dealers, is saying, "We are in the war."

Mr. President, again I ask the Senator, If we are in the war, who put us in? No one has put us into this war; but where is Jesse Jones getting the idea that we are in the war? Where are the underlings who are the tools, and who are manipulating behind the scenes, and writing the proposals for legislation which they send to the Congress, getting the idea that we are in the war? Where is Miss Thomp-

son getting the idea that we are in the war? Where is Walter Lippmann getting the idea that we are in the war? Where are the persons to whom the President gives out statements assuming that we are in the war getting the idea that we are in the war? Who is giving them that idea? Who is putting that idea in their heads? Who is selling them the idea that we are in the war?

All the President would have to do would be to come out tomorrow and repudiate these people and say, "Not only are we not in the war, but we are not going into the war, and I want to see written into the bill a provision saying that no American boys will be sent across the water."

On the contrary, Dorothy Thompson—great heroine, great fighting lass—says, "I am willing to sacrifice a million American boys." Certainly she is willing to sacrifice my son. It does not take any courage for some lady with a 12-year-old boy to say, "I am willing to sacrifice a million boys." It does not take any courage for a lot of old men who are too old and too decrepit to go to war to say, "I want to go to war. Let us fight." [Manifestations of applause in the galleries.]

I am sick and tired of attempts to flim-flam the American people by false promises on the part of Republican or Democratic leaders, or candidates for the Presidency, or anyone else. If that is not good American doctrine, if that is not the honest thing for American Senators to do, if it is not true Americanism to give the people the facts—if that is being un-American, then make the most of it.

Mr. CHANDLER. Mr. President, will the Senator yield?

Mr. NYE. I yield.

Mr. CHANDLER. I resent first having the Senator from Montana put me in his class. If we shall have war—and I devoutly hope we will not—I am a Reserve captain in the Army of the United States, and I expect to take my place there. The Senator from Montana will probably go home and will probably feel very safe in Montana. I carried a Russian rifle in the training camp during the last war. It was not very dangerous; it would not do very much harm, and sometimes it would not work; but it was pretty good for right and left shoulder arms and all the other maneuvers which it was necessary to perform with it.

I repeat the statement I made a while ago, that I think if the Senator from Montana had spent as much time trying to build up confidence in my Government and his Government as he has spent time trying to tear it down, we would be much further away from war than we are now. I repeat what I said, that whatever got into the Democratic platform at Chicago got there because it had the approval of the President and his advisers. I was not a member of the committee to which the Senator refers, and I do not know who undertook to speak for the President. Many people undertake to speak for him. The President does not need any defense from me or any remarks he may make; he is per-



fectly capable of answering the Senator from Montana with respect to the construction which should be placed on his words any time he takes a notion to speak to the people of the United States. But I do say that day after day, when Senators who are patriotic and who do not want to go to war ascribe motives to those of us who are just as earnest and just as patriotic and who just as sincerely do not want to go to war, and try to make the people believe that, instead of voting for a bill to give the President the right to deal with a desperate situation, we are voting for war, they are unfair. The Senator comes here and says there is slavery in India and China and other distressful countries, but is there not also slavery in Poland, in Czechoslovakia, in Norway, and in Denmark? Is slavery in India any worse than Hitler's enslavement of those little countries along the English Channel and on the North Sea?

I want the Senate to understand that I sincerely believe that many who support this bill think it is important that they give to the President of the United States, and give to him immediately, adequate authority to deal with this desperate situation.

Senators stand here and say it is a trade war, or a boundary dispute, that some fellow in Europe wants to dig some new post holes and put some barbed wire on a boundary fence, and some other fellow says, "You cannot do it there, but you have got to do it some place else." I do not believe that. It is a world revolution. We must give someone authority to deal with it. Perhaps if he gets the authority soon, with his patriotism and courage, he may yet be able to keep this country out of war. This I fervently hope he does; I want him to succeed. The country wants him to succeed. I do not know of a single Senator who supports this bill who does not want someone to have this authority so that he may use his best efforts to keep America out of war. I have been seriously considering voting for an amendment, but I am now seriously considering not voting for it, because I do not want to place Mr. Cordell Hull, Secretary of State of the United States—and I do not believe the country ever had a more able, more patriotic, more intelligent, and more sincere Secretary of State—in the position where he cannot deal with these situations as they arise. If he cannot deal with them, and if the President cannot deal with them, you cannot deal with them. You can muddle and mess things up, but that is all you can do—make a mess out of it. If we are going to have continued peace and security for America, the only ones who are going to be able to keep it for you are the President of the United States and the Secretary of State. They alone have the power and authority to deal with foreign problems. They deserve our support. No talk in the Senate is going to secure peace for the people of the United States.

I said the other day, and I repeat, I have four little children. They were born in this country; they are going to live here the rest of their lives. I do not want to speculate upon their security. I want

my children and your children to be safe from bombing raids such as I know are going on in England at this hour. How can we be certain? We must act speedily and without delay. One of these days you who call yourselves—I do not so call you—isolationists may find yourselves completely isolated. You may find coming from all sides bombs to deal death and destruction to you and your children and your property; and yet you stand here and ask me to negotiate—negotiate with whom? To negotiate with Hitler.

That reminds me of the story of the colored man and the catfish. The colored man, with a knife in his hand, said, "Catfish, hold still; I am not going to hurt you." So Hitler said to Czechoslovakia and the other countries, "Hold still; I am not going to hurt you." Thus, one by one, he took them all and put them into slavery, and you want me to agree to negotiate with a fellow like that. I am not going to do it, and if you do, you are foolish.

[Manifestations of applause in the galleries.]

The PRESIDING OFFICER rapped with his gavel.

Mr. WHEELER. Mr. President, will the Senator from North Dakota yield?

Mr. NYE. I yield.

Mr. WHEELER. First of all, let me say I appreciate the fact that men in this Chamber on one side of the question are just as sincere as men on the other. There is one Senator in this Chamber who has already announced that he wants to go to war—there may be others of that opinion, but if there are, they have not been so bold about it as the Senator, whom we all know, who has said we ought to go to war now. I say that if this is our war, we ought to go to war; we ought not to stand on this floor and say this is our war; that we are buying time from the British, and then not be willing to vote for war; because, if this is our war, and we are telling the British that this is our war, how can we explain to them, if it is our war, that we are not going to war?

Of course, I know the Senator is a fighting man from Kentucky, and would like to carry a gun, perhaps, again, and I have no objection to anybody who wants to fight going over there and fighting. I have not any objection to Dorothy Thompson and all her tribe going across to Canada and from there across the ocean and fighting with the British; but I have no doubt that history will show that those of us who are standing on this floor trying to keep this country out of war, trying to have the American people use common sense and not let their hysteria and their hatred and their bitterness run away with them—we are the ones who are seeking to save the United States financially, morally, spiritually, and in every other way, for, just as surely as we get into this war, just so surely will we bankrupt the Nation; just so surely, if you please, will we further break down the morals and the spiritual feelings of the people of the United States; just so surely will we lose millions of American boys; just so surely will we have dictatorship in the United States during the period of the war, just so surely will we have

chaos after the war; and we will be bound to have dictatorship in order to prevent further chaos in the United States.

If that is what you want, if that is what the American people want, then, I say, put it up to a vote of the American people. Let the people of the United States—this is a democracy; and we say we believe in democracy—vote whether they want to go to war. I say again, Mr. President, that if this issue were ever put to a vote of the people of the United States, I do not care whether north or south of the Mason and Dixon's line, I am sure that the American people would overwhelmingly vote against it; and if there had been put into the Democratic platform a plank proposing to give the President the kind of powers contained in this bill, we would not have had a Democratic President of the United States at this time; we would not have had any Democratic Senator from any State north of the Mason and Dixon's line who would get up and say that he was for this bill. Starting with the State of California and the State of Washington, and going across the United States north of the Mason and Dixon's line, no Member of the Senate would have dared to say that he wanted to put the provisions of this bill into law. There is not a man on this floor who does not know that to be true.

Mr. Willkie certainly was making speeches in New York at private dinners saying that we ought to do substantially what is in this bill, but did he dare to go on the public platform and say it? Not at all. Did any other candidate dare to go on the platform and say it? We all know that they did not do so.

We all know that they did not dare to do it. I want to say that if there had been written into the Democratic platform in Chicago a plank advocating the proposal now before the Senate I would not have supported the President of the United States in that campaign. I would have spoken from every platform from one end of the country to the other against his election if I had known that anything of that kind was to be put into that platform or was to be enacted into law immediately after the election.

That is the way I feel about the matter; and, in my judgment, there is no one among the Senators and Representatives from States north of the Mason and Dixon's line who will want to challenge the statement that they would not have dared to put such a provision into the platform and submit it to the American people. [Manifestations of applause in the galleries.]

The PRESIDING OFFICER. There is a rule of the Senate that demonstration of any kind is absolutely prohibited in the Senate. Of course, when guests come in who have not been here before, they may not know that; but the Chair is sorry to say that if there is any further demonstration it will be necessary to enforce the rule by asking our guests to leave the galleries.

The Chair hopes, therefore, that the guests of the Senate will comply with the rule.



Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. NYE. I yield to the Senator from Kentucky.

Mr. BROWN. Mr. President, I suggest that we first hear from a Senator from a State north of the Mason and Dixon's line. We have been challenged.

Mr. BARKLEY. Yes; I will defer to the Senator from Michigan. I am glad to have the Senator speak at this time.

Mr. BROWN. I should like to make a few remarks along that line, if the Senator from North Dakota will permit me to do so.

Mr. NYE. I yield to the Senator from Michigan.

Mr. BROWN. I, too, was a member of the subcommittee of the Democratic platform committee which drew the platform. I well recall the draft of that platform which was brought to the subcommittee by the Senator from New York [Mr. WAGNER], who was chairman of the Democratic platform committee. It said this—and the record will bear it out:

We will not participate in foreign wars, and we will not send our Army, naval, or air forces to fight in foreign lands outside of the Americas.

We had a long battle, both in the subcommittee and in the full committee; and the only change or addition that was made to it was the addition of the phrase "except in case of attack." That phrase was added to it.

It seems to me the Senator from Montana [Mr. WHEELER] entirely overlooks certain other planks in that platform which I think are highly important, and which I think establish the foundation upon which this bill is drafted. Not only were there such planks in the Democratic platform, but there was a similar plank in the Republican platform. I keep the party platforms in my desk, and I happen to have them before me, and I now read what the Republican platform stated:

Our sympathies have been profoundly stirred by invasion of unoffending countries and by disaster to nations whose ideals most closely resemble ours.

This is the Republican Party speaking:

We favor the extension to all peoples fighting for liberty, or whose liberty is threatened, of such aid as shall not be in violation of international law or inconsistent with the requirements of our own national defense.

My own party platform said this:

In self-defense and in good conscience—

I want the Senator from Montana to note those words:

In self-defense—

That is, in defense of the United States—

In self-defense and in good conscience, the world's greatest democracy cannot afford heartlessly or in a spirit of appeasement to ignore the peace-loving and liberty-loving peoples wantonly attacked by ruthless aggressors. We pledge to extend to these peoples all the material aid at our command, consistent with law and not inconsistent with the interests of our own national self-defense—all to the end that peace and international good faith may yet emerge triumphant.

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. BROWN. In a moment. I say, Mr. President, that both those platforms stated the general principle upon which the very bill we are now debating is based; and we should not be fulfilling our duty to the American people unless we enacted legislation substantially such as that which is now proposed.

Mr. WHEELER. Mr. President, will the Senator from North Dakota yield to me?

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Montana?

Mr. NYE. I yield.

Mr. WHEELER. Let me ask the Senator from Michigan, who was a member of the committee, whether he does not also remember that to the subcommittee and to the full committee there came men supposedly speaking and claiming to be speaking for the President of the United States who wanted the provisions which he has read modified; and does he not remember that they were turned down by a vote of almost 90 to 7 or 8 votes?

Mr. BROWN. I will say to the Senator from Montana that if representatives of the President had wanted these provisions modified they would have been acting contrary to what the Senator and I knew to be the wishes of the President of the United States.

Mr. WHEELER. Oh, no.

Mr. BROWN. They would rather have had these provisions expanded, and not modified, so that greater aid for Britain and other countries would have been proposed.

Mr. WHEELER. Exactly; that is what I am saying. They wanted the provisions modified or expanded.

Mr. BROWN. That is not what the Senator said.

Mr. WHEELER. What did I say? I meant to say that what they wanted was to have the platform provisions expanded so that greater aid could be furnished to Great Britain, and they wanted stricken out of the platform provisions which said "notwithstanding any law," and they wanted other provisions. The Senator knows perfectly well—I say "the Senator knows perfectly well"; I assume that he perhaps knows, but I know—

Mr. BROWN. I know what went on.

Mr. WHEELER. I know that last-minute appeals were made to me to strike out some of the language of that platform plank and expand it. Likewise, the Senator knows that a proposal was brought to the subcommittee which was read, and it was torn into bits so that it would not get out to the press; and he knows, if he was there on the subcommittee, that the proposal was turned down with only a single vote in favor of it, and he knows by whom that single vote was cast. He also knows that persons came to the full committee and urged the inclusion in the platform of substantially what was in the first draft which we were told was sent there by the President of the United States, and which was turned down by both the subcommittee and the full committee.

The Senator from Nevada [Mr. McCARRAN] is present. He was a member of the

subcommittee; and if there is any question about the matter I should be glad to have the Senator tell his recollection of what went on there, and the fight that went on, both in the subcommittee and in the full committee.

I must confess, also, that I do not agree with the Senator's construction that the things said in the platform with reference to aiding the Allies were at all synonymous with this legislation; and I expect, in my own time, to point out that this bill is not an aid-to-Britain bill. It is not an aid-to-Britain bill, and I hope I may be able to convince the Senator from Michigan to that effect.

Mr. BROWN. Mr. President, I shall take but a brief moment to reply to the Senator from Montana.

I do not pretend to be able to recall every argument that was made to the subcommittee or to the full committee. My recollection is that a record was made of the arguments that were made to the full committee. Because we were in executive session, no record was made of the arguments made to the subcommittee.

As the Senator well knows, the Vice President of the United States was a member of both the subcommittee and the full committee. It was well known that he was then the favorite candidate of the President for nomination to the office of Vice President. I assumed that he spoke the views of the President of the United States. After the arguments were over, and after we had heard from our colleague the Senator from Florida [Mr. PEPPER], who was the most pronounced advocate of extreme aid to Great Britain who appeared before the full committee, we came to certain agreements, and those agreements were written into the party platform. I submit, contrary to what the Senator from Montana says, that when we said:

We pledge to extend to these peoples all the material aid at our command, consistent with law and not inconsistent with the interests of our national self-defense.

We plainly said to the American people, as the Republican platform did, that we intended to give to the British Empire and to the other stricken democracies of Europe all possible aid in their fight against the aggressor.

Mr. WHEELER. The difference between the Senator and me with reference to that particular provision is as to what one considers aid to Great Britain in violation of law, and what we would consider aid to Great Britain which would not interfere with our own national defense. We were talking in those days of aid short of war. Where do we hear anyone in the administration today talking about aid short of war? They are talking about giving all aid that is necessary to bring about a victory, and military and naval officials with whom I have talked, say to me that in the event we are going to bring about a victory such as has been mentioned, through dividing Germany into small nations, and driving Hitler from Berlin, it means sending troops. Our Ambassador to Great Britain, Mr. Kennedy, who was in Europe for several years, and who was



called "my Ambassador" by the President, says that, in his opinion, it is going to be necessary to send an American expeditionary force if we are to do what some of the fanatical warmongers want us to do.

Of course, I admit that Mr. Willkie, who spent about a week running around and putting on a show over there, attending the "pubs," and drinking a glass of beer with some Englishman, knows more about conditions than our Ambassador who spent several years over there. He said Mr. Churchill told him what they needed, and after his visit he comes back and says he knows all about what we should do for Great Britain, that we have to do this and have to do that, and Great Britain can win and we can have a victory. I am sure the Senator from Michigan does not subscribe to the views of Mr. Willkie.

Mr. ELLENDER. Mr. President—

Mr. BROWN. Mr. President, will not the Senator permit me to make a reply?

Mr. ELLENDER. Certainly.

Mr. BROWN. I wholly disagree with the statements which are continually made on the floor of the Senate by the Senator from Montana, who is the leader of the opposition to the pending bill, with a great many able lieutenants, that we are no longer limited by the phrase "aid short of war." I have not seen anything to the contrary in any reasonable interpretation of the President's remarks. The Senator from Montana, in his opposition to the various amendments suggested, has continuously set up bugaboos, claiming that this is a war bill, claiming that the liberties of the American people are lost.

I happened to be reading the CONGRESSIONAL RECORD a short time ago, and in it I found a statement made by the Senator from Montana on the conscription bill, a bill against which I voted. Perhaps I was wrong. I was in agreement with the position of the Senator from Montana then, but I was not in agreement with what he then said. He made this statement on the floor of the Senate on August 13, 1940:

Enact peacetime conscription and no longer will this be a free land; no longer will a citizen be able to say that he disagrees with a governmental proclamation or edict. Hushed whispers will replace free speech.

We still have free speech in this country, and we have enacted the conscription bill:

Secret meetings in dark places will supplant free assemblage; labor and industry, men and women, will be shackled by the chains they have themselves forged.

Did any of those prophecies come true? I submit that they have not. Wages are up; labor is better off than it was. Even representatives of industry who have heretofore bitterly fought labor organizations have come before committees of the Congress and stated that there is not the slightest intention to interfere with the right to strike or any of the other liberties which the Senator from Montana indicated would be stricken down if we enacted the conscription bill. We have free assemblage. Where are the chains with which the conscription bill shackled us?

I think the Senator, more than any other individual in the country, is innocently responsible for the feeling which has gone abroad that this bill raises an issue of war or peace. It is not an issue of war or peace; it is an issue of what is best for the defense of our country under present circumstances.

Mr. WHEELER. Mr. President, will the Senator from North Dakota yield to me?

Mr. NYE. I yield.

Mr. WHEELER. I still repeat that the issue raised by the bill is war or peace. Others may take a different view, and I recognize that there can be a difference of opinion with reference to the proposal now before us, just as there can be with reference to every other piece of proposed legislation. But when we talk about whether it is for war or peace, we must take into consideration what the Cabinet members are saying. What has Jesse Jones said?

Mr. BROWN. They are not the ones to declare war; we are the ones to declare war.

Mr. WHEELER. No; we are not. We are not going to execute the proposed law. If the Senator from Michigan were going to execute the law, I would say that this is not a war measure. It depends entirely on who is to execute the law. I contend that when members of the Cabinet say that we are in the war, or say, "Well, if we are not in the war, we are going to be in the war very soon"; and when we see the First Lady of the land introducing Miss Dorothy Thompson, who, I repeat, says she is willing to sacrifice a million American boys; and when we hear all of the rest of the crowd of the "inner circle" talking around and saying, "We are in the war now," as they have been doing; when we see that statement in administration newspapers, such as the Philadelphia Record, which came out some time ago and said that we are in the war now—when we observe such things, I say we are in the war, and the reason for some saying we are in the war is that they want to create a psychology in this country so that the people of the United States will give up and simply say, "There is no use opposing our entry into the war."

I say that even after this bill shall be passed, if the American people will arouse themselves out of their lethargy, and tell the President of the United States, and some of the others who are urging us to get into war that they do not want war, and that they are not willing to have us go to war, we will not have any war. I do not agree with those who say we are in the war now. I say that if we continue to take the steps we are taking we will be in the war, and I am opposed to our getting into the war. I am frank to say that I think most of the Members of the Senate are as much opposed to our getting into the war as I am. I do not think there is any question about it. I do not think there is any question that the Members of the House of Representatives are overwhelmingly opposed to our getting into the war.

In 1938 and 1939 and 1940 some of our American ambassadors were saying that we were coming into the war. They were

saying, not only in the United States, but throughout Europe, that if war broke out, we would be in the war. If there is any question about that statement, I should be delighted to see the Committee on Foreign Relations call some of them and put them under oath. I should likewise be delighted to see the committee call other witnesses who heard those statements made in the United States and put them under oath.

The Members of the Senate did not know anything about that. We were opposed to it, and, as I stated a moment ago, I do not have any idea that there is anyone in this body, with possibly one or two exceptions, who wants this country to get into war.

What I am trying to do is to say to the American people that it is up to them whether we get into the war or not. If they will stand firm and have the fortitude not to be carried away by the propaganda that is coming out of Wall Street, from the international bankers, that is being put out by British propagandists, that is going out over the radio, that is being spread by the motion pictures, and by the writings of some of the columnists—if they will resist that propaganda, this country will not get into war.

Mr. President, there is talk about unity. Some of the international bankers talk about unity in the United States. Certainly we can have unity. No one will join with the President more quickly than will I in order to keep this country out of war. No one will agree with him more quickly and go further with him than I in the program of rehabilitation for the underprivileged in the United States. But if the international bankers think they are going to have unity with respect to getting this country into war they are mistaken, because there will be no unity on that question, for the overwhelming majority of the people of the United States are opposed to getting into war, and I thank God for that.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. NYE. I am glad to yield to the Senator from Kentucky.

Mr. BARKLEY. I do not wish to take the Senator's time, because I know how anxious he is to conclude. [Laughter.]

I wish to refer briefly to a suggestion made by the Senator from Montana. I happened to have been a member of the committee on resolutions in the Chicago convention which wrote the platform, and I wish to say, Mr. President, that no man forced anything into that platform, no matter how high a position he occupied. So far as I recall, no one man tried to force anything into that platform. That platform was written by the committee charged with that duty by the convention, consisting of a man and a woman from each State as members of the committee on resolutions. There were many planks submitted which were debated and fought over and revised, and the platform was not the work of any one man. Nothing was left out of it because of the demand of any one man, and nothing was put into it because of the demand of any one man. As it came to the full convention it represented the consensus of opinion of all



the members of that committee, and I think we have a right to assume that when it was adopted it represented the consensus of opinion of the convention itself.

Mr. WHEELER. Mr. President, let me say to the Senator that I have not said anything to the contrary. What I said was that it certainly was the consensus of opinion of the majority of both the subcommittee and of the full committee. That platform was brought in by the Senator from New York [Mr. WAGNER] in a tentative form. Changes were made; planks were suggested; some were turned down and some were adopted. But when the platform came out of the resolutions committee it represented the views of the overwhelming majority of the members of that committee. I agree entirely with the Senator from Kentucky.

Mr. BARKLEY. Mr. President, it is true that the Senator from New York came there with a tentative draft which he stated at the very beginning was a tentative draft, and that he himself was not bound by it; that it was revised and discussed and modified, and it came out as the practical unanimous opinion of the members of the committee. Men may put their own interpretations on what was in it.

The Senator from Montana and the Senator from North Dakota have used a statement made yesterday by the President at his press conference as a peg on which to hang their critical hats. The statement made by the President was the result of a question propounded to him by a reporter at his press conference. The reporter asked the President if he had sent Mr. John G. Winant as Ambassador to Great Britain with a proposal to bring about peace in the world. The President had the right to refuse to answer that question or he had the right to answer it. He answered it, and he answered it frankly. It was not a statement he made voluntarily on his own initiative. It was in reply to a question which had been propounded to him. In reply to the question whether Mr. Winant was going to England with a peace proposal from the President of the United States, the President said it was not time to make peace proposals. I, myself, am in thorough accord with that statement, and I believe the American people are in accord with it. It is not our business to undertake to tell England when she shall be willing to enter into peace negotiations.

The other day I undertook to point out the fact that, so far as I can recall, there has never been a substantial or important war in all history in connection with which the peace had not been brought about more or less by the dictation of the victor. If we can take the extent of territorial conquest as the gage of victory in this war, we might understand, of course, that Hitler up to now is the victor. If his domination of Europe, his conquest of Norway, Poland, Czechoslovakia, Austria, Denmark, Holland, Belgium, and France are to be the gage of victory, Hitler would be regarded as the victor up to now, and no one would entertain the slightest hope, in my judg-

ment, that any peace negotiated now with Hitler would be otherwise than a Hitler peace.

I think it is in accord with history and with human nature that the President was right, and that he was within the bounds of propriety, when he said, in response to a question proposed to him as to whether Mr. Winant was on his way to England with a peace proposal, that it is no time now for us to be making peace proposals or talking to England about making peace or negotiating peace with Hitler.

The Senator from Montana referred to a speech made by Mrs. Roosevelt introducing Miss Dorothy Thompson to some audience.

Mr. WHEELER. No; not to a speech made by her. I wish to correct that statement.

Mr. BARKLEY. I understood that the Senator referred to some occasion when Mrs. Roosevelt introduced Dorothy Thompson to make a speech. Is that correct?

Mr. WHEELER. Yes; but not to a speech which was made by Mrs. Roosevelt.

Mr. BARKLEY. Well, it was the same occasion.

Mr. WHEELER. Yes; that is correct.

Mr. BARKLEY. The Senator referred to what Dorothy Thompson said?

Mr. WHEELER. Yes.

Mr. BARKLEY. But he rings Mrs. Roosevelt into it, because she introduced Dorothy Thompson at the meeting, as I understand.

Mr. WHEELER. Not only introduced her, but went on praising her speech in a newspaper column, as I read it a day or so afterward.

Mr. BARKLEY. Yes; so the Senator attributes to Mrs. Roosevelt Dorothy Thompson's speech, at least to the extent to which she praised it.

Mr. WHEELER. No; I would hate to think that Mrs. Roosevelt or anyone else for whom I had any regard ever approved or was responsible for what Dorothy Thompson says.

Mr. BARKLEY. I cannot understand what the Senator's object was in mentioning the two ladies together unless it was in some way to connect their opinions with respect to the matter under discussion. I did not read Dorothy Thompson's speech. We have so much to read now these days that we cannot read everything. Neither did I read, so far as I recall, Mrs. Roosevelt's remarks in introducing Dorothy Thompson. But the mere reference to the incident, it seems to me, justifies the suggestion that a good deal of the opposition to this measure is personal, and I think the Senator from Montana confirmed that idea when he said that if the Senator from Michigan [Mr. Brown] were to administer this bill he would not be afraid of it; but the Senator from Michigan is not going to administer it, the President of the United States is going to administer it, and by implication and by inference I suppose we are justified in assuming that the reason the Senator from Montana is afraid of the bill is because the President of the United States, Franklin D. Roosevelt, is going

to administer it, and members of his Cabinet may assist.

Mr. BROWN. Mr. President, will the Senator from North Dakota yield at that point?

Mr. NYE. I yield.

Mr. BROWN. I wish to say to the Senator that, while I think I can do a good job, I do not think I can do nearly as good a job as can the President of the United States.

Mr. BARKLEY. I will say to the Senator that next to the President of the United States I think he could do as good a job as anyone else.

A remark made by Mr. Jesse Jones before the House Committee on Appropriations has been used here as evidence that not only will the pending bill take us into war but that we are already in the war. I suppose Mr. Jones made that statement. The newspapers published it as his statement. I was not there. I do not know. It was probably a metaphorical statement, like many which are made. The truth is that, regardless of our desire, or regardless of the desires of mankind, the entire world is in this war. We are affected by it. Our daily thought and our nightly dreams are colored by the war. We all must take into account that the world is at war, and we cannot escape its consequences. We are all seeking—honestly, I believe—to do the things that will avoid the necessity of our entering the war and becoming a belligerent from a military standpoint; but any nation in the world, great or small, which deludes itself into the belief that this war is not affecting its destiny, its safety, and its welfare is living under the ground—not simply as an ostrich.

We are all affected by the war. All our legislation in the past 6 months has been made necessary because of the war. Everybody knows that. The prices of our agricultural products have been determined because there is a war. The markets for many of our products have been entirely cut off and lost because the producers could not ship their products to Europe on account of the war. The prices of our commodities are determined by the war. Our thoughts, our fears, our hopes, our ambitions, and our aspirations are all colored because one man has brought upon the world this scourge without which we should be pursuing the even tenor of our way, without which we should not have been compelled to appropriate \$13,000,000,000 in a few months to defend ourselves, without which it would not have been necessary to set up a defense council, without which it would not have been necessary in all probability to have entered into agreements with all the nations of the western world to protect ourselves in common against the scourge which has brought this catastrophe upon mankind.

The world is in the war. Whether any nation is actively engaged in it or not, it is in it and it is affected by it, and it will be until the war shall have been concluded.

The Senator from Montana says that if the bill had been submitted to the people of the United States last year in the election campaign, or if any candidate had



advocated it, he would not have been elected President of the United States.

How does the Senator from Montana know what the American people would or would not have approved, on something which was not and could not have been submitted to them? The Democratic platform pledged the party to aid for England not inconsistent with law—not the law which existed when we met in Chicago, not the law which was enacted 10 years ago, but any law which Congress may from time to time enact.

The very reason why the bill is before the Senate now is because there are certain things in the law which prevent the President and our country from aiding England, and we are undertaking to write a new law under which he may do so. It is in the sense that his aid will not be inconsistent with this law or any other law which Congress passes, that the Democratic platform spoke in 1940.

Of course, the proposition had to be stated in general principles. Both the Democratic and Republican platforms had to be submitted in general principles. Neither convention could submit the details of a bill. House bill 1776 could not be submitted to the American people for a vote. Senate bill 275 could not be submitted to the American people for a vote. The Senator from Montana knows that to be true. There was no way, there never was a way, and there never will be a way, unless and until the American Congress and the American people adopt the initiative and referendum by which a specific piece of legislation may be submitted to the American people for a vote. Every Senator knows it, and everybody in the United States knows it.

The Senator from Montana has said that the American people ought to be given the right to vote on whether we shall go to war. That might be desirable. I am not passing on that question now. An amendment to the Constitution was introduced in the House of Representatives by a Member of the House from Indiana [Mr. LUDLOW] which would have submitted that question to the people of the United States. It did not receive a sufficient number of votes in the House to be submitted to the American people through their legislatures or through conventions.

The Senator from Montana, in his opposition to the bill, calls it a war bill. Those of us who are supporting it believe—as honestly as he believes his statement—that it is not a war bill, but that it is the only practical measure to prevent our entry into the war. In his opposition to it he now says that the American people should vote on the question of war or no war. The Senator from Montana knows that there is no provision, either in our Constitution or under our statutes—and there cannot be such a provision without an amendment of both—whereby the people of the United States may be allowed to vote on the question of whether or not we should enter a war at any time. I do not recall that the Senator from Montana has ever introduced an amendment to the Constitution providing for a vote of the people on whether or not we should enter a war at any time. He might support such an amendment.

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. WHEELER. Let me say to the Senator that the Senator from Montana has introduced such a measure.

Mr. BARKLEY. When?

Mr. WHEELER. The Senator from Wisconsin [Mr. LA FOLLETTE] and I introduced such a measure during the last session of the Congress.

Let me ask the Senator from Kentucky a question. He is the majority leader. If he will support such a resolution, we can pass it through the Senate; and if the administration will support such a resolution, we can pass it through the House of Representatives without the least trouble.

Mr. BARKLEY. The Senator attributes to me much more influence than I possess.

Mr. WHEELER. No; I do not.

Mr. BARKLEY. But I will say to him now, if he wants a categorical answer from me, that I am satisfied, and I think the American people are satisfied, with the constitutional way by which Congress, representing the people, has the power to determine whether we shall enter a war.

Mr. WHEELER. In other words, the Senator is not in favor of such a proposal?

Mr. BARKLEY. I am not at this time. I would not close my mind to the proposal, but if I were required to vote on it today I should vote against it.

Mr. WHEELER. The Senator has stated what the President said. I do not know whether the President said what the New York Times and all the other newspapers stated.

Mr. BARKLEY. I do not know either, but the Senator has quoted the statement as though the President made it.

Mr. WHEELER. No; I said that the New York Times made the statement that—

President Roosevelt expressed the belief today that proposals for peace in Europe must await a British victory. The first thing is to win the war, the President declared in a press conference held after his return to the White House from Hyde Park.

I do not know whether the President made that statement, but I do say that practically every great newspaper in the United States carried it on the front page.

Mr. BARKLEY. Let us assume that he did say it. It does not follow that the President meant that we are going to get into the war or that we have to win it from a military standpoint. He was talking about our making peace proposals to England, and he said that at this time it is improper for us to make any such proposals until England has won. That does not mean that the President had in his mind what the Senator is seeking to convey, that he was going to take us into the war, and that we should win it, and that there must be a victory for us before any peace could come.

Mr. WHEELER. I meant exactly what the Senator from Kentucky said a few moments ago. He said we had no right to tell England when she should make peace, or whether she should make peace; and I said in my statement that the Pres-

ident had no right as President of the United States to try to encourage the English people to carry on. In my judgment, what he said cannot be construed in any other way. I am only giving my own conception. President Roosevelt expressed the belief that proposals for peace in Europe must await a British victory.

Mr. BARKLEY. That is correct.

Mr. WHEELER. The first thing it to win the war. That is not the attitude which Woodrow Wilson took as President of the United States, because Mr. Wilson repeatedly said that he wanted a war without victory.

Mr. BARKLEY. Yes; but he did not get it.

Mr. WHEELER. I am not sure that he did not get it.

Mr. BARKLEY. In the sense that Woodrow Wilson meant peace without victory before we got into the war, certainly as matters developed he did not get that sort of war, and he did not get that sort of a peace.

Mr. WHEELER. He did not get what he wanted; I will agree with the Senator as to that. He did not get what the British promised him when we got into the war; and President Wilson got into the war not knowing about the secret agreements that Great Britain had entered into with other countries, and he was fooled about it.

Mr. BARKLEY. Of course, that situation presented certain idealistic conditions which, prior to our engagement in that war, it was entirely proper to hope for; but the mere fact that President Wilson back in 1915 or 1916, or even before we got into the World War in April 1917, wished there might be a peace without victory in order that there might not remain any ranking in the bosoms of either the victor or the vanquished, presented an entirely different situation from that which today exists in the world. That was a different kind of war. It might have been regarded as a geographical war, although now there are many persons who do not regard that war as wholly geographical. Certainly, the war now raging is not entirely geographical.

However, the point I desire to emphasize is that the response of the President to a newspaper reporter was proper. In my judgment, it was in consonance with the attitude of the American people; and it meant, as I construe it, that it was not the function of the United States of America, through its Government or its President, to say to England, "You will have to quit fighting now," with Hitler's heel on all Europe, and with his effort during the coming weeks or months to strangle the British Government into submission.

I think the President, in giving a response of that sort, was within the bounds not only of propriety but of wisdom.

Mr. WHEELER. If the President's response is to be interpreted as the Senator says, I agree with him; but that is not the interpretation placed upon it by every reporter who was at the White House.

Mr. BARKLEY. But that is not what the President says when he refers to "a British victory."



Mr. WHEELER. Read what the New York Times says.

Mr. BARKLEY. I read it, and I did not have to get the New York Times in order to read it. I read it in the Washington Post before breakfast.

Mr. WHEELER. I read it there, too.

Mr. BARKLEY. But the Senator did not believe it until he saw it in the New York Times. Is not that true?

Mr. WHEELER. I wanted to read it in the New York Times because I know that is the bible for many persons in Washington.

Mr. BARKLEY. I am afraid the Senator from Montana is trying to do what I understand Hitler is going to do—rewrite the Bible.

I apologize to the Senator from North Dakota for taking so much of his time.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. NYE. I yield to the Senator from Illinois.

Mr. LUCAS. If Rip van Winkle could rise from his long slumber, drop quietly into the galleries, and listen to the debates that during the last week have occurred on the floor of the Senate, he would be certain that we are voting on a declaration of war.

In order to throw a little oil on the troubled waters that seem to be surging on the floor of the Senate, I should like to read a portion of a very cool and dispassionate article entitled "Tangled Views," written by Ernest Lindley and to be found in the Washington Post of this morning. I shall read only a portion of it.

As the lend-lease debate nears its end, the isolationist extremists are still asserting that this bill will put us into the war. This, of course, is what the active war group at the other extreme want the Nation to think.

It would seem almost that the isolationists are in league with the war group to push the country headlong into full participation in the war, and so to upset the more discriminating policy which Roosevelt has been trying to pursue.

For there is no surer way to make us an active belligerent than by arousing the fatalistic feeling that we have already gone over the top of the dam and no longer can steer our own course. This is the last thing most of the isolationists want. But it is what unconsciously they are serving to bring about.

Support for the lend-lease bill was mustered by the argument that it would help to keep war away from our shores. Wendell Willkie and many others stated their belief that prompt and effective aid to Britain offered the best or the only chance to preserve our nonbelligerent status. But the isolationists seem to want to convince the country that once the lend-lease bill passes, there is no use trying to do anything further to prevent us from jumping into the war—even to the point eventually of sending a huge expeditionary force to Europe.

The assertion that the lend-lease bill puts us into the war is as misleading as the assertion that we are already "in" the war.

What I have just read expresses my sentiments.

Mr. NYE. Mr. Lindley, of course, takes pains to avoid quoting anyone within the administration with respect to our status at the moment. He religiously refrains from quoting Jesse Jones, who asserts that we are already in the war, or almost in. It has seemed to me during the past few days that there

has been something of an administration effort to plant with the people a conviction or a feeling of inevitability about this trend toward war; that it is a thing that we had better be getting our minds ready for, at least.

But, Mr. President, we have moved a long way from Chautauqua, N. Y., in the last 45 minutes or so. We have been up to Philadelphia, and have had our memories awakened to the cry of "We want Willkie!" and have been out to the convention hall in Chicago, where the superintendent of the sewer district was crying, "We want Roosevelt!"

Now I desire to get back to the part of my discussion in which I was portraying the President's accomplishment at Chautauqua, N. Y., in the delivery of his preelection speech, which was certainly the most effective campaign speech made in all American political history. He was there discussing the neutrality laws, the nature of which I have roughly outlined. He praised them. He lauded them to the skies. I have revealed how he urged and helped those who were seeking to accomplish the enactment of these laws.

During the course of his Chautauqua speech the President said, referring directly to the neutrality law:

The Congress has given me certain authority to provide safeguards of American neutrality in case of war, \* \* \* new weapons with which to maintain our neutrality.

\* \* \* Effective maintenance of \* \* \* neutrality depends \* \* \* on the wisdom and determination of whoever at the moment occupy the offices of President and Secretary of State.

It is clear that our present policy and the measures passed by Congress would in the event of war \* \* \* reduce war profits which would otherwise accrue to American citizens. \* \* \* Let us not blink the fact that we would find \* \* \* thousands of Americans, who, seeking immediate riches—fool's gold—would attempt to break down or evade our neutrality. \* \* \* If we face the choice of profits or peace, the Nation will answer—must answer—"We choose peace."

Mr. President, there was no chance of mistaking the language and the meaning of the President in that address, and the millions who listened that day turned away from the radios entertaining a high conviction that the first purpose of the President of the United States was that of maintaining the peace of the United States; that he would maintain the laws of neutrality, and that whenever greedy men, bent upon getting fool's gold, tried to destroy the neutrality laws, one could bet his last dollar that the President of the United States would be there defending the laws.

That speech was followed by the election, which brought favor again to the President of the United States, his election to a second term as President.

Then came the talk about aggressors, of the dangers which were being brought upon the world by aggressors. There came the bridge dedication speech in Chicago urging the quarantine of aggressors, a speech, Mr. President, which the President soon found was not a popular one. But along about the same time the brewing started in Europe, indicating that Europe was again heading to that thing of which we have been talking for

the last 15 years as a prospect for Europe. There came to Europe precisely and exactly the thing that we had tried to fortify ourselves against; there came to us the very condition that had occasioned the enactment of the neutrality laws; there came to Europe the very condition the President of the United States prophesied would come, and with it came the thing the President also prophesied, namely, that there would be Americans who would want to tinker with and change the neutrality laws and evade them or get rid of them. That also came just as he had prophesied. In those days, somewhere the cash-and-carry feature of the neutrality law died. Every effort was made to build it back into the law, but men here would afford no opportunity to accomplish the enactment of the cash-and-carry feature of the law. Sometimes I wonder if it was not well known what they were accomplishing by denying the chance for a renewal of the cash-and-carry feature; but the cash-and-carry feature of the law died.

Then, as the brewing in Europe grew more intense, who is it that comes to the Congress, as if in fulfillment of the President's prophecy, and asks for changes in the neutrality law? Who is it that comes first to Congress demanding the repeal of the arms embargo? None other than the man who had prophesied that when trouble came to Europe we would be urged in the interest of fool's gold, to use the President's own term, be met by those who would demand the repeal of the arms embargo.

The Congress debated long, and one day we locked the doors here and went home without the repeal of the arms embargo, and we left in the executive office a very angry Executive who gave vent on the following day in his press conference to his real feeling when he said:

The failure of the Congress to repeal the arms embargo has interfered with a nice business boom for the United States.

Interfered with a business boom! Europe did just what was expected; Europe moved nearer and nearer to real hostilities, and the President summoned the Congress back into extraordinary session, and the President who had said that there would be Americans seeking immediate riches, fool's gold, who would attempt to break down or evade our neutrality, came personally before the Congress and pleaded, among other things, that if only we would repeal the arms embargo we could put many unemployed Americans back to work. Get in on these foreign-war profits and cash in on them. Let us solve our unemployment problem by breaking down our neutrality laws.

The Congress listened; Congress debated, and Congress acted, and finally repealed the embargo; but it repealed it with the public believing that there was a trade on, with the public believing that there was really something gained from the transaction; that whereas we had lost the arms embargo, we would now have the cash-and-carry feature of the law, a feature which the administration had permitted to die a few months before,



and which it refused then to resurrect. It was not a trade.

Mr. President, as I think will one day be written for us as of this period, the repeal of the arms embargo was the beginning of the end. From that time on our course has been one just as steady, just as direct into the European war as one could believe possible, surely as direct or more direct than was our march in 1914, 1915, and 1916 into a war out of which we vowed we were going to stay. Ever since the repeal of the arms embargo, ever since this reach for "fool's gold" began, we have had driven into our minds day after day the thought that the war in which Britain was engaged was our war; that Britain was fighting our war. Ever since that time we have been making Britain's cause ours in every particular. We were told at the time of the repeal of the arms embargo that there never would be need for further steps; Senators stood in their places here and vowed that they would never go a step further than that repeal. "Give them cash and credit again? Never, never. Do not be alarmed about that. England has a lot of money; England has all manner of credit here in the United States, enough to carry her for many, many years." That was the assurance in the hour of the repeal of the arms embargo; that England had plenty of credit; England had plenty of money. So "speed up the building of planes; Britain will pay for them; she has been paying for them; and that will be equipping the United States for greater expedition in the production of planes for the United States."

Now we are coming to the hour when not only are we going to let Britain's orders pave the way for expedition of production of our own planes but, under the provisions of H. R. 1776, we are going to pay for the British planes produced in this country.

Hate and fear with each step take a faster hold upon us; and one day found the American people sufficiently fearful to permit a President of the United States, upon an opinion written by his Attorney General, to dispossess the United States of 50 destroyers which the military experts of the United States insisted were essential to our national defense, and which they privately insist to this day were essential to our national defense. The President dispossessed us of those 50 destroyers. He did it because we wanted to help England. What kind of help is it to England when we give to England destroyers which the President told the American people were no earthly good to us—destroyers which had just been reconditioned and were about to be recommissioned?

On the theory that "Hitler's going to get us if we don't watch out," we now come to H. R. 1776, which—if I may use the expression—is simply a bill, from here on in, to "shoot the works" with respect to aiding whatever cause may be involved in Europe. Surely it is the most astounding grab for power that ever has been recorded in American annals. Forgetting now the challenging opinions as to what these powers are, there are, we are all agreed, mighty powers there. Included among them is the power given

by us to the President to violate international law, the thing we have been told for years was the thing we ought to have stayed by instead of adopting a neutrality law. Surely there will be violation of international law when the President, under this legislation, opens our harbors and ports to the ships of belligerent nations. What is going to follow that we know full well, with opposing belligerents waiting offshore outside the harbors for belligerent vessels to come forth, bringing warfare to our very shores.

We are making here brand-new law, or authorizing the President to make new law. Under this legislation we authorize the President to ignore existing law that stands in the way of the accomplishment of the pronounced purposes of the lend-lease bill. Under this bill we grant to the President power to promulgate virtually the rules of the international game from here on in. We give to the President power to make alliance with any power or any group of powers upon earth with which he chooses to enter into alliance.

On all of these matters, with respect to further voice in our march to war, Congress abdicates under the provisions of H. R. 1776. We give to the President power to do these things, to roll out endlessly of American cash for the accomplishment of whatever may be British purpose.

Mr. BARKLEY. Mr. President—

Mr. NYE. I am mindful of provisions in the bill limiting the amount of aid the President may give; but there is not any man in this Chamber who, after we enact this law, will refrain from cooperating when the President comes back to Congress and says, in effect, "I have told the people with whom we have made this alliance that we will do this for them." There is not anyone in this Chamber who is not pretty sure, down in his own heart, that he will cooperate to the extent of fulfilling any commitments the President of the United States may make with those with whom he has made alliance.

I now yield to the Senator from Kentucky.

Mr. BARKLEY. Mr. President, if the Senator, before he concludes, is going to state his views with respect to the question I am about to ask him, I shall not ask him to take the time now.

I do not recall that the Senator thus far has stated whether he favors any sort of aid to England—that carried in this bill or aid in any other form. Is the Senator in a position to say whether he favors aid to England in any form, either in material or in cash?

Mr. NYE. Mr. President, it seems to me that ceased to be a question for our consideration at the time of the passage of the legislation repealing the arms embargo. When we repealed it we adopted a United States policy, a policy of our Government, of aid to Great Britain within the law, within international law, within our own laws. It has not been a question, it is not now a question, of how much or how little aid we shall give to Great Britain, so long as that aid stays within the law. Very specifically, having adopted this policy, having made it Amer-

ican policy, I think it would be utter folly to anticipate now an abandonment of all help after we have chosen to give aid to England to the extent of our ability, and to the extent of the permission which the law gives.

Mr. BARKLEY. Mr. President, let me pursue that subject a moment further.

Mr. NYE. Certainly.

Mr. BARKLEY. The Senator from North Dakota was, of course, opposed to the neutrality law?

Mr. NYE. Very definitely.

Mr. BARKLEY. By that I mean that he wanted the embargo to remain, so that, regardless of any belligerent and regardless of their willingness to pay for supplies in cash or otherwise, the Senator did not want that aid to be granted to any belligerent. That is correct, is it not?

Mr. NYE. The Senator is correct.

Mr. BARKLEY. And the neutrality law lifted the embargo only insofar as any belligerent was able to pay cash and carry away the material?

Mr. NYE. That is correct.

Mr. BARKLEY. So the Senator then was opposed to allowing England or any other nation to buy war materials in this country and pay cash for them?

Mr. NYE. I was.

Mr. BARKLEY. The Senator from North Dakota has not changed his mind as to the virtue of that position?

Mr. NYE. I have not.

Mr. BARKLEY. So, if the Senator had his way, he would go back to the original embargo act, which prohibited such purchases in this country?

Mr. NYE. No; I tried to state that, having gone as far as we have, having given Britain reason to believe that she could have help here, following which time Britain declared her war, we could not, in fairness to ourselves, go back on the thing that was done at the time of the repeal of the arms embargo.

Mr. BARKLEY. Of course, the war had broken out in Europe before we changed the Embargo Act and passed the neutrality law. England declared war on the 3d of September, as I recall, and we passed the neutrality law, which changed the Embargo Act, on the 5th of November or thereabouts. So the only aid that England or any other country which is fighting may obtain now is that which she obtains from private industry in this country and pays cash for, except that operating under a law which, as the Senator has said, was interpreted by the Attorney General, the President exchanged some destroyers for some bases. Further than that juncture, however, the Senator from North Dakota is not willing to go, either in allowing the British to buy material in this country or in appropriating cash to enable them to pay for it. Is that true?

Mr. NYE. Certainly not until it is clearly demonstrated at least that Great Britain has exhausted her own resources, her own ability to convert holdings and securities here into purchasing power.

Mr. BARKLEY. So that the Senator at this stage of the proceedings, up to now, is not willing to state that he favors any other kind of aid to England than she is now obtaining.



Mr. NYE. The Senator is quite right; quite right. I am going strenuously to object to aid to England beyond the kind she is already receiving. I am going strenuously to object to financing any of the European war before England has exhausted her own resources to win her own salvation. I do not see what it is that we owe England that would necessitate our footing her bills before she is ready to spend what she has to pay her own bills.

Mr. BARKLEY. I think I understand the Senator. His statement means that he will not support even the amendment offered by the Senator from Ohio [Mr. TART] to provide \$2,000,000,000 in cash for Great Britain with which to buy materials in this country.

Mr. NYE. Unless there is painted for my satisfaction before that time a picture of very much greater need, I shall vote against the substitute which I understand the Senator from Ohio intends to offer. The Senator from Kentucky is a member of the Committee on Foreign Relations, and I think he will remember that I voted in the committee against the proposed substitute.

All this alteration we are ready to make in our own economy; all these powers we are ready to surrender by ourselves to the President; all this unlimited financial help we are ready to give—even before those we would make our allies will undertake to tell us what it is they are fighting for.

What are the causes, what are the purposes, and what of the future after we have won this war, if we do? What will we do about it? Fear and hate, I repeat, have so completely blinded us that I hesitate to prophesy what end might be in store for us.

Who fails to observe how parallel our activities of late months are with our activities of 1914, 1915, and 1916?

Anyone who remembers what went on as this Nation was stamped into the European war in 1917 must be appalled at the parallels between that day and this. It is so much the same thing over again that one can hardly refrain from saying, in the familiar words of the movie-house patron, "Here's where I came in." Look at some of these parallels:

First. We have the same British financial sit-down strike, planned to force the hand of the United States. Then it was the letters and telegrams of Ambassador Walter Hines Page, and all the forces of financial pressure from London brought out in the munitions inquiry. Now it is the British plea of exhausted funds. But have Senators noticed that strange dispatch in the New York Times on February 3 in a signed column from London:

It is admitted that Britain should scrape the pot before seeking actual American financial aid, but it is also argued in many instances that it would be better to keep these business interests in British hands for the dollars which they can return through earnings for the British cause, not only now but also in the future.

"Scraping the pot" and "keeping British investments in this country intact in British hands" just simply do not go together. What we have here is clear evidence that Britain is again resorting to a

financial sit-down strike, the same method it used so effectively in 1917, when it was threatened that if we did not find a way to finance the British cause, the British would have to cease buying from us, and that would mean an end of our war-order business, which would mean a panic.

Second. We have the same high society pressure groups, the same women whose life is spent trying to get their names in the society columns forming committees and sponsoring dances and dinners and having their pictures taken—all to whoop it up for war.

Third. We have the same hysteria along the Atlantic seaboard—and, it should be noted, the same reluctance among residents of this region, where pro-war sentiment is so vocal, to volunteer for service in the Army.

Fourth. We have the same refusal to abide by the people's will as expressed in a Presidential election. In 1916 the election was won on the slogan, "He kept us out of war," and there was a war declaration only 5 months later. In 1940 we had an election with the President making the most specific pledges not to become involved, and as soon as the voting is over there is a disappearance of that vital phrase "acts short of war."

Fifth. We have the same effort to smear those who oppose the President's progress toward war, just as we had a smear program toward the La Follettes of 1917 and the Lindberghs of 1917.

Sixth. We have the same call from a certain part of the church for war.

Seventh. We have the same war-mongering in a large part of the press.

Eighth. We have the same war-mongering by professors, writers, the movies. But note that now we have, in addition, the radio.

Ninth. We have the same pro-British pressure from bankers and financial interests. But note that this time the industrialists, who know what happens when a war boom collapses, are on the other side. It is the bankers, who were bailed out when we went into the last war, who have not learned their lesson.

Tenth. We have the same honeyed words from England; the same high-pressure methods used to win Americans in England by giving them a dose of royal society.

Those who recall the tales by Sir Gilbert Parker revealing how British society took us in before the last war might enjoy a little chuckle at the manner in which our friend Wendell Willkie was played with while he was in England.

Eleventh. We have the same reddling by Colonel Houses. On Saturday, February 15, it was announced that President Conant, of Harvard, who is in favor of a declaration of war, would go to England as another special representative of the President.

Twelfth. We have the same refusal of Britain to reveal her war aims. We do not know any more about what she is really fighting for now, as Ambassador Kennedy has testified, than we knew about the secret treaties in 1917.

Thirteenth. We have the same soft-pedaling on British imperialism. Next to nothing is said about India, or about the

Empire as a whole. We still talk about Britain as the champion of democracy when the British Empire holds 27 percent of the habitable land surface of the globe, and a quarter of all living people, of whom less than one-seventh, including the dominions, have democratic self-government. In *The Battle for Asia*, by Edgar Snow, at page 386, we read:

Four-fifths of the Empire's total population, and about eight-ninths of its subject population, are Asiatic. Most of them have been clamoring for freedom for many years.

Fourteenth. We have the same British expectation of unlimited financing from the United States, and the same belief that because "this is our war" we ought to make them an outright gift of the billions extracted from our taxpayers. If we ever try to get any of it back, we will simply be "Uncle Shylock" again.

Fifteenth. We have the same assurance that no troops will be asked for if we enter the war. But compare the speech of Churchill with the speech of Ronald H. Cross, British Minister of Shipping, made only 5 days before, in which he said:

It would, indeed, be inconsistent to make the great efforts that are now under way and contemplated in the United States today—to provide this country with aircraft, tanks, and many other munitions of war—if they were not paralleled by assistance to our vital communications.

What does this mean except that England expects convoys? And what do convoys mean except war?

Sixteenth. We have the same building of a vast Army for defense and preparedness—but most of its equipment is of the kind needed for an expeditionary force.

Seventeenth. We have the same failure to define what the United States would be fighting for. Wilson tried to define our aims, after we got into the last war, with his fourteen points, in January 1918. Remember what happened to them. Not only did the Allies never accept them as the price of our help but Lloyd George, in his *Memoirs of the Peace Conference*, contends that they never did accept them, and so were justified in junking them at the peace conference.

We have the same kind of war boom. See what happened in the very recent earning of more than \$8 a share on the common stock of United States Steel, a stock which represents not a penny of investment. We have the same rush to Washington for contracts. We have the same profiteering scandals arising. We hear of Thurman Arnolds pleading for a check upon this mad, mad spending.

In a recent Washington column we read this:

The Army originally requested that Congress appropriate \$466,000,000 for building the 23 camps. However, it will now have to go back to Congress to ask for an additional \$330,000,000, or an increase in cost of 71 percent. Here is how the costs have jumped on some of the most expensive camps:

Camp Blanding, Fla., 23 million dollars instead of 13; Fort Devens, Mass., 25 million dollars instead of 12; Fort Dix, N. J., 18 million dollars instead of 13; Indiantown Gap, Pa., 15 million dollars instead of 7; Fort Meade, Md., 18 million dollars instead of 9; Camp Edwards, Mass., 29 million dollars in-



stead of 10; Camp Wolters, Tex., 12 million dollars instead of 5; Fort Lewis, Wash., 24 million dollars instead of 15.

Of course, Mr. President, step by step we have all but removed the remaining checks upon the profits on munitions purchased by the Government. Arrangements are made for purchases almost without any limitation. Negotiated contracts are the order of the day. We can well anticipate the coming attack upon labor standards. Censorship is moving in upon us, camouflaged, of course; the same kind of censorship that George Creel conducted in 1917.

After drawing all these parallels, Mr. President, there is not much more that one can say other than that "the more it changes the more it is the same"; and to say further that "the only thing we learn from history is that we do not learn anything from history." Particularly is that true when we become the slaves of hate and fear, as we have become the slaves to those mighty forces in late months.

It was the Senator from Ohio [Mr. TAFT], I believe, who asserted on the floor of the Senate that if the United States Government were to confiscate all incomes in the United States of \$10,000 a year or more the total income accruing to the Government would be only \$4,000,000,000, or a little less than that. Yet we are moving here each day, rolling out billions and more billions—fifteen and twenty and twenty-five billion dollars a year—without a thought as to where it is coming from, and sometimes, I think, without even a care.

No one can guess what will be the ultimate levy of taxes upon the people of the United States to cover the cost of this job of aiding England under H. R. 1776. Only one thing is certain—the taxes will be several hundred times more than those levied by Great Britain upon our fathers in 1776.

Those taxes of 1776 inspired the Declaration of Independence. What will H. R. 1776 inspire? An uprising ultimately, perhaps, that will have unity throughout the 48 States, unity in opposition to the madness which we let propaganda fasten upon us at this time.

Mr. President, while we are permitting ourselves to become so thoroughly excited about the immediate future of Great Britain, in that dominion to the north of us, Canada, there has not been the faintest suggestion of the enactment of a lend-lease bill, so-called. As we have done, Canada has required of England cash on the barrel head for all purchases which England has made in Canada. Now we are told that that cannot continue; that unless we find a way to finance the purchases, Britain will not be able to purchase from us. What of Canada? Canada has not made a move that would indicate other than that she anticipates a continuation of cash on the barrel head for every purchase that England makes in Canada.

Mark my word. If we enact the pending lend-lease bill, we shall find the dollars of the United States being used by England to pay Canadians cash on the barrel head for the supplies that Great Britain desires to buy.

All excited here, all wrapped up in the thought that the very future of the world is dependent upon what we do, we take millions of American boys, hang them on the hook, as it were, with the uncertainty as to what is going to be their lot. We tell them, "It may be that you will be called for training or it may be that you will not be called, but do not make any plans that will be interfered with if you are called." We create great uncertainty for them. Then, when we do take them under our Conscription Act, we take them for a year, whereas Canada, a people desiring to aid the mother country, provides a peace-time conscription of 4 months, which carries with it a virtual guaranty that no boy going into Canadian training camps will have to do service abroad except as he volunteers for it. Conscription in Canada is purely for home-guard duty and purposes.

There is less desire, it would seem, in Canada to accomplish the military defeat of Hitler than there is in the United States. Britain has us believing that our whole future is dependent upon her ability to withstand the onslaughts by Germany, yet Britain has given up absolutely nothing of her advantage in world trade in these intensive hours. Her exportation of automobiles, of trucks, and even of airplanes to other lands has been holding its own. She carries and holds fast to her South American business. Her exports up to a few months ago were only 2 percent off a peacetime basis. Her imports were up 33 percent. Her shipping possessions are greater than they ever have been before. But we are not supposed to bother with such matters. The thing for us to do is to enact H. R. 1776, or Great Britain will fall. Fear, fear, my colleagues, is very definitely to be our undoing.

Mr. LA FOLLETTE. Mr. President—

Mr. NYE. I yield.

Mr. LA FOLLETTE. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Ellender	Murray
Aiken	George	Norris
Andrews	Gerry	Nye
Austin	Gillette	O'Mahoney
Bailey	Glass	Overton
Ball	Green	Radcliffe
Bankhead	Guffey	Reed
Barbour	Gurney	Reynolds
Barkley	Harrison	Russell
Bilbo	Hatch	Schwartz
Bone	Hayden	Sheppard
Brewster	Herring	Shipstead
Bridges	Hill	Smathers
Brooks	Holman	Stewart
Brown	Hughes	Taft
Bulow	Johnson, Calif.	Thomas, Idaho
Bunker	Kilgore	Thomas, Utah
Burton	La Follette	Tobey
Byrd	Langer	Truman
Byrnes	Lee	Tunnell
Capper	Lodge	Tydings
Caraway	Lucas	Vandenbergh
Chandler	McCarran	Van Nuys
Chavez	McFarland	Wallgren
Clark, Idaho	McKellar	Walsh
Clark, Mo.	McNary	Wheeler
Connally	Maloney	White
Danaher	Mead	Wiley
Davis	Miller	Willis
Downey	Murdock	

The PRESIDING OFFICER. Eighty-nine Senators have answered to their names. A quorum is present.

Mr. NYE. Mr. President, I have before me the Globe and Mail, of Toronto, Canada, for February 4, 1941, carrying a dispatch from Ottawa concerning Prime Minister Mackenzie King's announcement of the program involving the 4-month conscription program in Canada. This announcement reveals that under their conscription rule there are no exemptions except for farmers who may need the time for planting or, in the fall, for harvesting. There are not even exemptions for those who are highly trained mechanics, desperately needed in munitions institutions and supply plants.

I ask unanimous consent that the entire announcement by Prime Minister Mackenzie King may be printed in the RECORD following my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit A.)

Mr. NYE. Mr. President, hate of aggressors and fear of conquest have caused us to do some of the strangest things mankind has ever done to itself. For the moment I should like to recur to that stage in my argument wherein I was discussing how the pending lend-lease bill might serve as only the first step in accomplishing a permanent alliance with foreign powers from whom the fathers of 1776 had accomplished divorcement.

I wonder if by any chance our President is entertaining, as some others are entertaining, the notion of an alliance of permanent order with Great Britain, with the English-speaking peoples of the world, to the end that there may be an adequate policing of the entire world.

When the Committee on Foreign Relations was hearing witnesses on this bill one after another, all the members of the President's Cabinet were asked to discuss what they understood to be the purposes and the powers incorporated in the proposed legislation. The efforts on the part of committee members were without success. When the Secretary of the Treasury came before the committee it was assumed that we should obtain from him a complete understanding of the purposes of the language drafted into the bill; but Mr. Morgenthau pleaded that he was without the ability to make such explanation, that others in the Cabinet were more adequately prepared to do so. He told us he assumed that Secretary Hull on the preceding day had done that very thing for us. Secretary Morgenthau's remarks prompted the Senator from Wisconsin [Mr. LA FOLLETTE] to say that, unfortunately, when Secretary Hull was before the committee on the preceding day he had declined to discuss these pertinent matters, but had told the committee he was sure Mr. Morgenthau on the following day would give us more information. Thus was the game played; and the committee comes to the Senate with a record revealing that no member of the Cabinet seriously undertook to say what were the powers and the purposes under H. R. 1776, the lend-lease bill.

In the absence of an adequate explanation on this score, and knowing that the bill as drafted is in keeping with the wishes of the President, it is not unfair—indeed, it is altogether fair—to



seek to find what purpose the President desired to serve under the lease-lend bill.

A very few days before the introduction of the bill the President delivered his message to the joint session of the House and the Senate. In his message the President spoke most eloquently. From his message it is fair to take the purpose which he enunciated as being the purpose to be served by this proposed legislation.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. NYE. I yield.

Mr. CLARK of Missouri. Did the Senator attend the so-called executive or secret session of the Foreign Relations Committee when Secretary Hull testified for nearly a whole day?

Mr. NYE. I was present.

Mr. CLARK of Missouri. And when Secretary Stimson testified for half a day?

Mr. NYE. I was present in each instance.

Mr. CLARK of Missouri. In any of those sessions did the Senator hear anything either from the Secretary of State or from the Secretary of War, which might not very properly have been told to the American people?

Mr. NYE. I think the Senator is quite right, that there was nothing revealed there that might not quite properly be disclosed to the American people. There were, as I now recall, a few instances of information being given which perhaps it would be better not to make available, not because the American people should not have it, but because the American people could not have it without foreign powers also having it.

Mr. CLARK of Missouri. Does the Senator recall that in open session I had asked the Secretary of War for certain information as to relative airplane strength in the United States and elsewhere at the time Congress started in on the enlargement of the airplane program 2 years ago?

Mr. NYE. I recall the Senator's question.

Mr. CLARK of Missouri. I am not now asking for a specific answer but I am asking for a general answer. Does the Senator think that either he or I learned anything from the information given in the executive session which the Secretary of War demanded?

Mr. NYE. I cannot say that I am more largely informed concerning our airplane strength since that testimony than I was before.

Mr. CLARK of Missouri. Without violating any confidence as to what may have taken place in that session, is it not true that the Secretary of War specifically refused to break down any figures in answer to my question?

Mr. NYE. The Senator is quite correct.

Returning now, Mr. President, to the message which the President delivered before the joint session of Congress in January, I am assuming altogether the fairness of taking his expressed purposes of that day as being, at least in part, the purposes to be served by H. R. 1776, and particularly is this the case since there has been no offering of other legislation to accomplish his expressed purposes,

which he desires fulfilled in our day. In his message the President said:

In the future days, which we seek to make secure, we look forward to a world founded upon four essential human freedoms.

The first is freedom of speech and expression—everywhere in the world.

The second is freedom of every person to worship God in his own way—everywhere in the world.

The third is freedom from want—which, translated into world terms, means economic understandings which will secure to every nation a healthy peacetime life for its inhabitants—everywhere in the world.

The fourth is freedom from fear—which, translated into world terms, means a world-wide reduction of armaments to such a point and in such a thorough fashion that no nation will be in a position to commit an act of physical aggression against any neighbor—anywhere in the world.

That is no vision of a distant millennium. It is a definite basis for a kind of world attainable in our own time and generation. That kind of world is the very antithesis of the so-called new order of tyranny which the dictators seek to create with the crash of a bomb.

Mr. President, one reads that appeal of the President and studies it only to find the question uppermost in his mind, Is it this we are doing through the lend-lease bill—financing all the victims of aggression, making ourselves the arsenal for all that part of the world that is being victimized by present-day aggressors and the aggressors of tomorrow, making ourselves ready for any or all alliances that would bring to all the people of the world these four great freedoms which even we in America have not as yet come fully to enjoy? If that is to be the case, Mr. President, then what shall we call this program if not madness of the first magnitude and order?

Mr. CLARK of Missouri. Mr. President—

Mr. NYE. I yield to the Senator from Missouri.

Mr. CLARK of Missouri. Does the Senator understand that to mean that the United States is not to acquiesce in peace until those four freedoms are guaranteed to all the people of the world, including, let us say, India?

Mr. NYE. Mr. President, I cannot read that statement by the President, I cannot read the morning newspapers reporting his interview of yesterday, without concluding that unless they are what Wendell Willkie would call campaign oratory—

Mr. CLARK of Missouri. Or campaign "bunk."

Mr. NYE. Or campaign "bunk," as the Senator from Missouri calls it, very aptly, they would seem to contemplate what the Senator from Missouri suggests.

Mr. CLARK of Missouri. Does the Senator understand that we are to be committed now, for instance, in the case of India—and I am certain the Senator is familiar with the history of the British conquest of India—to continue this war and not acquiesce in any peace until the British shall have agreed as to India to guarantee these four freedoms?

Mr. NYE. Mr. President, since we are choosing allies to stand with us in these freedoms we are going to fight for, I rather imagine that perhaps our allies would have something to say about what

these various freedoms really mean and where they shall be applied.

Mr. CLARK of Missouri. If the Senator will permit me, we are not choosing allies; we are authorizing the President of the United States to choose any ally he may please.

Mr. NYE. I stand corrected.

Mr. CLARK of Missouri. The Congress of the United States has no choice in selecting allies; we are authorizing by this bill one man, the President of the United States, to choose any ally he may please.

Mr. NYE. I thank the Senator.

I have insisted, Mr. President, that we would have to call this program "madness of the first magnitude and order," and that were he responsible for the language, as I have suggested, that great expert on European affairs, Mr. Wendell Willkie, would, of course, have a quick and ready explanation and might refer to it as mere campaign oratory, or campaign bunk—oratory to tickle the imagination of the people and lead them blindly round and behind worries which were theirs. But the President of the United States has not at any time pleaded that he did not mean what he said. So I assert that when the President of the United States says that freedom of speech and expression, freedom of every person to worship of God, freedom from want, and freedom from fear, are things to be bestowed upon all people everywhere in the world, in our own time and generation and puts forward here this lend-lease bill, we have every right to assume that the United States is being launched into the field of policing the world. We may blind ourselves to certain truths again and again, but there are bound to be times when these explanations by leaders must rise to plague us and leave us wondering what impossible services we may be invited next to implement.

We all hate—some in a controlled way and others without any seeming effort to control—the things for which Hitler seems to stand or to which he aspires. We all want to see England survive, but this is not a contest, Mr. President, over who can hate Hitler most or who can love England best. Instead, it seems to me, that the challenge confronting us is the question of preserving America, her institutions, her wealth, resources, and advantages for Americans. While we are now taking a course leading to alliances with other powers, it seems to me that we owe to ourselves a little review of the history and the record of those with whom we would make alliances.

Mr. President, we are now well into the second week of debate on this so-called lease-lend bill, H. R. 1776. We have been told again and again that this is one of the most important pieces of legislation ever to come before this body; that the vote which will presently be taken on it will shape the destiny of the Nation for generations to come, and perhaps for all time. Senators have said, both on this floor and in statements which have appeared in the press, that never before have they been so disquieted in their minds by a pending measure; that never before have they found it so hard to make



up their minds as to what, in the light of conscience and of their oath to preserve and defend the Constitution, they ought to do. I can understand that feeling, and I can well believe that it is shared by every Senator who is more than a legislative robot, who merely registers here the decisions that have been reached and the orders that have been given somewhere else. I cannot be other than tremendously impressed by the importance of this debate. This is indeed a historic hour in the history of the Republic.

Yet, Mr. President, I think this is the most curious debate I have ever witnessed or participated in during my 16 years of service in this body. It is the most curious debate because it is really no debate at all. We may rise and debate what happened at a Chicago political convention, but the issues of this bill know no debate. The issues are not being discussed with the fullness, the candor, the searching quality which only honest debate can provide. Those who think they see in this bill illimitable dangers to our form of government and to the peace and happiness of the American people are doing the best they can to present these dangers; but it is clear by this time that we must do practically all that is going to be done to study the bill, to analyze it, to make its meaning known. The Senators who support the bill will not help us in this task. They will accept no responsibility to stand up and debate either the merits of the arguments which are being offered in opposition to the bill or the merits of the arguments which might be offered in support of the bill—assuming, that is to say, that arguments might be brought forward in support of the bill if its supporters cared, or dared, to make this a true and honest debate.

What I am saying does not, of course, apply to the three or four Senators who have spoken in support of the bill. They at least have been courteous enough to tell us why they think the bill should pass, and they have been patriotic enough to place their reasons before the country; but even they have not cared to defend their positions or to examine the position of those of us who are opposing the passage of the bill in the rough and tumble of open debate. As for the rest, the great number who the newspapers tell us are going to vote to make this bill a law, when they condescend to honor this Chamber with their presence it is only to sit here in silence, contributing not so much as a word to this discussion. Whether they dare not speak, I do not say; but it is clear by this time that they do not intend to speak. Probably no bill which will come before the Senate in all the years of their service in this body, however long that term may be, will equal in importance this bill; yet they, who have been sent here by sovereign States as their representatives, their voices, sit here silent.

When I consider the consequences to democracy which will follow from our action on this bill, Mr. President, and the tremendous nature of the stakes which are at issue here, I repeat that this determination on the part of the bill's supporters to put it over on the American

people by giving it this "silent treatment" in the Senate of the United States is the most curious, the most amazing spectacle in all my experience in this body; for what we have here, compressed into the brief stipulations of H. R. 1776, is a piece of legislation which, if it becomes law, will do three things big with historic destiny for this Republic:

First. It will take us into war.

Second. It will give the President power to rule by decree.

Third. It will destroy the conception, fundamental to our Constitution, of a government based on a balanced division of powers.

In other words, Mr. President, when this bill, H. R. 1776, becomes a law, Congress will be reduced to a "rubber stamp," a body as powerless as Hitler's Reichstag or Mussolini's Chamber of Deputies or the Emperor Hirohito's Diet. While Congress is thus degraded, at the same time the President will be magnified into a dictator, a one-man ruler—for that is precisely what section 9 of the bill provides for—one who rules, not as the executor of laws passed by the legislative branch, but by issuing administrative decrees, exactly according to the Hitler and Mussolini and Stalin pattern. When that happens, it will not be many days or weeks before we shall be told that it is up to us to "rubber stamp" the declaration of the war which this dictator-President may have already entered.

I am not trying to put this prospect in legal language, Mr. President. It is high time that it was put in plain language, in blunt language, in language that the American people can understand; and I hope it is language which some of the Senators who propose to give H. R. 1776 the "silent treatment" will hear. This, as we see it, is what is at stake when Senators say that they intend to pass this bill—the degradation of Congress, a Presidential dictatorship, and entrance into war. Yet for more than a week now on this floor, and before that for weeks in the passage of the bill through the House and while it was before the Foreign Relations Committee of this body, we who oppose it have been vainly asking those who support it, "Why? Why, in the name of rendering aid to England, inflict upon the Nation a bill that will do these terrible things?" A large part of the country has been asking the same question, "Why? What is there, either about the position in which Great Britain finds itself or about the need to increase the defenses of the United States, which calls for any such bill as this? Why this bill, with all its menace to American democracy?"

That is what we have been asking in this one-sided debate, Mr. President. That is what we hear the country at large asking; and to that question we can get no answer.

Oh, I know there have been one or two attempts to provide us with what we were evidently expected to accept as an answer. For example, when the bill was introduced in this body, the Senator from Kentucky [Mr. BARKLEY], sensing that "Why?" in the minds of so many of his colleagues, tried to turn it aside by simply assuring us that a bill of this sort, with its blanket grant of powers to the President—powers absolutely unprec-

edented in the history of the Republic, either in time of war or of peace—is necessary. He did not tell us why this grant of powers is necessary; he simply made the flat statement that it is necessary and trusted that we would be satisfied with that.

Mr. President, I am not satisfied, and I do not believe that many thoughtful American citizens are satisfied. I still want to know why it is necessary to make this sweeping grant of powers that will make this body a "rubber stamp" superfluity, that will set a dictator over this country, that will send us into another European war. Why is this grant of powers necessary? Is it to aid England or to speed up our own defense? Those of you who listened day before yesterday to the careful analysis made by the Senator from Connecticut [Mr. DANAHY] of the powers which have already been granted to the President by previous legislation enacted by this body—and I want to testify, Mr. President, that rarely has this body heard a more statesmanlike, accurate, and logical treatment of a matter of vital importance to all who would know what is really at stake here—those of you who listened to that analysis by the Senator from Connecticut know that before he finished he had completely demonstrated that the President already has all the power he needs both to speed up defense and to offer aid to England. The only possible exception to that statement would be a lack of financial credits for England's use; and nobody seriously disputes what has often been said here before, that such credits could be voted in a simple bill that would go through Congress in less than 48 hours.

But it really remained for the President himself, at a recent press conference, to knock into a cocked hat this argument for the bill as a necessary grant of powers. Some of the correspondents, so the newspapers have told us, asked the President whether he would do certain things which, under the terms of the bill, he would be empowered to do; and he is said to have replied that he would as soon think of going out and standing on his head in the middle of Pennsylvania Avenue as of doing those things.

Mr. President, if Mr. Roosevelt was telling the truth when he said that—and I have no reason to believe anything to the contrary—what becomes of the declaration that the powers granted in this bill are necessary? Can powers be necessary which the President says he would as soon stand on his head as use?

No; the argument of the Senator from Kentucky that we should pass this bill because of necessity simply falls to pieces when we examine it at all closely. Then why? The able Senator from Vermont [Mr. AUSTIN] also tried to give an answer to that "Why?" He did not take refuge in a big, roomy, vague generalization like necessary. No; he came right out with a specific reason. He said we should pass this bill, and not some other, because it would do one thing, that it would make it possible for the President to create a defense set-up with one man at the head, instead of continuing as we are now with a two-man set-up.



Mr. CLARK of Missouri. Mr. President—

The PRESIDING OFFICER (Mr. McFARLAND in the chair). Does the Senator from North Dakota yield to the Senator from Missouri?

Mr. NYE. I yield.

Mr. CLARK of Missouri. Does the Senator have any doubt that there are many Senators who, while still professing to be opposed to getting the United States into the war, are performing precisely the intellectual feat described by the President of standing on their heads?

Mr. NYE. I think there is very splendid reason and ground for the timely suggestion of the Senator from Missouri.

But coming back to the argument of the Senator from Vermont, I will agree with the Senator from Vermont to this extent—that I think there is something plainly wrong about the way in which our defense organization is functioning, and I think something should be done about it, and if it is ever straightened out I expect that they will have to give it a one-man set-up. But to urge that as the reason why we must pass this dictatorship-war bill seems so frivolous that I can hardly take it seriously. All of us know, I am sure, that the President has power now to appoint a one-man head to direct our defense efforts, just as he had the power to appoint the two-man set-up we now have. That is something that is entirely in his hands already; he can have 1 man or 20 men tomorrow, just as he pleases. And if we do not get a 1-man set-up, the Senator from Vermont can set it down to the fact that it will be because the President does not want one man to have such power and prominence, other than himself, and not because of anything that happens or does not happen to this bill.

Why this bill? That should have been the first question to enter the mind of every Member of this body the day the terms of the bill were announced. So far as I am concerned, Mr. President, that question remains unanswered. I want an answer. I should think every Member of the Senate would want an answer. I am sure that millions and millions of Americans want an answer. They do not want war, they do not want dictatorship, and they do not want to see the very basis of the Federal Constitution upset. Then why this bill? The people are still waiting for an answer that will satisfy them, and so am I. I put it up to those who say they are supporting this bill, although they are doing it very largely by keeping safely away from all debate on it. If they are supporting it, if they intend to vote for it, I put it up to them to tell me, and to tell the American people, in plain, specific language, in view of all the vast powers which we have already granted to the President under his constant cry of "Emergency," why we should now go the limit in this way, virtually commit suicide as a legislative body, pass over to him these enormous powers which even he says he would not think of using, throw up our hands and say, "Very well, then, here are your dictator powers; go and have your war." Why are we asked to commit such an act

of folly? That is the question I want answered, and I speak for millions of Americans when I ask it.

Mr. President, as we have sat here through the previous days of this debate I have had a feeling, more than once, as though I were caught in some great nightmare. It is like one of those nightmares in which you wander about in some strange place, in a fog, trying to feel the dreadful shapes which seem to be pressing in from all sides to clutch and strangle you, but never being quite able to get your own hands on them, to grip them solidly and tightly, or to so much as see them clearly. I feel that same nightmarish quality in this debate, Mr. President. What is it that we are dealing with here in the support of this atrocious bill? Every argument that has been made in its favor has been quickly demolished, and it is astonishing how few arguments have even been put forward in its favor. We apparently cannot persuade the bill's supporters to deal with it on its merits. No; what we have to deal with is something behind the bill, something vague and insubstantial and fog-like, but something nevertheless that is about to persuade Members of this Senate to vote away its powers, and let the country be carried into the horror of war if that be the pleasure of the President.

What is the thing behind this bill with which we really have to deal? It is nothing one can pin down or put his finger on. It is a mood. It is a state of mind. It is an emotion. It is an emotion of fatalism and fear. It is something which in some way has got its hold on a part of the American people, and now it seems to be taking hold on a large part of the Senate of the United States. It has stopped reasoning; it has stopped looking ahead; it has just surrendered to this fatalism and fear. It is whispering in the ears of Members of this body right now. Why wait? Why not get it over? Why not take the plunge? Let us make the President a dictator and let us plunge into the war.

Mr. President, I believe that was the mood which made it possible for a Senator to say on this floor one day last week that he now advocates "intervention with all its implications." That is what he sees in this bill; that is why he supports it. When I ask him why this particular bill, he, at least has an answer. We want "intervention with all its implications." There, Mr. President, speaks the mad mood which is pushing this bill toward passage.

Evidently, even the press is beginning to feel the influence of the same mood. Last night, as I went home after the close of yesterday's session, I found in one of Washington's evening papers a column headed, "In Washington, We're Already in the War." Let me quote just a little of it:

During the House debate—

This Washington paper comments—  
the lend-lease bill was defended as the best way to keep out of war, but that argument has not been heard much in the Senate. The tune has changed to "It must be passed, even if it means war." Charges by opponents that the measure is a war bill are rarely chal-

lenged now by its sponsors. They respond to such attacks with a "what-if-it-is" attitude.

Visitors to Washington from west of the Alleghenies, where there is still reported to be a preponderant sentiment against entering foreign wars, are startled by the atmosphere they find in this city. They describe their experiences as an adventure into the unreal, into a sort of dream world. They say the people generally are not at all aware of the real spirit that exists here and would be dumfounded if they realized the real nature of it.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. NYE. I yield.

Mr. CLARK of Missouri. Does the Senator think that there is anything in the statement in yesterday's Daily News that is more explicit with regard to going to war than the statement of the President himself, made at his press conference yesterday?

Mr. NYE. Not a particle. I would say that one was rather a confirmation of the other.

Mr. CLARK of Missouri. I think the Senator will agree with me that what was said in the Daily News was not a matter of tremendous importance to the United States. What the President of the United States said—

Mr. NYE. That is of importance.

Mr. CLARK of Missouri. To the representatives of the press is a matter of tremendous importance.

Mr. NYE. Quite so.

Mr. CLARK of Missouri. The President yesterday, as I read his statement, declared that we were to all intents and purposes a belligerent already.

Mr. GEORGE. Mr. President—

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Georgia?

Mr. NYE. I yield.

Mr. GEORGE. I do not hope to convince the Senator from North Dakota, and I think no one else would imagine that he could convince him of anything with respect to this bill, even the plainest and the most palpable truth written all over its face, but it seems to me that the statement which has just been made is the type or kind of statement that ought not to be made in this body—that the President's statement of yesterday at his press conference was to all intents and purposes that we were actually a belligerent in the European war, if I understood the Senator correctly.

Mr. CLARK of Missouri. The Senator understood me correctly.

Mr. GEORGE. An active belligerent in the war?

Mr. CLARK of Missouri. No; I did not say an active belligerent, but to all intents and purposes a belligerent in the war.

Mr. GEORGE. That means an active belligerent, as I interpret it.

Mr. CLARK of Missouri. Very well.

Mr. GEORGE. To all intents and purposes an actual belligerent at least. Is that what the Senator meant to say?

Mr. CLARK of Missouri. Yes; that is what I meant to say.

Mr. GEORGE. Mr. President, I merely wish to say that it is of a pattern with the other extravagant statements which have been made here from time to time,



which it would hardly seem necessary to deny. Anyone is privileged to draw his deductions and submit his reasons, whether his reasons are right or wrong, but that comes very near to being a statement of fact.

The Senator from North Dakota has just been deploring the fact that no one would rise on the floor and contradict any statement of whatever character made. I felt it would be my duty at least to suggest that I do not read that in the President's statement at all, nor do I see anything very much amiss in what the President had to say to the press conference, even as the press reported it, and very naturally the press is reporting something in a readable fashion.

Why is it not fair to say that a member of the press conference asked the President of the United States yesterday if Ambassador Winant was going to Great Britain with peace plans or proposals in his pocket? What is more natural than for the President to say in answer to that question that it is no time to discuss peace? What is more natural for the President to do than to say that that is not true, and to put it in an emphatic way?

I am afraid the Senator from North Dakota will discover, and that very soon, that the vast majority of the people of these United States know what is in this bill; know what is erroneously and repeatedly stated to be the purpose of the plain intent and provisions of the bill; know that those things are not true; and know that the extreme danger in this country today is the possibility of building up a war sentiment by the constant declaration that here is a plain proposal to go into war, to give the President power to put us into war.

Mr. NYE. Mr. President, if the Senator from Georgia is fearful in that particular direction, he would be much more justified in taking to task the Secretary of Commerce, Mr. Jesse Jones, for his declaration that we are at war, or nearly so.

Mr. GEORGE. I do not know whether Mr. Jones said that or not, but I am not concerned with what he said. I say now the American people are beginning to divine, and make no mistake, Senators, the American people are going to evaluate what is now taking place in the Senate.

Mr. NYE. I think they are doing it.

Mr. GEORGE. Yes, I think they are very rapidly doing it; and I think beyond doubt the American people are sufficiently discerning to know that one of the things that is pushing us nearer to war, if we are being pushed in that direction, is the constant and unqualified declaration by all those who for any reason oppose this bill, that it is definitely a declaration of war, that it is intended to put the United States into war, that it will immediately lead to war, that the whole purpose is to create a dictatorship. The American people, Mr. President, are not incapable of discernment, and they are not incapable of ordinary analysis.

I do not want to go into any war, and I support the bill because I believe it to be the one means, or an effective means, of providing against the danger of in-

volvement in the war, by the strengthening primarily of our own defenses.

I will argue that at another time, and I do not want to encroach on the Senator's time, but I do want to protest now, and I emphasize the statement that it is not the comparatively few so-called warmongers in this country who create any danger of involvement in war, it is the unreasoning attitude of men who, simply because they can not support a bill, read into it things that are not there. They are not there by letter, by intentment, by spirit, by deduction, or what not. Those of us who are endeavoring to support the bill do so on the theory that if we keep the war away from the United States, if we keep it from spreading all over the world, there will be less chance of involvement, there will be at least an opportunity for us to stay out of the war.

I ask the Senator from North Dakota, does he favor any aid to Britain?

Mr. NYE. I have answered that question.

Mr. GEORGE. Did the Senator answer it in the affirmative or in the negative?

Mr. NYE. My answer was that since we had established a policy, which is that of our Government, since repeal of the arms embargo, it was not a question of whether we gave much or little aid to Great Britain, so long as we stayed within the laws internationally and domestically in affording help and giving aid to Great Britain.

Mr. GEORGE. May I ask—

Mr. NYE. I want to finish my answer to the Senator's question.

Mr. GEORGE. Yes.

Mr. NYE. If giving aid to Britain involves a loosening up of American dollars before Britain has utilized her own resources and her own convertibles into a buying power, then I am not in favor of giving that aid to Britain. [Manifestations of applause in the galleries.]

The PRESIDING OFFICER. The occupants of the galleries will refrain from applauding.

Mr. GEORGE. Mr. President, I would let them go ahead. I would not worry about them.

I would ask the Senator from North Dakota if he favors aid to Britain?

The PRESIDING OFFICER. Just a moment. The Senate has certain rules, and regardless of the attitude of the Senator from Georgia, if order cannot be preserved in the galleries the galleries will be cleared. The Chair wishes that to be understood.

Mr. GEORGE. I ask the Senator from North Dakota again if he is favorable to aid to Britain.

Mr. NYE. I have told the Senator that I am favorable to aid to Britain. I am in favor of aid to Britain continuing within existing law since we have already established that policy. We cannot afford to do otherwise.

Mr. GEORGE. Is the Senator in favor of effective aid to Britain, or does he merely want to make a pretense and show of aid?

Mr. NYE. I am not in favor of aiding Britain to the extent of accomplishing what is commonly referred to as a victory for Great Britain in her present

European war. I am in favor of aiding Britain to whatever extent might be helpful to Britain in resisting the invasion which has been threatened.

Mr. GEORGE. Then I understand the Senator favors aid to Britain to the extent of at least enabling her to survive. Is that correct?

Mr. NYE. That is correct.

Mr. GEORGE. Very well. We can agree upon that.

Mr. NYE. I think we made a mistake in laying down that policy to begin with.

Mr. GEORGE. I understand; but at the present time the Senator does admit that he favors aid to Britain to the extent of enabling her to survive?

Mr. NYE. To the extent of our ability to provide aid, when it is not in conflict with providing our own defense needs.

Mr. GEORGE. Then, the Senator is in favor of aid which will enable Britain to survive, within our means and in such manner as not to interfere with our defense?

Mr. NYE. If we can do it through steps that are "short of war."

Mr. GEORGE. How many more "ifs" does the Senator want to attach to it?

Mr. NYE. There are certain conditions which we have been discussing for many months.

Mr. GEORGE. The Senator is complaining that no one is taking any position about the bill.

Mr. NYE. Is it the argument that no limitation should be placed upon the desire to aid Britain?

Mr. GEORGE. No; I am asking the Senator a question.

Mr. NYE. I am answering the Senator.

Mr. GEORGE. I first asked the Senator whether he favors aid to Britain. I next asked him whether he favors effective aid to Britain. Each time the Senator attaches another "if."

Mr. NYE. I think there are three very definite conditions which ought to prevail with respect to our aid to Britain, and I have stated them. Is the President in favor of giving unlimited aid, without any conditions attached to it at all?

Mr. GEORGE. I suppose not. The bill does not do so.

Mr. NYE. The bill does not let Congress say what the extent of the aid shall be.

Mr. GEORGE. The bill before the Congress keeps the hands of the Congress upon the purse strings; and nothing can be given away without the consent of Congress, except under the terms of the bill.

Mr. NYE. Mr. President, I have heard that argument advanced here again and again. We know that within the bill there are dollar limitations upon what the President may give. However, there is no restriction upon the President as to what shall be the factors determining the valuation which he places upon anything he gives to Great Britain. Moreover, after he shall have exhausted the help that can be given within the limitations which are written into the bill, and perhaps shall have made commitments or given assurances to Great Britain that there will be more, and that she can be sure of that, he may come to Congress and make representation that he, the President, has given



the people of Great Britain reason to believe that we could go further and would go further, and he may ask the Congress for additional appropriations and more material. Mr. President, there is no doubt in my mind as to what an overwhelming majority of the Congress would do to sustain the hand and leadership of the President.

Mr. GEORGE. Let me ask the Senator a simple question on that point. If that is the kind of Congress the American Congress is, to what point and for what purpose does he wish to retain any power in the Congress?

Mr. NYE. I do not want powers granted to another that can be used as a larger rod or whip upon the Congress in leading the Congress any further than it has gone toward involvement in Europe.

Mr. GEORGE. I take it the answer is that the Senator is afraid that the Congress will not have stamina enough—

Mr. NYE. I am not afraid of it. I know that if the President makes commitments, the Congress will not do other than go along with the President in sustaining him and upholding his hand, and presenting a united front.

Mr. GEORGE. Then, there would be no purpose in retaining any power in the Congress.

Mr. NYE. There certainly would be.

Mr. GEORGE. If the Senator's assumption is correct, that the Congress will do whatever the President asks after he has made commitments, I can see no purpose in retaining any power in the Congress.

Mr. NYE. Mr. President, there is all the difference in the world between doing what the President asks and granting powers to the President which are ours to exercise, and then having to go along with the President in whatever manner he might exercise them.

Mr. GEORGE. Let me add one statement. The Senator is complaining that statements are made here without any contradiction or question whatever. There is nothing in the bill as it stands which authorizes the President to make commitments until and unless the Congress gives him the authority, except to dispose of a certain quantity of defense articles on hand or in process of construction under appropriations already made.

Mr. NYE. That statement applies, in some respects, to the limitation of \$1,300,000,000.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. NYE. I yield.

Mr. CLARK of Missouri. I challenge the statement of the Senator from Georgia, because I think the bill authorizes the President of the United States to enter into alliances.

Mr. GEORGE. I can hardly agree to that statement. I did not think I would hear so distinguished a Senator as my friend from Missouri make the statement on the floor of the Senate that the bill authorizes the President to enter into alliances. The bill clearly authorizes the President to strengthen the defenses of this Nation in any legitimate way, as provided in the bill; and for that purpose he

may give aid to a nation the survival of which he believes to be vital to our own national defense.

Mr. NYE. Under terms and conditions which the President himself may fix and determine.

Mr. GEORGE. Under what terms and conditions?

Mr. NYE. Under terms and conditions which the President himself may fix and determine.

Mr. GEORGE. I have recited the main terms and conditions—that if he believes it to be in the interest of our own national defense, he may give aid to other nations.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. NYE. I yield.

Mr. TAFT. Does the Senator see anything in the bill which would prevent the President, without further action by Congress, from dispensing to the British or any other nation in the world some \$10,000,000,000 worth of defense material for which we are now appropriating for the fiscal year 1942? Does the Senator see any requirement for further action by Congress with respect to such vast expenditures by the President?

Mr. NYE. Absolutely none, Mr. President, as the Senator from Ohio has so well argued.

Mr. GEORGE. If the Senator is asking me, I answer exactly contrary to the answer given by the distinguished Senator from North Dakota. I do see such a requirement, because the amendment in the bill definitely provides for action by the Congress, both upon appropriations and upon contract authority. The report clearly sets out that it was not the intention, with respect to the quantity of defense articles on hand, to impose a further limitation, in addition to what the House had imposed, that is to say, a stated-sum limitation. But the clear purpose is to provide against the use of money until appropriated by Congress, or future contract authority until granted by Congress.

Mr. TAFT. Does the Senator refer to the committee amendment, or the amendment offered by the Senator from South Carolina [Mr. BYRNES] in the nature of a substitute for the committee amendment?

Mr. GEORGE. Of course, we have not reached the point of straightening out or making perfectly clear the purpose which I have just stated; but that was the purpose of the committee. That is the intent of the bill, and the bill will carry that provision very definitely, so that there can be no mistake about it. It is not the purpose of the committee or of those who favor the bill to require the President to come back to Congress for contract authority insofar as defense articles now on hand are concerned; but with respect to defense articles—broadly, anything made for defense purposes—hereafter constructed under appropriations or contract authority hereafter made, it is the purpose of the committee to say that the President may not make any commitments until he comes to the Congress and obtains specific authority.

Mr. TAFT. Does the Senator mean that this amendment requires the Presi-

dent, after having obtained an appropriation for our Army, we will say, for five or six billion dollars' worth of equipment, to come back to Congress and get an appropriation for Great Britain before he may use any of the five or six billion dollars' worth of Army equipment to be disposed of to Britain, Greece, or any other country?

Mr. GEORGE. The Senator says "having obtained an appropriation." I should like to ask the Senator when?

Mr. TAFT. In the general Army appropriation bill which we are about to consider, which is now being considered in the House and will be here in the course of a month.

Mr. GEORGE. The Senator now is speaking of a future appropriation?

Mr. TAFT. Certainly.

Mr. GEORGE. I want to be clear about it, because the Senator's question was not clear. The purpose of this bill is to require the grant of authority by the Congress to utilize any future appropriation, or any defense article constructed by such appropriation; and certainly, when the Congress makes an appropriation, if it desires to give the President any such authority it may do so.

Mr. TAFT. The President yesterday requested an additional \$4,000,000,000 for airplanes. As I read this bill, the moment that appropriation is made following the enactment of this bill, the entire \$4,000,000,000 will become available to the President to enable him to give to Britain or Greece, or any other nation, all that we are finding it necessary for our Army to have in order to provide an effective defense of the United States.

Mr. GEORGE. The Senator's construction of the bill is wrong; and the purpose of the amendment already made by the committee is to prevent exactly the thing that he fears the President might do.

Mr. TAFT. Then the committee, in its amendment, has failed to accomplish any such purpose, because the amendment says "to the extent to which funds are made available." No funds are required to carry out the provisions of the second paragraph of section 3. No funds are required to lend, lease, or otherwise dispose of property to the British Government. Therefore, in my opinion, the amendment does not apply to section 3; and under either the committee amendment or the amendment as amended by the proposal of the Senator from South Carolina [Mr. BYRNES], after the bill is passed and our usual annual appropriations are made in the usual form there will be absolutely no restriction on the President's right to dispense all over the world \$10,000,000,000 worth of American equipment.

Mr. GEORGE. I may say to the Senator that he may be right in his construction of the exact phraseology of the bill, but in all frankness I have tried to state its intent and purpose.

Mr. TAFT. I am delighted that the Senator so feels. I sincerely hope the amendment to carry out his purpose will be so clear and unquestioned in its meaning that no person can attach to it the



meaning which I feel sure the words today have.

Mr. GEORGE. I do not agree that the words in the amendment today carry that meaning. On the contrary, I believe that the amendment as it now stands is unfortunate in the way and to the extent that with respect to anything the President wished to furnish to Britain or to any other country whose survival he believed to be vital for our own defense, out of appropriations heretofore made, or out of stocks on hand—perhaps they have been on hand for years—he would be under the necessity of coming to Congress for further authorizations. That much was not intended by the committee, and that is not the purpose of the amendment; but, with that single exception, the House itself already having put a money limitation upon the defense articles which the President might advance or give or transfer to another country, the purpose of the amendment is to do precisely what I have tried to say to the Senator it is intended to do, and what I assure him, with his aid and with his assistance, we shall endeavor to make perfectly clear before the bill finally passes the Senate.

Mr. BYRNES. Mr. President—

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from South Carolina?

Mr. NYE. I yield to the Senator.

Mr. BYRNES. The Senator from Ohio refers to his belief that under the amendment as drawn, when the Congress hereafter appropriates money for the Army for the fiscal year 1942, there will be no limitation upon the power of the President under the terms of this bill to dispose of material procured from that appropriation.

When the Senator first inquired of me as to whether or not that was provided for, I did not understand the Senator's question. Since that time I have talked with the Senator from Ohio; and there is no doubt that if the Congress hereafter makes an appropriation for the Army, and the Congress does not make any provision about this matter, when the defense articles are procured the President may use them.

I will say to the Senator from Ohio, however, as the Senator from Georgia has said, that the purpose of those of us who offered this amendment was to insure to the Congress the power to control the purse after the date of the approval of this bill. When the House passes the appropriation bill for the next fiscal year, the year beginning July 1, it is the Congress, not the President, that will be providing the money, and if the Congress does not want the President to have a dollar of the money, the Congress should write at the end of the bill:

No part of the appropriations contained in this act shall be used to carry out any of the purposes provided for in H. R. 1776.

I would vote for a provision of that kind. It is merely a matter of appropriation; but I believe that after the passage of this bill we should endeavor, difficult as the problem will be, to separate the appropriations so that the people will know what amount is spent to carry out the purposes of this bill. If the Congress

fails to put such a provision on the Army bill, it will be the fault of the Congress. So far as I am concerned, I would favor it.

Mr. CLARK of Missouri. Mr. President—

Mr. TAFT. Why should we today provide that any Army appropriation shall be open to disposition to England in order that we may nullify that provision by putting some other provision in an appropriation bill? Why not put in this bill the limitation that we intend to put on the disposition of American Army equipment to England? Why not put the 10 percent in this bill if we are going to put it in the other bill?

Mr. BYRNES. Mr. President, I have expressed my own opinion, as one Member of the Senate, as to what my attitude would be at that time. What was necessary, in the opinion of the Senator from South Carolina, was to insure that the Congress should have control of the matter; and it was the question of the Senator from Missouri [Mr. CLARK] that caused me to conclude that it was necessary to offer this amendment to make certain that the Congress should have such control.

Mr. CLARK of Missouri. Mr. President, will the Senator from North Dakota yield to me?

Mr. NYE. In a moment.

Mr. BYRNES. There is no question that under the provisions of the amendment and the bill the Congress will have the power to do whatever it sees fit to do. The Congress may say now, as the Senator suggests, without waiting for future action, that only 10 percent in value of the articles shall be open to disposal in the way suggested; but I submit to the Senator from Ohio, upon the consideration of this matter, that the question is whether the Congress should say even that.

Why should it not be left to the representatives of the people to say in May of this year whether they will give for the purpose indicated even 10 percent, or 5 percent, or 20 percent? The action will be taken in the light of the conditions existing, according to the best judgment of the Congress; and no Executive can interfere with that. If we take certain action, it will be in the exercise of our judgment. If we do not take it, it will be because we do not believe it is wise. It seems to me we should retain in the Congress the unfettered right to do what it believes should be done in May, June, or at any time hereafter. No man can take from us that right.

Mr. TAFT. That is true; but we are now deciding that question, because we are saying that if a normal appropriation bill is passed—the kind we always pass, the kind we have passed for years—the material provided for in it shall all be available to the British unless at that time we contradict our present action and say that we did not mean what we are saying today. It seems to me we leave the matter open. We may say today that the British shall not use any of the material unless Congress so provides in an appropriation bill. That would be a reasonable provision. Then, when we come to our appropriation bill, we may add, if

we so wish, that 10 percent of the amount carried by it shall be available to the British.

Mr. BYRNES. Mr. President, if the Senator from North Dakota will further yield, so far as I am concerned, I have no objection to such an amendment, because it would only carry out what the Senator from Georgia has declared and what I assure the Senator was the purpose to give to the Congress the power, and, by any language that will make it clear, to say so.

My contention is that we cannot take away from the Congress of the United States the right to do in May whatever it may see fit to do. We may limit the provision now; but if the Congress in May should see fit to put the limit at 5 percent or 10 percent or 15 percent, they could change the limit now imposed; or if the Congress should see fit to say "No part of this appropriation shall be used for this purpose," the Congress could say it.

It is a matter which the Senate might wisely consider whether we should act on this question now and say that any part of the appropriation carried by the annual bills shall be available for this purpose, or whether we should leave it for the Congress to determine whether we will not entirely separate appropriations for carrying out H. R. 1776 from the annual bills, and then put on the annual appropriation bills for the Army and Navy a provision that no part of the funds contained in those bills shall be available for carrying out the provisions of H. R. 1776.

Mr. TAFT. Would it not be very simple to carry out the Senator's suggestion, then, by saying simply that no appropriation for the American Army or Navy shall be available for the purposes of this bill unless so expressly provided in the appropriation bill? That, it seems to me, would meet the requirements, and I do not see why such an amendment could not be drawn.

Mr. BYRNES. I have said to the Senator that I see no serious objection to suitable language covering the point. We know that when the question comes before us for determination Congress can act. My only purpose was to restore the power, and make it completely in the power of Congress to handle the appropriations.

Mr. CLARK of Missouri. Mr. President, will the Senator from North Dakota yield?

Mr. NYE. I yield.

Mr. CLARK of Missouri. The Senator from South Carolina and I both have had some experience in drawing limitations. The Senator says that if a limitation were to be proposed on an appropriation bill, he would vote for it. I should like to ask the Senator from South Carolina in all fairness whether he would vote for such a limitation as this, which might very well be put on this bill—

that, notwithstanding the authorizations in this or any other act, the President of the United States shall not use funds authorized by this or any other act to convoy merchant vessels into combat zones.

Would the Senator be willing to agree to that?



Mr. BYRNES. Mr. President—

Mr. CLARK of Missouri. The Senator said a few minutes ago that was the way to bring about what is desired, by limitation. Would the Senator be willing to agree to that?

Mr. BYRNES. That is an entirely different question.

Mr. CLARK of Missouri. It is not a different question at all.

Mr. BYRNES. Oh, yes, it is. I think the Senator from Ohio and the Senator from Georgia have been discussing solely the amendment relating to the control of appropriations.

Mr. CLARK of Missouri. The Senator from South Carolina went out of his way to say that the way to handle it was by limitation.

Mr. BYRNES. I thought it was.

Mr. CLARK of Missouri. The Senator from South Carolina referred to a limitation on an appropriation bill. Why is it necessary to put it on an appropriation bill? Why could not we provide in this bill that no funds authorized to be appropriated by this or any other act shall be used for conveying merchant vessels into combat areas?

Mr. BYRNES. Mr. President, that is an entirely different question. I have said that, while I knew it could be done on an appropriation bill—

Mr. CLARK of Missouri. I intend to offer such an amendment.

Mr. BYRNES. At that time we can discuss it. I have said to the Senator from Ohio that I had no objection, so far as I was concerned, to considering language which would correct what he complains of as not carrying out the intention of the Senator from Georgia and the Senator from South Carolina.

Mr. CLARK of Missouri. Mr. President, will the Senator from North Dakota indulge me just a moment further?

Mr. NYE. I am happy to yield.

Mr. CLARK of Missouri. I am very sorry to take up the time of the Senator, but since I set off this discussion, apparently, I should like to come back to what we started out to discuss. I started by referring to the President's press conference yesterday when he said—and I quote the New York Times—

President Roosevelt expressed the belief today that proposals for peace in Europe must await a British victory. "The first thing is to win the war," the President declared in a press conference held after his return to the White House.

In other press dispatches it has been stated that the President said the British had to win a military victory.

Mr. President, I suggest to the Senator from North Dakota that that is not what the President told the American people last fall when he was a candidate before them for reelection. He did not say anything about a military victory for one side.

Mr. NYE. The Senator is correct.

Mr. CLARK of Missouri. He said we were not going to send troops abroad.

Everyone knows that neither Great Britain nor any other country can win a military victory without some nation supplying a large number of troops. Everyone knows that the British have not a sufficient number of troops to supply those

necessary, and we will have to supply them. That was the matter about which I questioned the Senator from North Dakota, which set off the whole debate.

Mr. President, I am very glad the Senator from Georgia has recovered his voice. I shall be delighted to have him express his views on the bill, because I wish to debate this question with him. There is no man in the Senate for whom I have greater respect than for the Senator from Georgia, but he has not been able, because of illness, to debate this proposition, and I am glad he now has recovered his voice, and I shall be very glad to have him express his views. I am certain several of us will be glad to debate this question with him.

Mr. GEORGE. Mr. President, will the Senator from North Dakota yield?

Mr. NYE. I yield.

Mr. GEORGE. I hope I may be able to express my views on the bill. I do not wish to engage in any debate with the Senator from Missouri, because I am afraid I should be worsted. I wish to say to the Senator from Ohio that, in my opinion, the whole difficulty he has with respect to defense articles constructed out of future appropriations will be cleared up, and would before this have been cleared up, had we reached the stage where amendments could have been offered on the floor and considered. I have not the slightest doubt that any reasonable objection or question he raises with respect to the matter which has been under discussion will be satisfactorily taken care of.

Mr. BONE. Mr. President, will the Senator from North Dakota yield?

Mr. NYE. I yield.

Mr. BONE. The bill before us is a grant of power, vesting certain authority in the President or officials named by him. It is not an appropriation bill. The first paragraph of the bill contains a series of definitions, giving the meaning of words and terms. I notice on page 3 of the bill a provision that—

The value of defense articles disposed of in any way under authority of this paragraph, and procured from funds heretofore appropriated, shall not exceed \$1,300,000,000.

Is that intended as a definite limitation on the value of property which may be disposed of by the President or under his direction without further operations by Congress in the way of legislation? If the bill becomes law, could the President, with appropriations heretofore made, extend aid to Britain to the amount of \$1,300,000,000? Is that a restriction the bill imposes?

Mr. GEORGE. Is the Senator addressing me?

Mr. BONE. Yes.

Mr. NYE. I yield to the Senator from Georgia to reply.

Mr. GEORGE. With the permission of the Senator from North Dakota, I will say to the Senator from Washington that that provision places a limitation upon the President's power to dispose of property in any way—that is, by sale, lease, transport, and so forth, to the extent of \$1,300,000,000, as to defense articles on hand or in process of construction, out of appropriations heretofore made.

Mr. BONE. In other words, in the Senator's view, that would be the sum total which could be disposed of by the President under the authority of the bill?

Mr. GEORGE. Out of appropriations heretofore made. Of course, Congress might make additional appropriations.

Mr. BONE. I understand that, but what I am getting at is that the provision is that no defense article shall be "disposed of in any way under authority of this paragraph," which means this bill, which would, of course, imply that there would have to be further appropriations by Congress, I take it, if that is the construction to be given the language. The value would have to be determined in some fashion. The value of money, of course, is immediately determined. The value of property, such as a ship or cannon, presents another problem. I do not know who would determine the value. I suppose the War Department would.

But now in the paragraph following, paragraph (3)—

Mr. CLARK of Missouri. Mr. President—

Mr. NYE. Mr. President, I think the Senator from Missouri would like to make a point in connection with what has just been said.

Mr. BONE. I merely wish to complete my question.

Mr. CLARK of Missouri. I wish to join in the question the Senator from Washington is asking of the Senator from Georgia. Would not the President be able under the provisions of the bill, if he so desired—I do not know whether he would so desire—in the case of an \$80,000,000 battleship, to value it a dollar or at some nominal figure?

Mr. BONE. Mr. President, I have tried to draft legislation in my own State, and I know the difficulties involved; but the bill does not seem to indicate how the value is to be determined. In paragraph (3) we find this language:

To test, inspect, prove, repair, outfit, recondition—

And so forth. Does expense of that kind of work come within the \$1,300,000,000 bracket? If a ship were outfitted—

Mr. GEORGE. No; that would have to be appropriated for hereafter.

Mr. BONE. In other words, Congress would have to make the money available for that?

Mr. GEORGE. Congress would have to make it available for that purpose.

Mr. BONE. It would have to be appropriated for.

Mr. GEORGE. Exactly. Large appropriations would not be required, but certain appropriations would have to be made.

Mr. BONE. If it were necessary to overhaul ships that would run into a lot of money.

Mr. GEORGE. The Senator is correct and it would have to be appropriated for as the bill stands, or as it came out of the committee.

Mr. CLARK of Missouri. Mr. President, will the Senator yield to me to permit me to ask my friend, the Senator from Georgia, a question about that?



Mr. NYE. I yield.

Mr. CLARK of Missouri. Let us suppose that we already have assumed very large overhead expenses with regard to certain naval establishments at Pensacola, New York, Boston, San Pedro on the Pacific coast, and various other places. Does the Senator find anything in the bill that would prohibit turning over these facilities, without any appropriation by Congress, for the repair or the replenishment of any sort of war vessels of any nation in the world?

Mr. GEORGE. I think anything that could be and should be allocated to what the President is authorized to do under this section would have to be covered by an appropriation. I do not think there is any question of that. On the question of—

Mr. CLARK of Missouri. Mr. President, will the Senator again yield to me so that I may ask the Senator from Georgia a question?

Mr. NYE. I yield.

Mr. CLARK of Missouri. Let us take the case of the Brooklyn Navy Yard, where there is great overhead expenses. Does the Senator mean to say that the cost of repairing a British cruiser, let us say, which is permitted to come in there to be made over again, if it has engaged in a naval operation, would have to be specifically appropriated for by Congress?

Mr. GEORGE. I mean that an appropriation would have to be made by Congress to cover that kind of thing. I do not think that under this language any money heretofore appropriated for general purposes could be used for that purpose. That is my construction of it.

Mr. CLARK of Missouri. What does the Senator say then about the provision in the bill—

Notwithstanding the provisions of any other law.

Why could not the President, if he wanted to, use any funds available in the Treasury of the United States for that purpose?

Mr. GEORGE. Because the amendment put in by the committee is as follows:

To the extent to which funds are made available or contracts are from time to time authorized by Congress—

It is the clear intent and purpose of the committee to make that applicable, so far as this particular section is concerned, to any future testing or inspecting or reconditioning, and so forth.

If the Senator from North Dakota will permit me I should like to say one word in answer to what the Senator from Washington asked me? The same sort of statement has been made here on the floor repeatedly. I refer to the language in the limitation placed on the President's authority under subsection (2) of section 3:

The value of defense articles disposed of in any way under authority of this paragraph, and procured from funds heretofore appropriated, shall not exceed \$1,300,000,000.

The value certainly does not mean, nor would it give the authority to the President arbitrarily to value an \$80,000,000 battleship at \$2.50. Certainly that would not be compliance either with the spirit or with the letter of the law. Certainly

we have some sort of accounting system in the Government. If we have not, we should have.

Mr. NYE. Mr. President, before the interruption occurred, reference was being made to an article in the Washington Daily News of yesterday in which reference was made to the atmosphere that is prevalent here in Washington. What this newspaper writer has called an unreal dream world here in Washington, and here in this Senate debate, Mr. President, I think can much more rightly be called an insane nightmare world. For this drift toward war, which is resulting from this mood of fatalism and fear, simply does not make sense. This readiness to vote for intervention with all its implications does not represent cool, balanced, rational thinking. Why, even the people who want to take the country into war cannot agree among themselves why they want us to intervene. They cannot agree as to what the war is about or what they hope to accomplish by our entrance. Dr. Harry Elmer Barnes, the distinguished sociologist, who has always been considered an ardent New Dealer and supporter of the administration, has clearly brought out in a recent article what he calls the age of paradoxes in our foreign policy. Among these paradoxes he lists the following:

(1) Our interventionists want to aid England, but we find the aid-to-England group divided into two irreconcilable camps: (a) the Wall Street section, Thomas Lamont and the conservative bankers and politicians who want to bolster the Tory system and the Bank of England; (b) the American idealists, liberals, and radicals, led by some of the radical New Dealers, Dorothy Thompson, the Nation, and New Republic, most of whom are hot for Harold Laski's "revolution by consent" and a Socialist England. It is obvious that, if England wins, it cannot be both Tory and Socialist—at the same time. One group of interventionists is bound to be engulfed in tears, even if the British win. Of course, if the war goes on to the bitter end, Britain will go Socialist or Fascist, win or lose, and the Tories will be done for.

(2) Our interventionists pull two Hitler rabbits out of their hat, according to circumstances: (a) When they wish to lull us into war they tell us that Hitler is weak and on his last legs, and that the German people will not fight much longer, even to defend their homes and skins; (b) when they seek to scare us into war they tell us that Adolf is so strong that he can get the German people to fight on and lick England and then follow him into 10 years more of war in a wild adventure to conquer America. Hitler can hardly be tottering and be a world menace at one and the same time. Yet our interventionists will paint him as both in the same speech or the same column.

(3) Wendell Willkie has visited England, which prayed for Willkie's defeat last fall, trying to find out how Wall Street can help President Roosevelt aid Britain in making Europe safe for Stalin.

(4) We cannot permit Mr. Hoover to send food to aid starving peoples in occupied Europe, but we let down the bars to shipments to Russia, which can send even war materials to Germany.

(5) It is alleged that the United States can share the fate of Denmark and Holland, two tiny states separated from Germany by an imaginary line. By this logic a bum who licked a midget in New York could reach out and sock Joe Louis in Detroit.

(6) We are told that our country wishes peace, but this is the first administration to

adopt the policy that we must fight everybody that the President and Secretary of State do not like. Not even Hitler went this far. He hated Stalin right next door for 7 years and did not fight him.

(7) Having failed to bring his "Four Freedoms" to the United States with all the cards stacked in his favor, our President seems to feel that he can bring them by force to five-sevenths of the world, against their wishes and in the face of armed hostile opposition.

The spearhead of the interventionist drive to make the world safe for Stalin is the lend-lease bill. If this is not checked, only a miracle can save the United States and the world from unprecedented disaster, which will make the Thirty Years' War seem like a pacifist picnic by comparison.

If this be regarded as appeasement, I may observe that I warned against appeasement 5 years ago, when there was no excuse for it and when present-day warmongers were lauding Adolf as the savior of the world from Stalin and John L. Lewis. Of course, if we insist on dividing Americans into idiots and appeasers, then I am proud to be listed as an appeaser.

Mr. President, I presume that most of the Members of this body are aware that while Dr. Harry Elmer Barnes, whose opinion of the lend-lease bill I have just quoted, was professor of history at Smith College he wrote what remains one of the monumental histories of the first World War. It is a work studied and quoted by scholars everywhere, in Europe as well as in America. I cannot let Dr. Barnes' article, from which I have quoted, go without reading what he has to say about the sort of war in which we may find ourselves involved if the bill should pass. This is what he says:

The effects of a long-continued war on the United States are not difficult to discern. They are the following:

(1) Wartime fascism and a totalitarian system, which may last longer than our Federal Constitution has lasted.

(2) The loss of our democracy and civil liberties for decades.

(3) The end of the capitalist system through debt, taxation, inflation, and state ownership.

(4) The prospect of a Communist totalitarianism after the war, as the result of a Stalin-dominated Old World.

(5) A scapegoat period after the war which will make Hitler seem a Judophile by comparison and will make the Ku Klux Klan of the twenties appear like a national convention of the Conference of Jews and Christians.

There, Mr. President, is the judgment and the prophecy of a realistic, well-qualified historian as to what will be the result if this country should become involved in a long-continued war. I wish that every Senator who thinks of voting for "intervention with all its implications" would study that prophecy with care. For those are the implications of intervention; that is exactly what you are voting for when you say you advocate a policy of intervention with all its implications.

But if the drift toward war in Europe does not make sense, what should be said about the drift toward war in the Orient? That is something, Mr. President, which we must not leave out of our calculations. Once the bill gives the green light to war, there is no telling whether the dictator we set up will take



us into war in defense of Britain's interests in Europe or in defense of the British Empire in the Far East. In fact, there are many signs that our first fighting may have to be done in the Far East, using our fleet to defend the imperialistic status quo in the French colony of Indo-China, or the Dutch colony of the East Indies, or the British colonies of Singapore and Malaysia. A newspaper columnist, Boake Carter, wrote not long ago that when a free-lance newspaper correspondent, Vincent Sheean, asked Mr. Roosevelt where, if he were a free-lance journalist, he would go in the expectation of the next big outbreak of trouble, the President replied, "The Far East." Every day we are told in the press of intensive preparations for war away over there on the coasts of Asia.

Mr. President, it is known that studies and estimates are being made in the Navy Department in Washington involving the taking, holding, and keeping open of the Burma Road in spite of the assurances on every hand that we are determined to keep out of war.

All of us have read of the bawling out which the President gave the press at his press conference last Friday. The newspapers and radio, he charged, had been guilty of making public secret information about the dispatch of United States fighting planes to the Orient. Apparently that is the sort of thing which the President does not want the American people to know about while the lend-lease bill is under consideration. It must be that it is the American people he does not want to have find out about it, for certainly Japan knows. In fact, on the same day on which he rebuked the press for saying anything about it, the British Embassy gave out a press release in which it told all about how American bombers are being flown from the Pacific coast to Singapore.

Why should we be getting into a war in that part of the world? The reason why war threatens over there, Mr. President, is that the old European empire system in Asia is breaking up, and there seems to be some danger that as the European empires collapse the Japanese Empire may try to extend itself into some of the territory they can no longer hold. It is already moving into French Indo-China, and it is rumored to have ambitions to move into the hitherto Dutch East Indies. But it is highly significant that we are beginning to move our battle fleet and make threatening gestures only now that British imperial interests in Asia seem to be threatened. The Senator from Montana [Mr. WHEELER] brought that out yesterday afternoon in the Senate during a colloquy which was unexpected and unprepared, but which contained facts that are profoundly true and important. As he pointed out, Mr. President, we made no warlike moves when Manchuria was invaded, when North China was invaded, when Shanghai was taken, when the Yangtze Valley was invaded, when Canton was captured, or even when the U. S. S. *Panay* was sunk by bombs from Japanese airplanes. In fact, while all those things were happening, and the Chinese people were being subjected to the most horrible bombings

and slaughter in modern history, we went right on supplying Japan with the very weapons and materials by which she carried on that bloody butchery. But the minute Japan began to move southward, the minute British imperial interests were threatened, then we began to talk war and act in warlike ways, and now they warn us that at almost any moment we may find ourselves up to our necks in an Asiatic war.

Mr. President, I ask again, what for? What is up? Why this sudden rush toward war, first in Europe and now in the Far East? What connection has this rush toward war with the presentation of this 1776 dictatorship-war bill? My conclusion—in which I am confirmed as I see the refusal of the bill's supporters to give any satisfactory reason why we must enact such a bill as this now—is that a deliberate effort is being made to stampede the Senate and the American people by building up two great fears. One of the witnesses who appeared at the hearings of the Foreign Relations Committee on this bill charged that the country is being transformed into a vast psychopathic hospital, with its violent ward on the Atlantic seaboard. That is exactly what is being attempted, Mr. President, and the method which is being used to try to break down our reasoning power and our common sense and to bring it to pass is by an appeal to fear. It is that appeal to fear which I want to discuss at this time, in the two major forms which it has assumed.

In the first place, we encounter this awful hatred toward the aggressor, and the feeling that we must help stop the aggressor. As our ally in this stupendous cause we choose the most aggressive aggressor the world has ever known, Great Britain. The history books of the last three centuries are filled with her acts of aggression. Some of the aggressions are too recent to be recorded in the pages of history, or even in the most modern encyclopedias. I shall have more to say later about such aggressions.

In the second place, we find the supporters of the dictatorship-war bill appealing to our fear of invasion. To hear them tell it, the United States is in imminent danger of invasion by Hitler. Once let Hitler win this war, they prophesy, and he will be right over here, invading our cities, bombing our factories, and subjecting our people to the same kind of horrors that have been suffered by the people of Poland, Norway, Holland, Belgium, and France, and that are now being suffered by the people of England. Mr. Willkie, who after a 2-week flying trip to England became an expert on Hitler's strategy and intentions, even went so far as to predict that the German invasion of the United States would start within 30 or 60 days after the conquest of England. But we cannot blame the spread of hysterical ideas like this all on our clipper ambassador. In fact, he came late to the business of fear mongering.

It was the President of the United States who started this sort of thing. It was he who first tried to give the American people the jitters with bogeyman stories of German bases in South

America, and German planes flying north across Mexico and the jungles of Central America to dump their bomb loads on Omaha and Kansas City and St. Louis.

Yesterday afternoon we heard in this Chamber from the Senator from Kentucky an echo of that fear. It was the same sort of ghost raising that the White House started more than a year ago, and that since then has been echoed by every pressure group, every newspaper, every radio commentator who wants to see such a bill as H. R. 1776 stampeded into law.

Mr. President, can anyone possibly believe all of this? Can anyone in his right mind honestly think that if Britain should fall we would be facing a German invasion of our shores 30 or 60 days later? I suppose it is possible that it is believed in parts of New England. We remember how terribly frightened the people in that part of the country were in 1898, during the Spanish-American War, when they were sure that a Spanish fleet was about to bombard Boston, and the bankers of that city planned to move all their money into the interior for safekeeping. It is possible that there are other parts of the Atlantic seaboard where people really believe Hitler is on the point of invading us just as soon as he has captured London, for we remember how people in that part of the country became panic-stricken over the danger of an invasion by the Kaiser as we were being carried into the war of 1917. But if this campaign of fear mongering has actually upset the normal good sense of any considerable part of the American people, is it not high time, Mr. President, that we were looking at some of the facts?

First of all, what are the facts about this danger from the air—facts that the President has used as a threat to try to scare Congress into passing this dictatorship-war bill? We all know that our greatest aviator, Colonel Lindbergh, has testified that such a danger is a figment of the imagination. He has said there is not a single trans-Atlantic bombing squadron in existence. I know that bombers are being flown across the Atlantic to England, but those bombers are stripped in order to make the trip. They carry neither guns nor bombs. During the previous session of Congress, when Admiral Leahy was arguing for an air base on the island of Guam, he testified that Japan would have no reason to fear the establishment of such a base there, since there was not a bomber in existence that could fly, loaded with bombs, the 750 miles from Guam to Japan. Bombers have a slightly longer range now, but we have all noticed that before the Germans could begin really intensive bombing of Britain they felt it necessary to gain airfields just across the Channel; and British bombers are finding it almost impossible to do serious or intensive bombing as far away as eastern Germany or Italy. Is there one responsible aviation authority who has challenged the truth of Colonel Lindbergh's assurance that there is not in existence in any army in the world a trans-Atlantic bombing squadron that is able to fly as a squadron to its target, carrying a full bomb load, dump that load, and return to its base? No, sir; there is not one.



Moreover, there is this added fact to be kept in mind when we are shaking in our shoes at the prospect of being bombed by a trans-Atlantic bomber: Left to itself, the bombing plane is almost helpless against fast pursuit ships and interceptors. To be a real menace, the bomber must be escorted and protected by swarms of fighters. But the range of fighters is comparatively short. It will average less than 500 miles. In the case of the Stukas, the dive-bombers that the Germans have used to such advantage, the range is less than 200 miles. What that means is, of course, that even if the airplane manufacturers should keep on increasing the size of these sky monsters until they finally build a bomber large enough to cross the Atlantic with a full load of bombs and a full complement of guns and then fly back to its base again—even if they should some day be able to do that—without fighter planes to escort it, such a bomber would be an easy target for our defensive planes. Bringing down such a big bomber unprotected by escort fighters would be as easy for our pursuit ships and interceptors as it would be for an expert rifle shot to fell a sitting target.

It may be argued, Mr. President, that Hitler does not intend to fly his bombers across the Atlantic to attack us. We are warned that he intends to fly them from Dakar, on the coast of West Africa, to South or Central America, and raid us from there. Well, there are certain things to say about that. Suppose he could get to Dakar and that he had prepared there the immense air base which such an expedition would require. That in itself is quite a supposition. It would take much longer than Mr. Willkie's 30 or 60 days just to get the Dakar air base ready, even if Hitler had no opposition in establishing it, and if all his needed materials were right at hand. But suppose that were done. Then what? Why, then Hitler's problems would be only beginning.

The establishment of a major air base in South or Central America would require months, not to mention the enormous cost involved. Before it would be ready to receive the flying expeditionary force that Hitler would supposedly be sending against the United States great hangars would have to be built, barracks would have to be provided for the ground crews and the garrison, there would have to be immense machine shops fitted up with intricate tools, great storehouses for spare parts would have to be built, the spare parts themselves would have to be transported, ammunition dumps to supply the planes and the defensive anti-aircraft guns would have to be stocked, huge gasoline reservoirs would have to be built and filled, and large supplies of reserve engines would have to be laid in. How long do you think it takes to build such an air base when every circumstance is favorable? Well, one has been under construction down at Miami ever since 1939. There have been 3,000 workmen on the job, pushing it as hard as they could, and the last I heard it is not finished yet.

When you have an air base you have to have an army of ground workers to keep the planes in service. The usual calculation is that 30 men on the ground are re-

quired for every plane kept in the air. Obviously Hitler could not create such a base in either Central or South America without our knowing all about it, for secrecy would be absolutely impossible when it came to transporting all these supplies, all these ground crews, the garrison, and the other requirements before the base could be used. A base of that kind, known about in advance, would constitute no threat at all to the United States.

Having laid that bogey, Mr. President, the proponents of the bill bring up another one. Suppose it is impossible, they say, for Hitler's air forces to attack America from bases which they establish in South or Central America. Could they not attack from an aircraft carrier? Could not such a carrier steal up to our coast somewhere and launch enough planes to blow New York or Boston, or even this Capital City, off the map?

Nobody denies that planes can be launched from an aircraft carrier and do great damage to a city. Great Britain claims that it did precisely that when its planes bombed Genoa 2 or 3 weeks ago. That did not happen, however, until the British Navy had undisputed control of the Mediterranean. But, again, there are certain factors to take into account.

In the first place, the chance of a German aircraft carrier's sneaking up on our coast alone is so small that it may be put down as zero. Without the protection of a fleet, an aircraft carrier is the most vulnerable type of warship afloat. Even in a fleet, this war is showing that the carriers are none too secure. Before an aircraft carrier could attempt a raid of this sort, therefore, the German Fleet would have to secure control of the seas. The Navy will assure us that we need have no misgivings on that score.

But suppose all these obstacles were overcome, and in some unaccountable way the aircraft carrier actually reached our coast. What then? Well, it might launch against one of our cities a flight of the light planes which it carries—one single flight—and that flight would probably do some damage; not a great deal of damage, but some. Then what would happen? Why, then, Mr. President, assuming that we had not given away to some other nation all our own defensive bombers, our aircraft would come swarming out, and, in combination with our defensive submarines and destroyers, would make short work of the aircraft carrier. Most of the enemy planes that had been sent off the carrier to attack the American city would be shot down before they could get back to the mother ship. Those that got through our defending planes and anti-aircraft fire would probably find no mother ship there to pick them up when they reached the return rendezvous.

I know that to professional military men this will all sound very silly, for no navy or air service in its right mind would ever attempt such a wild-goose chase, such a senseless waste of a valuable ship and planes and pilots as this kind of a bombing adventure from an aircraft carrier would involve. I have discussed it, nevertheless, because this is one kind of theoretically possible attack on

the United States that the persons who are trying to spread fear in this country are in the habit of prophesying. It will be noticed that I have not denied that if such a fantastic attack were ever tried some bombs might be dropped on some American city. I fear there will never be any absolutely complete and guaranteed defense against some bombers getting through as long as there are bombers. But while this would be a disagreeable thing to have happen, Mr. President, it would by no means constitute a serious threat to the productive capacity of the United States. What has happened in England shows that it takes an immense amount of bombing, kept up over a long period of time, seriously to cut factory production. In other words, such raids as these fantastic flights from the decks of marauding aircraft carriers would surely make a newspaper sensation, and they would probably kill some of our people and destroy some of our property, but they would not to any appreciable degree lessen our war-making power; and we can get odds of 100 to 1 from any officer in our fighting services against any such raids ever being attempted against this country.

Mr. President, having disposed of that bogey, what is the next scare that the fearmongers generally bring forward? Why, to be sure, it is the threat of Martinique. Martinique, as we all know, is a French island in the Caribbean. It is within bombing distance of the Panama Canal; and the fearmongers go around saying: "France is only a German puppet now. Hitler can do what he wants to do with French possessions. Suppose he takes over Martinique; from there he will bomb the Canal. Then our fleet will be cut off in the Pacific. Then where shall we be?"

There is just one idea in all this sort of talk that seems to me to have any sense in it. I agree that we should be in a safer situation from a naval point of view if we were not so dependent on one Canal for passing our fleet quickly back and forth between the Pacific and the Atlantic. I am glad we are now starting to enlarge the facilities of that one Canal, but I should feel safer if there were two canals down there across Central America; and I have never been able to understand why there has seemed to be so little interest around the Navy Department in the second canal proposal.

But aside from the fact that one canal is not as safe as two would be, is there any other truth in the allegation that the Panama Canal is in danger of being bombed by Hitler's planes from a base in Martinique? Mr. President, such talk is the sheerest nonsense. There are no bases at Martinique that Hitler could use for such an enterprise. Even if he could get to the island without being intercepted by our Navy—and, of course, he could not—he would have to spend months and months in making his preparations, all under the constant scrutiny of our fleet and our scouting planes. Unless we completely lost control of the Caribbean by the total destruction of our fleet down to the last submarines, which are particularly effective in cutting lines



of communication and supply, Hitler could not reach Martinique; he could not hold Martinique; he could not develop a base on Martinique. In short, Mr. President, this whole Martinique scare is just such stuff as dreams are made of, and very poor dreams at that.

But the persons who are able to dream up fear-mongering stuff of this sort are not stopped when the Martinique scare is thus disposed of. They continue to talk about danger to the Panama Canal. Suppose, they say, our Navy should be defeated in the Caribbean, and suppose Hitler should be able to capture the Panama Canal: Would he not then march an army northward through Mexico and across the Rio Grande, and invade this Nation from the south?

One would think it impossible for anyone seriously to discuss such a prospect, Mr. President, but I have heard it done. Of course, it is absolute nonsense. What is the country like between Panama and the Rio Grande? Call in officers from the garrison down there at the Canal, and they will tell you. Our garrison down there is hemmed in by impassable jungles. There is not a single road for an army to use that might try to march north. We have been talking and planning for years about building a Pan-American highway to link us up by motor road to the nations of South America, but so far it is simply a plan on paper, and those who know that jungle best believe it will be many years before it is anything else. No modern army could hack its way north from Panama. It could not move its mechanized divisions through those jungles. It could not get its troops through. It could not get its food supplies through. The whole idea is impossible and absurd. The only reason why it is brought forward is simply to scare people who have no understanding of the realities involved in moving modern armies.

But there is another way, Mr. President, in which we are told that Hitler might invade this country. If he should win the present war, we are warned that he would add the English, French, Dutch, and Italian Fleets to his own, and then would proceed to conquer the United States Navy, and after that he could land where he pleased on our shores.

What reality is there behind such a threat as this? Very little, if any.

In the first place, we now have what our admirals assure us is the largest and most effective fleet in the world. In the second place, we have appropriated sums almost sufficient to double this fleet in size, and the new construction is being rushed to completion. In the third place, all the fleets of Europe are being depleted in size by the operations of the war. There seems to be scarcely any Italian Fleet left which is capable of taking the seas. The Dutch Fleet is of no consequence. The British have destroyed a major part of the French Fleet and have taken a sizable toll of German warships. What the British naval losses are we do not know; but we know that in certain classes, particularly in destroyers, they have been large, and that the loss of capital ships has not been inconsiderable. More than this, we have the solemn

pledge of the head of the British Government that the British Fleet will never be delivered to Hitler.

But suppose Hitler should take over a considerable number of ships from these other navies. It would be months before the ships could be outfitted and repaired for duty, and more months before German crews could be recruited and drilled to handle them. There are reports that even yet Great Britain, with the largest naval personnel in the world, has not been able to supply trained crews for all the 50 destroyers turned over to her by the United States.

But if Hitler could not hope to defeat the United States Navy with the naval forces at his disposal at the end of the war, the fear mongers paint a picture of Hitler taking over all the shipyards of England, Norway, Sweden, Denmark, Holland, Belgium, Italy, and France. If he should do this, we are told, he would then have shipbuilding facilities six times the size of those available in the United States. Could he not then quickly out-build the United States Navy, and then, with this overwhelming addition to his sea power, come over and crush our fleet and invade our land?

Again, Mr. President, people who indulge in this kind of talk are dealing in pure fantasy. It is not superiority in number of shipyards that counts. Shipyards on a vast scale can be created very rapidly, as we demonstrated at Hog Island and elsewhere during the first World War. But the thing that counts is the time required to build warships, and there is no way in which modern warships can be built in a hurry. The battleships which the United States is just now laying down are not expected to be in service in the American Navy until 1947. If Hitler should begin to lay the keels for a great naval armada we would know it at once, and we would have plenty of time in which, by the use of American technology, under the pressure of such a threat, we could build ship for ship with him, or, if it were necessary, two ships for each one he was adding to the German Fleet. There is no reality behind this alleged danger of an increase in the German Fleet that should cause the American public to worry for a minute.

I know that it has been said in some quarters that Hitler would take over, in the event of victory, not only the warships but the merchant fleets of these European countries; that when he had these merchant fleets, he would then be in a position to invade the United States. How much actual danger is there of such an invasion with Germany using these captured merchant fleets? I do not hesitate to say that this danger also is entirely imaginary. What would an invasion of this country require? I wish that it were possible to bring the Chief of Staff of the Army and the Chief of Naval Operations into this Chamber and ask them to answer that question, not only so the Senate but all the people of this Nation might hear their answer. I am sure, Mr. President, that they would say an invasion of this country would require at least six things before it could be carried into effect.

It would require, first, the total defeat of the American Fleet, including all its submarines, which are particularly important and effective as defensive weapons, guarding the entrances to our harbors.

In the second place, it would require that the air forces of our Army and Navy should be destroyed, because it has been amply demonstrated during this present war, particularly in Norway, that no invading force can be successfully landed and maintained when there is a strong air force, based on land bases, to repulse it.

In the third place, the mine fields which would be planted about all our available harbors would have to be swept up.

In the fourth place, our coast-defense batteries and all the other coast defenses which the Army could and would improvise would have to be put out of action.

In the fifth place, one of five harbors would have to be captured with all its equipment, all its docks, all its unloading cranes, all its derricks, and the other devices which are necessary for handling the cargoes of ships. This machinery, of the most delicate and easily wrecked nature, would have to be captured intact.

And, finally, of course, in the sixth place, after all this had been done, if the enemy actually managed to obtain a landing in one of these harbors, he would then have to defeat the Army of the United States with all its reserves, fighting on its own territory.

It will be noticed, Mr. President, that I have said that an attempted invasion of this country would require that the enemy capture and land in one of five harbors. I know that there are still Americans who think of an invasion in terms of troops landing in open boats on any convenient seashore. But that is out of the question for a modern army, with its heavily mechanized equipment. When I speak of five harbors, I am relying on the authority of Maj. Gen. Johnson Hagood, whose distinguished record in our Army included service as commander of the service of supply in France. In his book, *We Can Defend America*, General Hagood says that there are only five harbors in the United States, three on the Atlantic coast and two on the Pacific, in which a modern invading army could land.

A modern invading army, Mr. President, has to bring with it huge reserves of ammunition, tanks weighing up to 75 tons, immense numbers of tractors, large and small trucks, whole divisions of motorcycles, and great numbers of airplanes. Equipment of this sort cannot be successfully landed on an open beach. The British failed to do it at the Dardanelles, during the first World War, when warfare was by no means the mechanized affair that it is today. No such army as the German Army has proved to be could be landed anywhere except where docks and other landing facilities were available in profusion.

Maj. George Fielding Eliot has written that any invading force sent against the United States which did not use a fully equipped port would have to bring lighters, armored barges, movable piers,



cranes, base equipment, reserve stores, ammunition, and special landing devices. As can be seen, the smaller the port such an invader tried to use, the worse off he would be, because it needs space and plenty of it in which to set up such equipment and to maneuver a great number of ships for purposes of unloading.

Our experience in 1917, Mr. President, should furnish us with a caution against being swept into hysteria by these prophecies of an invasion of this country. In 1917, when we sent the American Expeditionary Force to France, we had, in company with our allies, command of the seas. We had the ships of 14 nations available to help us transport men and supplies. Yet, even under those favorable conditions, we were never able to land in France, at the two ports which the French assigned for our exclusive use, enough supplies and ammunition on a single day to keep our Army going. The best record we made during the entire time, with everything in our favor, was 15,000 tons short of the 40,000 tons daily that were required.

Oh, I know that it is said, Mr. President, that the American Expeditionary Force was landed in France and maintained there, and that the Germans have shown in this war that they can do things that were undreamed of before this war started. But we need to remember that since 1918 the impedimenta of an army have increased by at least 40 or 50 percent. The experts now tell us that it will require at least 12 tons of shipping to move a single soldier across the ocean with his share of equipment, medical supplies, superior officers, and so forth. Where does such a requirement as this leave the threat of a German invasion.

At the outbreak of the war, the Germans had 3,200 ships of all categories. These, of course, included large numbers of boats utterly unfit to cross the ocean—trawlers, excursion boats, small freighters for coastal traffic, and numerous other boats of that kind. Almost none of these boats could have been made ready for duty as transports without being almost completely rebuilt, and of course, since the outbreak of the war great numbers of these boats have been destroyed. It has been estimated that the entire merchant fleet of Great Britain, the largest in the world, if it were used to transport an army to this country, would be able to bring over here and keep supplied at the outside not more than 200,000 men. The German merchant fleet certainly would not be able to transport and supply half that many, say 100,000 men, and what have we to fear from an invasion in terms of forces as weak as this?

This whole invasion scare is just what I have called it, a bogey. It is conjured up by those whose purpose is simply to frighten Congress and the American people into taking steps which they never could be persuaded to take in an atmosphere of reason. No responsible official of our Army or our Navy would admit for a minute that such an invasion is possible, either at the present time or in any now foreseeable future.

I know there are those who insist that Hitler, in addition to all his other qualities, is some sort of a magician, and that he would find some miraculous way of overcoming all military and naval obstacles if he should win this war, and would then attack this country. Well, Mr. President, we have seen no evidence so far that Hitler is a military magician. He has been trying since last summer to invade a country less than 30 miles distant from his bases, and he has not been able to do it, and I do not believe he will be able to do it. Moreover, I do not know on what are based the prophecies that it is Hitler's policy to follow the present war with a war against the United States. So far as I have been able to discover, such prophecies are based on one of two things. They are either based on the wild statements of irresponsible travelers returning from visits of less than two weeks in England, that Hitler will attack us within 30 or 60 days after the conclusion of the present war, or they are based on one of two sentences in the recent book by Herman Rauschnig, *The Voice of Destruction*. In that book Mr. Rauschnig has set down a record of what he says Hitler said to him several years ago. I do not question Mr. Rauschnig's good faith, but admittedly he is purporting to record conversations which took place long ago, and we all know with what skepticism all such alleged evidence must be regarded.

Moreover, there is every reason to believe that if Hitler should win this war, as I do not expect him to do, his ambitions will be directed not against the United States but in the opposite direction. It is the oil supply of Iran and Iraq, it is the foodstuffs of the Balkans and the Ukraine, that Germany most covets. As a matter of fact, Mr. President, the one clear indication that Hitler has given as to what his future ambitions might be came in his speech before the Nazi Party congress at Nuremberg, in which he boasted as to how strong he could make Germany if he could expand the Reich to take in the Ukraine. If Hitler's ambitions in the Balkans, in Russia, and the Near East were satisfied, even then there would remain just across the Mediterranean the untold and unexploited wealth of Africa to be had much more easily than anything he could hope to gain in the New World. Then why should we expect him to launch an attack against America when those great African colonial possessions will lie there for his taking and exploiting if he wins this war?

Now, permit me one final word, Mr. President, on the question of a possible invasion. This also I know will sound foolish to professional military and naval men, but it must be considered because there are Americans so jittery, so hysterical, today that they consider it a real threat. I am talking now about the possibility of an invasion by Japan. Yesterday afternoon we heard on this floor the suggestion made that Japan might send an army to Alaska, and then come down through Alaskan waters, or over the Alaskan trails, and invade this country from the Pacific Northwest. Is there any possibility that Japan could make war

upon us in this fashion? Emphatically not.

As long ago as 1924 a certain American who regards himself as an authority on naval affairs wrote an article in *Asia* magazine, in which he said that any attempt at hostilities between Japan and this country would end in a deadlock, with Japan and the United States making faces at one another across a no-man's water as broad as the Pacific. That sizes up the prospect in the Pacific very, very well. The author of that article was Franklin D. Roosevelt. Obviously, Mr. President, Japan has no bases from which it could launch any air attack across the Pacific, and obviously, what I have already said as to there being no trans-Atlantic bombing squadrons that could bomb this country from the air, applies even more to the situation in the Pacific, where there are no trans-Pacific bombing squadrons which we need to fear.

On all counts, therefore, this fear of an invasion from Germany, or from Japan, can be dismissed as a figment of the imagination—a bogey conjured up and kept alive in an effort to produce that mood of hysteria and fear in which it would be possible to put over such a bill as this H. R. 1776 dictatorship-war measure.

This, then, Mr. President, is the first of the great fears that have been fostered, that are being spread abroad among the American people by all the arts of propaganda, by statements from the White House, by speeches by some Members of Congress, by articles by newspaper columnists, and by editorials in the press, by roving lecturers, and by those who for any reason want to stampee the country into the passage of such a bill as this, and so to involve the Nation in war.

But there is another great fear which is also being aroused among us, and for identically the same reasons. That is the fear of an aggressor nation.

Mr. President, I am not desirous of hogging the floor tomorrow noon, but in this discussion of our anger toward aggressors I want more time than I shall be able to take tonight. I am frank to say that I do not mean to ask for the floor tomorrow noon, but I shall reserve the right to offer that remaining argument at another time.

#### EXHIBIT A

NEW POLICY TO FUNCTION MARCH 15—72,000  
RECRUITS TO GRADUATE ANNUALLY, ALL 21-  
YEAR-OLDS—CUT IN NUMBER

(By R. A. Farquharson, Staff Writer, the  
Globe and Mail)

OTTAWA, February 3.—Every physically fit single Canadian will be called up for 4 months' military training when he reaches the age of 21, Prime Minister Mackenzie King announced tonight. As forecast in the *Globe and Mail* today, there will be no more 30-day training camps.

Exemptions will not be permitted, Mr. King said. Postponements, however, may be allowed on principles to be worked out by the boards of review in the different districts.

Under the new arrangement, only those of 21 years will receive compulsory training unless circumstances alter materially, or the numbers in this age group prove unexpectedly small, Mr. King stated.

About 6,000 to 6,500 men will be called up each month, commencing on March 15. The



first graduates will be turned out July 15 and a class will graduate each month thereafter. When the program reaches full capacity there will be 24,000 in the training centers at one time.

#### PLAN 72,000 A YEAR

Once in full swing, the 4-month camp will graduate a minimum of 72,000 soldiers a year if it is possible to handle 12 classes a year. In the 30-day scheme only 8 classes a year were planned. The figure of 6,000 a month is expected to be stepped up steadily.

Mr. King's statement admitted the two chief criticisms made against the 30-day camps—that the time was too short for proper training and that taking 250,000 men away for a month at a time had a "disturbing effect on war industry, and tends to lower war production, which at present is essential to the war effort."

National War Services Minister Gardiner argued for some time that industry could take the 30-day camps comfortably in its stride.

Mr. King said that while it had always been recognized that 30 days was too short, it was felt that the short training period would give a "large number of Canadians a conception of their national obligations" and be a basis for more intensive training if necessary later. At the time "the equipment position did not make a longer period of training possible."

#### SITUATION CHANGED

Now that equipment can be provided for more advanced training, the situation has changed.

"To make the best possible use of Canadian manpower," said Mr. King, "it is considered that it would be preferable, both from the viewpoint of defense and from the point of view of war production, to call up fewer men and give those called up longer and more thorough training."

After investigation overseas, Defense Minister Ralston had come to the conclusion, Mr. King stated, "that 4 months is the minimum of time in which a man can be given effective military training sufficient to qualify him to take his place in a unit for defense within Canada, if that necessity were to arise."

Mr. King expressed the opinion that the three camps held so far have been very definitely successful, and the support which the camps have received from the public has been most gratifying.

The third and last of the 30-day camps is now in progress. The delay in calling the new recruits is to afford opportunity for a reorganization of the training centers and the training of instructional personnel, particularly those for the advanced classes.

The 4-month period, Mr. King stated, will be divided into basic training for 2 months and advanced training for a further 2 months. An opportunity will be given at the end of the first 2 months for recruits to volunteer for active service in the navy or the air force.

"The others will go to advanced training schools, where special instruction will be given in the particular arm of the service (Infantry, Artillery, Signals, Army Service Corps, Ordnance, etc.) to which they are posted," he said.

#### LIABLE TO RECALL

At the end of the 4 months, Mr. King said, the recruit will be posted to a reserve unit and will return to civil life, "unless he desires to volunteer and is accepted for some active unit in which there is a suitable vacancy." The recruit, however, is always liable to recall if he should be required for service in Canada or for additional training.

Because of their age, the Government expects that a number of those returning from the training schools will enter youth-training schemes and qualify for work in connection with war production.

To provide sufficient accommodation for both basic and advanced training, the present Reserve Army training centers (30-day

camps) and the present active Army training centers will be combined.

Volunteers for active service and recruits under the Mobilization Act will go together to the basic-training centers for the first 2 months. Total accommodation in basic and advanced centers is estimated at 40,000.

#### ENOUGH 21-YEAR-OLDS

National registration showed that there are enough men in Canada turning 21 to fill the present progressive requirements of the 4-month training scheme.

There are 91,000 single men now 21 years of age, but most of these who are physically fit have already gone to 30-day camps. The cut-off date in national registration was July 1, 1940. As there were 96,000 single men then 20 years of age, enough have turned 21 to meet requirements.

The only question is how many of these men will pass the physical tests. For 30-day camps only those below C-1 were not called, and even with this wide range many were rejected. It is reported that a number of the recruits in category C-1 failed to stand up under 30-day training. Hence, it is likely that before entering a longer course the categories will be raised.

To simplify procedure it is now reported that the cut-off date for age may be changed to the calendar year.

The same procedure will be followed in calling up recruits that was used with the 30-day camps. The men will be examined by their own physicians and given transportation to camp if they pass their tests. While 8 percent of those passed by civilian doctors were later rejected by camp doctors, officials point out that this was nearly twice as good a showing as in the United States. There 15 percent were rejected after reaching camp.

#### GO TO SERVICE CAMPS

It is likely that existing 30-day camps will be used for the first 2 months of training, but after that the recruits will be sent to large active-service camps. Men who choose to specialize in artillery under this system would go to Petawawa; signallers to Barriefield, and so on.

A number of 30-day camps will not be used for recruits under the Mobilization Act, but the national-defense department plans to make use of them for other purposes.

Mr. King's statement was interpreted as meaning that 4-month recruits would be trained side by side with active servicemen. There is known to have been considerable debate over this point and full details of the system to be followed are not yet worked out.

In choosing the men to enter the first class, seasonal occupations will be considered. Young farmers will miss both seeding and haying if they are called, and it is likely that those who ask will be granted postponements until fall.

It is understood that there will be no time-lag between the graduating class and the new class of recruits under the new system. This will mean that there will be a minimum of 36,000 men given 4 months' training by December 15 next.

All told, some 80,000 will have graduated from the three 30-day classes by the middle of February. It is not believed that 21-year-olds who have graduated from the short course will be asked to take the long one, although this point has not been definitely decided.

For purposes of training any man not married by July 15 last is judged to be single.

Mr. BROWN obtained the floor.

Mr. BARKLEY. Mr. President, will the Senator yield to me?

Mr. BROWN. I yield to the Senator from Kentucky. I wish it to be understood now that I have the floor; then I

shall be glad to yield to the Senator from Kentucky.

The PRESIDING OFFICER. The Senator from Michigan has the floor. Does the Senator yield to the Senator from Kentucky?

Mr. BROWN. I yield to the Senator from Kentucky.

Mr. BARKLEY. I understand there is no Executive Calendar. Therefore at this time it is my purpose to move that the Senate recess until 12 o'clock tomorrow.

Mr. CLARK of Missouri. Mr. President, will the Senator withhold that motion for a moment?

Mr. BARKLEY. Yes.

Mr. BROWN. I understand I have the floor. I expect to occupy it tomorrow for a short time.

Mr. CLARK of Missouri. Mr. President will the Senator from Michigan yield to me?

Mr. BROWN. I yield.

Mr. CLARK of Missouri. I wish to ask the Senator from Michigan or the Senator from Kentucky whether it is the purpose of the proponents of the bill to occupy the floor tomorrow?

Mr. BROWN. Yes.

Mr. BARKLEY. The Senator from Michigan [Mr. Brown], I understand, will speak tomorrow. I do not know of any other proponent who will speak tomorrow.

Mr. CLARK of Missouri. Mr. President, will the Senator further yield?

Mr. BROWN. I yield.

Mr. CLARK of Missouri. May I say that it has been my understanding, from conversations with the Senator from Kentucky, that it was not the purpose of the proponents of the bill to occupy the floor at this time. Proponents have raised the dust because opponents to the measure have not occupied the floor more constantly and for longer hours. If it is the purpose of the proponents of the bill to occupy the floor tomorrow I shall be very glad to have them do so. It was my understanding that tomorrow the Senator from New Mexico [Mr. CHAVEZ] would occupy the floor for some time. At least that was my understanding.

Mr. BARKLEY. I will say that the Senator from New Mexico and the Senator from Michigan were both on the list of Senators to occupy time today. They have an understanding between them that the Senator from Michigan will proceed tomorrow, and that the Senator from New Mexico will follow him.

Mr. BROWN. That is my understanding.

Mr. BARKLEY. Assuming, of course, that they both obtain recognition from the Chair.

Mr. CLARK of Missouri. So far as the opponents of the bill are concerned, let me say that we are perfectly willing to have any arrangement made that may be agreeable to those who wish to proceed on the bill, and I hope that the Senator from Kentucky will not then rise again, as he did the other day, and say that the opponents of the bill are not willing to go forward.

Mr. BARKLEY. Mr. President, if the Senator will permit me to say so, I made no statement that the opponents of the bill were not willing to go forward. I



never said anything that could be so interpreted.

Mr. CLARK of Missouri. The Senator from Kentucky certainly did on Saturday afternoon.

Mr. BARKLEY. The Senator refers, I suppose, to a suggestion that was made early this week. That is the only thing I said about it. The opponents have occupied most of the time this week. I have not complained about that; but now and then we have a speech in favor of the bill, and it has been generally understood that if the time should come when the opponents of the bill were not occupying the floor, we might sandwich in a speech favoring the bill.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. BROWN. I yield.

Mr. CHAVEZ. It is my purpose to try to obtain the floor immediately after the Senator from Michigan shall have concluded his remarks tomorrow, not as representing the opponents of the bill or the proponents of the bill, but representing the Senator from New Mexico only.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. BROWN. I yield.

Mr. CLARK of Missouri. The Senator from New Mexico has cleared up everything I wished to discuss. I simply wish to reiterate that I do not desire the Senator from Kentucky to repeat what he said Saturday night, that we have not been prepared to go forward at any time.

Mr. BARKLEY. Mr. President, there is no use in arguing over what I said Saturday night. The RECORD shows what I said. Nothing I said Saturday could be interpreted as indicating the unwillingness of the opponents of the bill to go forward. I think the RECORD up to this time justifies me in saying that they are willing to go forward—indeinitely, I am afraid.

#### EXECUTIVE MESSAGE REFERRED

The PRESIDING OFFICER (Mr. KILGORE in the chair), as in executive session, laid before the Senate a message from the President of the United States submitting sundry nominations in the Marine Corps, which was referred to the Committee on Naval Affairs.

(For nominations this day received, see the end of Senate proceedings.)

#### RECESS

Mr. BARKLEY. I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 6 o'clock and 10 minutes p. m.) the Senate took a recess until tomorrow, Thursday, February 27, 1941, at 12 o'clock meridian.

#### NOMINATIONS

Executive nominations received by the Senate February 26 (legislative day of February 13), 1941:

##### PROMOTIONS IN THE NAVY

###### MARINE CORPS

The following-named first lieutenants to be captains in the Marine Corps from the 14th day of August 1939:

Robert E. Cushman, Jr. Charles O. Bierman  
Robert A. Black Frederick A. Ramsey, Jr.

William N. McGill Carl A. Laster  
Kenneth D. Kerby Leonard K. Davis  
Charles W. Shelburne Elmer T. Dorsey  
Richard G. Weede Merlyn D. Holmes

The following-named first lieutenants to be captains in the Marine Corps from the 1st day of October 1939:

Lewis J. Fields Edwin P. Pennebaker, Jr.  
Harvey S. Walseth  
Bruce T. Hemphill Bernard E. Dunkle

First Lt. Dixon Goen to be a captain in the Marine Corps from the 1st day of November 1939.

First Lt. Floyd R. Moore to be a captain in the Marine Corps from the 12th day of December 1939.

First Lt. Chevey S. White to be a captain in the Marine Corps from the 1st day of January 1940.

The following-named first lieutenants to be captains in the Marine Corps from the 1st day of April 1940:

Marvin H. Floom Willard C. Fiske  
Richard E. Thompson James G. Frazer

The following-named first lieutenants to be captains in the Marine Corps from the 1st day of July 1940:

Carey A. Randall Kenneth D. Bailey  
Ronald B. Wilde Raymond L. Murray  
Gould P. Groves John S. Oldfield  
Wilmer E. Barnes Julian F. Walters  
Ralph L. Houser Herbert R. Amey, Jr.

The following-named first lieutenants to be captains in the Marine Corps from the 8th day of July 1940:

Peter J. Negri Custis Burton, Jr.  
Elmer E. Brackett, Jr. Harold G. Walker  
William T. Fairbourn Bruno A. Hochmuth

##### APPOINTMENTS AND PROMOTIONS IN THE NAVY

The following-named officers of the Naval Reserve to be lieutenant commanders in the Navy, to rank from the 1st day of January, 1940:

Edward H. Eldredge  
Malcolm M. Cloukey  
John J. Shea

The following-named officers of the Naval Reserve to be lieutenants in the Navy, to rank from the date stated opposite their names:

Ross F. Mahachek, April 30, 1938.  
Clinton DeW. Case, April 30, 1938.  
John T. Workman, May 21, 1938.  
John R. Diffley, June 24, 1938.  
Victor W. Randecker, July 24, 1938.  
Hal K. Edwards, January 1, 1939.  
Hayes E. Irons, January 1, 1939.  
Sanford LaM. Mead, February 15, 1939.  
Morris A. Hirsch, July 2, 1939.  
Darwin McC. Wischaupt, July 22, 1939.  
Robert E. Hess, Jr., July 22, 1939.  
John G. Lewis, August 1, 1939.  
Carl F. Nieberle, August 2, 1939.  
Frank P. Brown, November 22, 1939.  
Frank F. Gill, December 6, 1939.  
Wayne O. Smith, February 27, 1940.  
Thomas W. Wagner, May 17, 1940.  
Vernon Williams, July 2, 1940.

The following-named officers of the Naval Reserve to be lieutenants (junior grade) in the Navy, to rank from the date stated opposite their names:

James T. Moynahan, August 29, 1938.  
Joseph W. Antonides, August 29, 1938.  
Alberto C. Emerson, August 29, 1938.  
James G. Sliney, August 29, 1938.  
Arthur N. Kelly, September 4, 1939.  
Elliott M. West, September 4, 1939.  
Vincent F. Casey, September 4, 1939.  
John J. Lynch, September 4, 1939.  
Edgar E. Stebbins, October 1, 1939.  
Jack B. Dawley, October 1, 1939.  
Harry E. Cook, Jr., October 1, 1939.  
Joseph A. Gage, Jr., October 1, 1939.  
James O. Taylor, October 1, 1939.  
Thurber W. Royer, October 1, 1939.  
Bruce L. Harwood, October 1, 1939.  
Forrest A. Roby, Jr., October 1, 1939.  
George R. Henry, October 1, 1939.  
Brendan J. Moynahan, October 1, 1939.

James C. Owens, Jr., November 1, 1939.  
Vivien W. Welch, November 1, 1939.  
Ben Moore, Jr., November 1, 1939.  
James W. Robb, Jr., November 1, 1939.  
Gordon D. Cady, December 1, 1939.  
John P. Sager, December 1, 1939.  
William H. Hilands, December 1, 1939.  
Hawley Russell, December 1, 1939.  
Paul C. Griggs, January 1, 1940.  
John H. Pennoyer, January 1, 1940.  
William F. Eadie, January 1, 1940.  
Charles J. Eastman, January 1, 1940.  
Aram Y. Parunak, January 1, 1940.  
Alfred L. Gurney, January 1, 1940.  
Julian T. Bollinger, January 1, 1940.  
George W. Ellenberg, January 1, 1940.  
James D. Adam, March 1, 1940.  
Marvin B. Miller, March 1, 1940.  
Gordon E. Bolser, March 1, 1940.  
James W. Klopp, March 1, 1940.  
Eugene R. Dare, March 1, 1940.  
Francis F. Hebel, March 1, 1940.  
Langdon K. Fieberling, March 1, 1940.  
Robert O. Anderson, March 1, 1940.  
Thomas B. Bradbury, March 20, 1940.  
William C. Dunn, April 1, 1940.  
Howard M. Avery, April 1, 1940.  
Raymond C. Bales, April 1, 1940.  
Robert L. Eldridge, April 1, 1940.  
William G. Von Bracht, April 1, 1940.  
Alfred Wilstam, April 1, 1940.  
Richard L. Friede, April 1, 1940.  
Alfred I. Boyd, Jr., April 1, 1940.  
Ernest L. Simpson, Jr., April 1, 1940.  
Donald E. McKee, April 1, 1940.  
Richard G. Touart, April 1, 1940.  
Gordon R. Fiss, May 1, 1940.  
Floyd E. Miller, May 1, 1940.  
George W. Snider, August 1, 1940.  
Justus U. Steele, August 1, 1940.  
Harold A. Sommer, August 1, 1940.  
Joseph R. Wood, August 1, 1940.  
Edward Sternlieb, August 1, 1940.  
Jesse A. Wilcox, August 1, 1940.  
Raymond L. Smith, August 1, 1940.  
William F. Brewer, August 1, 1940.  
Otto A. Finley, September 1, 1940.  
Charles Wayne, September 1, 1940.  
Douglas G. Parker, September 1, 1940.  
Kenneth E. Wright, September 1, 1940.  
Roger C. Santee, September 1, 1940.  
William R. Lipscomb, September 1, 1940.  
Michael T. Leonard, September 1, 1940.  
Roland L. Willett, September 1, 1940.  
Frederick A. Brown, Jr., October 1, 1940.  
John A. Ferguson, October 1, 1940.  
Frank H. Browning, Jr., October 1, 1940.  
John O. Rush, Jr., October 1, 1940.  
Edward M. Owen, October 1, 1940.  
Calder Atkinson, October 1, 1940.  
Neil C. Porter, October 1, 1940.  
Robert W. Slye, October 1, 1940.  
Ralph A. Fuoss, October 1, 1940.  
Carl D. Simonson, October 1, 1940.  
Sam E. Clark, Jr., October 1, 1940.  
Bernard W. Dunlop, October 1, 1940.  
Vincent L. Hathorn, October 1, 1940.  
Herbert K. Bragg, October 17, 1940.  
James E. W. Whitener, October 31, 1940.  
Willoughby Mercer, November 1, 1940.  
Roger R. Hedrick, November 1, 1940.  
William J. Scarpino, November 1, 1940.  
Edward M. Morgan, November 1, 1940.  
Gerard S. Bogart, November 1, 1940.  
Thomas E. L. McCabe, November 1, 1940.  
Elwood N. Chase 2d, November 1, 1940.  
Arthur B. Sweet, November 1, 1940.  
Walter M. Vincent, November 1, 1940.  
Robert C. Thorburn, November 1, 1940.  
Bernard D. Mack, November 1, 1940.  
William A. Hood, Jr., November 1, 1940.  
Lawrence C. French, November 1, 1940.  
Arthur M. Ershler, November 1, 1940.  
Fred H. Simpson, November 1, 1940.  
Robert E. Laub, December 1, 1940.  
Harry H. McClain, December 1, 1940.  
Hart D. Hilton, December 1, 1940.  
Percival W. Jackson, December 1, 1940.  
John L. Hyde, December 1, 1940.  
Robert MacK. Bruning, Jr., December 1, 1940.



James H. Armstrong, December 1, 1940.  
 George H. Carter, December 1, 1940.  
 Joe H. Arnold, December 1, 1940.  
 Donald B. Ingerslew, December 1, 1940.  
 Leonard J. Check, December 1, 1940.  
 James F. Voorhies, December 1, 1940.  
 James W. Lenney, December 12, 1940.  
 Edwin T. Hughes, December 26, 1940.  
 Adrian H. Perry, January 1, 1941.  
 John G. Waldmann, January 1, 1941.  
 Thomas F. Pollock, January 1, 1941.  
 Morris D. Burns, January 1, 1941.  
 Frederick L. Curtis, January 1, 1941.  
 Orville A. Olstad, January 1, 1941.  
 Marshall U. Beebe, January 1, 1941.  
 Fred L. Bates, January 1, 1941.  
 William Freeman, January 1, 1941.  
 William S. Robinson, January 1, 1941.  
 Franklin B. Hopkins, January 1, 1941.  
 Henry E. McNeely, January 1, 1941.  
 Radcliffe Denniston, Jr., January 1, 1941.  
 Valdemar G. Lambert, January 1, 1941.  
 James S. Wilson, January 1, 1941.  
 Raymond J. Pflum, January 3, 1941.  
 Robert A. Winston, January 15, 1941.

The following-named officers of the Naval Reserve to be ensigns in the Navy, to rank from the 1st day of June 1939:

Robert M. Freeman	Charles A. Van Dusen, Jr.
John P. French	Clarence E. Olson
George S. Friend	John J. Worner
Wade E. Bertram	George W. Smith
James C. Wootton	Robert H. Wood
Marion S. Alexander	Delbert M. Minner
Howard W. Crews	Charles LeR. Lambing
Carl H. Horenburger	Frederick C. Bamman, Jr.
Jess W. Barnes	Jack L. Shoenhair
Harold N. Funk	Richard J. Davis
Clark F. Rinehart	Philip F. Bankhardt
Roy M. Plott	Eugene N. Webb
John F. Spivey, Jr.	Robert M. Harper
Edward J. Murphy	Earle J. McConnell
Harold P. Gerdon	William H. Munson
Lloyd E. Parker	William O. Carlson
Franklin J. Martin	Duncan A. Campbell
Rolla S. Lemmon	Myron P. Fishel
James D. Arbes	John R. Mackroth
Arthur J. Brassfield	George D. M. Cunha
Maurice A. Peters	Robert C. Lefever
Robert H. Price	Winford O'N. Moore
Kenneth P. Hance	Mark M. Bolin
Jacob W. Onstott	Ralph H. Fletcher
Charles E. Roemer	James D. Wright
Charles R. Tassan	Charles W. Kinsella
Chandler W. Swanson	Frank L. Butters
William H. Davison	William G. Logan, Jr.
Chester H. Skidmore	Kenneth W. Coffey
2d	John N. West
Robin M. Lindsey	Dick H. Rice
Thomas S. White	Howard L. Johnson
Ned L. Broyles	Thomas W. Collins, Jr.
Paul F. Goodwin	Richard J. Teich
William E. Row-	Charles E. Ingalls, Jr.
botham	Leroy V. Swanson
William H. McRee	Wilbur J. Wehmeyer
Alvin C. Berg	Mervin J. Berg
Charles D. Ash	Carleton T. Fogg
Earl W. Miller	Gaylord B. Brown
Billy V. Gates	Morris R. Doughty
Beecher Snipes	Emory R. Coffman
Otto F. Meyer, Jr.	Richard LeR. Summers
Robert H. McKown	DeVon McC. Hizer
Hal F. Perrenot	Leslie A. Pew
Lacy L. McColloch	Howard M. Gottschall
Jesse L. Pennell	Glen B. Butler
James F. Rigg	
John B. Honan	

The following-named officers of the Naval Reserve to be ensigns in the Navy, to rank from the date stated opposite their names:

Frank G. Jones, August 19, 1939.  
 Hayden M. Jensen, August 19, 1939.  
 William O. Powell, Jr., August 19, 1939.  
 Stanley W. Vejtasa, August 19, 1939.  
 John C. Bower, Jr., August 19, 1939.  
 Lincoln C. Koch, August 19, 1939.  
 Earl V. Johnson, August 19, 1939.  
 Charles A. Iarrobino, August 19, 1939.  
 Jacob J. Maechtlen, Jr., August 19, 1939.  
 Nils R. Larson, August 19, 1939.

John G. Sheridan, August 19, 1939.  
 James G. Daniels 3d, August 19, 1939.  
 Richard S. Roberts, August 19, 1939.  
 Edward T. Deacon, August 19, 1939.  
 John H. R. Fehler, August 19, 1939.  
 Gayle L. Hermann, August 19, 1939.  
 Charles M. King, August 19, 1939.  
 Richard W. Fleck, August 19, 1939.  
 Ernest C. Peterson, August 19, 1939.  
 Robert G. Tills, September 4, 1939.  
 Perry L. Teaff, September 4, 1939.  
 Henry Blunt, September 4, 1939.  
 Robert W. Robbins, September 4, 1939.  
 Minuaird F. Jennings, September 4, 1939.  
 Walter G. Barnes, Jr., September 4, 1939.  
 Wilfred H. Genest, September 4, 1939.  
 John J. Van Buren, September 4, 1939.  
 Samuel L. Prickett, Jr., September 4, 1939.  
 Herbert S. Brown, Jr., October 1, 1939.  
 Charles D. Huston, October 1, 1939.  
 Joseph G. Smith, October 15, 1939.  
 Frank Malinasky, October 15, 1939.  
 Wesley H. Ruth, October 15, 1939.  
 William T. Sutherland, October 15, 1939.  
 William F. Payson, October 15, 1939.  
 Richard W. Suesens, October 15, 1939.  
 Albert D. Pollock, Jr., October 15, 1939.  
 William Godwin, October 15, 1939.  
 Rondo J. Law, October 15, 1939.  
 David A. Eldred, October 15, 1939.  
 George O. Wood, October 15, 1939.  
 Donald C. Coy, October 15, 1939.  
 Lloyd Thomas, October 15, 1939.  
 Jerry F. Daniels, Jr., October 20, 1939.  
 Richard J. Craig, October 20, 1939.  
 Dexter C. Rumsey 2d, October 20, 1939.  
 Edward F. Harschutz, October 20, 1939.  
 Charles C. Hoffman, October 20, 1939.  
 Spencer D. Wright, October 20, 1939.  
 Paul J. Knapp, October 20, 1939.  
 Maurice S. Smith, October 20, 1939.  
 Henry G. McDonough, October 20, 1939.  
 Erwin G. Schwab, October 20, 1939.  
 John K. Sloatman, Jr., October 20, 1939.  
 Russell G. Albright, October 20, 1939.  
 Wilbur Y. Morton, October 20, 1939.  
 Douglas W. Norris, October 20, 1939.  
 Oliver P. Johnstone, October 20, 1939.  
 Edward T. Hogan, October 20, 1939.  
 Rolland L. Hastreiter, October 20, 1939.  
 Robert W. Lund, October 20, 1939.  
 Orville D. Kellett, October 20, 1939.  
 David C. Carmichael, October 20, 1939.  
 William Cole, November 1, 1939.  
 Homer H. Hutcheson, November 1, 1939.  
 Thomas B. Ellison, November 1, 1939.  
 Harold N. Heisel, November 1, 1939.  
 Carl W. Rinehart, November 1, 1939.  
 Max E. E. Woyke, November 1, 1939.  
 Paul T. Weber, November 1, 1939.  
 Raymond A. Robinson, November 1, 1939.  
 Harold A. Robinson, November 1, 1939.  
 Gordon N. Owens, November 1, 1939.  
 Benjamin H. Troemel, November 1, 1939.  
 Leonard B. Smith, November 1, 1939.  
 Whitney Wright, November 20, 1939.  
 Joseph L. Hall, November 20, 1939.  
 William T. Hardaker, November 20, 1939.  
 William Janeshek, November 20, 1939.  
 Langford W. Bates, November 20, 1939.  
 John H. L. Vogt, Jr., November 20, 1939.  
 Winford A. Swenson, November 20, 1939.  
 Guy Howard, November 20, 1939.  
 John E. Odell, Jr., November 20, 1939.  
 Robert U. Nolen, November 20, 1939.  
 Carlton H. Clark, November 20, 1939.  
 Joseph M. Kellam, November 20, 1939.

#### CONFIRMATIONS

Executive nominations confirmed by the Senate February 26 (legislative day of February 13), 1941:

#### APPOINTMENTS IN THE NAVY

NOTE.—For a list of appointments in the Navy which were confirmed today, see appointments in the Navy, under the caption "Nominations," in the proceedings of today.

## HOUSE OF REPRESENTATIVES

WEDNESDAY, FEBRUARY 26, 1941

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Most gracious Lord, we praise Thee that Thou art the God in the star, in the flesh, and in the human soul. We realize that he who aspires to reach Thy throne must pass over the dull hills of earth and here find his lowly duty. At Thy holy feet we humbly bow in the spirit of penitence and confession; seeking and serving Thee we are made stronger and clothed with self-restraint. O Divine One, nourish us with a faith that is larger than patriotism, deeper than life, and braver than death; be Thou unto us the Saviour of the beatitudes, teaching us that love is worth its pain, trust its doubt, and failure its heartache. How firm, how strong, and how sovereign the manhood that looks, lives, and breathes through Thee. We pray that the liberties, opportunities, and the richest blessings of our people may be safeguarded by the wise service of the Congress. Make us helpers on the great roadways of life with thoughts, aspirations, and sacrificial tasks that flow from lives enriched by the rhythm of unearthly peace. In our Blessed Redeemer's name. Amen.

The Journal of the proceedings of yesterday was read and approved.

#### MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate insists upon its amendments to the bill (H. R. 3204) entitled "An act making additional appropriations for the fiscal year 1941 urgently required for the Work Projects Administration and certain other Federal agencies, and for other purposes," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. ADAMS, Mr. GLASS, Mr. McKELLAR, Mr. HAYDEN, Mr. BYRNES, Mr. NYE, and Mr. LODGE to be the conferees on the part of the Senate.

#### DISTRICT OF COLUMBIA COMMITTEE

Mr. MARTIN of Massachusetts. Mr. Speaker, I offer a resolution and ask for its immediate adoption.

The Clerk read as follows:

#### House Resolution 109

*Resolved*, That OREN S. COPELAND, of Nebraska, be, and he is hereby, elected to the District of Columbia Committee of the House of Representatives.

The resolution was agreed to.

#### RESIDENT COMMISSIONER FROM PUERTO RICO

The SPEAKER laid before the House the following letter from the Clerk of the House:

#### OFFICE OF THE CLERK,

#### HOUSE OF REPRESENTATIVES,

Washington, D. C., February 26, 1941.

The honorable the SPEAKER,

House of Representatives.

SIR: The certificate of election in due form of law of Hon. BOLIVAR PAGÁN as Resi-



ex. 27







# H. R. 1776

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## IN THE SENATE OF THE UNITED STATES

FEBRUARY 27 (legislative day, FEBRUARY 13), 1941

Ordered to lie on the table and to be printed

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## AMENDMENT

Intended to be proposed by Mr. GILLETTE to the bill (H. R. 1776) further to promote the defense of the United States, and for other purposes, viz:

1       On page 5, line 4, after the words "Neutrality Act of  
2 1939", and before the period, insert the following: "or the  
3 carrying of any passengers or any articles or materials by  
4 any American vessel, as defined in such Act of 1939, to  
5 any foreign country in violation of section 2 (a) of such  
6 Act of 1939".



77TH CONGRESS  
1ST SESSION

# H. R. 1776

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## AMENDMENT

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Intended to be proposed by Mr. GULLETTE to the bill (H. R. 1776) further to promote the defense of the United States, and for other purposes.

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FEBRUARY 27 (legislative day, FEBRUARY 13), 1941

Ordered to lie on the table and to be printed



# H. R. 1776

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IN THE SENATE OF THE UNITED STATES

FEBRUARY 27 (legislative day, FEBRUARY 13), 1941

Ordered to lie on the table and to be printed

---

## AMENDMENT

Intended to be proposed by Mr. GILLETTE to the bill (H. R. 1776) further to promote the defense of the United States, and for other purposes, viz:

- 1       On page 2, lines 14 and 15, strike out the words "Not-
- 2       withstanding the provisions of any other law, the" and
- 3       insert in lieu thereof the word "The".



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## AMENDMENT

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Intended to be proposed by Mr. GILLETTE to the bill (H. R. 1776) further to promote the defense of the United States, and for other purposes.

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FEBRUARY 27 (legislative day, FEBRUARY 13), 1941  
Ordered to lie on the table and to be printed











77<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 1776

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IN THE SENATE OF THE UNITED STATES

FEBRUARY 28 (legislative day, FEBRUARY 13), 1941

Ordered to lie on the table and to be printed

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## AMENDMENTS

Intended to be proposed by Mr. VANDENBERG to the bill (H. R. 1776) further to promote the defense of the United States, and for other purposes, viz:

- 1 On page 3, line 7, strike out the words "value of defense".
- 2 On page 3, line 10, add at the end the following words:
- 3 "in replacement value".



# H. R. 1776

## AMENDMENTS

Intended to be proposed by Mr. VANDENBERG to the bill (H. R. 1776) further to promote the defense of the United States, and for other purposes.

FEBRUARY 28 (legislative day, FEBRUARY 13), 1941  
Ordered to lie on the table and to be printed



# H. R. 1776

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## IN THE SENATE OF THE UNITED STATES

FEBRUARY 28 (legislative day, FEBRUARY 13), 1941

Ordered to lie on the table and to be printed

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## AMENDMENT

Intended to be proposed by Mr. MALONEY to the bill (H. R. 1776) further to promote the defense of the United States, and for other purposes, viz: On page 5, between lines 4 and 5, insert the following new subsection:

1       (f) Except in time of war, no member of the land  
2 or naval forces of the United States and no naval vessel  
3 or military or naval aircraft shall be permitted to enter or  
4 travel through any combat area defined as such in any  
5 proclamation of the President issued pursuant to section 3 of  
6 the Neutrality Act of 1939; but nothing in this subsection  
7 shall be construed to prohibit (1) any member of the land  
8 or naval forces from acting as an observer or in a similar  
9 noncombatant capacity, or (2) the use of any naval vessel or  
10 aircraft to assist in the evacuation of citizens of the United  
11 States who are in any foreign country under the authority  
12 of the Department of State.



77TH CONGRESS  
1ST SESSION

# H. R. 1776

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## AMENDMENT

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Intended to be proposed by Mr. MAHONEY to the bill (H. R. 1776) further to promote the defense of the United States, and for other purposes.

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FEBRUARY 28 (legislative day, FEBRUARY 13), 1941  
Ordered to lie on the table and to be printed



# LETTER FROM SENATOR BONE ON THE POWER QUESTION

[Mr. BONE asked and obtained leave to have printed in the RECORD a letter written by him to the citizens of the State of Washington respecting the power question, which appears in the Appendix.]

## ADDRESS BY WILLIAM C. BULLITT TO OVERSEAS PRESS CLUB

[Mr. GUFFEY asked and obtained leave to have printed in the RECORD an address delivered by Hon. William C. Bullitt before the annual banquet of the Overseas Press Club of America at the Waldorf-Astoria Hotel, New York, on February 27, 1941, which appears in the Appendix.]

## AWARD OF CONTRACTS UNDER NATIONAL DEFENSE PROGRAM

[Mr. TRUMAN asked and obtained leave to have printed in the RECORD an editorial from the St. Louis Post-Dispatch of February 22, 1941, entitled "Light on Defense Spending Methods"; an editorial from the Washington Post of February 24, 1941, entitled "Investigating Defense"; an editorial from the Kansas City Star of February 25, 1941, entitled "Look Into the Charges"; and an editorial from the New York Times of February 27, 1941, entitled "A Defense Inquiry," which appear in the Appendix.]

## ANALYSIS OF LEND-LEASE BILL BY AMERICA FIRST COMMITTEE

[Mr. CLARK of Idaho asked and obtained leave to have printed in the RECORD a pamphlet entitled "A Factual Analysis of H. R. 1776," published by the America First Committee of Chicago, Ill., which appears in the Appendix.]

## ARTICLE BY PROF. JOSEPH F. THORNING ON STALIN VERSUS THE AMERICAS

[Mr. TYDINGS asked and obtained leave to have printed in the RECORD an article, entitled "Stalin Versus The Americas," written by Prof. Joseph F. Thorning, Ph. D., and published in the magazine Light, which appears in the Appendix.]

## WORLD DAY OF PRAYER

Mr. DAVIS. Mr. President, this is the World Day of Prayer; and as we are in the midst of discussing a measure which is of the utmost importance to all the world, it is fitting that we should direct our thoughts to the Divine Providence by which we are led.

I rejoice with you that as we discuss the measure before us the accent is constantly on our common desire for peace. Senators for and against the bill are motivated by this common purpose. It is our hope that such action will be taken as will keep our country from embroilment in foreign strife, and quickly lead to the end of war throughout the world.

It has been my privilege during the past 2 years to rise in the Senate on the World Day of Prayer to call attention to the significance of this day. Again I have been requested to speak this word. I ask unanimous consent to have printed in the RECORD at this point, as a part of my remarks, a letter I have received from Miss Myrta Ross, of the Foreign Missions Conference of North America. I also ask consent to have printed in the RECORD a brief excerpt taken from my remarks of last year.

As we turn our hearts to the rising sun of righteousness, let us turn our minds to the practical ways of achieving a just

and lasting peace among ourselves and all nations.

The VICE PRESIDENT. Without objection, the matters referred to by the Senator from Pennsylvania will be printed in the RECORD.

The matters referred to are as follows:

## FOREIGN MISSIONS CONFERENCE OF NORTH AMERICA,

New York, February 24, 1941.

Senator DAVIS,

Washington, D. C.

DEAR SENATOR DAVIS: Recalling that you have in the past years called the attention of our United States Senate to the World Day of Prayer, I write again this year to tell you of this year's plan for Friday, February 28. In 10,000 places in the United States, in 51 countries around the world, for 40 hours—from sunrise in the Fiji Islands to sunset on St. Lawrence Island, off Alaska—men and women will lift their voices in prayer for a just and righteous peace for all mankind.

There will be a national broadcast over Columbia network at 5:30 p. m., eastern time, and over 500 local broadcasts. By short wave the service will be sent around the world.

Will you not lead our Senate again to join in this cycle of prayer? May America be led to protect values that cannot be shattered if we are truly Christians. In a shattered world may we not lose our way among the fragments, but may we be able to guide to the only strength which can save this world.

With deep appreciation of your spirit, Mr. Senator,

Ever so sincerely,

MYRTA ROSS,

National Committee, World Day of Prayer.

## EXTRACT FROM ADDRESS BY SENATOR DAVIS

Mr. President, tomorrow is the World Day of Prayer, and it seems appropriate that we should enter into the quiet spirit of this World Day of Prayer, for surely the truest patriotism is the doorway to the world fellowship we seek. Our good will for our fellow men should begin at home, but it need not stay at home. All over the world today, in every land and sounded in every tongue, is the voice of prayer bidding men to cease from bloodshed and strife and turn their thoughts to nobler ways. This is my sincere hope and prayer as I bring this brief message.

Every day brings to my desk a flood of letters bearing the petition for peace. It seems to me there is no limit to the number of men, women, and children who cannot rest until they have written of their abhorrence of foreign wars, and their desire that our beloved country shall keep the peace. This is an age of public opinion, and we want more, rather than less of it—I am glad that the messages bear the desire for more of good will and peace in the world.

On this, the World Day of Prayer, we should join with all thoughtful men and women everywhere who cherish these noble aspirations and warm sentiments. Let us continue to protect the eternal values of our public life which had their beginnings in the lives of men who believed that religion is the true basis of democracy and the only hope of lasting peace for our Republic.

## EXCESS-PROFITS TAX

Mr. McCARRAN. Mr. President, there will come before the Senate in the not far distant future House bill 3531, having to do with a change in the excess-profits-tax law.

I desire to have inserted in the RECORD at this time a letter addressed by me to Hon. ROBERT L. DOUGHTON, chairman of the House Ways and Means Committee, a copy of which was also addressed to the

Senator from Mississippi [Mr. HARRISON], chairman of the Committee on Finance of the Senate, bearing on the subject of the excess-profits tax as it applies to the products of metalliferous mines in America.

The VICE PRESIDENT. Without objection, it is so ordered.

The letter is as follows:

## UNITED STATES SENATE, COMMITTEE ON APPROPRIATIONS,

February 15, 1941.

Hon. ROBERT L. DOUGHTON,

Chairman, House Ways

and Means Committee,

House Office Building,

Washington, D. C.

MY DEAR CONGRESSMAN: With further reference to our efforts to amend the national-defense excess-profits-tax bill to conform more nearly to conditions as they exist in the American mining industry, I wish to place before your honorable committee some pertinent thoughts which I have heretofore expressed.

The prices for gold and silver are fixed by law, and there can be no increase or decrease in profits because of a change in prices. There can be no additional profits to these companies arising out of war or war conditions or rearmament. The contrary will probably be true, because costs are constantly increasing, due to the increased cost of steel, chemicals, and supplies. Labor conditions must also be taken into consideration, because efficiency is dropping. Skilled mechanics will leave to go into war industries, and they can only be retained by increasing wages. The only alternative is to take inefficient labor, with the resultant loss in efficiency.

I suppose it is too much to expect that these companies will be entirely relieved from the burdens of excess profits, but certainly there should be some changes in the act, and especially a clarification and extension of the provisions which provide for special relief because of so-called abnormalities.

The excess-profits-tax provisions permit of two methods as the basis for the ascertainment of what constitutes excess profits, with some adjustments which are not necessary to enumerate.

1. It taxes as excess profits anything in excess of an 8-percent return on invested capital; or

2. The income basis measured by the average earnings for the years beginning December 31, 1935, and ending December 31, 1939.

If a corporation was not in existence during the entire 48 months of the base period it is awarded a constructive net profit income at the rate of 8 percent of the daily invested capital, as of January 1, 1940, and for the remainder of the base period it may average its income. With some adjustments as stated, the basis for excess profits, therefore, is anything in excess of 8 percent on invested capital, or anything greater than the average of 4 years' profits. Both of these methods are extremely unfair to gold- and silver-mining companies.

## AS TO INVESTED CAPITAL

The invested-capital method is unfair for several reasons:

1. Because the amount of invested capital in a gold or silver mine is comparatively small.

2. Because an 8-percent return on capital invested in a gold or silver mine is entirely inadequate, and this is especially true as respects the State of Nevada.

In Nevada it is a known fact that the average productive life of a gold or silver or a gold and silver mine does not exceed 5 years. In Tonopah, with the exception of



one mine (the Tonopah Mining Co.), no mine in the district had a profitable productive life of over 5 years. In Goldfield no mine except the Goldfield Consolidated had a profitable productive life of even 5 years. The Goldfield Consolidated, the only exception, had a profitable productive life of approximately 10 years. It had a capital of \$33,000,000, but distributed during the period but \$29,000,000 in dividends. The capital of Goldfield Consolidated was not fictitious, the stock selling currently for a year or two after organization at approximately \$10 per share. On the celebrated Comstock lode it is doubtful whether any single mine had a profitable productive life of more than 10 years—most of them very much less. These illustrations could be continued indefinitely.

Neither public nor private financing of gold and silver mines can be done upon a basis of an 8-percent return on invested capital, because this means that a mine must have a life of at least 12½ years to repay the capital, and when you take into consideration the normal corporate taxes and the additional taxes levied against the dividends coming to the stockholders it is clear that only in exceptional circumstances will the investor recover his investment, much less a profit, in a precious metal mine upon the basis of an 8-percent return.

#### AS RESPECTS THE INCOME BASIS

The income basis on its face would appear to be fair, but in fact it is extremely discriminatory. Companies which have an earning history for the whole of the base period or longer will pay little or no excess profits tax. The largest silver mine in the United States and the largest gold mine in the United States, neither of which is in Nevada, because of their earning history will pay little, if any, excess profits tax. A penalty, however, is imposed upon new discoveries, new mines, and upon corporations coming into production subsequent to December 1935.

A corporation not in existence during the entire 48 months must take a constructive 8-percent capital return on its investment, as of January 1, 1941, for the year or years not in existence and average its earnings for the other years of the base period.

The vice of this lies in the phrase "not in existence," and in the practical application of the law. It is given no constructive capital investment or constructive earnings during the time it was in existence but not in production.

There is an old phrase "Prospects are found—mines are made," and they are not made in a day or even in a year, and generally not in several years. A discovery is made, and this must be followed by considerable exploratory and development work before the mine can come into production. This is especially true of what is called low-grade mines. In all cases sufficient ore must be developed through workings to justify a plant. When sufficient ores have been developed then the camp, power plant, and other facilities must be erected. This development period, as stated, will run from 1 to 4 years. Generally, it may also be said that the first year of production will be comparatively low, increasing with succeeding years as mechanical and metallurgical difficulties are ironed out. As a general rule, it is during the third year that normal production is reached.

A gold and silver mine corporation should not be liable for excess profits taxes until it has had a profitable production of at least 3 years and, in any event, the years of existence when it is under development and not in production should be excluded, and it should be permitted to take its average earnings after it comes into production.

In the present state of the excess-profits law it is almost impossible to obtain moneys for the development of new mines. The law

is an insuperable obstacle to the risking of capital in new mining enterprises and will continue to be unless it is amended.

I respectfully bespeak the earnest consideration of your honorable committee to expedite the corrective measure which is now before you.

Respectfully,

PAT MCCARRAN.

#### PROMOTION OF NATIONAL DEFENSE

The Senate resumed the consideration of the bill (H. R. 1776) further to promote the defense of the United States, and for other purposes.

Mr. MALONEY. Mr. President, I would have preferred that I should not be called upon to vote on this bill. It is, as we have been told, an extraordinary measure, involving a grant of peacetime powers unknown in the history of this country. But I would be signally blind, if I were not clearly mindful of the fact that we live in strange and dangerous times, where the precedents of the past are but treacherous guides. Never before in my lifetime, and I venture to state never before in the history of this country, has there been let loose upon the world, the driving force of anarchy which has undertaken to impose upon all people a pagan conception called a new order. Only the foolish fail to comprehend the menace of Berlin, Rome and Tokyo, combined for the redistribution of the world.

It would be easy for me to vote "no" on this bill on the ground that we are at peace—that the war is not of our making—and that our adventure in idealism in the last war was an unhappy experience for all of us, if only such thoughts did not strike me as most superficial. They ignore the warning to the West, which Adolf Hitler and his elite guards have given not only in words, but in cold steel and swift conquest.

If this were but a contest for commercial supremacy I would agree with most of the sentiments of the opposition. The American people want no imperialism. They desire most of all the peace which is necessary to human happiness. If we were called upon simply to save England as a nation, and that alone, this bill ought not to become law. But today this country is awakened to what the President has sensed for many years—that a revolution against the established order of the universe is under way, backed by the greatest army in the world history, and led by a group of merciless adventurers.

I am not one who suspects the motives of any opponent of this bill. I think that the opposition is in the main made up of well-meaning, patriotic Americans. I respect their honesty and their patriotism, but I am in conflict with their judgment.

This is a time of crisis—a time when responsibility must be centralized—and a time when action is much more important than debate. With danger revealing itself in a hundred places, it seems to me to be to the best interests of the country that the Chief Executive be given powers which the people have in order that he may use them for the people's protection. To deplore the fact that he would then have extraordinary powers does not seem to me the test as to whether this measure is advisable or not. True, he would have such powers; but has he

shown by a maladministration of the conceded great powers he now possesses that he has the will to dictate? There is no abdication involved in this bill. We are going to be here—while this emergency exists—all of the time, and the bill itself keeps for Congress the power to recapture, without delay, every particle of force and authority therein given.

The measure proposes an unprecedented grant of power, of course, but with that grant there is imposed an equally unprecedented responsibility. A President who seeks the power accepts the responsibility—and dedicates a solemn stewardship, not only to the Congress that grants the power but also to all the American people and the unborn generations of their children. In this hour of crisis I shall cast my vote for the grant of power, because I firmly believe that our President will recognize and faithfully observe the sacred responsibility to exercise the power with prudence and with wisdom.

Many of our countrymen seem to have the impression that this bill is a vote on the question of war or peace. Actually we are at war in a kind of way. It is a war declared upon our right to live as we desire. The totalitarian dictators have themselves—in speeches indirectly aimed at us—declared that war. They say that our way of life must finally die—that theirs and ours are in conflict—and that out of the disorder of this conflict they will bring a new order. It is important that in discussing the bill we keep that fact in mind. It is important as we discuss the bill that we realize that what men mean when they say that we are in the war is that the dictator nations are against our kind of government. We are not belligerents in the war—and while we are entirely unwilling to surrender our views to the views of those opposed to them, we are likewise unwilling—unless we suffer attack—to participate in armed conflict.

We have a great interest and a great stake in what goes on—because we are included in the threat. We should make it clear, however, that while we are not immune from a moral obligation insofar as religion and Christianity and freedom are concerned, we are not the guardians of Europe. The democratic nations of Europe are compelled, because they are facing the guns, to defend themselves by force of arms. They have a right to expect us to give moral support to their defense—and to put the material resources of our country at their disposal—but they do not have a right to expect—and they have said that they do not expect—our armed forces to participate.

In my discussion of this bill I hope that men will understand that when I use the word "war" I am referring to armed conflict. So let me say now that the proposal before us is designed to keep our country from becoming involved in war.

When I refer to the world "peace", I shall mean no less than the opposite of armed conflict—because no man in his sober senses will insist that we are now entirely at peace. Perhaps I shall be drawing a pretty fine distinction, but to me it is completely clear—much as we



dislike to admit it, and distressed as we are about it—that we are not actually at peace. I again want to lay emphasis upon the fact that in my use of the word “war” I mean armed conflict, and in my use of the word “peace” I mean the absence of armed conflict.

There are but few among us who would vote to put our country into this war. The great majority are convinced that the war abroad was not of our making, and that we have earned the right to peace, and that we will, if it is humanly possible, remain at peace.

Many among our countrymen—and seemingly a few here—have come to the conclusion that by this vote—the vote on this bill—is decided the question of whether or not American soldiers and sailors will once more go down the road to war.

I do not see it that way, Mr. President. Perhaps the lamp which is given to me is not burning so brightly as the one which lights the way for other men, but I can see in this proposal a possible way to avoid war, if war can be avoided. I think it can be avoided, and I believe we will avoid it.

No one can with certainty predict the course of those few who have brought our world to the verge of ruin. Perhaps these savage forces which have challenged our way of life would not subject us to attack or invasion. Perhaps we are not so vulnerable as the more excited of our countrymen seem to feel we are. Perhaps dangerous and greedy forces elsewhere in the world do not covet our rich possessions, or are not so obsessed with a feeling of superiority that they might one day undertake to bend us to their will. I do not know. No man can know. It is possible that the dictatorial leaders do not themselves yet know. But I do know, Mr. President, that we are hedged in by an aggressive upheaval that cannot be quarantined in any one part of the world.

We must be guided by the markings that have been made, and the storm warnings that have been raised. We have watched the barometer falling for a long time now, and we have observed that many of those nations and people who failed sufficiently to take heed have been leveled by the storm. And thus it seems to me, that unless we take full advantage of every opportunity to safeguard ourselves, perhaps we, too, may one day fall because we are blind and too late. God forbid it; but should we fall, civilization will suffer a crushing blow from which it may not recover for centuries. How best to meet the challenge is the heavy burden submitted to the Congress, and the Government, and the people of the United States. The issue cannot now be avoided. Within a matter of days we shall vote this bill up or down.

Whether or not the critical situation might best have been met in another way I frankly confess I do not know. For myself I admit distress, but I do not admit doubt on the question of my vote, for under the circumstances I feel none. In the recent campaign I declared time and again that I would not vote to send our soldiers to participate in a foreign war. I will keep that pledge, but I will

not go beyond my congressional responsibility in order to tie the hands of the Commander-in-Chief of our forces; nor shall I help to bind and gag my country by a public declaration that I would refuse to fight if subjected to unwarranted insult or assault or attack.

I am not for war—for I hate and fear war. My country is not for war—and does not want it. But, Mr. President, I will not stifle my convictions—nor choke the cause of righteousness—by a declaration that come what may, I or we are too cowardly to insist upon our God-given rights. Nor will I give comfort to those intellectual kidnapers from over the seas—wherever they be—who are set upon the hellish mission of assassination—both of human life and the dignity of man. There are some things sweeter than life itself—and while for us these things may not yet seriously be threatened—I cannot erase from my mind the sorrow and sadness and destruction that has been the lot of so many God-fearing people beyond the oceans.

It is not enough to want and pray for peace. Little Finland felt no animosity toward any people. Denmark and Belgium and Holland only wanted to pursue their search for happiness in a rightful way. Czechoslovakia and Poland were not bent on conquest. The little states of the Baltic, or the timid Balkan countries, did not seek war, but, instead, sought in every way to avoid it. God knows that the unprotected little people of North Africa—and the courageous Greeks—were asking no more than to be let alone—that they might, in their age-old humble ways, work out their economic and eternal salvation. France and England offered every tribute of appeasement in the effort to avoid war. They subjected themselves to pitiful humiliation—but to no avail. War came in Europe, and it rolls on with ever-lengthening and deepening shadows and hellish fury. The curtain of night is falling over much of Europe—and only God knows what goes on behind.

Probably all of this—and ever so much more—is not enough reason for us to abandon precedents. Perhaps we are unduly alarmed. Possibly we can rest on what arms we have—and patiently and passively await the outcome—or perhaps, our own turn. But I do not want leisurely to wait for war to come to us. Nor do I want others to write the schedule and the rules for my country. I want to keep war away from us—and my country away from war.

I am unimpressed by the statements of those who point out that since Britain's aggressors have thus far been unable to cross the channel, that it is stupid to consider the thought that they might successfully cross the ocean. If they do cross the channel, they can surely cross much of the ocean and reduce the difference in distance between their land and ours to a great extent.

Perhaps at this point it would be fitting to offer testimony from an expert source. This testimony does not express my view—nor am I certain that I at all agree with the opinion expressed—but the Committee on Naval Affairs of the United States Senate is made up of

men who have given long and serious study to the Navy and to national defense, and they have been privileged to enjoy the benefit of the best-trained minds on this subject in the world.

Here is what was recently reported by the Naval Affairs Committee:

From all the evidence available, it appears that the United States can be conquered without military conquest of continental United States. An effective blockade against our foreign commerce can be maintained at points thousands of miles from our coasts and well beyond aircraft range. Our outlying possessions will be captured and used against us as advance bases. There will be nothing to prevent the establishment of bases, by force, if necessary, in this hemisphere, from which, as well as from aircraft carriers, repeated bombing raids can be dispatched against our highly industrialized areas.

I certainly doubt that an enemy could successfully land here—and have some doubt that one would try it—at least as a military invader, but I do believe that if Britain falls—and totalitarianism prevails—we may face the need to live within our own walls, and in an armed camp, and with a reduced standard of living our people might not willingly accept. I see in such a situation the possibility of a growing restlessness at home—that might be kindled into flame by the representatives of those who have so often expressed a hatred for our kind of government and our way of life.

My fellow Senators, we are confronted with something new to us and to the world. There are no precedents to guide us. The situation of this period cannot be likened fairly to the World War. There have been great changes since the World War. We tried—before this war came to Europe—to place our country in a safe position. We could not foresee what would happen—but we tried earlier—as we do now—to keep from armed conflict.

This administration and the Congress—fearing a new European conflict—surrendered or suspended the right to a freedom of the seas. America yielded a privilege that it had through international law enjoyed. Mr. President, I firmly believe that only the passage of the Neutrality Act of 1939—which through Presidential proclamation kept our ships from the areas of war—and our nationals out of the zones of combat—has kept us free from conflict up to now.

But in spite of the care thus far exercised we cannot now abandon our efforts to remain at peace. It is true, of course, as I have said before, that our free way of life, and method of government, is in conflict with the pagan philosophy and ideology of Central Europe—but who will charge that up to us? That war is an undeclared attack on the system of democracy. Who will say that President Roosevelt and the Congress have not tried to preserve peace here—and to bring peace to others? Have we not, to the extent that it was decently possible, sought to appease and calm those bent on making war? What might we have done that we failed to do? Is it not a fact that we were pitifully slow to rearm? Were we ever—if I may be colloquial—“too tough” with anyone? What steps



have we taken that we would now retrace?

Of course others, whom we would now help, have done things in days gone by that we now and will forever deplore. A few of us may have a greater hatred than others for some of the earlier practices of Britain. Our kinsmen have suffered the horrors of England's crushing might—and still carry the scars of her bitter lash. But does not Christian mentality require forgiveness—even though we cannot forget? Are men and countries to be damned clear down to the gates of eternity for what others, whom they did not know, have done in the name of their country? Is the penance for the sins of another generation, or scores of them, to be visited on, and assigned to, those yet unborn? Shall we say to the saddened little Englishman, whose luxury of life in a better day was little more than a second cup of tea, that he belongs to the damned, because rulers whom he never knew were guilty of carelessness and hatefulness, and a greed that sometimes resulted in murderous viciousness? Not I, Mr. President. The sympathy, as well as the love, which I have felt for Ireland—and my sympathy for the people of India, and oppressed people elsewhere—does not blind me to the threat of the new order everywhere in the world. God help Ireland and India, and every other country, should the threat and plan prevail, and the world find itself under a dictator's domination.

Those opposed to Britain in this war have declared that it is "we or they"—and in that dictatorial challenge our democratic way of life is included. It is proven by the torture of little children under bomb—and again through the betrayal of peace-loving farmers on the hillsides of Norway. It is proven by the slaughter of the quiet Dutch and Dane. It is proven by the desecration of monasteries and convent—and by maimed little bodies—and torn and crippled old men and women. Peaceful lads—laugh-loving little girls—pious and prayerful men and women—all have been caught in the vortex of a man's madness—caught in the crazed ambition of an individual who has shackled his own people—and who has stifled every instinct of goodness in them.

Can you not now see the victims traveling up the hardened roads—bleeding in the snow? Can you not now visualize the once blue Danube running red? Can you not realize that there, but for the grace of God, we stand? The orphans have been made. The mothers and the widows are broken, and their hearts bled white. That may be our lot. And the question is how to avoid it—or—God forbid—meet it. All of that is the challenge.

Confronted with this bill—as we are—I see but one choice. Vote down this bill and the psychological effect on the brave people of Britain and Greece, and the hopeful of France and Poland and Norway and Denmark and Holland and Belgium and Czechoslovakia—and the little-known people who live by the Baltic, and in the Balkans, may be disas-

trous. Not only these countries may lose hope—but all over the world—east and west—men may surrender their hopes and their aspirations and the curtain may not rise again for generations. The magnificent courage of Britain might falter, if this country—through misguided action—should callously leave the Englishman to his fate. What then becomes of religious civilization? On what will religion live? On barren soil nothing better than weeds can grow. We can isolate ourselves—perhaps. We may have to—with or without this bill. Would that be a triumph? Would we then tell the rest of the world that we were traveling alone—or is there someone here who can visualize "business as usual" under the new order?

I have drawn a word picture—feebly and perhaps too faintly because I am too much lacking in the gift of expression—showing what I seem to see—and what many of our people fear. But I have drawn it to show, as best I can, what it appears to me is at stake in the world. Now I shall try to show some of the purposes and possible effects of this bill.

For weeks the natural emotions raised by this great issue have generated a harshness and recklessness of language which in normal times would not be heard—and I fear it has perhaps been of equal proportion on each side—both in and out of Congress.

We start here evenly, if we proceed on the basis that there is a unanimous desire to aid England. The opponents of the bill agree on that. We are agreed, I believe, that the success of England, insofar as this war is concerned, will serve us best. Right here I want to say, parenthetically, that I do not believe that we are in the slightest degree responsible for this war. I want to say again—and yet anew—that I do not believe that we should become involved in mortal combat—and I think we can stay out. There are dangers, of course—great dangers—but every Senator knows—as I do—that there is danger regardless of the path we take. We are going down an uncertain road—and in the darkness—and if there are signposts most of them are not visible. There is a possibility of armed conflict whether or not we pass this bill—and, unfortunately for those of us who will support it, we shall never be able to prove we were right. God help us, if following the passage of this bill we should become to a greater extent involved—because, forever after, some men will say we blundered, and, down through the years—should civilization endure—historians will quarrel over the wisdom of our course.

I do not impugn the purposes of those who will vote against the bill when I insist that from the standpoint of historical safety theirs is the safer side. I yield to them completely in their right to oppose it, but if I were to join them I would be sinfully wrong—for out of the darkness of earlier doubt I now have the freedom of a clear mind. I am not clear on the outcome—but I am clear as to how I should vote.

If I may now return to the assumption that Britain's success enhances our chance to avoid armed conflict—and re-

state the opinion that the defeat of this bill would have a terrifically depressing effect upon the defenders of Britain—who are at the same time the defenders of our kind of life and living—may I add that the effect in Germany would, in my judgment, bring rejoicing—and renewed strength. None of us want that consequence. Please let me say here, again in parentheses, that I share the view that we should be concerned—always first concerned, about peace—and what England may have in mind in that direction.

I do not want England to expose her every aim and hope—but I proceed on the view that when peace comes, it must not only be just—but carefully designed to be lasting. I do not want to see any country or its population reduced to slavery—or crushed. I want only to break the shackles from the enslaved, and for all time to break the war power of those who would destroy their fellows. There are good people in the totalitarian states—who, if freed from bondage, could make their countries anew. They, too, want peace in their valley—and they want to hear the word of God again—and hear it spoken out loud. Excepting for the leaders and their blind followers, who have a lust for complete world power, the people of the totalitarian states have been sufferers with their humankind across the mountains, and across the rivers, and across the channel. They, too, were caught in the maelstrom. I want peace for all of them—but it is unfortunately sad, and true, that that kind of peace is beyond reach unless England and her struggling associates are given an opportunity to negotiate on no less than equal terms. The essential error of those who want a negotiated peace now lies in the fact that the totalitarian aggressors are clearly in control, and would exact a peace without justice.

The dead can never be brought back, and I only aim, as you do, to prevent the killing of more men, and to prevent the destruction of God's teachings, and to prevent the death of the dignity of man.

This bill gives certain powers to the President which he does not now have. It first establishes, with official Congressional seal, a policy which the country unofficially adopted before and in the election—the policy of aid to Britain. While aid to Britain has been our purpose, it has not up to this hour been established as a national policy—and that is just what this bill would do. If this bill passes, we are as a nation committed to that course. Right now many within our borders are giving aid and comfort to the dictators. Those who wilfully do that after this bill passes—if it passes—will violate their country's cause, and will be subjected to condemnation to the extent which their acts and deeds deserve. This bill means effective aid to Britain—and none will deny that to give aid which was less than effective would be foolhardy. Those who say that it "either is our war, or is not" and that if it is our war "we should get in," completely annul that contention by expressing a desire to join in giving aid to England. That statement has outlived its usefulness and effectiveness in this debate.



For the purpose of emphasis, let me say again, that the proposal is designed to legalize an accepted policy—and to expedite and make our aid effective—and to charge that it has other purposes is to enter into the realm of make-believe. I do not expect that the house at 1600 Pennsylvania Avenue is or will be the general headquarters of this war—but who disputes the statement that it is and should be the headquarters and main office of our Government?

Admitting that we increase our safety through Britain's success, we should do all possible to help toward that success—short of involvement. Here is the great question, Senators: Do we trust the man three times elected to the Presidency of the United States? I do. Most, if not all, of us do. The overwhelming majority of our people do. It is not only a question of trusting him insofar as patriotism and love of country are concerned. Every man gives him that trust. We must trust his judgment—and I do.

For 8 years—or the greater part thereof, President Roosevelt has time and again submitted to the tortures of the rack of ridicule for his love of the plain people. In spite of it some people out in the country profess to believe that he would willingly lead us in mortal conflict. Can you believe that this man, with his record of great concern for humanity, would betray a sacred confidence? I doubt that America can forget his proven patriotism and courage—and his solemn pledges of the last year and the late campaign. Remember, it was President Roosevelt who said, but a few months ago:

For the cause of peace I will labor all the days of my life.

Please remember that he had earned and made secure his place in history as a result of his first two terms. Please remember that at the insistence of his party, and the compulsion of his conscience, he offered himself for a third term. In so doing he willing risked a great place in history which was at that time established. He again accepted nomination because of the grave emergency which threatened all of us. America wanted him to direct us away from war. Should he fail in that—either through error of his own, or through no fault of his own—he must face impeachment in the hearts of millions who love him.

We, however, must not, as I have said before, surrender such of our responsibility as we are legally and morally bound to retain—and I will not do it.

I know that the President may suffer some of the faults of other men—but I likewise know that he is a gifted man—as well as a courageous one—and I know that he has the benefit of the advice and suggestion and assistance of those trained in the art of defense, and informed on the ways of war and diplomacy. He has said he would keep our boys from foreign war, and he has pledged a protection of our resources. He has declared that there would be no dangerous dissipation of our equipment of defense. If I had the slightest doubt of the integrity of those

pledges, I would be compelled in conscience to oppose the bill.

Many Senators will remember that I have opposed administrative measures in the past. I feel no obligations to anyone in Washington other than those of friendship, and fairness, and fidelity. I am imbued with but one ambition, and that is to serve those who sent me here, and my countrymen who live elsewhere. I am anxious to support amendments to this bill which will retain its necessary powers for Congress in this emergency—not because of a doubt about the President, but because I want our system of government maintained as it was set down by the founders.

During the hearings on this bill one witness stated that a vessel flying the flag of the United States was engaged in carrying oil assigned ultimately to Germany. If true, and I doubt that it is true, the venture was, in my judgment, despicable. Under this bill such a thing could not easily happen, although as of today there is nothing illegal about it. Under this bill such a practice would be the equivalent of treason—in fact, it would be economic treason—and economic treason deliberately committed would be visited by economic death.

Under this bill the President might speedily cooperate with South American countries in devising methods whereby we could attain effective collaboration—and build the bulwarks of peace for the Western Hemisphere. Under this bill the President could—and I think would—more easily and readily deal with Britain concerning the acquisition of properties in this hemisphere, as collateral or payment for our materials and equipment. Under this bill he could perhaps more safely for them, and more conveniently for us, handle the complicated matter of the transfer of funds under British control in this hemisphere before they could take full advantage of our credit.

Under this bill the President could more easily insist upon a statement as to Britain's aims—and how far she intends to go at the end of the war—and thereby, in my judgment, better serve the cause of enduring peace. On occasion, secrecy is important. In such a war as that which now goes on—which is fought psychologically as well as with guns—and in which nations prey on the nerves of their adversaries, it is well, since we have taken a position, to withhold information that would be comforting to the enemies of Britain.

This bill would help in many other ways to hurry action. I believe it would cut red tape and make it unnecessary to deal with statutes which would make our efforts cumbersome.

Certain possibilities under the bill have excited fears to which I have already referred. One of them is that our ships may be sent into the zones of war.

In full fairness to the President it should be again pointed out that he himself established—for America's safety—the zones of war. It may be true, as it is charged, that if he had the desire—and no man could make me believe he has—to get his country and countrymen into war, the President has that power under

this bill. But, Senators, if he has, who here or elsewhere will deny that he or any other President could get us into war without this bill? It is not a war measure. It is a defense bill.

I do not expect that ships flying our flag will be used as convoys—although some seem to feel that under the fundamental law our President has the power to send our naval vessels where he may choose. I do not know that he has that power, but I am confident that under the Constitution we may, so long as we are at peace, regulate the activities of our Navy and control the course of our ships.

It is with a certain reluctance—it is with a very great reluctance—that I suggest to the learned constitutionalists who are my colleagues that despite the enactment of this bill, the Congress continues to possess substantial powers to prevent our involvement in war. Although in these strange times the formal declaration of a state of war has gone out of fashion in favor of armed intervention on a pretext of restoring order, and the like, Congress alone has the power to declare war and to cause a state of war to exist. Regardless of the terminology, we alone, under our Constitution, are the arbiters of peace and war in the strict sense of these terms. It would indeed be strange if the framers of our structure intended that this, probably the greatest of the powers of government, should belong exclusively to Congress and that Congress would be powerless to legislate against evils which might immediately occasion armed conflict. The war-declaring power could be completely nullified under such a strained construction.

When we repealed the Arms Embargo Act you may remember that we made it unlawful for American ships, which, after all, are naval auxiliaries, to enter areas to be prescribed by the President. This was done under our admitted powers to take affirmative steps to prevent our involvement in war. We can take such further steps in the same direction, and under the same power, as the danger of war may warrant.

Let me say that I am mindful of the need to keep the sea highways clear if we are to give effective aid to Britain. Under this bill the President can help to keep those sea lanes open by a transfer of ships of the sea and air to England or Canada or others of her entourage of freedom's defenders. He has the way, to a limited degree, but the fatality of such vessels, after transfer, would not mean armed conflict for us if the Congress kept its head and exercised its will.

But let me return to the question of our powers to regulate and govern the Army and Navy. Section 8 of the Constitution of the United States provides that—

The Congress shall have power . . . to make rules for the government and regulation of the land and naval forces.

Elsewhere men have taken the view that a Congressional effort to keep our naval vessels from convoy service or out



of the zones of war would prove meaningless. Men here, in instances, seem to have accepted that view. I do not share it. Whether or not Congress has such power in time of war may be debatable on the ground that the President is by Constitutional direction Commander-in-Chief of the Army and Navy—but that question is not now raised, and I shall not discuss it. I do not agree that the Congressional power can be taken away under any circumstances.

And what I have here pointed out, in relation to the Government and regulation of the naval forces, applies with equal effect to the Army and land forces of our country. The Selective Service Act has imposed restrictions on the movement of men called to the service under that law—and has in like manner treated members of the National Guard. Should there be a desire to include the members of the regular Army it can be done here and now.

Our President did not base his decision to keep our soldiers out of foreign wars upon a consideration of the needs of other nations—but he has boldly stated—as have we all—and as did the platforms of our parties—that our soldiers would not be sent to participate in a foreign war. We here, and we alone, have the power to declare war, and we here—and make no mistake about it—have the power to keep our soldiers and our sailors at home.

At this point it is not now amiss, and may be comforting to some, to recall that the great Prime Minister of England recently declared that there is no need or desire for soldiers from the western world this year, or next year, or ever, so far as he is able to visualize. How Mr. Churchill felt about that matter, insofar as our soldiers are concerned, would not be important to me as a Senator, but I mention it as a means of refuting the oft-expressed view that we are leading the people of Britain into the belief that our soldiers will soon be on their way again. As a matter of fact, on the eve of a possible invasion, England has yet to call up her total manpower. Mr. Churchill says that she does not need American soldiers—or want them—and has so declared to his own people, and to the world—and that—for me—makes it unanimous.

Men may cry that the die is cast. Men may say that the President of the United States has declared a desire or guaranty to establish freedom of speech and expression—and freedom of worship—and freedom from want—and freedom from fear—everywhere in the world. He never said that. What he did say was that “We look forward to a world founded upon four essential human freedoms”—and then he named them. I join him in that. He does not propose—nor do I—that America be moral monitor of the world—but he is a man of great Christian ideals—in addition to his other characteristics of greatness—and he looks forward—down through the years—to the kind of world God asked for, as he endowed men with an everlasting, irrevocable free will. Is it wrong to look forward to such a world—or to seek perfection—or to work toward it—and for it—by advice and example? I think not—so I join him in his statement, and

in his noble hope. Even in the face of the threat of this new paganism of force we look forward in hope and in faith toward man's ultimate spiritual destiny.

If we pass this bill, it will be because the record of the recent past dictates the need that we marshal our courage and be bold. England waited almost too long—because extreme pacifists were in the saddle—and because some men hoped to work out England's salvation in their spare time. France grew soft, and thereby suffered—while others were frozen by fear. When it came time for action it was too late. Within the week, Mr. President, at the same Munich beer hall—Adolf Hitler declared, “The outside world has slept.”

Mr. President, I think I have some realization of the mistakes which this administration—and we here as a part of it—have made. But now, in my judgment, is hardly the time to call the roll again—excepting as it relates to this bill—and to our national defense—and to the peace of our people. Much that has been said has the relationship—and much else that is unrelated, although true enough by itself, has been eloquently submitted.

It is, of course, true that our domestic needs and aspirations are far short of fulfillment—and may be partially, or in some instances entirely, in suspense—but, should we become involved in war these might go into total and everlasting eclipse. Until the world substantially rights itself, with or without our help, we must have an eye to the storm—and seek to avoid its violence.

Now to ridicule our economic relations with countries which give little or no sympathy to our political establishment and views, adds no strength to our armor or force to our cause. For what we do and have done there is a reason, which men of high purpose and intellect and patriotism, and experience as well, believe to be wise and sound. The Secretary of State has never turned his back on a Member of the Senate—or denied one an explanation of the policies and practices he advocates.

This is not alone a war to preserve democracy. We have never challenged the right of other nations to govern themselves as they desire, even though we might look with disappointment upon their choice. This is a war in which certain nations are fighting to preserve their freedom—and through which they hope to unfetter and set free their neighbors and allies who have been overcome. We are concerned lest we be caught—and although we as well as others may have “overslept”—we are now and at last awakened.

Mr. President, I am nearly through, I have no especial pride in the statement I have made, but I wanted to express my views on a measure that is of such magnitude that it has attracted the attention of the world—and excited the prayers and mixed emotions and passions of an overwhelming majority of our great millions of people.

I have no doubt that when the decision is made we will be completely unified by a common devotion to our country. We have a great confidence in the pure pur-

poses of each other and an indelible faith in our country and its institutions. I want to believe—and I do believe—that for each and all of us liberty is sweeter than life itself—and that, come the worst, our unity and strength—with God's help—will confound the transgressors, whoever they may be, or regardless whence they come. Our very differences will strengthen our cause and will furnish a reservoir of moral stamina that no totalitarian roll call can ever attain.

At no time since I came here have I expressed my convictions with reservation—though I have maintained, as I do now, a complete respect for every last man who has been of differing opinion. If in my vote on this measure or amendments to it I give offense to those who go farther, or not so far, as I would go, I offer them without apology a reminder of the oath we take, and my assurance that I have an abiding faith in their subservience to duty as their conscience directs it.

I shall vote for this bill as approved by the committee, which has given it special and careful study—and as approved by men, some of whose sons will die, if prophecy here made shall come true. I do it with a feeling that I travel on the safest of the roads still open. I am convinced that the best interests of our beloved country require that this bill become law. For my part, I give to the President of the United States the unusual powers herein conferred with confidence and faith. May God give him and all of us strength and guidance in the days which lie ahead. May He give us courage for the serious years we face—may He grant protection to our people—and may we by our loyalty and faith be worthy of His divine blessing.

Mr. WHEELER obtained the floor.

Mr. BONE and Mr. LA FOLLETTE suggested the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Downey	Miller
Aiken	Ellender	Murdoch
Andrews	George	Murray
Austin	Gerry	Norris
Bailey	Gillette	Nye
Ball	Glass	O'Mahoney
Bankhead	Green	Overton
Barbour	Guffey	Radcliffe
Barkley	Gurney	Reynolds
Bilbo	Harrison	Russell
Bone	Hatch	Schwartz
Brewster	Hayden	Sheppard
Bridges	Herring	Shipstead
Brooks	Hill	Smathers
Brown	Holman	Stewart
Bulow	Hughes	Taft
Bunker	Johnson, Calif.	Thomas, Idaho
Burton	Johnson, Colo.	Thomas, Utah
Butler	Kilgore	Tobey
Byrd	La Follette	Truman
Byrnes	Langer	Tunnell
Capper	Lee	Tydings
Caraway	Lodge	Vandenberg
Chandler	Lucas	Van Nuys
Chavez	McCarran	Wallgren
Clark, Idaho	McFarland	Walsh
Clark, Mo.	McKellar	Wheeler
Connally	McNary	White
Danaher	Maloney	Wiley
Davis	Mead	Willis

The VICE PRESIDENT. Ninety Senators have answered to their names. A quorum is present.



## THE AMERICAN ENABLING ACT OF 1941

Mr. WHEELER. Mr. President, 24 years ago a man stood on this floor and said:

We need not disturb ourselves because of what a minority may do. There is always lodged and always will be, thank the God above us, power in the people supreme. Sometimes it sleeps, sometimes it seems the sleep of death; but, sir, the sovereign power of the people never dies. It may be suppressed for a time, it may be misled, be fooled, silenced. I think, Mr. President, that it is being denied expression now. I think there will come a day when it will have expression. The poor, sir, who are the ones called upon to rot in the trenches, have no organized power, have no press to voice their will upon this question of peace or war; but, oh, Mr. President, at some time they will be heard.

At least six who are still Members of this body heard those words. There were men in the Senate then, as now, whose judgment differed from that of the speaker. They scoffed at him; reviled him; insulted him. The people, Mr. President, for whom he spoke, hanged him in effigy—the poor, blind, foolish people who were being led in a dance of death. But little more than a decade later, Robert Marion La Follette was voted into the Hall of Fame.

He belonged to the now-celebrated "little group of willful men, representing no opinions but their own."

This is the scornful way in which our first World War President, who had just been elected on the slogan "He kept us out of war" had railed at these men a month before in March 1917, for opposing the armed ship bill. They opposed the bill because of the danger that it would involve us in war. A month later we were at war. Senators stood upon the floor of the Senate then, as they are doing now, and said, "This is a bill which will help to keep us out of war."

Each day as I have sat here during recent months, each night as I have read through newspapers and magazines and listened to the radio, I have wondered whether there are any survivors who remember the events and the words of that era. Regardless of what modern psychologists may claim, the memory of man seems very short. At least, it is terribly susceptible to being drugged into forgetfulness again and again, with the same slogans, the same catchwords, and the same half-truths. We are hearing now the same slogans and the same catchwords we heard before we entered the last World War.

Mr. President, we are confronted today with momentous issues which, so far as our country is concerned, differ very little from those which faced the Congress during those crucial weeks preceding our involvement in the first World War. I speak to my colleagues knowing full well that many, probably most, Senators have already made up their minds on these issues, and that for them, and possibly for the country, the die is cast. If the final vote shows that I am in the minority, that I am in the 1941 "little group of willful men," I shall take comfort not only in the inner conviction that I am right, but from the fact that, according to all present indications, the little group

of 1917, consisting of only 11 Senators who opposed the armed-ship bill and of only 6 Senators who voted against the war resolution, has at least grown to several times its former size.

I wish to call attention at this time to the fact that when the armed-ship bill was before the Senate, one distinguished Senator said, "Members of the Senate will never vote for war." He made clear that a majority of the Members of this body will not vote for war. Yet in less than 1 month all but six Members of the Senate voted for war.

Mr. President, less than a year ago men stood on the floor of the Senate and said, "I will never vote to send an American boy across the water to fight on foreign soil." Yet I am as sure as that I am standing here that they will vote against what they said then, because they will vote against putting into the pending bill a provision that American boys shall not be sent to fight on foreign soil.

Mr. President, one Member of the Senate stood on this floor a short time ago and said, "Every country should finance its own war. We will not lend money, to say nothing about giving it, to any belligerent." Yet men stand on this floor today and ask not only that we give money to one or two belligerents but that we shall give the power to the President of the United States to give everything we have, if he sees fit to do so, to Great Britain, or to China, or to any other country he may choose.

I also take comfort from the fact that I know it cannot be truthfully said in 1941, as it was said before, that we "represent no opinion but our own." This actually was not true of our predecessors in 1917 but too many people assumed it was. Now we may claim to speak for millions upon millions of our fellow citizens, yes, for the overwhelming majority of Americans, the countless farmers and workers, the mothers, and the young men of this country from one end to the other. They challenge us to tell them whether the "forgotten man" of 1932 is destined to be the "unknown soldier" of 1942. They do not own newspapers or radio networks or moving-picture plants with which to saturate the country with propaganda. In this sense they are inarticulate. They are no match for the chauvinistic junkers that control most of these means of mass communication. But their pitiful pleas, scrawled on postcards and scraps of paper, have poured into my office and your office by tens of thousands from every State in the Union.

Mr. President, I listened to the argument made by the distinguished Senator from Connecticut [Mr. MALONEY] pleading for the boys and girls of England. I sympathize with those boys and girls. My heart goes out to them. I also sympathize with the persecuted in Germany; I sympathize with the persecuted in Poland and in Austria and in China. I likewise sympathize with the enslaved millions who have been exploited by the British banking group engaged in selling opium in India. But first of all my sympathies and my feelings go out to the people of the United States of America. They are my first and only love. [Applause in the galleries.]

The VICE PRESIDENT. The Chair must caution the occupants of the galleries with respect to the rule, which provides:

Whenever confusion arises in the Chamber or the galleries, or demonstrations of approval or disapproval are indulged in by the occupants of the galleries, it shall be the duty of the Chair to enforce order on his own initiative and without any point of order being made by a Senator.

Mr. WHEELER. Mr. President, the inarticulate who are sending us expressions of their feelings on post cards and in pencil-scrawled letters are almost unanimously against going to war. From the mail which has come to my office—and I know similar mail has come to the offices of other Members of the Senate—I believe that the overwhelming majority of the people of the United States are against H. R. 1776. Even most of the minority favoring the bill reveal they are doing so because they do not understand it—they have blindly and trustingly accepted soothing assurances from their leaders that the bill will keep us out of war. In the words of one of the psalms—the 55th:

The words of his mouth were smoother than butter, but war was in his heart.

All the while, without knowing it, the lowly subjects are being pushed closer and closer to the hellish cesspool. And so I rise to speak in their behalf and to voice my opposition to this bill with all the force at my command.

Mr. President, I have been a member of this august body for 13 years. I well know that the Senate includes a group of the most sincere and candid minds to be found anywhere—minds which are never clouded to the appeal of reason, minds which know no master other than fearless honesty. Those minds, I know, will accord me a fair hearing on this most vital of issues, and they will not hesitate to voice their opposition to the bill before us if my words and those of other Senators impress them as bearing the stamp of truth and reason. To that group of Senators I address myself primarily. I regret only that the Almighty God did not endow me with greater force, that my words would carry to more of you the full strength and righteousness of my cause.

During my 13 years in this body I have risen to address my colleagues on many issues of importance. I believe my record permits me to say without contradiction that I have worn no man's label and followed meekly no party's line. There is scarcely a member of this chamber, of either political party, or of any point of view, with whom I have not been in accord on some questions and in opposition on others. To you who know me well through almost two decades of daily contact, I say I firmly believe I have never risen to speak on an issue that was fraught with such grave and fearful significance as the one on which we are shortly to vote.

I ask that no man impugn my motives. I am an American. My people have lived in America for 300 years. When they came to this country, they came not from Germany, Russia, Holland, Italy, or France, but from England only. I



have neither relatives nor financial interests in any European or foreign country. I despise totalitarianism and all that it symbolizes. I hate Hitler and Hitlerism, Mussolini and fascism, Stalin and communism. I abhor intolerance or bigotry whether it be predicated upon color, race, or religion. I oppose and denounce political control by a financial oligarchy whether it be the Thyssens and Krupps in Germany, the Rothschilds in England and France, the Sassoons in India and China, or the Morgans, the Warburgs, the Kuhn-Loebs, and other international bankers in the United States. I believe fervently in civil liberties—and I would do more than render mere lip service for freedom of assembly, freedom of religious worship, freedom of the press, and all our other precious civil rights. Mr. President, I speak of these things because I love them, because they are America—and because I sincerely believe that we are about to lose them all if we go into this war.

In 1917 one of the slogans was "Stand back of the President." In 1941 the cry is for "unity," but the meaning is the same. Yes, Mr. President; I am for unity. I am for unity for peace; I am for unity for the purpose of solving our own economic problems; I am for unity to save America; but I am not for unity and the American people will never be for unity to take this country into a European war. Both these appeals for "unity" and to "stand back of the President," are based on the specious theory that once the majority has spoken, the minority loses its right to express itself and to fight for its beliefs. That is not democracy. It is the sort of treatment that minorities get under totalitarian government.

This sort of unity, Mr. President, is best achieved by Hitler's Gestapo or Stalin's OGPU. Let me suggest that a minority in Congress, exercising the sacred privileges that our Constitution accords to a minority, may be in fact representing the opinion of the majority of the people.

From what I read, hear, and see in the press, over the radio, and in the moving-picture houses I know that we are on the threshold of repeating the infamies of the first World War. Almost every day some Cabinet member, some appointee, some man close inside says, "We are in the war now." They "cry 'Havoc' and let slip the dogs of war." Because of the attitude of these organs of mass communication, an intolerance is being bred against the right of any man to utter his independent judgment on a vital question. The expression of his dissenting view is met with cries of treason, expressed in an ever-changing variety of epithets but always with the same meaning. Treason to what? Is it treason to differ with crusaders for the "new world order" who divert attention from their imperialism by shouting democracy, and who preach freedom for men elsewhere while strangling it at home?

We stand today at the crossroads. So far as it is given ordinary mortals the power to see, both roads which stretch ahead of us are fraught with danger. There is no sure road to safety. But if

we take one road—the road for which the bill before us is a signpost—what lies ahead is clearly obvious. Down that road lies involvement in Europe's wars, eventual commitments to help bring order out of chaos in all the world, the shouldering of a back-breaking debt for all our people, possibly, if not probably, death in some foreign land for the flower of our young men, the end of democracy and civil liberties, certainly, not only for the duration but perhaps for generations until our war-torn economy will be able once again to feed our people.

But, it may be asked, What is the other road? Tell us of the other road. Oh, Mr. President, none of us can see that road clearly. It is a long road with many turns. But this much of it can be seen—peace for our people for years, perhaps for generations; an opportunity to strengthen ourselves to such an extent that war would not mean national suicide, as it certainly would now; an opportunity not only to aid beleaguered states without involving ourselves directly in Europe's age-old quarrels, but also to be so powerful that in the end we could help persecuted peoples everywhere when peace finally comes; an opportunity to make democracy mean something more than a word to those millions of our countrymen who still are ill-fed, and ill-housed, and ill-clothed; an opportunity to keep alive and untarnished the basic elements of democracy—freedom for all the people to speak, to write, to assemble, and to worship as they please—an opportunity, if you please, to keep dictatorship only a name and not a fact in America.

Oh, Mr. President, men may scoff at the talk of dictatorship. But when the history of our times comes to be written, I believe that the phenomenon which more than all others will attract the attention of historians will be the artful manner in which the peoples of this age all over the world were induced to divest themselves, at one fell swoop, of the liberties and guaranties which their forebears struggled for bloody centuries to attain.

So many thoughts have come crowding into my mind regarding this bill, H. R. 1776, demanding that they be given expression, that it has not been easy to determine upon the way best to arrange them for presentation on the floor of the Senate. Adequate comments on its provisions, their background, and their significance for the future, would be encyclopaedic in dimension. It has seemed to me, however, that they fall rather naturally into two groups. The first of these groups would consist in an analysis of the bill's provisions, in an earnest and painstaking endeavor to determine their meaning from their language, in the light of the cases and the authorities. The second group would consist in what I may term the nonlegal aspects of the bill, its background of history and current events, and its significance for the future. I shall follow this arrangement, although well aware of the fact that it is not possible to adhere to it rigidly.

Today I shall devote my efforts to the analysis of the bill's provisions, reserving for a later day a discussion of the second

group of comments. It is at best a grueling and arduous task, both for me and, I am afraid, for my colleagues. Yet, without accomplishing it, without thoroughly understanding what the bill really means as a matter of law, it is not safe to debate its merits. So I shall ask Senators to bear with me as I take up its provisions, section by section, clause by clause. I hope that as I do so they will keep before them the copies of the bill in order to test my interpretations of its phraseology against theirs.

It will be apparent, as I proceed, that I am not in agreement with constructions that have been placed upon the bill's provisions by its proponents, both in the course of the debates on the floor and in the report of the Committee on Foreign Relations. Let me state in advance that while I differ with the able chairman of the committee, the Senator from Georgia [Mr. GEORGE], and with certain other Senators, I do so with the utmost respect for both their ability and their integrity of purpose. Some of the differences are due, as will be seen, Mr. President, to unwillingness on my part to accept assurances contained in the report as to the meaning of the bill's provisions, not because I believe they were not made in the utmost good faith—I know the contrary to be true—but because on such grave issues I am unwilling to take the hazard which always is incurred when we do not express our intentions in the legislation itself in words so clear that no room for doubt remains. I need only recall our experience with the Conscription Act. During the committee hearings the question was raised whether married men should be specifically exempted; and I remember we were told by the witnesses that this would be unnecessary since the exemption would be given effect administratively. What has actually happened? In some districts the exemption has been observed; in others, married men without children have been drafted; and in still others, married men with children have been drafted. I mention the matter not for the purpose of expressing any opinion on the merits of the question but simply to point out that the best of intentions may be thwarted if we do not express them in the legislation itself. Other examples will occur to Senators, including the amazing circumvention of the clear intent of the Congress in another statute, achieved in the opinion of the Attorney General in the destroyer deal last summer. I shall have occasion to refer to that document several times.

I invite the attention of Members of this body to the fact that we now have a Supreme Court which frequently ignores precedents, so that many lawyers may say that no one knows what the law is today or what it will be next month. So it behooves us to be extremely careful to write into the bill exact language and exact words so as to convey exactly the meaning we intend.

In analyzing the provisions of H. R. 1776 I shall adhere to a very simple outline. I shall first comment on its title. Secondly, I shall take up the definitions in section 2, with particular reference to the scope of the term "defense articles."



Thirdly, I shall discuss the vast powers conferred on the President by section 3 under several subheadings, and the qualifications, so far as there are any, imposed on those powers either in section 3 or in the later sections. Fourthly, and lastly, I shall address myself to the fundamental issues of constitutional validity raised by the bill. These questions, as I shall endeavor to show, go to the very root of our form of government and the survival of our democracy.

#### I. THE TITLE OF THE BILL

The bill is entitled "An act further to promote the defense of the United States, and for other purposes." Section 1 provides that the act may be cited as "An act to promote the defense of the United States."

This disarming little catchword "defense" is the theme song of the bill, artfully repeated over and over again, as if repetition could make truth out of fiction. Actually, it covers an insensate program to strip the United States of its defenses for the benefit of foreign nations and at the same time to plunge the United States, stripped of its arms, headlong into a war at the whim of its Chief Executive without further consulting the Congress or the people.

Of course, it may be said that by defending England we are defending the United States. It is said that England is our first line of defense and that we must defend England. That is a flimsy contention. When we say that England is our first line of defense, or that the English Channel is our first line of defense, and that we must defend it in order to defend the United States, then we admit that we are dependent upon some other nation for our defense, and that we are no longer an independent nation. That statement has been made by no less a statesman than Mr. Winston Churchill, who is recognized by Wendell Willkie and the President of the United States as a great statesman.

Mr. CHANDLER. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. WALLGREN in the chair). Does the Senator from Montana yield to the Senator from Kentucky?

Mr. WHEELER. I yield.

Mr. CHANDLER. Does the Senator from Montana believe that the President, General Marshall, and Admiral Stark would be willing to strip this country of munitions of war and equipment essential to the defense of the United States?

Mr. WHEELER. I think such stripping already has taken place to some extent. I do not think that it is intended to so strip our defenses that we shall be naked—not at all; but I say if we should be taken into the war now—today—we would probably like to have handy some of the airplanes and powder and guns we have sold or given away.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. WHEELER. I yield.

Mr. TYDINGS. I do not think the question of the Senator from Kentucky is in line with the words in the bill. The words in the bill are:

Shall in any way be disposed of under this paragraph, except after consultation with the Chief of Staff of the Army or the Chief of Naval Operations of the Navy, or both.

The President may consult with them, and both of them may be opposed to what he intends to do; but they have no veto power if he decides he wants to do so-and-so, even though they may oppose it. There is nothing in the bill to stop him from doing it.

Mr. WHEELER. I thank the Senator.

Mr. President, "defense" is the official slogan on the outside of the package. We also are told of an unofficial title, "aid to Britain"; but we need not detain ourselves with this substitute, since the proponents of the bill so far have steadfastly refused to provide any basis for it by specifying Great Britain or any other country as the country to be aided.

In interpreting the provisions of the bill, we are concerned with substance, not form—the contents, not the advertising. The only part of the title fairly reflecting the bill's contents is found in the words "and for other purposes." In clarity and definiteness and honest disclosure, this part of the title is worthy of the provisions of the bill which it heads. As I proceed, I shall endeavor to point out what some of the "other purposes" are. I know I shall not be able to give you a complete catalog. Every time I read it I discover new possibilities that escaped me on previous readings. It is a colossal kaleidoscope. But I certainly do not intend to allow the persistent use of a slogan pasted all over the outside of a package to stand in the way of looking inside. There may be those willing to use green spectacles to see only what they are intended to see; but at a time like this we should remove all obstructions to clear vision and should behold the true colors of the goods we are asked to accept.

The title of H. R. 1776 is the culmination of the subversive propaganda efforts of international bankers masquerading under the name of the Committee to Defend the United States by Aiding the Allies. Well may they take pride in their achievements. In substance, the name of their organization is proposed as the title of the most dangerous bill ever introduced in the Congress; and their real warlike purposes, concealed from the public so carefully until after the November election (when they were discovered even by William Allen White), are about to be written in blood-red letters on the statute books of the last great stronghold of democracy at peace. For them, it is the—

Pride, pomp, and circumstance of glorious war.

History will record no stranger or more unaccountable marriage than this affectionate union between Wall Street and the New Deal after their bitter estrangement of the past 8 years.

I beg to offer as a substitute what I believe to be a much more fitting title for H. R. 1776. I would call it the "American enabling act of 1941." There is ample precedent for this title, to be found in events which took place in 1933, only 7 years ago, and their sequel.

Mr. President, I ask my colleagues to recall that in 1933 the newspapers of this country, along with those of the rest of the world, headlined the news that the German Reichstag had been burned—burned to the ground. Fires happen every day. This, however, was no ordinary fire, the German papers proclaimed; this was a fire set by nefarious and seditious Communists. It was a fire which signaled their intention of taking over the German state. Adolf Hitler, then recently installed in office by President Hindenburg as Chancellor of the Reich, lost no time in rising to this great emergency. He forthwith presented himself before the bewildered Reichstag, assembled forlornly in the Kroll Opera House, and demanded the immediate enactment of a statute called the Enabling Act in order that the emergency might be speedily met and conquered. Note that this was an emergency, and that emergency measures were needed.

When Members of the Senate speak of trusting one man, let me say that the German people trusted Hitler; the French people trusted Daladier; they trusted President Lebrun.

But that is not the question. It is not a question of whether, under constitutional government and democracy, we put our trust in a man or whether we do not. As a matter of fact, President Roosevelt may not always be President of the United States. [Laughter.] It is because we do not put our trust in one man that we write laws and that we have a constitution. Our duty is to preserve democracy—our kind of government—and that should be our only aim.

Do the Members of the Senate know that Hitler's enabling act was termed "A law concerning the elimination of distress in Reich and Nation"? The law, of course, was to be only a temporary one; it was to expire in 4 years, on April 1, 1937. For that period of time it suspended the important guaranties of the Weimar constitution to the German people. Adolf Hitler walked out of the Reichstag no longer merely the German Prime Minister, accountable to the representatives of the German people; he was now the mighty Reichsfuehrer. Adolf Hitler never again had to ask the Reichstag for anything. From time to time, of course, he has summoned it to assemble, but only that he might employ it as a sounding board for his bombastic and frenzied orations or to announce wars he has commenced, treaties he has renounced, and liberties he has suppressed.

Of what effect was it that the law was to expire in 1937? Nineteen hundred and thirty-seven has come and gone. Hitler is still the Fuehrer, and the Enabling Act of 1933 still stands, and the German people are in chains. They trusted one man. The German Enabling Act of 1933 brought the end of constitutional government in Germany and marked the beginning of the Hitler dictatorship which every Senator in this Chamber hates with every fiber of his being.

The experience of Germany is no isolated instance in modern times. That other mighty leader, the savior of the



Italian people, Benito Mussolini, brazenly marched into power on the claim that Italy was confronted by the imminent danger of a Communist uprising. Emergency again wrought the end of a people's liberty.

In the land of the Soviets in 1935 a new constitution was promulgated. It had been proclaimed for years in advance as the most liberal in all the world. Then suddenly conditions became more tense in Europe. The Kremlin quickly decided it had made a misstep in giving the people this grant of power. That which the Kremlin giveth, the Kremlin taketh back—and much more. So the land of the Soviets was torn by a mighty emergency. Counter-revolutionaries were jailed—thousands upon thousands of the Russian citizenry were purged. The purges continued and the emergency continued, and the Russian Constitution has never been heard of since.

Italy, Germany, Russia—how similar the pattern; how cut from the same cloth. But, Mr. President, we have an even more recent example—and one more akin to our own situation.

France, too, was a republic. In March 1939, facing serious problems, the French Senate and Chamber of Deputies had before them an emergency bill. Like the bill before us now, labeled a measure "further to promote the defense of the United States, and for other purposes," the French bill was a defense law. Unlike the measure before us, it was brief and to the point. This was its language:

The Government is authorized until November 30, 1939, by decrees approved by the Cabinet, to take such measures as may be necessary for the defense of the country.

Note, Senators, how again this was to be a temporary measure—it had a life of only 8 months, not 2 years. But it was enough so that, under the authority of this law, France went to war. The Chamber of Deputies, the Senate, the people, the country never declared war; President Lebrun never signed a declaration of war, and the Premier never signed such a declaration. They went to war in violation of their constitution, which, like ours, required a vote of the Chamber of Deputies and the Senate to take them into war; but what difference did that make to thousands of Frenchmen whose bodies were ground beneath the German tanks?

Mr. GEORGE. Mr. President, would it inconvenience the Senator if I should interrupt him there? If so, I will make the comment later.

Mr. WHEELER. Not at all.

Mr. GEORGE. The French Constitution has never been a constitution like ours. The American Constitution and treaties made pursuant thereto are the supreme law of the land. The French Constitution has never contained any higher dignity than the dignity of a statutory enactment and, for the most part, is merely a declaration of public policy.

Mr. WHEELER. I agree with the Senator, but one of the reasons for that is, while it was a written constitution, it was not considered and was not interpreted by the Supreme Court of France as ours

was; but let me say to the Senator that, as he already knows, what we considered unconstitutional a few years ago in this country is not considered unconstitutional today.

Mr. GEORGE. I agree with the Senator in that statement.

Mr. WHEELER. I thought the Senator would.

Mr. BONE. Mr. President—

Mr. WHEELER. I yield.

Mr. BONE. Is it not entirely true that what is referred to as the British Constitution occupies precisely the status of the so-called French Constitution referred to by the Senator from Georgia?

Mr. WHEELER. That is correct.

Mr. GEORGE. That is very largely so.

Mr. BONE. It is merely a statutory declaration, perhaps embroidered by judicial interpretation.

Mr. WHEELER. And by the common law, to some extent.

Mr. GEORGE. It has a much surer foundation in the interpretations of the common law.

Mr. BONE. But there is nothing in the so-called British Constitution which cannot be overridden immediately, drastically, and completely by the enactment of law by the Parliament.

Mr. WHEELER. I call the attention of the Senator from Georgia to the fact that in the law which was enacted by the French Government there was nothing intimating that under it any power existed for one man to take France into war. By decree, the country was plunged into war—a war, I grant, that France might not have been able to avoid under any circumstances. The point I make is that, on the plea of emergency, the people's representatives signed away their rights and their constitutional prerogatives. Today these men pay the price in concentration camps—and France lies under a conqueror's heel.

Mr. SHIPSTEAD. Mr. President, will the Senator yield?

Mr. WHEELER. I yield.

Mr. SHIPSTEAD. Arguments have been made and statements published in the press throughout the country that, in spite of the limitations of the Constitution of the United States, the President can send the Army and the Navy anywhere in the world and make war if he wants to without the consent of Congress.

Mr. WHEELER. I am going to cover that, and I think I can convince any Member of the Senate that the Constitution of the United States, as it has been interpreted and as it ought to be interpreted, gives the President of the United States no such power.

Mr. SHIPSTEAD. I agree with the Senator.

Mr. WHEELER. The question we are debating on this floor, Mr. President, is fundamentally whether the same pattern, repeated with but little variation in land after land and only slightly embellished by the addition of traditional American shibboleths, shall succeed in the United States as it has in Germany, Italy, and Russia. The pattern is simple but seemingly irresistible. It consists essentially in first persuading the people that they are in grave and imminent danger; that all is lost unless they act quickly and in the manner they

are told. Then they are presented with a bill with an anesthetic title and a seductive explanation, and they pass it. Finally, they awake to find that, instead of providing for the defense of their country, or relieving its distress, or meeting a particular emergency as they had supposed, they have set up a dictator, concentrating enormous powers in his hands—that they have been duped into signing away their charter of liberties and their civil rights for a mess of pottage, and that they no longer have control over their purses, their swords, or the lives of their sons.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. WHEELER. I yield.

Mr. CONNALLY. The Senator has just made a statement by which I assume he means that by the passage of this bill we sign away our control of the purse and our control of the sword. Is that what the Senator means?

Mr. WHEELER. I said the law in the case of another country did so.

Mr. CONNALLY. The Senator said that in the beginning, but he carried the parallel and comparison a little further and, I think, made the statement to which I have referred. If that is his statement, I want to challenge it.

Mr. WHEELER. What I am saying to the Senate is that the pending bill takes this country another step down the road to war.

Mr. CONNALLY. I have heard the Senator say that before; I know that is his attitude.

Mr. WHEELER. That is my opinion. I believe the Senator has a different opinion. He and I differ in our opinions with reference to the construction of this proposed legislation and what is back of it.

Mr. CONNALLY. I understand that, but, if the Senator will permit me, I am not talking about the other things; I am talking about what he said a moment ago. Let us stick to that.

Mr. WHEELER. Let me read it to the Senator.

Mr. CONNALLY. Very well; go back far enough to show the comparison the Senator was making, and so on, a little further.

Mr. WHEELER. Very well. I said:

The question we are debating on this floor, Mr. President, is fundamentally whether the same pattern, repeated with but little variation in land after land and only slightly embellished by the addition of traditional shibboleths, shall succeed in the United States as it has in Germany, Italy, and Russia. The pattern is simple but seemingly irresistible. It consists essentially in, first, persuading the people they are in grave and imminent danger, that all is lost unless they act quickly and in the manner they are told. Then they are presented with a bill with an anesthetic title and a seductive explanation and they pass it. Finally, they awake to find that, instead of providing for the defense of their country, or relieving its distress, or meeting a particular emergency, as they had supposed, they have set up a dictator, concentrating enormous powers in his hands—that they have been duped into signing away their charter of liberties and their civil rights for a mess of pottage, and that they no longer have control over their purses, their swords, or the lives of their sons.



Mr. CONNALLY. Very well. I want to challenge that statement, and I challenge the Senator from Montana to point out anywhere in this bill that any of the fundamental privileges contained in the first 10 amendments to the Constitution are taken away or imperiled or diminished or decreased. I challenge him to say that this bill surrenders the purse, because under this bill the Congress continues to control appropriations and authorizations, with the exception of the \$1,300,000,000, and that is done because we are granting it in this bill.

Mr. WHEELER. Let me say to the Senator that I will come to that.

Mr. CONNALLY. The Senator makes so many loose and nebulous and doubtful and cryptic statements that it is difficult to know just what he does mean. I want him to make it clear now whether or not he means that this bill does what he said in his last sentence.

Mr. WHEELER. What I say is that the bill as I have already pointed out, under the name of "defense" would give the President more power than any President of the United States has ever had in peacetime—after all we are not yet at war—and, in my judgment, more power than any President of a representative government ought to have. That is what I said and that is what I meant. The Senator may put any construction he wants to put on my language, but the language speaks for itself.

Mr. CONNALLY. The Senator from Texas is not going to put on the language of the Senator from Montana any construction except what the language means.

Mr. WHEELER. That is what I want the Senator to do, and I want him to read the language. I read it to him twice. I think what I mean is perfectly clear.

Mr. CHANDLER. Mr. President, will the Senator from Montana permit me to ask him a question?

The PRESIDING OFFICER (Mr. MEAD in the chair). Does the Senator from Montana yield to the Senator from Kentucky?

Mr. WHEELER. I yield.

Mr. CHANDLER. Surely the Senator from Montana does not mean to have the country believe that we have, step by step, drifted into a situation similar to that which Germany has been in for so many years, when the Senator certainly knows that Hitler warned the German people as early as 1926 just what to expect in the event he should come into power. He expressed his contempt for democracy and freedom everywhere. Surely the Senator from Montana does not want the country to believe that we are drifting, step by step, into such a situation as that.

Mr. WHEELER. I say to the Senator from Kentucky that, if we pass this bill, we shall have concentrated greater power in the hands of one man than any President ever before has had in peacetime.

Mr. CHANDLER. Does not the Senator agree, though, that the German people took their dictator with full knowledge in advance of nearly everything he was going to do?

Mr. WHEELER. Oh, no; I do not. Neither did the French people; neither did the Russian people; and neither have any other people on the face of the globe that I know of. I do not know of any country in which the dictator said to the people, "I am going to set myself up as dictator." Hitler did not do it in Germany. He may have written a book in which he talked about it; but a great many persons in the United States have written books, and they repudiate them immediately after they are written.

Mr. CHANDLER. But the Senator realizes that everybody in the country knows that Hitler is one of the few fellows who wrote books and then acted accordingly. Many persons write books, but few of them go by them.

Mr. WHEELER. The Senator probably is more familiar with Hitler's books and Hitler's sayings than am I. I am going by what has happened in other countries, and I am talking about the condition into which we are drifting in this country. I say without fear of contradiction that the great issue in this country in the next 10 years is going to be the preservation of democracy in the United States.

Mr. CHANDLER. That is no longer an issue in Germany. It has been settled. They have no democracy any more.

Mr. WHEELER. I know that. I have just called attention to that, as the Senator would know if he had been here listening to me. [Laughter.]

Mr. CHANDLER. I have been listening all the time.

Mr. LUCAS. Mr. President, will the Senator from Montana yield to me?

Mr. WHEELER. I yield to the Senator from Illinois.

Mr. LUCAS. If I correctly follow the Senator's argument, he is stating to the Senate that Germany and Russia and Italy, which now have dictators—

Mr. WHEELER. And France.

Mr. LUCAS. France has no dictator other than being controlled by Hitler.

Mr. WHEELER. Oh, yes; I beg the Senator's pardon. France has a dictator. When the French gave the defense powers to Daladier it was heralded all over the world that they were giving him unlimited power, although they gave him the powers only for the defense of the country.

Mr. LUCAS. Well, be that as it may, may I proceed to ask the Senator a question?

Mr. WHEELER. Yes, sir.

Mr. LUCAS. Assuming that what the Senator says is true with respect to France, she has been a republic for a long time. Let me return to the dictator nations of Russia, Germany, and Italy. Does the Senator contend that the social and economic and political life of the people of those three countries during the past 150 years has been similar to the social and economic and political life of the people of this country?

Mr. WHEELER. Oh, no; certainly not.

Mr. LUCAS. Whether or not we call Mr. Hitler and Mr. Mussolini and Mr. Stalin dictators, is it not a fact that those people, during all of the years that we

have been living under a democracy, have been under the despotic or military rule of some men, with the exception of a few brief periods of time, when they immediately went back, after a trial at it, to the old despotic and military way?

Mr. WHEELER. That is true.

Mr. LUCAS. And is it not a further fact that, because of the tyrants and the military despots and the dictators that have been in Europe in these three countries for the past 150 years and more, the people who looked for liberty who were living in Germany and Italy and Russia at that time have come here to American shores, and are some of our best people today, and hate despotic and military government just as every Senator does?

Mr. WHEELER. There is not any question about that.

Mr. LUCAS. But the Senator from Montana, as I followed him, was attempting to tell the Senate that here was one country that went into dictatorship, and here was another country that went into dictatorship, and here was another country that went into dictatorship, and by analogy was attempting to say, because of what happened in those three countries that had had dictators for 150 years, that America is going to do the same thing.

Mr. WHEELER. No; I am not saying that America is going to do the same thing.

Mr. LUCAS. I assumed that that was the trend of the Senator's remarks.

Mr. WHEELER. Oh, no. I will not let the Senator from Illinois put those words in my mouth. What I am saying, and what I am cautioning the Senate about, and what I am saying now to the Senator from Illinois, is that in this country I oppose giving further power in the name of emergency and taking the constitutional powers away from the Congress of the United States and placing them in the hands of one man, no matter who he may be or how much we may love him or how much we may trust him.

Mr. LUCAS. I can appreciate the kind of argument the Senator is making in that respect, but how the dictators of Russia and Italy and Germany, and the way in which they came to dictatorships, which the Senator has been talking about for the past three-quarters of an hour, has anything to do with that subject is more than I can understand.

Mr. WHEELER. If I have not made it plain to the Senator, it is probably my fault; I am unable to make it more clear.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. WHEELER. I yield to the Senator from Maryland.

Mr. TYDINGS. I certainly do not want to charge the President with wanting to become a dictator, and I do not. Nevertheless, any candid person must admit that in the course of the past 8 years there have been occasions when he has pursued the very technique of a dictator. It was only 2 years ago that the President was going all over the country, attempting to tell the sovereign people who should represent them in the policy-making body of this country; and in that undertaking, money for public works and other benefits was poured out as though it came out of a cornucopia.



What is the use, therefore, of saying that there are not in our own Government some of the same elements of dictatorship that have been practiced in other countries? Regardless of the merits or demerits of this bill, I think we ought not to become so partisan in its discussion as to cry down the truth of dictatorial actions right here in the Congress of the United States and elsewhere.

Mr. WHEELER. Even the President of the United States himself said—not so long ago—that the powers which had been given to him might be dangerous in the hands of another person.

Mr. LUCAS. Mr. President, will the Senator further yield for one question?

Mr. WHEELER. Yes; certainly.

Mr. LUCAS. I do not know whether or not the Senator from Maryland is referring to the statement I just made. I did not take issue with what the Senator said with respect to the power granted in the bill. I may discuss that subject later on. I was discussing what the Senator said for the past 30 minutes with respect to the dictator nations; and I was under the impression that the Senator was trying to leave the impression that because of what had happened in Germany and Russia and Italy, the same thing was happening here in America. If I was mistaken in that, I want to apologize.

Mr. WHEELER. When the Senator talks about dictatorship in the United States he ought to go back and recall his statement about the Chicago convention, about the "free and open convention" that we had in Chicago. [Laughter and manifestations of applause in the galleries.]

Mr. TOBEY. Mr. President, will the Senator yield?

Mr. LUCAS. Mr. President—

Mr. WHEELER. I yield first to the Senator from Illinois, in view of the fact that I mentioned his name.

Mr. LUCAS. The Senator has raised the question of that free and open convention. Since I am the author of that statement, I should like to say a word on that subject.

Mr. WHEELER. The Senator knows how free and open it was. [Laughter.]

Mr. LUCAS. That is all right. The Senator was there with his machine.

Mr. WHEELER. The Senator knows who put the sewer inspector down in the cellar—that "voice" of democracy we all heard.

Mr. LUCAS. The Senator from Montana seems to know more about garbage than I do.

Mr. WHEELER. The Senator from Illinois ought to know about it. He has lived in Chicago, or close by.

Mr. LUCAS. Be that as it may, I want to answer the Senator, in view of the fact that he has drawn that free and open convention into this free and open debate.

Mr. WHEELER. I am just trying to keep the country a little bit freer to open debate than it was in the Chicago convention. [Laughter.]

Mr. LUCAS. The Senator from Montana was there, and he had a great opportunity to do that; but I did not hear him making a speech on the floor of the convention.

Mr. WHEELER. It was useless to do so; it was too well organized.

Mr. LUCAS. I am rather proud of the statement I made in that convention; and now that the Senator has me on this subject, I think, for the benefit of the Senate, perhaps I should repeat it. What I said in that convention seemed to please everyone, strange as that may seem. I said that—

I would have been a candidate for Vice President if it had been a free and open convention—but last night as I sat here on the platform I saw delegates all over the convention hall cheering themselves hoarse to draft Roosevelt for President of the United States.

I further said that—

If that was what the delegates wanted, I believed that Franklin D. Roosevelt had the right to select his own Vice President of the United States, because he was the individual who would have to carry the load in the 1940 campaign.

And certainly he did carry the load. He did not get any help from the Senator from Montana in the 1940 campaign. Furthermore—

Mr. WHEELER. He did not get much help from the Senator from Illinois, judging from the results in his own State. [Laughter and applause in the galleries.]

Mr. LUCAS. Notwithstanding that statement, Illinois went for Roosevelt.

Mr. WHEELER. Montana went Democratic, too, by a larger proportionate majority than many States.

Mr. LUCAS. So did my State. My State went Democratic.

The PRESIDING OFFICER. The Senators will suspend. The Chair must admonish the occupants of the galleries that they are breaking the rules. The Chair desires to bring to the attention of those in charge of the galleries that it is their duty to see to it that the rules are obeyed. The Senate will be in order; and the galleries will be in order, or the Chair will have to take action.

Mr. LUCAS. Mr. President—

Mr. WHEELER. I yield.

Mr. LUCAS. I want merely to conclude this one statement on the "free and open convention."

Mr. WHEELER. I am glad to have the Senator clarify it.

Mr. LUCAS. I am glad to clarify it for the Senator from Montana, because whenever he does not want to see anything, we never can clarify it, and he did not want to see any of that convention in 1940, or any of the campaign in 1940. But the statement I made—

Mr. WHEELER. Mr. President—

Mr. LUCAS. Let me conclude. I hope this is an orderly debate. It does not seem to be, because the Senator will not permit me to proceed.

Mr. WHEELER. Very well; go ahead.

Mr. LUCAS. What happened was that the statement I made pleased everyone. The Senator from Montana has referred to it on one other occasion on the floor of the Senate. He referred to it here last year. It seemed to please him. It pleased the Republicans of the country. It pleased the President of the United States, because he said that the statement was perfect. It pleased the mugwumps of the country. It pleased the Roosevelt haters of the country also. So

it must have been a perfect statement, having pleased all political elements and factions.

Mr. CLARK of Missouri. Mr. President, will the Senator from Montana yield?

Mr. WHEELER. I yield.

Mr. CLARK of Missouri. I ask the Senator to yield merely for the purpose of permitting me to congratulate the Senator from Illinois that he got a chance to make a free and open statement, as he has said, because when the distinguished senior Senator from Virginia [Mr. GLASS] mentioned the name of Thomas Jefferson, he was booed off the platform by the "Kelly gang."

Mr. LUCAS. If the Senator from Montana will further yield—

Mr. WHEELER. I yield.

Mr. LUCAS. I do not know anything about what the Senator is talking about, but the Senator from Missouri had an opportunity to make a speech if he wanted to and challenge such a statement, but he sent one of his strong lieutenants up to the platform to make the speech of challenge. Is not that correct?

Mr. CLARK of Missouri. After hearing the name of Thomas Jefferson booed by the "Kelly gang," I did not think it was any place for a Democrat to make a speech on the platform.

Mr. WHEELER. Mr. President, I think it is now settled that the Democratic convention was not free and open. [Laughter.]

Mr. CHANDLER. Mr. President, will the Senator yield?

Mr. WHEELER. I yield.

Mr. CHANDLER. I am glad to have the statement I made a few days ago verified. I stated that the Senator indicated he had used his influence to get a peace plank in the Democratic platform at Chicago. I knew how influential he was, but he was not that influential, for there was nothing in that platform that did not have the approval of the President of the United States, and if he had not approved it, it would not have been in the platform. I am not persuaded that the Senator from Montana was influential enough to secure platform changes.

Mr. WHEELER. The Senator undoubtedly knows what was in the President's mind; presumably the President told him what was in his mind when he ran for Senator down in Kentucky. [Laughter.]

Mr. CHANDLER. Mr. President, will the Senator yield?

Mr. WHEELER. I yield.

Mr. CHANDLER. He did tell me what was in his mind down there.

Mr. WHEELER. The difference between the Senator and me is that the President never had a chance to come out to my State and tell the people of my State what they should do.

Mr. CHANDLER. From what I have listened to lately, I think he should have. I think he overlooked something. [Laughter.]

Mr. WHEELER. It would please me to have the Senator come out to Montana and try it, and let the President come with him, and see how far they get.



Mr. CHANDLER. I hope we can arrange it some time.

Mr. WHEELER. I hope you can.

Mr. CHANDLER. I wish to say to the Senator that my people have had an opportunity to pass on my candidacy since, and they passed on it to my entire satisfaction.

Mr. WHEELER. I am very happy they did.

Mr. CHANDLER. I am enjoying my service here very much. However, if all the Senator's expressed fears come to pass, the President may "get" him some time. Under these circumstances the Senator might not have much chance.

Mr. WHEELER. When I no longer have a chance, there will no longer be a Senate. [Laughter.]

Mr. President, I beg my colleagues to ponder these recent events as I analyze the provisions of H. R. 1776. When we are asked to grant vast powers to one man and to jettison ancient liberties and time-honored safeguards against tyranny on the plea that an emergency exists, we must not lose our heads, as the peoples of other lands have done. We must demand to know what the emergency is and why it cannot be met within the framework of constitutional government.

Why is it that these emergencies cannot be met within the framework of the Constitution; why is it necessary to delegate the powers which, as I shall point out to the Senate, are not necessary for the purpose of carrying out what the Senator from Illinois himself wants to have done?

We must not allow material facts to be withheld from us on flimsy pleas. We must scrutinize carefully, clause by clause, the legislation we are asked to pass on in the name of emergency. And, above all, we must not be intimidated or deceived by labels or dogmatic assertions as to either the facts or the law.

Certain sapient members of the fourth estate have seen fit to mock our fears regarding this bill, as have certain Senators on the floor of the Senate. They have made the shattering observation that the very fact the President had to come to Congress for its enactment proves we are a democracy. My answer to these court satellites—who can be found in every country—is just this: Hitler himself had to go to the Reichstag to get his enabling act passed. So, too, did Daladier when he wanted decree powers. He had to go to the Chamber of Deputies and to the Senate of France. The bill giving the power to Daladier was limited to 8 months, not to 2 years.

After the enabling act was passed in Germany, Hitler had to go to the Reichstag no more except to command and to bask in applause. If my opinion, the bill we are debating, with its anodyne of defense, is the "American Enabling Act of 1941," and is fraught with all the evil consequences that title implies. I turn now to examine its provisions.

Senators talk about the President coming back to Congress to approve his actions. There is hardly a man on this side of the Chamber who does not know that when we give the power to the President of the United States, we have given him power to go, for instance, into

the State of Illinois, and to go into many other great cities and States and win over, with patronage and with public-works grants the support of powerful political machines which deliver the votes. Of course, the 1940 Democratic convention was not free. The machines were in control—and they wanted Mr. Roosevelt. I do not criticize them for it; they were paying for past favors and favors yet to come.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. WHEELER. I yield.

Mr. LUCAS. Of course, the Senator knows a great deal about machines, apparently more than the Senator from Illinois, who lives within a couple of hundred miles of Chicago.

Mr. WHEELER. The Senator knows about them all right.

Mr. LUCAS. Nevertheless—

Mr. WHEELER. The Senator got by in spite of one.

Mr. LUCAS. Even if the machines did nominate the President, the people elected him in the fall after he was nominated.

Mr. WHEELER. That is correct.

Mr. LUCAS. Again, I say, he got no help from the Senator.

Mr. WHEELER. And, again, I say to the Senator that he did not get much help from the State of the Senator from Illinois. If anyone wishes to compare the help that was given, let me say to the Senator from Illinois that I was for the President of the United States when the Kelly-Nash machine was fighting him. In 1932—long before the convention—I was one of the first Senators—probably the first—who stood on the floor of the Senate and defended him, when most of those who are now clinging to his coattails were opposed to him.

Mr. LUCAS. Mr. President—

The PRESIDING OFFICER (Mr. WALLGREN in the chair). Does the Senator from Montana yield to the Senator from Illinois?

Mr. WHEELER. I yield.

Mr. LUCAS. I can join with the Senator, for I myself was one of the delegates to the Democratic convention in 1932 that was for President Roosevelt. So we have no differences on that score. I was a delegate from the Twentieth Illinois Congressional District, and was for President Roosevelt in the convention, and supported him vigorously in that campaign.

Mr. WHEELER. Mr. President, let me say that I get a bit bored with the Presidential adulation exhibited by Senators who have tied themselves to his coattails, who stand on the floor of the Senate and shout they are for him, when I know, and they know that I know, that they were not for him in 1932; and some of them would not have been for him in 1936 except for the fact that they were running for office, and again needed the sheltering protection of the Presidential coattails.

Mr. LUCAS. Mr. President, will the Senator further yield?

Mr. WHEELER. I yield.

Mr. LUCAS. I do not know whether the Senator is referring to me—

Mr. WHEELER. No; I am not referring to the Senator from Illinois.

Mr. LUCAS. Then I have nothing more to say.

Mr. WHEELER. The Senator from Georgia [Mr. GEORGE] just now said in an undertone, "What has that to do with the bill?"—and I agree with him. Purges have something to do with the Senator from Georgia, however. [Laughter.] Comment on that subject ought to be of interest to him.

Mr. GEORGE. Mr. President, I have never worried about purges, or attempted purges, and I have long, long since known that I must have a far more constructive program than a resentment for things of that kind. So I am trying to do my duty by my country.

Mr. WHEELER. I appreciate that, and I know the country does, and I say, "God bless you, Walter." [Laughter.]

Let me resume my argument on H. R. 1776. I now come to the meaning of "defense article."

## II. MEANING OF "DEFENSE ARTICLE"

Section 2 defines two terms—(a) "defense article," and (b) "defense information." These definitions stand at the threshold of the bill and afford a fitting introduction to its bewildering scope. The vast powers conferred on the President by later sections extend to and have to do with all the articles and the information defined in this section.

This is an appropriate juncture at which to compliment those who drafted the bill, the nameless ghost writers with a passion for anonymity. The reports from our Ambassadors in Paris, London, and Warsaw, which might have told us the truth about matters on which we have to guess, are kept from us. Similarly, the identity of the authors of this bill remains a State secret, and their whereabouts and their connections a mystery. Some day they may turn up, perhaps in one of the four departments of our Government whose chiefs have vigorously denied parentage, or in some great temple of justice, or on the legal staff of Lord Halifax, or among the growing corps of corporation lawyers who publish learned opinions in the New York Times demonstrating that, no matter what Congress says, the President can give away our Navy, or can use our Navy to convoy our country into war, or, as Commander in Chief, can flout the constitutional power of Congress to determine whether or not we shall go to war, and who are thereafter appointed to high Government office. I, for one, should like to know whether the agents of any foreign government, registered or unregistered, have participated in writing the bill. We are not to be allowed to know the names of the archpropagandists of them all, persons who can write legislation in the interest of other countries for us to "rubber stamp" without learning their names and their interests. Whoever they are, I am confident they are feverishly watching the progress of their orphan child, the lease-lend-give bill, in the CONGRESSIONAL RECORD from day to day, and that they are listening now to my words. The compliment I wish to pay to them is that they are masters at the



art of clothing virtually unlimited grants of power in garments of legalistic modesty, and of concealing the road to war with hedges of talk about defense.

The art first reveals itself in these definitions. The term "defense article" does not mean articles ordinarily and normally associated with armed defense or even armed offense; it means all articles. The term "defense information" is not really limited to defense articles as you and I or the public would use the term in conversation; it means any and all information about any and all articles. Neither term has any established or ascertainable meaning to be found in dictionary or court decision. They were apparently invented for the occasion by the unknown authors of the bill. We do not, however, have to look outside the bill to discover their boundless scope.

"Defense article" is defined in a series of four clauses. The first is—

Any weapon, munition, aircraft, vessel, or boat.

This, while broad in itself, is the sort of thing you would rather expect to find in a definition of "defense article" in the English language, or at least in the American dialect of the English language. I shall pass it over without comment further than to point out that the words "vessel" and "boat" include merchant ships as well as naval craft, and the word "aircraft" includes aircraft for civil purposes as well as aircraft for military purposes. This part of the definition is, however, only the beginning. The second clause really begins to get somewhere, in the following language:

Any machinery, facility, tool, material, or supply necessary for the manufacture, production, processing, repair, servicing, or operation of any article described in this subsection.

"Subsection" means the four clauses which together make up the definition of "defense article." So you have to look at clauses 1, 3, and 4 fully to appreciate the scope of clause 2. I believe that if the definition stopped with clause 2 I could demonstrate that its dimensions cover all the elements known to chemistry, all combinations of such elements, and all articles, useful or useless, that can be made out of those elements.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. WHEELER. I yield.

Mr. TYDINGS. I wonder if anyone could name an article which is not covered under these four sections?

Mr. WHEELER. I am sure no one can. But I need not take the Senate's time to do this, for the unknown authors have been careful to save us the trouble by seeing to it that nothing is missed.

Clause 3 adds:

Any component material or part of or equipment for any article described in this subsection.

Note the cross-reference to "subsection," appearing for the second time. Fully to appreciate the scope of clause 3 you have to look at clauses 1, 2, and 4. Fully to appreciate clauses 2 and 3, both of which contain the cross-reference, you have to imagine them in a state of

mutual oscillation back and forth until they have bounced out of each other everything from zero to infinity. To complete the job, clause 4 adds:

Any other commodity or article for defense.

Let us not deceive ourselves. "Defense articles" under this bill embrace all articles from battleships to bath powders, from bombers to the billions of gold buried in old Kentucky, from cannon to Willkie buttons. They embrace raw materials, manufactured products, and agricultural crops. On the sinister side they include crutches and artificial limbs and books in Braille type and identification tags and coffins and crosses for the countless future victims of our folly, if we go to war. At this point I digress to wonder whether, in actual practice, it will be found broad enough to permit our country to engage in humanitarian errands of mercy—as distinguished from killing and maiming—such as using our huge agricultural surpluses to help feed the starving mothers and children in Belgium, Norway, and France. I am afraid not. The brave and courageous officials of our State Department, who for years have lectured the world on humanity and the other virtues, will hold up their hands in horror at any such suggestion. We must send our boys to die and be crippled to save democracy for these unfortunate countries, some of our warmongers in New York are telling us, but it is no concern of ours as to whether their people are still living when our armies arrive. So we may find this one qualification on the scope of section 2.

Consider the inconsistency of the little group known as the Defend America by Aiding the Allies Committee, which talks about wanting to save democracy. Let me ask, Who in that group in New York, which is advocating going to war, has ever preached or fought for democracy in the United States?

This is not all there is to the definition. Let me read what follows the fourth clause:

Such term "defense article" includes any article described in this subsection: Manufactured or procured pursuant to section 3, or to which the United States or any foreign government has or hereafter acquires title, possession, or control.

This is not a limitation on what has gone before—far from it. It is a further impressive demonstration of the draftsmen's art in arriving at universality. The language I have just read is intended to insure the extension of the definition to include articles to which "the United States or any foreign government" now has "title, possession, or control." Note that it is not necessary that either the United States or the foreign government have title; "possession" or "control" is sufficient. It is not necessary that the foreign government be the government of a country whose defense the President deems vital to the defense of the United States; it is any foreign government, including Germany, Italy, Japan, and Russia. It includes all the countries of South America—indeed, every country on the face of the globe. Thus we see that the definition of "defense articles" extends to the merchant vessels of Ger-

many, Italy, and Japan tied up in our harbors or at Buenos Aires or Rio de Janeiro. It extends to the merchant vessels of Denmark, Norway, and France similarly tied up. As I shall point out in a moment, under section 3 of the bill these articles may be "procured" by the President by any method known to man "notwithstanding the provisions of any other law." It is elementary that for the United States to "procure" the merchant vessels of Germany, Italy, or Japan by the simple expedient of seizing them as they lie in our ports or in the ports of South America is an act of war, which is not whitewashed or excused by calling the vessels "defense articles." But this takes me ahead of my story.

I could go on and on in this fashion. But I think the illustrations I have given will suffice to show that the definitions in section 2 are staggering in their potentialities, and in themselves are a warning to be on our watch as we proceed to examine the remaining sections of the bill.

I am aware, of course, of the principle of statutory construction that in a definition consisting of a series of specific items followed by a general catch-all phrase such as "any other commodity or article for defense," the general phrase will usually be construed to include only such items as are similar in character to those specifically named. The principle is not always followed, but it is unnecessary to decide whether it applies to the definitions in section 2 of the bill. In the first place, as I have already pointed out, the first three clauses cover every conceivable kind of material and article known to the five senses of man. They have no common denominator and, therefore, do not furnish any discernible limitation that can be imposed on the fourth clause.

In the second place, suppose that somewhere and somehow there is found a limit in this definition on what the President may legitimately call "defense articles." Just how is the limit to be enforced? Suppose he authorizes Colonel Knox, our Secretary of the Navy, to "procure" a carload of lipstick for the Government of Graustark, whose defense he deems vital to our defense. He may do this on the theory that lipstick is a "defense article" since it may be used by the hostesses in that country's army camps. Who can raise the question as to whether the President, or an obliging Attorney General, has rightly construed the definition to embrace lipstick? Under decisions of the United States Supreme Court the taxpayer cannot raise the question—*Massachusetts v. Mellon* (262 U. S. 447)—and presumably no one else can. But suppose someone does have the right to raise the question. You know, as I do, that the Supreme Court has several ways out. It will find that the suit is really against the United States and therefore has no standing; or that the question is a "political question" not within the jurisdiction of the Court; or that the suit is an attempt to have the judicial branch of the Government unduly interfere with the executive branch; or that the Court will not disturb the discretion confided in the President by Congress. And by the



time the case is decided the transaction will have become history and the defensive lipstick will be a memory.

To avoid repetition, let me say that we meet with this same difficulty at every stage in this bill. If we grant the claims made by the proponents of the bill that the scope of its provisions is really not as broad as it seems to be, still it is broad enough so that no way is open in the courts or elsewhere to keep the President within any reasonable bounds, or to call him to account for going beyond these bounds, except in Congress at a time when it may be too late, or in a manner that may be ineffective. Instead of specifying what articles we intend to cover, we leave it to the President. Instead of specifying what laws we intend to displace by this bill, we leave it to the President. Instead of enumerating the countries to be aided, we leave it to the President. Instead of determining, even in general language, the terms and conditions upon which the bounty shall be given, we leave it to the President. And so long as the act shall remain in force the President is responsible only to himself. He is not given even any reasonably intelligible standards to guide his actions in exercising the powers conferred on him. But again I am ahead of my story.

### III. THE SCOPE OF THE PRESIDENT'S POWER TO DEAL IN DEFENSE ARTICLES

Section 3 is the heart of the bill, if it can be said to have a heart. In its provisions are set forth the powers proposed to be conferred on the President to deal in defense article—that is, to deal in any and all articles, howsoever procured, or to which the United States or any foreign government has or hereafter acquires title, possession, or control. In undertaking to construe this section, I must confess that I am bewildered and do not know where to begin or where to end. It is a labyrinth of passages which cross and recross each other, complicated with circles that frequently bring the wanderer back to where he started.

I shall not try to discuss all the questions which this section raises. After careful study both by lawyers in whose ability I have confidence and by long hours of burning midnight oil on my own part, the possibilities of this section are still far from exhausted. Consequently, I shall confine myself to those matters which seem most obvious and most important. Furthermore, I shall reserve for separate discussion the serious issues of validity under our Federal Constitution raised by this portion of the bill.

#### A. Delegation by the President of his powers

Section 3 contains two subsections, (a) and (b). Broadly described, subsection (a) enumerates a series of five powers to deal in defense articles in aiding other governments. Subsection (b) has to do with the terms and conditions which the President may impose on the governments thus aided. Subsection (a) authorizes the President to delegate the powers therein enumerated to the Secretary of War, the Secretary of the Navy, or the head of any other department or agency of the Government. Subsection (b) does not contain any corresponding authority, but the omission is well sup-

plied by section 9 of the bill, which provides that the President—

May exercise any power or authority conferred on him by this act through such department, agency, or officer as he shall direct.

Once this bill becomes law, and as long as it remains law, the Congress will have nothing to say as to what departments, agencies, or officers of our Government shall actually exercise these epoch-making powers. I suspect, however, that the President will not let them get very far out of his own hands, or at least out of the hands of those whose actions and very thoughts he can control. In any event, to avoid complicating this analysis I shall proceed on the assumption that the President will maintain a direct and tight hold on the reins, and that he will not permit much leeway even to his roving ambassadors-at-large to make deals with other governments for defense articles. An exception might be made in the case of Wild Bill Donovan in recognition of his recent diplomatic triumphs against the Nazis in Bulgaria, Turkey, and Yugoslavia, and his success in recovering his passport and his secret notes and reports from the custody of foreign photostaters. Perhaps another exception is justified in the case of Mr. Earle, our Minister to Bulgaria, for his tactful conduct in the cafes of Sofia.

#### B. The countries to be aided

The vast powers to be exercised by the President under subsection (a) are for the benefit of—

the government of any country whose defense the President deems vital to the defense of the United States.

The record of the testimony heard by the House and Senate committees, and the record of the debates in both House and Senate, are replete with statements and assumptions that Great Britain, Greece, and China are the intended beneficiaries; but the bill does not say this, and the proponents refuse to correct the bill so as to make it correspond with what they tell us and tell the public. Actually, no country is overlooked by the bill, with one exception—the United States itself. The powers conferred by subsection (a), vast as they are, extend to manufacturing or otherwise procuring defense articles for everybody except Uncle Sam. The unknown authors, working feverishly to meet the 90-day threat of crisis which has been dangled before us ever since the week after the votes were counted in November, but which always begins on the morrow that never comes, may be forgiven for the oversight. It is a telling revelation of the inner workings of their minds. At the very time they are telling us that Britain is in imminent danger of being conquered and overrun, and that if Britain falls Hitler will attack us in 30 days, either directly or by detouring via Africa and South America—at the very time they are proclaiming in the press and by radio and in the movies that we should be panic-stricken because of the danger, they do not ask for correspondingly broad powers to procure defense articles for the United States. Of course, they do not. They do not really believe in the dire prophecies they make as to our danger. Those

prophecies are for public consumption, to get support for the bill and to get us psychologically prepared for war.

This bill is not for the defense of the United States. That is apparent on its face. It was not drafted by anyone who is afraid that Hitler will attack the United States in 30 days or at any other time. It was drafted by persons who, regardless of cost in lives, liberty, or dollars, want desperately to help Great Britain and unspecified other nations. This may or may not be all right; but it is not all right to delude the public into thinking that the bill is for the defense of the United States.

Why is it that the very mild suggestion, made with trepidation and humility by some members of the legislative branch of our Government, that we specify the countries to be aided is rejected? What is wrong with just mentioning Great Britain, Greece, and China—China, that great democracy we are now asked to preserve, and which Mr. Willkie infers must be preserved, to save democracy here in America? Ninety percent of the 400,000,000 people of China live on less than 10 cents a day; 90 percent of the 400,000,000 are just one jump ahead of starvation; and 90 percent of them are illiterate. That is the way of life Mr. Willkie wants us to preserve.

Let me call your attention that an article appearing in today's issue of the New York Times tells us that—

Secretary of the Interior Ickes said today he was more than ever in favor of daylight saving for Washington "now that we are at war \* \* \*."

Where are the men who stood on the floor of the Senate and said this was a peace bill? Mr. Ickes is the second Cabinet officer in recent days who has said publicly we are in the war. Where are my friends who have said this is a bill to keep us out of war? They are in exactly the same position their predecessors were in in 1917, when the Senate passed the armed-ship bill. Then it was said that the 70 Senators who voted for that bill did not want war and would not vote for war, but 1 month later only 11 Members of the Senate voted against the resolution putting this country into war.

Wake up, Americans! I say to the Members of the Senate, Wake up your people! Take off your green glasses, and see where you are going. Do not merely read the labels on the bottle, but look at what is inside.

Even Mr. Willkie, the intrepid Trojan horse of the Republican Party, advocated specifying the countries to be aided. Incidentally, if I were Mr. Churchill I would not place too much faith in Mr. Willkie's present-day ardent advocacy of all-out aid to Britain. This may prove to be just early campaign oratory looking toward the Democratic nomination in 1944. [Laughter.]

I have heard one reason for not naming the countries to be aided, and I can think of several more. The reason I have heard is that the situation changes rapidly, although it would have to attain a high rate of speed to change as rapidly as it did on or about November 5. What is really meant, I suppose, is that there is always a possibility that Great Britain



will acquire new allies, either as a result of her own efforts or as the result of the efforts of the Axis Powers, or as the result of the efforts of our ambassadors at large bearing gifts from the American taxpayers. I concede that if the theory of this bill is correct, if it is true that it is to the interest of the United States to give aid to Great Britain, Greece, and China, then it may become logical to extend similar aid to nations that become their Allies. This is not necessarily so, since it is by no means certain that the American people will approve of the new Allies or will desire to aid them; but I can think of no reason for not resubmitting the question to Congress. I cannot understand why the Congress should be asked—yes, commanded—to surrender its role under the Constitution of participating in the choice of our friends and enemies in the hall of nations.

I have said there are other reasons. I assume that if the bill becomes law the administration will not extend aid to Germany, Italy, or Japan; but section 3 certainly does not limit aid to countries that are attacked or threatened with attack by these three dictatorships. The aid may be extended to any country threatened by any other country. It would extend to any South American country against any other South American country. It would extend to any South American country threatened with revolution inside its own boundaries. Some of these countries have gone through cycles of numerous revolutions and dictatorships for decades, within living memory. Now we shall suddenly learn that every revolution south of the Rio Grande is inspired by Nazi "fifth columnists," and that we must rush assistance to quell Spanish-American Quislings and to uphold the relentless hand and the iron rule of the dictator of our choice in each of these countries. Did I say the dictator of our choice? I mean the dictators chosen by Wall Street banks to protect our so-called investments in such countries, meaning the right to exploit their cheap labor.

Talk about puppet governments and Trojan horses! We shall have a greater string of them to our credit than any nation in history. I charge that here is one of the real reasons why we, the representatives of the people of the United States, are not to be permitted to have any voice in selecting the countries we are to aid, first, by giving them untold billions of our wealth, and sooner or later by sending our boys to give their lives. Other reasons appear when we examine subsection (b).

Let me digress long enough to ask who are these "democracies" we are called upon to aid with our lives and our fortunes, for whom we are called upon to be the arsenal, the larder, the banker, and the moving van? Is Great Britain one of them, with her mighty empire comprising nearly one-fourth of the earth's surface, holding a large share of the world's riches in natural resources and a virtual monopoly in many of them? If so, are we to help her extend the four freedoms to her 350,000,000 subjects in India, from the exploitation of whom, I am told, 2 out of every 10 per-

sons in England derive their living? We have that on Mr. Churchill's authority, I believe. Or to Egypt, a country to whom the whole world is indebted for her contribution to civilization, and at the same time a country which does not think enough of the English brand of democracy to be willing to join England in the war against Italy, even though it takes place at her boundaries?

Does China fall within the classification of democracy? When did we become so interested in China? Oh, I know we have done plenty of pious talking but we survived the sinking of the *Panay* and the destruction of the international settlement at Shanghai, and, surprisingly enough, we even put up with damage to the Standard Oil Co.'s property. But curiously, the moment there is a threat, real or imagined, to Singapore, the British Gibraltar of the East standing guard for British imperialism in the Orient, we suddenly discover that China is a democracy whose defense is vital to our defense. Now we hear that our Government is already preparing to send our ships and our men to Singapore. We should amend this bill so that that cannot happen. I venture to say that the Japanese would have been allowed to overrun the whole of China, and to set up the worst conceivable form of government over its 400,000,000 people, without evoking more than angry words from us. But Singapore, ah, that is the rub. Now it is to be or not to be, for the United States. Democracy and the American way of life are at stake. What hypocrisy. What transparent idiocy, hardly disguised, straight from the New York banks and capitalists concerned over their investments in British cartels and monopolies.

Greece, much as I admire her, valiant as has been her struggle against odds, is not a democracy. For years she has been under a rigid dictatorship. Are we to insist that she accept the four freedoms as we engage in our Quixotic crusade around the world? But we know that Greece has been in many wars before now, including the period since the World War. And, if we are frank with ourselves, we must confess that it is only because of the accident that she finds herself on the same team with England that we are calling her a democracy whose defense is vital to ours.

*C. The terms and conditions to be imposed on such countries*

We have seen that the aid to be given may consist of any and all conceivable articles and materials. We have seen that it may be given to any and all conceivable countries. We now find that it may be given for any and all conceivable purposes.

Listen to the language of subsection (b) of section 3:

(b) The terms and conditions upon which any such foreign government receives any aid authorized under subsection (a) shall be those which the President deems satisfactory, and the benefit to the United States may be payment or repayment in kind or property, or any other direct or indirect benefit which the President deems satisfactory.

First note that the materials given do not have to be used for defense purposes. They do not even have to be used for military purposes, offensive or defensive. The only limitation I can find in the bill is contained in section 4, which provides that "defense articles" may not be passed on by the receiving government to anyone else unless the President consents. Again it is left to the President. When we give another country some defense articles, then what control do we have over them? If we give them to Brazil or to Argentina, how are we going to stop their governments from then giving them to Germany if they want to do that?

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. WHEELER. I yield.

Mr. CLARK of Missouri. In addition to that, there is absolutely no limitation, not even the pretense of a limitation, on passing on something in kind. For instance, if we were to give 50 guns, let us say, to Russia, Russia might keep those guns to carry out the provisions of this proposed law, and then pass on 50 other guns of the same caliber and same efficiency to Germany, or any other country she wanted to.

Mr. WHEELER. I thank the Senator; he is undoubtedly right. If the President gives the word, the articles may be passed on to anyone, including the governments of countries whose defense is not vital to the defense of the United States.

What are the terms and conditions that the President may be expected to impose? I wish I had even a faint idea. There is nothing in the bill to direct him to require immediate payment in money or in other things of value where the foreign government has available funds for this purpose. Are we to acquire further 99-year leases on naval and air bases at Singapore or in Dutch Borneo—now governed from London—or in Iraq? There is nothing to direct him to inquire into the war aims of the foreign government and satisfy himself that those aims do not, in whole or in part, conflict with our best interest, or that they are so worth while as to justify our reckless spending in their behalf. By the same token, there is nothing to keep him from attempting secretly to dictate the war aims of the foreign government as part of the price to be paid, and thus to commit us to those war aims, without submitting those aims to the Congress or to the people. Whether or not the aims are satisfactory is to be determined by his own unfettered judgment, expressed in secret covenants, written or unwritten, or in trans-Atlantic radio-telephone conversations. Think of the opportunities for diplomatic intrigue this will give to the Bullitts and the Biddles and the Donovans. They will revel in it. But what becomes of the constitutional right and duty of the United States Senate to examine and pass on treaties before they become effective? I shall return to this later.

We have exhausted only a fraction of the potentialities of subsection (b). The terms and conditions are not limited to defense or to offense or to war in gen-



eral. The President will have power to insist on any kind of a promise or undertaking on the part of the foreign government. He may decide to set up an N. R. A. for the universe, with codes of fair practice among nations, specifying what forms of government they may or may not have, who shall be eligible to be their rulers, what crops they may grow, what they may export or import, what laws they shall pass and repeal, and so forth, accompanied by an international crack-down policy against chiselers and picturesque ranting about throwing dead cats.

Some may argue, "But the President will not use these powers." If he will not use them, do not give them to him, because he should not have them.

Senators may beat their breasts and say, "Trust the President of the United States." They may cry over the little children in England and Africa and South America and India. They may weep bucketsful of tears if they want to, but when they are weeping those tears for other people will they not remember that here in the United States we, too, have little children who are in want; will they not remember their country, this Union, and that it is the last constitutional democracy left on the face of the earth; will they not remember that their votes may, in the name of an emergency, help destroy our Republic?

Mr. BONE. Mr. President, will the Senator yield?

Mr. WHEELER. I yield.

Mr. BONE. I have been carefully listening to the Senator's argument. I take it that in the ultimate his conclusion is that once the bill is enacted the only mechanism left in the hands of the Congress to control in any degree what is done under the bill is through giving or withholding appropriations.

Mr. WHEELER. That is correct.

Mr. BONE. Appropriations once granted, the powers under the bill become limitless within the scope of activity permitted by the amount of money made available.

Mr. WHEELER. But let me say that under the terms of the bill, unless it is amended, the President may come to the Congress and ask for appropriations for the defense of the United States, and when they are granted he may take a part of the money and give it to any country under the sun.

Mr. DANAHER. Mr. President, will the Senator yield?

Mr. WHEELER. I yield.

Mr. DANAHER. Has the Senator as yet had occasion—I do not suppose he has—to examine the file of bills now on the calendar?

Mr. WHEELER. No; I have not.

Mr. DANAHER. If the Senator will do so, in his file he will find Calendar No. 72, which deals with House bill 2788. I should like to call to the attention of the Senator, in the light of the comment of the Senator from Washington [Mr. BONE], page 6, lines 8 to 16, inclusive. I ask the Senator if the fact has come to his attention that there is to be an emergency fund for the President without limitation on its prospective use in any way whatever. The provision reads:

To enable the President, through appropriate agencies of the Government, to provide for emergencies affecting the national security and defense and for each and every purpose connected therewith, and to make all necessary expenditures incident thereto—

Now, notice—

without regard to the provisions of law regulating the expenditure of Government funds or the employment of persons in the Government service, such as section 3709 of the Revised Statutes and the civil-service and classification laws, \$100,000,000.

Without limitation of any kind.

Mr. WHEELER. May I suggest to the Senator that those who requested the appropriation were too modest. They should have asked for several billion dollars, because they probably would have gotten it just the same. [Laughter.]

Mr. DANAHER. Has the Senator had occasion—I do not suppose he has—to examine the hearings in which are set forth the justification for this turn-over of \$100,000,000 to the President, with no limitation whatever upon its prospective use? Under the contemplated bill which will presently be before us as the order of business, we will be asked, for domestic purposes and without limitation, and in the name of defense, to give the President \$100,000,000 more.

Mr. WHEELER. I thank the Senator. Of course, that is in line with the pending legislation; and if it is enacted we shall get more and more requests of the same kind.

I say to my friends in the Senate, in all seriousness, that in my opinion the pending measure may be the most dangerous bill that ever came before the Congress of the United States. It is inconceivable to me that men can so far forget the Constitution of the United States and the basic principles of democracy.

Mr. TOBEY and Mr. BONE addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Montana yield; and, if so, to whom?

Mr. WHEELER. I yield first to the Senator from New Hampshire.

Mr. TOBEY. Mr. President, I ask the Senator if he agrees with me that this bill is so far reaching and so dangerous in its provisions, in the power asked, that any other legislation after this will merely be an anticlimax?

Mr. WHEELER. I believe the Senator is correct.

I now yield to the Senator from Washington.

Mr. BONE. Mr. President, I am trying to read this bill as we go along in the light of the arguments I have heard. I am constrained to agree that there are no limits on the discretion of the President in granting aid and in giving or withholding, at his discretion, defense articles under the bill. I have not heard anyone here suggest anything to the contrary. The power to give is complete in the bill.

Mr. WHEELER. That is absolutely correct.

Mr. BONE. That leaves the one question about which I want to satisfy my own mind, and about which I have asked before.

Aside from the cost of improving, repairing, and reconditioning naval vessels for foreign powers—which is authorized by the bill, and for which I assume there would have to be appropriations, and they would be made available, as the authorization would be made by this bill—the amount of money, or the value of the thing given, or the total of the two, may not, under this particular legislation, unless it be changed, exceed \$1,300,000,000. That is on page 3.

Mr. WHEELER. Let me say to the Senator that I am coming to that matter a little later; I shall discuss it at the proper time.

Mr. BROWN. Mr. President, will the Senator yield?

Mr. WHEELER. I yield to the Senator from Michigan.

Mr. BROWN. I should not want the colloquy between the Senator from Washington and the Senator from Montana to lead anyone to the conclusion that no limitations are contained in this bill.

Mr. WHEELER. I shall later call attention to those provisions which some are pleased to term "limitations."

Mr. BROWN. Let me call attention to it now.

Mr. WHEELER. I should like to call attention to them in my own time.

Mr. BROWN. I was very generous to the Senator from Montana yesterday.

Mr. WHEELER. Very well, I yield.

Mr. BROWN. I think it is entirely erroneous for the two Senators to leave the impression at any time during the debate that there are no other limitations in the bill. As the Senator well knows, a majority of the Senate and the House, by the passage of a concurrent resolution, may at any time, the day after the bill is passed, cancel all the powers given to the President under the bill, with the single exception that commitments which he has theretofore made must be carried out. I think it is utterly erroneous, and I think it is wrong, for the Senator to lead the country to believe that there is no such limitation in the bill.

Mr. WHEELER. Let me say to the Senator that some very eminent lawyers are of the opinion that this so-called repeal provision is probably unconstitutional.

Mr. BROWN. Is it not the precise provision that is in the reorganization bill at the present time?

Mr. WHEELER. I do not agree. In the Reorganization Act we have provided for a condition precedent before the repealer may take effect; what is proposed here is a condition subsequent which is of doubtful constitutionality. Moreover, none should overlook the power of the purse that the President has today. If the Congress will continue to appropriate billions and billions of dollars, with wide discretion in the spending of such sums, how can we expect Representatives and Senators to act and vote independently?

Mr. BROWN. Does the Senator mean to imply that the majority of the Representatives in the House and the majority of Senators are giving this power to the President of the United States because they are afraid of any powers that the President might exercise against them by way of patronage?



Mr. WHEELER. No; let me say—

Mr. BROWN. Let me finish. The Senator has repeatedly talked about the purge. My idea was that every man whom the President tried to purge was rejected to office, with the single exception of the chairman of the Rules Committee of the House of Representatives, who was defeated. The purge did not work in the United States. If we are to inquire into that record, I think we will find that it was better for a Senator to oppose the President than to be with him, so far as that particular circumstance was concerned.

Mr. WHEELER. I thank the Lord that the people had enough sense not to let the President purge the Senators whom he tried to purge. Let me say to the Senator from Michigan that the fact that the voters did not permit the President of the United States to purge Senators encourages my faith in the people of the United States and in democracy.

Mr. BROWN. The Senator from Montana does not seem to have the same faith in the great Senator from Georgia, who was one of the presumed victims of the purge; but he was not purged. He was too well thought of by his people.

The Senator knows that man after man on the floor of the Senate, including the junior Senator from Michigan, who has repeatedly opposed the President on vital matters, is behind him on this particular piece of legislation. I think it is unfair of the Senator from Montana to accuse all of us, in fact, I think it is unfair to accuse any of us, of voting for the pending measure because we are afraid of some action the President might take by way of withholding from us patronage or money which might go into our States and communities. It does not affect the junior Senator from Michigan, and I do not believe it affects the other Senators who are here representing the various other States of the Union.

Mr. WHEELER. Senators and Representatives are human beings. I said at the very outset of my speech that I did not want my motives impugned, and that I did not intend to impugn the motives of anyone else. Perhaps the Senator was not here at the time. I said that then, and I repeat it now. I do not want my motives impugned, whether by a Senator or by the President of the United States, and I am not impugning the motives of any other Senator. But if Senators are willing to vote to give the President of the United States this unlimited power, how do they expect to recover it after it is once given? Suppose the administration did not want the legislation repealed. How would the Senator get it repealed? Is it not true, as a practical matter, in another House particularly, that if the President opposed repeal that a repealer would be pigeonholed in some committee? The Senator knows that when the majority are Democrats, and are going along with their President because they want to do so, because they belong to his party, it is difficult to bring about the repeal of a law. It is not necessary to impugn mo-

tives, and I am not impugning the motives of other Senators; but I say that we are only human beings, and, because we are Senators, we are not any better than the great mass of the people of this country. When I say that, I am not impugning the motives of any Senator. I know the Senator from Michigan is an exceedingly courageous Senator. I must confess that I am amazed to find his logical mind and his intellect following the President on a bill which gives to the President such unlimited power.

Mr. BROWN. Mr. President, I am just as sincere in my advocacy of this measure—

Mr. WHEELER. I know the Senator is.

Mr. BROWN. As I was in my opposition to the Supreme Court bill, as I was in my opposition to the transfer of Civil Aeronautics from an independent agency to the Department of Commerce. What I resent at the present time is the Senator's use of the word "subservient," or words of similar import, in application to his colleagues in the Senate. I do not believe the Senate to be subservient. I have faith in my fellow Senators, and I am confident that if the time comes when it shall be necessary to exercise the provisions of subsection (c) of the bill, found on page 4, the great majority of Senators assembled here will have the courage and the nerve to withhold and withdraw those powers. I know I would; I know the Senator from Montana would. I grant to every other Senator the same accolade of courage that I place on the brow of the Senator from Montana.

Mr. WHEELER. I have already said to the Senator that if I used the term "subservient" in a way that was distasteful to him, I will ask the reporter to strike it out. I did not intend to use it in a way that would be distasteful to the Senator.

I have served in the Senate for a considerable period of time, and I have as high respect for the Members of the Senate as has any other Senator; but I have seen Members of the Senate, as has the Senator from Michigan, vote to give power to the President of the United States which, in my judgment, under the Constitution, they should not have given to him. I have seen the Senator from Michigan take exactly the same position in regard to other measures that I am taking with regard to the pending bill. Where are the powers granted to the President by Congress which he was to give back, which he said were only temporary?

Mr. BROWN. I can name one of them to the Senator.

Mr. WHEELER. Oh, yes; I know what the Senator is going to say. But where are the others the President was to give back?

Mr. BROWN. In my judgment, if the President of the United States is to be criticized for anything in connection with the use of his powers under the reorganization bill, it is that he did not sufficiently exercise them. Without exercising the powers granted to any considerable degree, he allowed them to expire, he gave them up, without using them, and

the Senator from Montana knows that as well as I do.

Mr. WHEELER. Yes; I know he asked for great powers; he has asked for greater powers than most of our Presidents. Some of these powers he has not used. I think it is entirely possible, and entirely probable, that the President will not use some of the powers, perhaps most of the powers, proposed to be given to him under the pending bill. But the fact that he will not use them is no argument for giving him the powers. What logic is there to the argument that the President will not use the powers we are asked to give to him?

What powers did the framers of the Constitution give to the President? They were so jealous of power that they provided for three independent branches of the Government. They did not even trust the Father of the Country with the powers proposed to be given to President Roosevelt. They would not have given them to Madison or to Jefferson. Yet Senators, perhaps because they have been emotionally affected by war propaganda and influenced by the fear that has been instilled into the American people that we are next on Hitler's list, would now give practically unlimited power to the President.

Mr. BONE. Mr. President, will the Senator yield?

Mr. WHEELER. I yield.

Mr. BONE. I realize that because men are sincere and passionately earnest in discussing the pending measure, it is easy to get off into another avenue of discussion, and I desire to confine my inquiry to one point. I think the Senator from Michigan [Mr. Brown] is correct; I was not particularly intending to refer to restrictions contained in the provision on page 4, concerning the adoption of a concurrent resolution. My question was predicated on the assumption that, disregarding the provision as to the concurrent resolution, eliminating the powers, then, within the limit of \$1,300,000,000, the President would be supreme in handling either that amount of money, or the value of articles involved in the bill. Is that correct? I sincerely seek information, and I want this matter cleared up in my own mind. Omitting, for the purpose of the argument, all reference to the concurrent resolution provision, the President's powers with respect to the \$1,300,000,000 of money, or value of some sort, would be supreme in his discretion in giving or withholding. Is that accurate?

Mr. WHEELER. There is no doubt about it.

Mr. BONE. Very well.

Mr. BARKLEY. Mr. President, will the Senator from Montana yield to me?

Mr. WHEELER. I yield.

Mr. BONE. I am sorry to trespass on the Senator from Montana, but I wish to get this matter clear in my mind.

Mr. BARKLEY. I am informed and believe that the \$1,300,000,000 limitation, which was placed in the bill by the House of Representatives, was inserted as a limitation because of objection being made—whether founded on reason and



judgment or not—that under the terms of the bill as originally introduced the President could dispose of the entire Army and Navy, and all the equipment that was being procured by the appropriations made during the last session of Congress, amounting to approximately \$13,000,000,000.

The House first discussed the question of inserting a 10-percent limitation, and it was, I think, recommended in that form by the Committee on Foreign Affairs, but the House finally decided to place a limitation of \$1,300,000,000, so as to eliminate any percentage, and that was intended to apply not only to the \$13,000,000,000 worth of equipment to be procured in the appropriations of the last Congress, but it was also to apply to all existing equipment, everything on hand, so that out of all there is now on hand and all that will be available when the \$13,000,000,000 appropriated by the last Congress has been spent, only \$1,300,000,000 can be disposed of under this bill.

Mr. BONE. That is the assumption I should draw from reading the bill. I am glad the Senator from Kentucky has made that statement, but I want to get clear in my own mind that within the \$1,300,000,000 figure, either in cash or in value, the President's judgment with respect to where materials would go and how they would be utilized, would be supreme.

Mr. WHEELER. That is correct.

Mr. BARKLEY. Yes; I think that is true.

Mr. BONE. I think we are all in agreement that the \$1,300,000,000 is the red line beyond which he may not go in value or in money.

Mr. WHEELER. That is true with respect to the specific \$1,300,000,000 worth of material. The bill sets no standard of measurement of value; conceivably he can place any value he wants to place on such equipment.

Mr. GEORGE. Mr. President, I deny that.

Mr. WHEELER. Well, the Senator may deny it.

Mr. GEORGE. Yes; I deny it.

Mr. WHEELER. The Senator can deny it, but he is at liberty to explain why.

Mr. GEORGE. I know I can deny it, and I do deny it. I know that the Senator does not want to make a foolish spectacle of himself here in the Senate. If the Senator does, very well. The language of the bill—

Mr. WHEELER. Well, who has the floor?

Mr. GEORGE. The Senator from Montana has the floor.

Mr. WHEELER. I shall yield if the Senator wants me to.

Mr. GEORGE. I know the Senator has the floor, and the Senator has had the floor for most of 2 weeks.

Mr. WHEELER. I could have it for 2 weeks more if I want it.

Mr. GEORGE. The Senator will?

Mr. WHEELER. I said, "if I want it."

Mr. GEORGE. Then it is a filibuster.

Mr. WHEELER. The Senator must not put words in my mouth and talk about a filibuster.

Mr. GEORGE. Then, it is a filibuster.

Mr. WHEELER. It is not a filibuster, and I want the Senator to know—

Mr. GEORGE. The Senator said he would have the floor for 2 weeks more—

Mr. WHEELER. I said I would have it for 2 weeks more if I wanted it.

Mr. GEORGE. The Senator is the sole judge of what he will do here in the Senate?

Mr. WHEELER. I hope I am.

Mr. GEORGE. The Senator hopes he is the sole judge of what he will do in the Senate?

Mr. WHEELER. I try to be the sole judge of my actions in the Senate. I have not let anyone dictate—

Mr. GEORGE. But the Senator is talking about the action of the Senate—

Mr. WHEELER. No; I am talking about my own actions.

Mr. GEORGE. Oh, no.

Mr. WHEELER. Oh, yes.

Mr. GEORGE. No; when the Senator says that if he wants it he will have the floor for 2 weeks more—

Mr. WHEELER. I just do not want to get into that kind of an argument with the Senator from Georgia.

Mr. GEORGE. All right.

Mr. WHEELER. Now, if the Senator has something he wishes to say to me about the bill and will call my attention to it, I shall be happy to have him do so.

Mr. GEORGE. I wish to read the language to the Senator.

The value of defense articles disposed of in any under authority—

And so forth—

shall not exceed—

A specified figure—

\$1,300,000,000.

Mr. WHEELER. Very well.

Mr. GEORGE. The Senator asserts that the President can put any value on anything he gives away.

Mr. WHEELER. Where is any limitation placed upon him?

Mr. GEORGE. I assert that he cannot, because it must be according to the value of the article.

Mr. WHEELER. The value at what time?

Mr. GEORGE. At the time he gives it away.

Mr. WHEELER. And who puts the value on it?

Mr. GEORGE. Who puts the value on it?

Mr. WHEELER. Yes; who places the value on it?

Mr. GEORGE. There is not in the bill a single power which the President personally executes so far as this provision of section 3 (a) is concerned. It must be executed through the Army, through the Navy, through the established heads of Government, and do they not value the property? Do they not put the value on it?

Mr. WHEELER. I do not agree with the Senator's conception of that language. If the President values a battleship at \$100,000, how under this bill would he be prevented from doing so?

Mr. GEORGE. No; that is not what the Senator said.

Mr. WHEELER. I say he can put almost any conceivable value on what he gives or trades or leases away under the language of the bill as now written.

Mr. GEORGE. That is, that he can put a value of \$1 upon \$1,000,000 worth of property?

Mr. WHEELER. That is an exaggerated instance, but that is the principle.

Mr. GEORGE. I say he cannot do it, because the language of the bill is that the "value shall not—" The "value shall not exceed," and so forth. The Senator must know that in the Army and the Navy, in the accounting office, in every agency of the Government, the value can be ascertained, and there are agencies which can ascertain it. If the Senator means to say that the President might arbitrarily put a value of a dollar on a billion dollars worth of property, I agree with him that the President might arbitrarily do so, but that is not what the bill authorizes. The bill authorizes the President to transfer not exceeding \$1,300,000,000 in value. Now, who is to determine it?

Mr. WHEELER. Let me say to the Senator that he does not need to become so excited.

Mr. GEORGE. I am not excited.

Mr. WHEELER. Or say that anybody is foolish. I still say—

Mr. GEORGE. I am not very excited. I am not saying anybody is foolish.

Mr. WHEELER. Oh, yes; the Senator did.

Mr. GEORGE. I say anybody who makes that statement is not sincere or frank. Because the bill says that the value—

Mr. WHEELER. I do not agree.

Mr. GEORGE. Just wait a minute.

Mr. WHEELER. I do not care to get into an argument with the Senator—

Mr. GEORGE. I know the Senator has a beautiful way of not getting into an argument. There is not much between us, but we are not agreed—

Mr. WHEELER. No; we are not.

Mr. GEORGE. I do not want to get into a personal argument, because I like the Senator—

Mr. WHEELER. The Senator has not acted as if he does.

Mr. GEORGE. I have not acted as if I do simply because I have not yielded my opinion to the Senator's opinion.

There are many persons who have some little conscience, some little judgment, and some little disposition to serve their country besides the Senator from Montana. The Senator has plenty of all that, but there are others who have the same conscience, judgment, and disposition at least to a certain degree if not in the same degree.

Mr. WHEELER. I have said to the Senator repeatedly—

Mr. GEORGE. Just a moment, please. I am coming back to the language of the bill. The Senator has indulged in a long technical argument. The language of the bill is—

The value of—

The property—

shall not exceed \$1,300,000,000.

Now that is all there is to it.



Mr. WHEELER. If the Senator wants the language to have that meaning, why does he not put in a provision to the effect that the value of these things shall be fixed by the Army and the Navy, or determined according to the value that is placed upon them by the Army and the Navy?

Mr. GEORGE. Because the value means the value.

Mr. WHEELER. Ah; that is the same old story we have heard since the inception of this bill—we must not be definite and specific; we must leave it to administrative interpretation.

Mr. GEORGE. No.

Mr. WHEELER. Oh, yes.

Mr. GEORGE. You can keep on amending; you can amend the Decalogue; you can amend the Ten Commandments; and you can put in a lot of exceptions.

Mr. WHEELER. Surely.

Mr. GEORGE. But that is not the point.

Mr. WHEELER. The point is that the Senator does not want it because the administration does not want to have the bill amended in any way.

Mr. GEORGE. Then I am subservient to the administration? Then I have taken all of it as it has come, the Senator says?

Mr. WHEELER. I did not say the Senator was subservient.

Mr. GEORGE. Well, the Senator would say I have been taking all of it, all the time? The Senator knows that is not true.

Mr. WHEELER. No; the Senator certainly has not been one who has taken administration orders heretofore—and I am sure he is not doing so now. I have said that however the Senator from Georgia differed from me, I knew he was honest and sincere.

Mr. GEORGE. I have always scrutinized proposed legislation sent to Congress. But this language, I respectfully submit, is the value, and no one has a right to put a fictitious value on a thing and say it is worth less than it is. We have an Accounting Office. We have accounting laws. It looks to me so simple.

Mr. CLARK of Missouri. Mr. President, will the Senator yield to me?

Mr. WHEELER. I yield.

Mr. CLARK of Missouri. The Senator from Georgia stated a moment ago that the value would be fixed by the Secretary of War and the Secretary of the Navy.

Mr. GEORGE. No; I did not.

Mr. CLARK of Missouri. Or the Army and the Navy. I so understood the Senator. If I am mistaken, I shall be glad to have the Senator from Georgia correct me.

Mr. GEORGE. Yes; I want to correct the Senator right now. I want to say that the bill, in section 3 (a), does not authorize the President to do one thing by himself directly. Let me qualify that by saying, under section 3 (a) or (1) or (2). He must do it through established agencies of the Government. He must call on the Secretary of the Navy, the Secretary of War, or, let us say, the Secretary of Commerce. That is all I said.

Mr. CLARK of Missouri. Mr. President, will the Senator further yield to me at that point?

Mr. WHEELER. Yes.

Mr. CLARK of Missouri. I did understand the Senator to say that the value was to be fixed by the Army and the Navy.

Mr. GEORGE. No; I did not say that. The Senator is wrong.

Mr. CLARK of Missouri. I think the Record will show what the Senator said.

Mr. GEORGE. The President is authorized to execute the law personally by himself, but only through either the Secretary of War, the Secretary of the Navy, or some other head of Government. But the word "value" is written in the bill. That will bind any agency of the Government. The value is not what the President thinks the value is. It is what the value is. That is all there is to it. There is no room for legitimate argument. There is room to dispute what I say, but there is no room for worry about it. The value is the actual value of the property, to be determined by whatever agencies of the Government administer the law.

Mr. WHEELER. When the Senator has spoken, then, of course, the final word has been said.

Mr. GEORGE. Oh no. The Senator from Montana, in his usual magnanimous method, and out of the graciousness of his heart, is measuring everybody out of his own particular small half bushel. The Senator from Montana is measuring us out of a half bushel.

Mr. CLARK of Missouri. Mr. President, I started to make a statement a moment ago with the permission of the Senator from Montana. I resent the suggestion of the Senator from Georgia that because he entertains a certain opinion nobody else can make a legitimate argument contrary to his opinion.

Mr. GEORGE. Oh, no.

Mr. CLARK of Missouri. Just a moment. The Senator from Montana yielded to me.

I desire to call attention to the fact that there is no limitation as to the Army or Navy or anybody else making a finding of value. Section 3 (a) says that the President may authorize the Secretary of War, the Secretary of the Navy, or the head of any other department or agency of the Government to do all these things, including the matter of valuation, which is dealt with in subparagraph (2). The President might, of course, if he should see fit, authorize the Army to fix the value, or he might authorize the Navy to fix the value. It has been said here repeatedly that he is Commander in Chief of the Army and Navy. They obey his orders on any subject.

He might authorize one of the executive assistants "with a passion for anonymity" to fix the value. One of them is the head of the Office of Public Reports, or whatever the name of the censorship may be. He might authorize Mr. Lowell Mellett, for instance, to fix the value of the Army and Navy articles. If anyone does not know that at times there has been very wide latitude in the disposition of property of the Army and Navy, with respect to fixing its value, he is simply not familiar with the subject.

The Navy might say that the value of a battleship is the cost of its construc-

tion. It might say that it has a greater value because it might take some time longer to construct it now than it did when the battleship was constructed. Or it might say that it had only a junk value. Ships are sold on that basis. The question of value depends entirely on who sets up the value. I say that the limitation in the bill does not mean anything. Whether the Senator from Georgia thinks that is a legitimate argument or not, I certainly think so, or I should not have made it.

Mr. GEORGE. Mr. President, I do not want to have any quarrel with the Senator from Missouri.

Mr. CLARK of Missouri. The Senator from Georgia cannot have any quarrel with the Senator from Missouri. I have too high a regard for him.

Mr. GEORGE. I will not have any quarrel with the Senator from Missouri or with my good friend from Montana. However, the language of the bill says "the value" of these articles, and not what somebody thinks about it, except the established agencies of government. If the established agencies of government cannot be trusted to fix a fair value on the property, I do not know who is to blame. I do not want to place the blame anywhere. But the President is not specifically authorized to fix the value.

All I said, and all I wish to say, is that under certain conditions, as he finds them, the President of the United States may authorize the Secretary of War, the Secretary of the Navy, or the head of any other department to do certain things—to manufacture or to procure, to sell, lease, or transfer, to test or inspect, to communicate, and so forth. But the value of all things now on hand, or in process of construction out of all moneys heretofore appropriated, may not exceed \$1,300,000,000. If it is to be assumed that those who fix the value will act arbitrarily, and will not act in good faith, then I can concede that what has been said is true. But I do not so assume.

Mr. WHEELER. Mr. President, I suggest to the Senator that there is only one point on which he and I finally disagree. I say that because of the experience we have had in this country there should be written into the bill something more than a mere statement about the value of defense articles. The value ought to be passed upon by some board. Later in my argument I intended to cover that point.

The Senator says that we can trust some of the department heads and the heads of some of the agencies. I have my doubts. We trusted the Secretary of the Interior when he gave away Teapot Dome.

Mr. GEORGE. Oh, no.

Mr. WHEELER. Oh, yes. We trusted Mr. Daugherty, the Attorney General of the United States; and we have trusted departments, agencies, and individuals, and we found afterward that they were giving away the United States.

Mr. GEORGE. I hope the Senator will not ask me to say "Yes" to that statement.

Mr. WHEELER. I do not care whether the Senator says "Yes" or "No." I am not asking him. I am simply stating



what took place in connection with Teapot Dome and other matters.

Mr. GEORGE. Oh, no.

Mr. WHEELER. Oh, yes; and a similar situation existed in the office of the Alien Property Custodian.

Mr. GEORGE. No, Mr. President.

Mr. GILLETTE. Mr. President—

Mr. GEORGE. Mr. President, let me answer the Senator's statement. There was corruption.

Mr. WHEELER. Mr. President—

Mr. GEORGE. The Senator condemned it, and so did I.

Mr. WHEELER. That is correct.

Mr. GEORGE. Corruption may occur again.

Mr. WHEELER. Yes.

Mr. GEORGE. Now I come down to the point. The Senator wants a board to fix the value.

Mr. WHEELER. Yes.

Mr. GEORGE. The Senator wants to say who shall fix the value. If we cannot trust those who now have the authority, would we have very much more confidence in some other board which might be set up?

Mr. WHEELER. Certainly I would.

Mr. GEORGE. Who is to name the members of the board?

Mr. WHEELER. The President of the United States could name them—

Mr. GEORGE. Very well.

Mr. WHEELER. Just a moment—by and with the consent of the Senate.

Mr. GEORGE. Have we not consented with respect to all the other boards?

Mr. WHEELER. In some instances, yes; but these are the sorts of checks and balances a democracy must have if it is to remain a democracy.

Mr. GEORGE. The Senator—

Mr. WHEELER. One moment—what did we find as a result of the investigation after the last World War, when the dollar-a-year men came into Government agencies? We found wholesale corruption.

Mr. GEORGE. The Senator is going into fields in which I do not care to dispute him. What he says may be true. If what he says is true, I deplore it.

Mr. WHEELER. Does not the Senator know that the records of the investigating committees of the Senate are replete—

The PRESIDING OFFICER. Will the Senator suspend for a moment? It seems to the Chair that the debate is becoming a little disorderly. The Chair requests Senators on their feet at least to speak one at a time, so that the debate may be carried on in a little more orderly manner.

Mr. GEORGE. Mr. President, I think the Chair is entirely correct. The debate is not only a little disorderly. It is in great disorder.

The PRESIDING OFFICER. The Chair agrees with the Senator.

Mr. GEORGE. I am largely responsible for that situation.

I do not want to trespass on the time of the Senator from Montana. All I am saying is that, after all, somebody must fix the value. It may be assumed that Congress might do a little better by having another board to fix the value; but in the Army, the Navy, and the Account-

ing Department there are boards which fix value. The law cannot be administered without considering the real value, and not a fictitious value which someone may put upon the property. The value may be little or great. It may be based upon one theory or another. There might be differences for debate, and there probably would be, but the law says that the value shall not exceed a certain amount.

Mr. WHEELER. Mr. President, the Senator also knows that the word "value" is a very indefinite thing, is susceptible of varying interpretations.

Mr. GEORGE. There is no doubt about it.

Mr. WHEELER. Some may say that the value to be fixed should be the prudent value. Others may say it should be the replacement cost. But there should be some standard.

Mr. LEE. Will the Senator yield there?

Mr. WHEELER. Let me finish my statement, please. All I am trying to say is that in this bill some standard should be set up with reference to the value of the things that are proposed to be given away.

Mr. LEE. Mr. President, will the Senator yield at that point?

Mr. WHEELER. I promised to yield to the Senator from Iowa.

Mr. GEORGE. Mr. President, if I may be permitted to do so I should like to say something at this point.

The PRESIDING OFFICER (Mr. MURDOCK in the chair). Does the Senator from Montana yield; and if so, to whom?

Mr. WHEELER. Yes, Mr. President; I yield to the Senator from Iowa.

Mr. GEORGE. It may be well to fix the standard; but at this time I would not arbitrarily fix the value of a warship at cost-plus or anything else, because the warship might be very much more valuable. Nor would I be willing to say what it is worth, because I do not know.

All I say is that there must be in all the departments of the Government—but, if not in all, at least in the General Accounting Office, which must pass upon all matters of this kind—some way of determining the measure of applying the law; and in this case that measure is the value.

I grant that someone might fix the value arbitrarily, and I grant also that if we went all over the ground again and set up another commission to fix the value, that commission might do what the Senator from Montana fears and what he says should not be done; that is all.

The only point I am making is that the bill simply limits the amount in terms of value and does not authorize anyone arbitrarily to fix the value. That is all I intended to state.

Mr. WHEELER. I yield to the Senator from Iowa.

Mr. GILLETTE. Mr. President, I have interrupted the Senator; perhaps I am responsible for some of the confusion.

The Senator from Georgia two or three times—I think unintentionally—has emphasized the fact that the President must exercise these powers through the heads of agencies.

Section 9 of the bill provides that:

He may exercise any power or authority conferred on him by this act through such department, agency, or officer as he shall direct.

There is no limitation in any way to the heads of departments.

If the Senator will yield further, let me say that reference was made, I think, by the junior Senator from Michigan [Mr. BROWN], to the fact that the Reorganization Act of 1939 contained a provision similar to that embodied in the House amendment to the bill presently under consideration, providing that the powers there delegated might be recovered by means of a concurrent resolution of both Houses of the Congress, acting as a repealer of the measure.

If the Senator will pardon the interruption, I desire to read from section 5 of the Reorganization Act:

The reorganizations specified in the plan shall take effect in accordance with the plan.

(a) Upon the expiration of 60 calendar days after the date on which the plan is transmitted to the Congress, but only if during such 60-day period there has not been passed by the two Houses a concurrent resolution.

Mr. WHEELER. That is right.

Mr. GILLETTE. In other words, that is the condition precedent to its going into effect, and not a condition subsequent which operates, in violation of constitutional law, as a repealer.

Mr. WHEELER. I thank the Senator very much for calling our attention to the matter.

I desire to call the attention of the Senator to the language contained in subdivision (5), on page 3, of this lend-lease-give bill:

To release for export any defense article to any such government.

(b) The terms and conditions upon which any such foreign government receives any aid authorized under subsection (a) shall be those which the President deems satisfactory, and the benefit to the United States may be payment or repayment in kind or property, or any other direct or indirect benefit which the President deems satisfactory.

Then, as the Senator has called to our attention—

He may exercise any power or authority conferred on him by this act through such department, agency, or officer as he shall direct.

The officer whom he may direct or the agency he may direct can put any value on the article, but I say a correct value may not be put on it.

The Senator knows that in the last few years we have had a number of appointees in whose business judgment the Senator would not repose any too much faith and confidence, though I am not questioning their integrity.

Mr. LEE. Mr. President, will the Senator yield?

Mr. WHEELER. I ask the Senator to permit me to finish this thought.

I repeat, under the terms of the bill, the President has it within his power, or it is within the power of some officer named by the President, to fix any value he desires upon the property in question, whether it is prudent investment value



or is based on cost in the first instance; he can figure the value in any way, shape, or form he prefers.

Mr. BARKLEY. Mr. President, will the Senator permit me to make an observation?

Mr. WHEELER. May I be allowed to finish this point?

The officer can fix the value in any way he chooses; because, as has been pointed out, a reading of the decisions of the Supreme Court of the United States and of the authorities will disclose that "value" is defined in many different ways.

All I am asking is that some standard be fixed. I do not care whether it is the prudent-value standard or some other, but some standard should be established.

As I pointed out earlier, if the President gives away an article on any terms he chooses and without any limitations whatsoever, there is no legal way by which anyone could raise the question of value.

Mr. LEE. Mr. President, will the Senator yield at this point?

Mr. WHEELER. I yield.

Mr. LEE. We do have a standard; the War Department has a standard. The War Department has an ordnance department which lists every piece of ordnance and revises the list from time to time, according to the then value of the ordnance.

Mr. WHEELER. What was the value of the 50 destroyers we traded? Will the Senator state that? What did we get for them?

Mr. LEE. I do not know, of course.

Mr. WHEELER. I will state to the Senator what we got for them, according to the press and the best information we seem able to obtain. We gave away 50 destroyers, and in return for them we got the right to buy some swampland, and then according to my information we got the right to pay duties on anything we imported there.

Mr. BARKLEY. Mr. President, will the Senator yield at this point, unless the Senator from Georgia desires to make an observation?

Mr. GEORGE. I did desire to make one further remark, Mr. President. I appreciate the kindness with which the Senator from Iowa has made his suggestion, but I do not accept the suggestion.

Mr. WHEELER. Of course, if the Senator does not accept it, that is the end of it.

Mr. GEORGE. Yes; that is the end of it, because there is no one here except the Senator from Montana and the Senator from Georgia, as I understand it.

However, I desire to make the statement that the President of the United States can manufacture or procure none of the articles of defense except by and through the Secretary of the Navy, the Secretary of War, or the head of any other department or agency of the Government which may be making or procuring the articles.

Section 9 of the pending bill, to which the distinguished Senator from Iowa called my attention, simply provides:

The President may, from time to time, promulgate such rules and regulations as may be necessary and proper—

To do what?

to carry out any of the provisions of this act.

To do what? To procure through the Secretary of the Navy or the Secretary of War or the head of the department the thing he desires to get.

That is all I have said, that is the law, and that is the reason. I merely desire to put myself on record now.

Mr. GILLETTE. Mr. President, will the Senator from Montana yield long enough to enable me to ask the Senator from Georgia to read on from the point where he stopped?

Mr. WHEELER. I yield.

Mr. GEORGE. I shall be pleased to read on. I am not speaking in my own time, but I shall be pleased to read on:

And he may exercise any power or authority conferred on him by this act through such department, agency, or officer as he shall direct.

That is right; but what power is conferred on him? To manufacture articles of defense and to transfer articles of defense under section 3 (a) only, and he can exercise that power through the Secretary of War, the Secretary of the Navy, or the head of some other department of Government.

Mr. WHEELER. Oh, no; let me say—

Mr. GEORGE. Just a minute. I do not want to interrupt the Senator any more.

Mr. WHEELER. I think I have been very generous in yielding, and I will yield further.

Mr. GEORGE. No. It is all right; I will not interrupt the Senator further.

Mr. WHEELER. Let me read it myself. I submit that the meaning of this provision, when read, cannot be otherwise than I have contended. It says:

The President may, from time to time, promulgate such rules and regulations as may be necessary and proper to carry out any of the provisions of this act; and he may exercise any power—

Any power—  
or authority—

What is the authority, what is the power given him? The power given him by this bill is to procure, and so forth, and he may exercise the power provided in section 3 through the Secretary of War, the Secretary of the Navy, or any other agency, but finally the unknown authors of the bill wrote in the bill, so as to be sure, the words:

And he may exercise any power or authority conferred upon him by this act through such department, agency, or officer as he shall direct.

If that is not a basket clause, if that does not give him the power I have suggested, then I cannot read the English language. The Senator from Georgia probably thinks that I cannot but does he still think I am extremely foolish, or unwise, or that I do not know what I am talking about?

Mr. GEORGE. No; I do not think that, but I think the Senator is extremely biased, because we are discussing here a plain purpose, and the authority to manufacture defense articles is given to

the President and he may exercise it through the heads of the departments named.

Mr. WHEELER. Oh, yes; but the bill comes back—

Mr. GEORGE. Under the provision any authority conferred upon him he may exercise through any agency he wants to select.

Mr. WHEELER. Oh, no; the Senator is just as wrong in that as he is in talking about bias. It seems to me that anybody who can stand upon this floor and say that the last section of the bill does not give the President authority to buy, to sell, or to procure is certainly biased.

Mr. GEORGE. That, in my judgment, is a section similar to the provision in almost every general act; in fact, I do not recall any general act which has not provided that the President may exercise the powers contained under such rules and regulations, and so forth, as he may promulgate.

Mr. WHEELER. Yes; but this goes further.

Mr. GEORGE. Yes; that is right.

Mr. WHEELER. I agree that we provide at the conclusion of practically every statute we enact that from time to time such rules and regulations may be promulgated as may be necessary, but we do not go further and, after we grant the right to make rules and regulations, we also give the authority to designate what should be done and who should do it.

Mr. BARKLEY. Mr. President, may I ask the Senator from Montana a question?

The PRESIDING OFFICER. Does the Senator from Montana yield to the Senator from Kentucky?

Mr. WHEELER. Let me finish on this matter, if the Senator will permit me, and then I will yield.

The Senator from Georgia has referred to the power to manufacture. What does section 3 (a) say? It goes on:

Notwithstanding the provisions of any other law, the President may, from time to time, when he deems it in the interest of national defense, to the extent to which funds are made available or contracts are from time to time authorized by Congress, authorize the Secretary of War, the Secretary of the Navy, or the head of any other department or agency of the Government—

\* \* \* \* \*  
To sell, transfer, exchange, lease, lend, or otherwise dispose of—

Then it says, the concluding section provides:

And he may exercise any power or authority conferred upon him by this act through such department—

What department? The War Department and the Navy Department—  
and any agency, or officer as he shall direct.

One cannot read that, I submit, and say that the President cannot appoint the officers. I repeat what I have said, that he can clearly fix any value that he wants to fix upon any articles; and there is no way in the world by which anyone can go into court and question the valuation.

Mr. BARKLEY. Mr. President—

Mr. CONNALLY. Will the Senator yield?



Mr. WHEELER. I will yield first to the Senator from Kentucky, who has been on his feet for some time.

Mr. BARKLEY. Mr. President, I will not insist that the Senator yield if he wants to go ahead with his address.

Mr. WHEELER. I had expected to finish in about 2½ hours, but I fear now I will not be able to finish tonight.

Mr. BARKLEY. I do not want to delay the Senator in finishing his address, but I do want to clear up, if I can, in the Senator's mind the provision about which he has been talking.

I wish merely to emphasize what the Senator from Georgia [Mr. GEORGE] has said, that section 9 is a general provision giving the President authority to exercise the powers conferred through agencies that may exist or that he may set up. That is a general clause giving him the power to do that, but it must be read in connection with the provisions of section 3 on page 2, and it must be construed to be modified by the provisions of section 3, because section 3 is a specific method by which the President is authorized to act through the Secretary of War and the Secretary of the Navy and the head of such other department or agency as may deal with the subject, so that when we have a specific authority in a particular section of a bill which prescribes the way in which the President must do a given thing, and then have a general provision giving him authority to do other things, the two must be read together and the general provision must be construed as being modified by the specific provision giving him authority only to do these things through the secretaries involved.

Mr. WHEELER. I am sorry I cannot agree with the Senator.

Mr. BARKLEY. Just a moment. The Senator knows that under the general law the question of value in disposing of Government property is not one that is fixed by anybody. As a rule heretofore, it has been the law that the Government cannot dispose of property except by competitive bidding at public sale to the highest bidder qualified to perform his contract under the sale. Of course, the value in a case like that is what it brings at public sale, but you cannot arrive at a value in regard to a matter of this sort by that method, because it cannot be invoked.

Mr. WHEELER. Let me interrupt the Senator to say that this bill says that "Notwithstanding the provisions of any other law"—

Mr. BARKLEY. I understand that.

Mr. WHEELER. "Notwithstanding the provisions of any other law, the President" can at any time do practically any thing he wants to do.

Mr. BARKLEY. The Senator is mistaken about that. All the language to which he has referred means is that any other law inconsistent with the powers conferred upon him by section 3 is suspended while this law is in force and not repealed or amended.

Mr. WHEELER. Many of these things might be cleared up so that at least some of us dull Senators could understand them. If we cannot understand them, and if we put a different construction

upon them than that put upon them by others, I am sure that the majority of the Supreme Court, when they come to interpret the provisions, may very well interpret them in the broad way the administration may want them to be interpreted, and possibly in the manner I am suggesting, particularly if they feel that it is in the interest of the Government to do so.

Mr. BARKLEY. I am sure the Senator from Montana does not expect me to admit that he or any other Senator here is a dull Senator?

Mr. WHEELER. I am beginning to think that I am.

Mr. BARKLEY. The point with respect to the amendments of the bill is not in order that dull Senators may understand it, but in order that smart Senators may not "gut" the bill before we get through with it.

Mr. WHEELER. If the Senator is afraid of "gutting" the bill by making it so plain and definite that people can understand it, then, indeed, we have something to fear in this bill. There must be something hidden in it which some people would prefer to keep hidden, perhaps until it is enacted.

Mr. CONNALLY. Mr. President—

Mr. WHEELER. I yield to the Senator from Texas.

Mr. CONNALLY. The Senator has several times suggested that under the bill the President could fix the value of a battleship worth a million dollars, say, at a dollar. Is not that true?

Mr. WHEELER. I say that arbitrarily he could carry out that principle.

Mr. CONNALLY. Does the Senator think the President would do that?

Mr. WHEELER. I say frankly I do not think he would.

Mr. CONNALLY. If he should or if any other officer should arbitrarily do such a thing as that, he would commit a corrupt act, would he not?

Mr. WHEELER. No; not necessarily.

Mr. CONNALLY. Would not a man who sold Government property worth a million dollars for a dollar not be guilty of a corrupt act?

Mr. WHEELER. No, indeed, not under this bill. The question of value is made discretionary.

Mr. CONNALLY. It is left to the officer's integrity and honesty. We might just as well refuse to give any officer any power, if, as the Senator says, we should not give him power because he is apt to take a bribe. Anybody can be corrupt; all men are not honest.

Mr. WHEELER. It is not a question of corruption.

Mr. CONNALLY. It is a question of corruption.

Mr. WHEELER. Let me ask the Senator whether it was a question of corruption on the part of the President of the United States or the Attorney General when the Attorney General, despite a clear law upon the statute books, ruled that 50 destroyers could be traded for bases?

Mr. CONNALLY. Mr. President—

Mr. WHEELER. Wait a minute; let me finish my statement. I say that is not a matter of corruption. That is a matter of bad judgment and of bad in-

terpretation of the laws now standing upon the statute books. I would not charge the Attorney General. I would not charge a great many other officers of the United States with whom I disagree upon values or with whom I disagree upon other things, with being corrupt.

Mr. CONNALLY. I am not talking about anybody else than the President. I am referring only to what the Senator said about the President. I do not care about persons who may be buried in some department where it is sought to put the power to evaluate this stuff.

Let me say one other thing, and then I will not bother the Senator further. I am talking about what the Senator said. He said that under this bill the President of the United States could sell a battleship actually worth a million dollars for a dollar. I submit that any officer who would do that would be guilty of a corrupt act and ought to be impeached and thrown out of office.

Mr. WHEELER. While I do not want to argue with the Senator, I do not think it would be a corrupt act under the bill. The Senator and I could greatly disagree upon the value of a battleship.

Mr. CONNALLY. We could not disagree to the extent of the difference between a million dollars and a dollar. If a battleship were worth a million dollars, even the Senator from Montana would admit that it was worth more than a dollar, I think. [Laughter.]

Mr. WHEELER. The Senator exaggerates, of course, in his example of "a million dollars" and "a dollar"; but I refer to the principle—

Mr. CONNALLY. That is what the Senator said, is it not? I am talking about not what he is thinking, but about what he says on this floor on his responsibility as a Senator of the United States.

Mr. WHEELER. I am saying that on my responsibility. I said the President could do it under this bill.

Mr. CONNALLY. Does the Senator think he will do it?

Mr. WHEELER. No; I said, of course, I do not expect him to do it. I said, further, that I do not think the President will exercise a great many of the powers which are conferred by this bill; but the fact that he will not exercise them is not any reason why we should give them to him.

Mr. BARKLEY. Mr. President, will the Senator yield at that point for a question?

Mr. WHEELER. I yield.

Mr. BARKLEY. Even admitting that such a thing would not be corrupt in the sense that an officer had sold out or had accepted a bribe, any officer, from the President of the United States down, who would sell property worth a million dollars for \$1, would be guilty of malfeasance in office, would he not?

Mr. WHEELER. I do not think so under this bill.

Mr. BARKLEY. What does the Senator from Montana regard as malfeasance in office?

Mr. WHEELER. Again take the case of the destroyers. According to the meager information we had—I am not saying it is correct, but I assuming it to be correct for the sake of argument—we



transferred 50 destroyers to Great Britain, and we transferred them for what? According to the reports, which we must assume for the sake of argument to be correct, they were transferred for the right to buy some land in some of the islands near our coast.

Mr. BARKLEY. Mr. President—

Mr. WHEELER. Wait a minute. As I read it, there was a statute specifically saying that that could not be done. Now, I would not say that the President of the United States was corrupt, or that it was malfeasance in office because he made the transfer. I think it was a mistake. I think the Attorney General was wrong. I do not think we got real value in return for the destroyers; but that is the difference between the President's judgment on that matter and mine. But that does not make the President guilty of malfeasance in office. It does not make him corrupt. It does make him, in my judgment, guilty of bad judgment.

Mr. CLARK of Missouri. Mr. President—

Mr. BARKLEY. That is a different proposition. If the Senator will allow me to pursue that matter for just a moment, I will not bother him again.

The question as to whether the Attorney General of the United States was right in his interpretation of law is a matter about which great lawyers differ; and I include the Senator from Montana in the category of great lawyers, because I think he is a very able lawyer.

Mr. WHEELER. I thank the Senator.

Mr. BARKLEY. I would not claim for myself such ability as a lawyer; but, even in my humble way, I happen to believe that the Attorney General was right about the matter, and I believed it before the Attorney General rendered his opinion. But, regardless of that, the question of the destroyers is not necessarily pertinent here; and I think Senators ought not to take rumors published in newspapers as to what we got in return for the destroyers. I think we should at least be fair enough to consult the departments of the United States Government—the War Department and the Navy Department—which had something to do with the exchange, and which know what the terms were.

Mr. WHEELER. In fairness, I think they ought to give the information to the Senate of the United States, and tell us just what they did get.

Mr. BARKLEY. There was no question, at the time of the transaction, that the Government of England was not giving us any lands. The lands in these islands did not belong to England. They belonged to private owners, just as the lands in the United States belong to private owners. The question of what we had to pay for those private lands was a matter of negotiation between the departments and the owners of the lands, about which I do not think we know anything; and it is not necessary that we be advised, every time they fix a price on a piece of land, how much we are paying for it. It seems to me, however, that that is quite a different proposition from any officer, from the President of the United States down, arbitrarily and deliberately,

and without regard to the facts, fixing a value so ridiculously below the real value of any property as to arouse the fears of the Senator from Montana or any other Senator or anybody in the United States that the President, or the Secretary of War, or the Secretary of the Navy, or the head of any other agency or department, is going to be guilty of so gross a misconception of value as to fall within the category of malfeasance in office.

Mr. CLARK of Missouri. Mr. President, will the Senator yield on that very point?

Mr. WHEELER. I yield.

Mr. CLARK of Missouri. The Senator from Kentucky and the Senator from Texas have both discussed a hypothetical question of the President selling a million-dollar battleship or an \$80,000,000 battleship for a dollar.

Mr. President, that matter is not involved in this bill at all. The question of consideration is expressly excluded by the provisions of the bill itself, because the President may give away the whole Navy of the United States; he may give away every item of equipment that the Army of the United States has; or he may trade it for any consideration whatever, direct or indirect, that may appeal to him. That is specifically set out in the provisions of section 3 (b). The question which was raised by the Senator from Texas and the Senator from Kentucky as to whether it would be misfeasance in office, or malfeasance in office, or corruption in office, to sell a battleship worth \$80,000,000 for a dollar, is not involved in this case at all. Nobody questions that the President may give away the newest battleship in the Navy, which may have cost us \$80,000,000. The only question is as to the valuation that he writes down on a list that he may make up himself, or may have made up through one of his subordinates.

The Senator from Oklahoma [Mr. LEE] a little while ago said that by law the Ordnance Department of the Army makes up a list of the value of all the articles in the Army. I never heard of such a law as that, and never heard of such a practice as that; but, assuming it to be true, that is done by law. Under section 3 (a) of the pending bill it is said:

Notwithstanding the provisions of any other law—

So, in effect, the provision to which the Senator from Oklahoma referred may be repealed at will by the President.

Mr. LEE. Mr. President—

Mr. BARKLEY. What I said, and what the Senator from Texas said, was in response to a statement made by the Senator from Montana that under this bill the President of the United States could sell a \$1,000,000 battleship for a dollar if he wanted to do so.

Mr. CLARK of Missouri. He could give it away.

Mr. WHEELER. The Senator does not deny that he could give it away; does he?

Mr. BARKLEY. Of course, he could give it away; but if he should fix so ridiculous a value, arbitrarily and deliberately and without regard to the facts, in the sale of any article of Government prop-

erty, I think he would be guilty of misfeasance in office.

Mr. BONE and Mr. LEE addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Montana yield; and if so, to whom?

Mr. WHEELER. I yield to the Senator from Washington.

Mr. BONE. I think a great many Senators were here the other day, when in my humble way, I indulged in a colloquy with another Senator, and he assured me of what so many other Senators have assured me, that the necessity of defeating Hitler and destroying Hitlerism in Europe was a matter of life-and-death importance to this country; and therefore the mere trading of something for an amount less than its real worth, or of giving it away, might not be considered other than in the light of a patriotic act, rather than an act of malfeasance, if that theory is true. That contemplation certainly is before us; and if it is necessary to defeat Hitler and destroy Hitlerism, and to do it with every ounce of the power of this country, if it may be a matter of life and death for this Republic, why should we debate the question of whether we get a dollar or a million dollars for an article of defense? Why not give it away? That would be a gesture of patriotism, if what is said be true.

One further matter. There are some transactions to which we have access. We have recently, according to an N. E. A. article, delivered 970,000 rifles to Great Britain, 87,000 machine guns, 316 mortars, 900 75-millimeter guns, and some tanks—of course, of such dubious value as to be almost worthless for practical purposes, but they were war tanks. The question in my mind is, Who placed a value on those articles, and how much did we get for them? I do not know. The Naval Affairs Committee, of which I am a member, was not advised of what we got for the articles which were the property of the Navy. I wish to ask whether any Senator is advised, or whether any of the committees have been advised, how much the United States Government got for those articles. Perhaps it is not important, but at least it would give us some information as to who has the figures. How much did Uncle Sam get for this material, including 970,000 rifles, which were sold to Great Britain? Obviously, they were valuable, and were sold for some certain specific amount of money. Does the Senator from Montana know how much we got for them? Is any Member of the Senate advised as to how much this Government got for the 970,000 rifles we sold to Great Britain? I am curious. I wish to know.

Mr. BARKLEY. Mr. President, will the Senator from Montana yield?

Mr. WHEELER. I yield.

Mr. BARKLEY. I am not able to furnish the Senator the information as to the price for which those rifles were disposed of. There was testimony that some rifles had been disposed of following the Dunkerque incident, when the British withdrew from Belgium. The testimony also showed, however, that we



had many more of those rifles remaining in the possession of the United States Army than we disposed of.

Mr. BONE. I am not concerned with that—

Mr. BARKLEY. I cannot state to the Senator what those rifles brought, but I am satisfied that if the Senator from Washington is sufficiently interested to call up the War Department, he can ascertain.

Mr. BONE. I am frank to say I had not thought much about the matter, but the question of the value of war implements was raised here this afternoon. I was gratifying a little natural curiosity in propounding the inquiry.

Mr. WHEELER. Mr. President, I venture the assertion that they were not sold at the value at which they are carried on the books of the Army. No one in the Senate knows the price they brought, and if one desires to ascertain for how much they were sold he will probably have to go to Britain, because the information probably will be published in the British newspapers, as much of the other vital-defense information is, but it will not be found in the American newspapers. We will not find the United States Senate getting it, because we are not supposed to be trusted with the information which the House of Commons or the English citizen gets as to what is going on in the United States.

Mr. LEE. Mr. President—

The PRESIDING OFFICER. Does the Senator from Montana yield to the Senator from Oklahoma?

Mr. WHEELER. I yield.

Mr. LEE. I have never yet called the War Department and sought information of this kind but that it has been furnished me. I have never heard this particular question raised, therefore I have never asked what was the value of those rifles. The Chief of Staff, General Marshall, told me that the Ordnance Department does keep an accurate account of all the ordnance of the War Department; they keep a record of the value of the ordnance, which is revised from time to time, as it grows older and becomes of less value, according to the Chief of Staff.

A while ago the Senator from Montana asked me the value of the battleships which were traded. I suppose that could be ascertained. I dare say their book value was kept, and when they were repaired and renewed, that naturally would increase their value.

The Senator said we got swampland in return for the destroyers. I do not know where the Senator gets that information. I saw a statement in the public press that we were offered swampland. I further saw in the public press that the engineers of the Government would not accept the swampland, and that England acceded and granted us bases on higher land, and the United States did get those bases. There was the grant of a right from the sovereignty of the British Empire for us to build bases, in order to build a chain of steel along the Atlantic coast that would give us protection.

The people of this country, when that was done, approved it. The only objection raised to it, so far as I heard, was that the matter was not referred to the Senate. If it had been, no doubt we would still be debating it, and it would not have been done to this day. Time was of the essence, as it is in connection with the pending bill, and the reason for the action was desire to aid England with some destroyers, which were 20 years old or older. I dare say the value received by the United States in those bases was much greater to us than the value of the ships. The same ships—

Mr. WHEELER. Mr. President, I yielded to the Senator to ask me a question, but I do not want him to make a speech in my time.

Mr. BARKLEY. Mr. President, will the Senator yield to me to correct a statement I made awhile ago?

Mr. WHEELER. I yield.

Mr. BARKLEY. I said that the Government of the United States was required to buy all the lands in the various places where the bases referred to were to be located. I was mistaken as to part of them. In Newfoundland and Bermuda the bases are to be built on Crown lands, and the Government of the United States was not charged for those lands. In all the other cases the Government had to pay for them.

Mr. WHEELER. Because the Senator in the course of the debate made a mistake, I shall not accuse the Senator of trying to mislead me by the statement, as some Senators seem to desire to do when I have spoken.

Mr. BARKLEY. That is very generous of the Senator. [Laughter.]

Mr. WHEELER. I know the Senator did not intend to mislead, and he would not do that anyway.

Now, if I may return to my formal speech for a moment, I should like to do so.

Under subsection (b) the President may decide to inaugurate a superbarter system, overriding our reciprocal treaties and the statute which authorized them, that will make Hitler's barter system look pale and insignificant. He may agree to take the surplus farm products of South America in payment for the products of our factories. Or he may launch a crusade to impose the gold standard on unwilling countries, dig up the gold from its old Kentucky home, and distribute it lavishly around the world, so that it may stream back to us again in make-believe payment for the crops from our soil, our precious natural resources, and the products of our labor. There is no limit to the new world order—where have I heard that phrase?—which he can attempt to establish in this confused and exhausted world. Having failed in a domestic purge, he can inaugurate a purge on an international scale, to rid the world of rulers with whom he disagrees, or who may challenge his claims to benevolent dictatorship. He will be free of any obligation to respect existing laws and free of any duty to submit the treaties he makes to the Senate. Talk about blank checks. Could any Messiah ask for more?

#### *D. The powers themselves*

Let us return to subsection (a) of section 3 to examine a little more closely into the powers to be conferred. I cannot spend the time that I should like to in analyzing in detail what these five clauses really mean, but I do want to point out some of their principal features. Remember, as I proceed, that we are in a framework that covers every conceivable article to be given to any conceivable country on any conceivable condition.

Clause (1) authorizes the President, through his agents—

to manufacture in arsenals, factories, and shipyards under their jurisdiction, or otherwise procure, any defense article for the government of any country—

And so forth.

We are apparently headed for Government operation of factories in a big way, if the administration sees fit. So far as munitions of war are concerned, I am not at all sure this is not a good thing, provided the United States could have the benefit of the product and not some other country.

But what do those little words "or otherwise procure" mean? Listen to the definition of "procure" as it appears in Webster's New International Dictionary:

To bring into possession; to acquire, gain, get, to obtain by any means, as by purchase or loan.

What a juicy morsel this is for the Attorney General to work on, particularly when expressly advised by Congress that he need not heed "the provisions of any other law." The Goddess of Justice has already shown herself to be of somewhat easy virtue during his administration, so far as the construction of statutes is concerned. She has already yielded to the blandishments of the God of War when it came to justifying the trading of 50 destroyers in the face of a statute that forbade any such thing. She may be expected to yield again if she is asked to construe the word "procure" so as to justify a seizure of German, Italian, and Japanese ships, or the ships of any other country, in the harbors of New York or San Francisco. Here is authority to commit a clear act of war.

Now turn to clause (2), which authorizes the President—

to sell, transfer, exchange, lease, lend, or otherwise dispose of, to any such government any defense article.

I cannot think of any broader language to convey the idea that the President may use any method he wants to get any article he chooses into the hands of any government he chooses on any conditions he chooses. But let us concentrate on two words, "transfer" and "exchange."

Again drawing on Webster, we find that "transfer" is defined:

To convey from one place, person, or thing, to another; to transport, remove, or cause to pass to another place, person, or thing.

Here is another juicy morsel for the Attorney General, accompanied by the



blank check "notwithstanding the provisions of any other law." How can anyone dare to assert that this unrestricted authority to "transfer," standing by itself, will not be construed to mean the conveying or transporting of so-called defense articles to Great Britain in American vessels? Or that it does not also include the conveying of merchant vessels—American, British, or of any other registry—by naval vessels of the United States? Or that it does not include the use of American naval vessels themselves to convey articles to Great Britain?

This brings us to the qualifications introduced by subsections (d) and (e), which were not in the bill as originally introduced and were inserted as amendments in the House.

Subsection (d) provides:

(d) Nothing in this act shall be construed to authorize or to permit the authorization of conveying vessels by naval vessels of the United States.

I concede that this subsection probably will prevent even the Attorney General from finding any authority in the bill for conveying vessels by naval vessels of the United States, and will force him to fall back on the new and strange constitutional theories of which we have heard so much lately, based on the President's newly discovered role as Commander in Chief of the Army and the Navy. I shall discuss those theories later on but at this juncture I shall advance ahead of my story only enough to say that, in my considered opinion, there is no obstacle in the Constitution or elsewhere to making this matter clear. In other words, I know of no reason why we cannot effectively amend this bill so as to prohibit the conveying of vessels by naval vessels of the United States, without exception or with such exceptions as we choose to make. I am not impressed with the legal sophistries advanced by attorneys working for propaganda organizations in New York. But I know and we all know that pressure for conveying will start the day after this bill is passed, unless the Congress forbids it. We know it from the testimony of administration witnesses at the committee hearings, and from the even less restrained statements they are making elsewhere, publicly and privately. We know it from the exhortations of Crusader Willkie (1941 model) and of those other crusaders in the Committee to Defend the United States by Aiding the Allies. We know it from editorials appearing in some of our great metropolitan dailies, for example, the following from the New York Times for February 25, 1941:

Hitler boasted yesterday that he has power to strangle Britain by smashing her lines of communication. We ourselves will have something to say about that. We are producing guns and shells and tanks and planes for the British people, and we do not intend to make these finely finished weapons only to have them sunk in the Atlantic Ocean. By one means or another we shall see that they reach England.

Think of that! "By one means or another we shall see that they reach England." Who are "we"? The publisher of the New York Times has the advan-

tage over me. He apparently has information which I do not have and which I believe the other Senators do not have. Apparently, even the President is not up to date on this matter because he has assured the public that he does not intend to convoy merchant vessels to Great Britain. I regret that he has not been inclined to accept an amendment to this bill to remove any doubt.

And while I am on the subject of stout-hearted editorials, let me mention another, appearing in the Washington Post of February 26, 1941. It reads, in part:

Accordingly, we are in a state of war, whether we call it war or defense or what have you. And it is none of our doing. In the circumstances the only alternative open to us is surrender or resistance. \* \* \* The way to express resistance is to act. \* \* \* Our only concern should be, as Theodore Roosevelt put it, not to "hit soft."

These are fighting words, Mr. President, but will either of these publishers be there to do the fighting?

Yet I can hardly blame anyone for coming to such conclusions when they see a bill such as H. R. 1776 receiving serious consideration in Congress: Let me quote once more, this time from Mark Sullivan's column in the New York Herald-Tribune for February 27, 1941:

Some of the advocates of the bill hesitate to admit some of its necessary or probable consequences. They insist that the bill would not lead to "participation in war." Yet the actions by the United States which this bill contemplates, or which are extremely likely to arise, can hardly be described as short of participation in war.

Again I call attention to Mr. Ickes' statement that we are in the war, and to Mr. Jones' statement that we are in the war. The publishers and Mr. Sullivan understand the real significance of this bill much more clearly, I am afraid, than some of those who have spoken in its behalf on the floor of the Senate.

To return to the question of conveying, what sense can be made of the many appeals now being made based on England's need of ships and her need to keep the transportation lanes open across the North Atlantic unless such persons mean and expect that our naval forces shall be used in the process? Of course, we shall be expected to furnish convoys. The English themselves are beginning to believe the myth that this is "our war," so loudly proclaimed by our war lords, and will start shaming us into doing our part, as they did so successfully in 1917. Already Senators have stood on the floor of the Senate and practically said that this is our war.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. WHEELER. I yield.

Mr. CONNALLY. I understood the Senator some days ago to say that he wanted to see England win the war.

Mr. WHEELER. Yes; that is correct. I said I would be glad to see her win.

Mr. CONNALLY. Does the Senator favor giving England any aid at all?

Mr. WHEELER. We have already given great aid to England and are continuing to do so.

Mr. CONNALLY. I am not talking about that.

Mr. WHEELER. I am in favor of giving England aid, but I am not in favor of going to the point of going to war and committing acts of war in order to give England aid.

Mr. CONNALLY. Of course, I know that. I have heard the Senator say that 50 or 60 times. I still ask the Senator if he wants to help England win the war; if he wants to give aid to England, what does he favor doing? Does he favor giving England a loan of money, or giving her materials, or just giving her a slap on the wrist and letting it go at that. I want to know what the Senator is in favor of doing for England?

Mr. WHEELER. The Senator has asked me the question. I should like to see China—

Mr. CONNALLY. Let us talk about England first. China is a way off.

Mr. WHEELER. No; let us talk about the things which I wish to discuss.

Mr. CONNALLY. I asked the Senator a question. I assumed that he would answer it.

Mr. WHEELER. I shall answer it.

Mr. CONNALLY. I will restate the question. The Senator has stated that he is anxious for England to win. I want to know how much he favors lending her, how much he favors giving her, or how much he favors doing for her, if anything at all.

Mr. WHEELER. Let me say to the Senator that I intend to answer the question in my own way, and I do not expect to answer by yes or no, as the Senator probably would like to have me do. The Senator is a very able lawyer, and he knows all the tricks of the trade, and he would like to have the answer "yes" or "no," but the Senator knows that I have been practicing law myself too long to answer such questions in that way. [Laughter.]

Mr. CONNALLY. I am sure the Senator, as he has suggested, understands the tricks of the trade well enough so that when a Senator asks him a question the answer to which will embarrass him, he jumps off on something else and begins to answer in his own way about some other matter. I am not surprised at that.

Mr. WHEELER. No; the Senator from Montana is not embarrassed.

Mr. CONNALLY. If there is an agile evader on the floor of the Senate, I must give the palm to the eminent Senator from Montana.

Mr. WHEELER. I thank the Senator for the compliment. It is seldom that he gives anyone a compliment, and I am glad to get one from him, even if it was not intended as such.

Mr. CONNALLY. Oh, I intended it as such.

Mr. WHEELER. Let me say to the Senator that my sympathies are with the so-called democracies. I would like to see a victorious China. I would like to see Ethiopia defeat Mussolini.

Mr. CONNALLY. And Joe Louis whip somebody else.

Mr. WHEELER. Let me finish my statement. I should like to see the Ethiopians defeat Mussolini. My sympathies



were with the Finns in their fight against Stalin; I would like to see England defeat Hitler; I should like to see the Greeks defeat Mussolini; but, much as I should like to see them do that, and much as I sympathize with them—

Mr. GEORGE. Mr. President, the Senator had Mussolini licked twice. He had the Ethiopians lick him, and then he had him licked again. He ought not to have him licked twice.

Mr. WHEELER. I would have liked to see Mussolini whipped twice. My sympathies were with Ethiopia and are with Greece. That would be two lickings. But I say that much as I sympathize with those countries, much as I want to see them win, I would not go to the extent that is proposed by the bill—that is, to give the President the power to commit what are generally known as acts of war.

Mr. CONNALLY. Yes—

Mr. WHEELER. I know what the Senator from Texas is going to say; but let me finish my statement, please. I would not do that. Now the Senator wants to know if I would give England money. Let me say to the Senator first of all that I do not agree that England is our first line of defense. Secondly, I do not agree that this is our war. Consequently, not being our war, and England not being our first line of defense, I say that we are helping England by letting her come here and buy.

We are helping England in a great many other ways. So far as I am concerned, I would not convoy ships. I would not give her our battleships if they are needed for our own defense, and I would not give her the other things which are mentioned.

England is one of the most powerful nations in the world, with almost one-fourth the population of the world under her domination. As I pointed out a while ago, Great Britain, with all the vast natural resources at her command, comes to us begging and saying, "Please give us this," and "Give us that." Will anyone tell me that if we were in the situation in which England now is, the English would give us anything? Look at Canada.

Mr. CONNALLY. She would give us as much as the Senator would give her.

Mr. WHEELER. Exactly; just as much and no more. She would not give us as much.

Is Canada passing any lend-lease bill? Not at all. The Canadians are requiring England to pay cash on the barrel head. Is Australia passing any lend-lease bill? Not at all.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. WHEELER. Not just now.

Australia is making England pay cash on the barrel head, and so is every other one of Great Britain's possessions, including India. Only the United States is asked to give all its resources to Great Britain.

If it is the will of the Congress that we should not furnish convoys or send a second A. E. F. to Europe—and I am sure it is—let us make that will effective by unambiguous amendments to this bill. If we do not, if we yield to the pernicious doctrine that we lack power to protect

this country from the scourge of war and surrender our legislative responsibility, we are the defeatists. I shall come back to this point later.

The second qualification on the President's powers, allegedly designed to keep us out of war, is in subsection (e). It provides:

(e) Nothing in this act shall be construed to authorize or to permit the authorization of the entry of any American vessel into a combat area in violation of section 3 of the Neutrality Act of 1939.

I should like to have the Senator from Georgia [Mr. GEORGE] follow me upon this point, because if I am not correct I should very much like to have him correct me.

Contrary to assertions we have heard made repeatedly on the floor—no doubt made in good faith but mistaken—the language I have just read does not prevent the use of American vessels to transport so-called defense articles to England, Greece, China, or any other country. As I have already shown, the President is given power to make such use of American vessels by the clause in this bill which authorizes him to transfer—that is, convey—defense articles to a foreign government. I repeat, subsection (e) does not prevent this. This anomalous result, so contrary to the assurances we have heard, is achieved by the simple expedient of referring to the wrong section of the Neutrality Act of 1939 in carving out the exception to the President's powers.

Mr. BONE. Mr. President, will the Senator yield?

Mr. WHEELER. I yield.

Mr. BONE. Does the Senator believe that that language refers to delivery rather than to the mere alienation of title?

Mr. WHEELER. No; under the definition of transfer it means not only alienation of title, but, as I have read the definition in the latest Webster's International Dictionary, it means transfer.

Mr. BONE. I was thinking of actual physical delivery rather than mere alienation of title.

Mr. WHEELER. It is not what we think, but the language, that is important. The important thing is the court construction in the light of the language as defined by the well-known dictionary. The trouble is that we are taking everything for granted. We should take nothing for granted. The specific provision should be written into the law.

Section 2 of the Neutrality Act is the principal statute which now stands in the way of such use of American vessels, and it is the one which should be referred to and preserved in force. So should section 3 of the Neutrality Act, but it is of distinctly less importance. I can best make this clear by a brief review of the first three sections of the act.

Section 1 of the Neutrality Act authorizes the President, whenever he—shall find that there exists a state of war between foreign nations—

And so forth, to issue a proclamation naming the states involved. I shall call this proclamation the "general proclama-

tion." The President has issued general proclamations covering the war in Europe, naming, among others, Great Britain, Germany, and Italy.

Section 2 of the Neutrality Act provides that whenever the President shall have issued this general proclamation—

it shall thereafter be unlawful for any American vessel to carry any passengers or any articles or materials to any state named in such proclamation.

This is a blanket prohibition, violation of which is subject to heavy penalties of fine and imprisonment. In the present state of the law and Presidential proclamations, American vessels are forbidden to carry passengers or articles to England, Germany, Italy, and other countries. If H. R. 1776 authorizes the use of American vessels to carry "defense articles" to England—that is, to transfer them—as I believe it does, to that extent it repeals section 2 of the Neutrality Act. If I am correct in this, it not only authorizes but encourages the acts which, by common agreement everywhere, in both Houses of Congress and on both sides of each House, are certain to involve us in war, and to make a tragic joke out of the constitutional power of Congress to declare war.

The reference in the bill to section 3 of the Neutrality Act is a sedative designed to put our well-founded apprehensions to sleep. Section 3 simply authorizes the President, once he has issued a general proclamation, to "define combat areas." It then proceeds to say:

Thereafter it shall be unlawful, except under such rules and regulations as may be prescribed, for any citizen of the United States or any American vessel to proceed into or through any such combat area. The combat areas so defined may be made to apply to surface vessels or aircraft, or both.

Does anyone really think that the reference in the bill to section 3 of the Neutrality Act will give the Attorney General a moment's difficulty? It is true that the President has issued a proclamation defining combat areas around England, but that is easily taken care of. All the President has to do is to repeal or amend his proclamation defining these combat areas, so as to open lanes leading directly to Liverpool, Swansea, or Plymouth or to make appropriate exceptions by rules and regulations that will allow American vessels carrying "defense articles" under this bill to proceed through the combat zones to any port in England. I challenge any proponent to explain why any reference to section 2 of the Neutrality Act has been omitted. The omission is one of the most glaring invitations to war that is to be found in the bill. It seems to me that subsection (e) of H. R. 1776 means nothing. Let us at least be fair with the public. We either intend to authorize the President to make this dangerous use of American vessels or we do not. But let us not do one thing and tell the public another.

As a matter of fact, the President can successfully evade the requirements of both sections 2 and 3 of the Neutrality Act simply by not issuing the general proclamation in the first place. I ask the Senator from Georgia to examine that section very carefully in the light



of what I have said, because I think it should include both sections.

Mr. GEORGE. Mr. President, will the Senator yield to permit me to make a further statement?

Mr. WHEELER. I yield.

Mr. GEORGE. I will say here and now that I can see no reason whatever for subsection (e) in the bill. I understand it was put into the bill in the House. As I construe the bill, particularly with the limitation in subsection (d), I cannot see how anyone could have thought that anything in the bill would authorize the President to send any of our vessels into combat areas or into the ports of belligerents; and I do not know why it is there, because I have not yet taken pains to inform myself. However, to me it seems wholly unnecessary. If it is necessary, it seems to me there might be some reason for proceeding along the line the Senator suggests, and inserting "belligerent ports."

Mr. WHEELER. Yes; I think that should be inserted. If it is it ought to include section 2 as well as section 3.

Mr. BROWN. Mr. President, will the Senator yield?

Mr. WHEELER. I yield.

Mr. BROWN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The Clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Downey	Miller
Aiken	Ellender	Murdock
Andrews	George	Murray
Austin	Gerry	Norris
Bailey	Gillette	Nye
Ball	Glass	O'Mahoney
Bankhead	Green	Overton
Barbour	Guffey	Radcliffe
Barkley	Gurney	Reynolds
Bilbo	Harrison	Russell
Bone	Hatch	Schwartz
Brewster	Hayden	Sheppard
Bridges	Herring	Shipstead
Brooks	Hill	Smathers
Brown	Holman	Stewart
Bulow	Hughes	Taft
Bunker	Johnson, Calif.	Thomas, Idaho
Burton	Johnson, Colo.	Thomas, Utah
Butler	Kilgore	Tobey
Byrd	La Follette	Truman
Byrnes	Langer	Tunnell
Capper	Lee	Tydings
Caraway	Lodge	Vandenberg
Chandler	Lucas	Van Nuys
Chavez	McCarran	Wallgren
Clark, Idaho	McFarland	Walsh
Clark, Mo.	McKellar	Wheeler
Connally	McNary	White
Danaher	Maloney	Wiley
Davis	Mead	Willis

The PRESIDING OFFICER. Ninety Senators have answered to their names. A quorum is present.

Mr. BROWN. Mr. President, will the Senator yield?

Mr. WHEELER. I yield to the Senator from Michigan.

Mr. BROWN. I should like to call the attention of the Senator from Connecticut [Mr. DANAHER] to the fact that yesterday, when I was interrupted and yielded to the Senator from Connecticut, he made certain statements in the RECORD regarding a promise which had been made by Mr. Willkie to publishers of the New York Times and in the New York Herald Tribune. I wish to read to the Senate the statement which has been made by Mrs. Ogden Mills Reid and the

editor of the Times regarding the Senator's statement, as follows:

**WILLKIE AID PLEDGE CHARGED BY DANAHER—SENATOR TELLS OF PREELECTION DINNER—DENIALS ARE MADE**

WASHINGTON, February 27.—Senator DANAHER, of Connecticut, told the Senate today that Wendell L. Willkie pledged support for all-out aid to Britain at a preelection dinner at the New York home of Mrs. Ogden Reid.

"Before he (Willkie) ever got the support of the New York Times and the New York Tribune," Mr. DANAHER said, "the gentleman, at a dinner up in New York at the home of Mrs. Ogden Reid, not only pledged the support of himself to the all-out aid program but to what was necessary to guarantee that Britain would not lose.

"That is what he promised up there, and on the strength of it the New York Tribune came out for the candidate, and on the strength of it the New York Times came out for the candidate.

"Mr. Julius Ochs Adler, publisher of the Times, was present, heard the candidate, and then came out for him when he made that proposition, and, as I recall it, Mr. Lewis Douglas was the man who asked him the question which led the candidate to declare his stand."

Colonel Adler was not at the dinner to which Senator DANAHER referred. Colonel Adler is general manager, not publisher, of the New York Times. Mr. Willkie made no pledge to the New York Times concerning aid to Britain or with respect to anything else.—EDITOR.

A statement by Mrs. Ogden Mills Reid, vice president of the New York Herald Tribune, was reported by the United Press as follows: "Senator DANAHER has been misinformed. Mr. Willkie did dine at my home last spring, but he made no pledge of any sort whatsoever in regard to aid to Britain.

"Furthermore, at no time did he make any such pledge to me or to the Herald Tribune."

In order to keep the record straight, I feel that this article and the denials of both the New York Herald Tribune and the New York Times should appear in the RECORD.

Mr. DANAHER. Mr. President, will the Senator yield?

Mr. WHEELER. I yield to the Senator from Connecticut.

Mr. DANAHER. I thank the Senator.

It should be noted, I believe, that the Senator from Michigan yesterday said that the issue of the President's foreign policy had been substantially resolved, for both major parties had concurred in the President's foreign policy. The Senator from Michigan said, in effect, that one of the reasons for his support of the bill was that the bill was doing no more than implementing the policy upon which the representatives and the partisans of both major political parties had agreed during the last campaign. He therefore went on to lead the Senate—at least, he led me—to think that the bill would do no more than carry out an uncontroverted foreign policy upon which the American people were in accord.

I called the attention of the Senator from Michigan to the fact that the issue was never debated during 1940; that the American people should have heard then the sort of thing we have been hearing now; that the extent of the implications of this foreign policy should have been canvassed; that the entire liability of the

United States as to war should have been set out before the American people. Had that situation been canvassed, quite the contrary from its having been made the basis of any uniform result such as that seen by the Senator from Michigan in the present situation, I believe the reaction of the American people would have been definitely contra. In addition, I went on to say that the candidate of the Republican Party had espoused the President's program from the beginning; not only that, but he had come out for that program in advance of the nomination at Philadelphia in June of 1940; that he not only espoused the foreign policy of the President in advance of the convention, but he had done so since, and, consequently, never did debate the issue, and, for his part, never did set before the people what the issue should have been, in my concept of it.

As a part of the offhand evidence with reference to that particular matter—I did not go into all the detail that was available; and, heaven knows, there is plenty of it—I did go into the matter of Walter Lippmann's comment with reference to it, that Mr. Willkie would not have been nominated if he had not agreed in advance of the convention to adopt this program of all-out aid to Britain, and items of that sort. Of course, Mr. Willkie's approval of that course has become perfectly evident, both before and since the convention, and both before and since this bill came before the Senate, but that is beside the point.

If, as the Senator from Michigan says, Mr. Julius Ochs Adler was not at Mrs. Reid's dinner that night—and I do not know—it in no way militates against the fact that after Mr. Willkie's position with reference to this foreign policy had become known, the New York Times did espouse Mr. Willkie's candidacy. I do not know whether, as the Senator from Michigan says, the report correctly quotes Mrs. Reid; but, assuming that it does, I see even from the report that Mr. Willkie was at the dinner, and that there was a dinner at Mrs. Reid's house. If, as she says, there was no pledge there made as a result of which the New York Herald Tribune gave Mr. Willkie its support, I will not controvert the item submitted by the Senator from Michigan; but I will say that after Mr. Willkie had come out with the program of all-out aid to England, and an espousal of that policy, he found the support of the New York Herald Tribune in advance of the convention.

The fact remains that Mr. Willkie did get the nomination; that the convention did support him; that even the plank of the Republican Party was contra to the program which Mr. Willkie later espoused, and earlier privately espoused; and I also say that the policy of Mr. Willkie right down to the present time is contrary to the plank of the Republican Party. So, Mr. President, the point I wish to make, and all I wish to say with reference to it, is that the issue of the President's foreign policy was never canvassed before the American people in the election of 1940; and, had it been, I respectfully submit that a very different



result would have obtained in this country. [Manifestations of applause in the galleries.]

Mr. BONE. Mr. President, will the Senator yield?

Mr. BROWN. May I say just one word? Then I shall have finished.

I desire to say that since no member of Mr. Willkie's party would rise to defend him from the charge that he bartered away his independence for the support of the New York Times and Herald Tribune I thought, for old times' sake, that perhaps some old-line Democrat ought to rise up and say a word in his defense, and I do so.

Mr. WHEELER. Mr. President, I am glad to see a Democrat rise to defend him, now; but before he endorsed the President's foreign policy, and before the election, there was not a single Member on this side of the Chamber who sits here today who had anything good to say for him. I am glad to see that some of them are changing their minds when he advocates the President's foreign policy.

Mr. BONE. Mr. President, may I obtrude for an instant?

Mr. WHEELER. I yield to the Senator from Washington.

Mr. BONE. I hold in my hand a typical business letter of a kind with which every businessman is familiar. It is the Whaley-Eaton Service, which goes to many of the most responsible businessmen in this country. I have found letters of this type, like the Kiplinger letter, to be generally factually accurate, and their conclusions are so frequently right as to challenge attention.

In letter No. 1141, dated February 25, 1941, this service to American businessmen has this to say:

London is depending more on prospective American convoy aid than on acquisition of additional destroyers. There are some American escort boats which can be transferred, but not enough to meet the emergency in the Atlantic.

It is not clear just how the American convoy system will be organized. Pressure on Dublin from both London and Washington has been intensified. If America undertakes to make deliveries to Eire ports, arrangements for protective fortification thereof will be necessary, including technical military units.

The British Navy is stretched very thin. Never before have the fleets been called on to do so much at the same time. Neither has convoy work ever been a British specialty. The United States now has substantial naval power in the Atlantic. Moreover, this force has been mobilized with special reference to convoy duty.

British crews moving into American ports from the West Indies are merchant seamen and are sent to take over merchant, not naval, vessels purchased in the United States.

Then appears the further statement that American and British expenditures together will shortly be running at the rate of from eighty to ninety million dollars a day, or roughly \$1,000,000,000 every 10 or 12 days, and the further statement that Mr. Hitler is confident that no normal capitalistic system can stand such a drain, and this further statement:

The picture has its alarming aspects. As respects the outcome of the war alone, the Hitler premise may be wrong in that it ignores the possibility that the so-called capitalistic states may also employ confiscatory methods.

Mr. CLARK of Missouri. Mr. President, will the Senator yield to me for the purpose of making an observation on what the Senator from Washington has just read?

Mr. WHEELER. I yield.

Mr. CLARK of Missouri. Of course it is perfectly apparent—it must be obvious to anyone—that it would be much preferable, from the British standpoint, to have us institute a convoy system than to turn over our naval vessels to the British, because if we turn over our naval vessels they simply get the vessels, while if we institute a convoy system they get our vessels, our manpower, our cannon, our powder, and everything else we have.

Mr. WHEELER. I thank the Senator.

Mr. BARKLEY. Mr. President, will the Senator yield to me?

Mr. WHEELER. I yield.

Mr. BARKLEY. I understand that the Senator from Montana does not want to go on longer tonight, because he has occupied the floor most of the day, and he has been interrupted a great deal.

Mr. WHEELER. I thought I would conclude my remarks today. I did not intend to take more than 3 hours, but Senators were so generous in their interruptions I have taken longer than I had thought I would.

Mr. BARKLEY. While the Senator still has the floor, I wish to see if I cannot clear up what seems to be rather gross misinformation about the bases we obtained in return for the destroyers. We always find that if we will go to the telephone, or take some other method of obtaining the real facts from those who know them, we save ourselves a good deal of embarrassment. Following the colloquy this afternoon, I called the Navy Department and talked with a member of the board appointed to go to all eight of the bases and locate them and negotiate for the purchase of the property.

In the first place, the basic agreement between the Government of Great Britain and the United States provided that this Government should have the right to go into the various islands or possessions of Great Britain which were agreed upon and purchase property from private property owners, exercise the right of sovereignty, insofar as that is concerned.

A board was appointed to go to all eight of the places and make an investigation, carry on negotiations, and locate the bases. In one or two places there were Crown lands, for which the Government of the United States is not required to pay. But in Newfoundland, for instance, where there is a large fringe of what they call public and forest lands, around the edges of the country, upon which the Government of the United States decided to locate one of the bases, there are many squatters, who have gone in without any legal right and built homes and have lived there for a number of years. They also exercise the right to cut timber to burn in their fireplaces, and so on.

Our Government, I think properly, construed the basic agreement between the Government of Great Britain and the United States to cover cases where it is necessary to move property owners off their property and take possession, to

extend even to the squatters, who have no legal right, but who are there, and many of whom have been there for years, and have built homes. While the Government is not paying for the land, they are construing the original agreement to extend to the payment of compensation to these squatters upon the public domains in Newfoundland.

I am informed by the Board that the Government is purchasing, altogether, 100 square miles of land, which means 64,000 acres, in all eight of the bases.

In Trinidad a public-works project was in progress which involved the reclaiming of some lowlands, and very naturally the Government of Trinidad, which is a colonial government, was engaged in a project which would require 4 or 5 years, for the reclaiming of certain lowlands in Trinidad. Naturally they were anxious for the Government of the United States to decide on that location, so as to help carry on this project, and pay for it. But the naval board declined to do that, and have acquired land on high ground, entirely away from the so-called marsh, which was played up in the newspapers.

In various other places, while it is true that there are in one or two of them, as I have said, Crown lands or public lands, for which the Government is not required to pay, they did agree to compensate all those who owned private property and had to be moved from the land in order that the bases may be established.

I do not think anyone could complain of that, because that is what we would do in our own country. We would have to do that. We cannot take private property for public uses without compensation, and that is what we are attempting to do in regard to these various bases.

Mr. CLARK of Missouri. May I ask the Senator a question on that point?

Mr. BARKLEY. Certainly.

Mr. CLARK of Missouri. Did the Senator understand that the British Government had extended to us the power of eminent domain in the acquisition of these bases?

Mr. BARKLEY. No, I do not understand that it has extended the power of eminent domain to the extent that we can go in and condemn land owned by private individuals.

Mr. CLARK of Missouri. Unless they have done that, or are under some obligation to exercise the power of eminent domain themselves on reasonable terms, of course it simply means that they have given us the right to go in and deal with the private owners of the land, at the mercy of the private owners.

Mr. BARKLEY. The member of the board to whom I talked said that the high figure for the purchase of the entire amount of acreage, 100 square miles, or 64,000 acres, was about \$2,000,000, that that would be the high figure. There are some negotiations still in progress with respect to the purchase of acreage which is private, but the amount will not exceed \$2,000,000 for the 100 square miles, or 64,000 acres, which is at the rate of \$31.25 an acre.

Mr. CLARK of Missouri. Let me recur to that proposition. It has been heralded abroad that we received bases in return



for 50 destroyers. The 50 destroyers were turned over, but, as a matter of fact, all we acquired was permission from the British Government to go in and buy land in certain British territories or dominions, to negotiate with private owners on their terms. If the United States Government or the British Government, each in its own sphere, desires to acquire property within its own dominions, it has the right of eminent domain. If a man is not willing to sell at a reasonable price, the Government has a right to go in and take the land, subject to a judicial determination as to what is a reasonable price. I assume the British Government exercises the same right. We merely got the right to negotiate with private owners of land which we may desire for bases, and on terms which must necessarily be at the mercy of the private owners.

Mr. BARKLEY. I assume the Government of Great Britain did not undertake, and probably should not have undertaken, in addition to giving us the right to go into these territories, which we did not have without the agreement, to provide the lands upon which these bases were to be located.

Mr. CLARK of Missouri. I am not talking about providing the land; I am talking about providing us with the legal machinery for acquiring the land. It seems to me the British should have extended to us the same legal machinery they would apply in their own behalf if they had decided to establish new bases, or which we would have extended to the British if we had given them bases in our own territory.

Mr. BARKLEY. That raises the question whether, merely by a contract between Great Britain and the United States, they could confer on the United States the right to go in and exercise the right of eminent domain. They undoubtedly could exercise that right themselves. But I am assured by the Navy Department that there will be no trouble whatever in negotiating for the purchase of the lands belonging to private owners in the various places where we are to locate the bases, and that there is no foundation for the newspaper charge that we were taking over marshes or swamps.

Very naturally the government at Trinidad, which is a colonial government, by the way, would have been willing for us to help pay the expenses of the development to which I have referred, but the Navy of the United States was not willing to do that and acquired land elsewhere, without regard to that, and has taken immediate possession.

Mr. CLARK of Missouri. If the Senator will permit me to ask a further question on this subject, I shall be through. I read in the newspapers this morning in an article written by well-known columnists, whom I would not be prepared to believe on oath, but whose column is circulated all over the United States, the statement that the 125 acres purchased in Bermuda will cost \$1,500,000, or \$12,000 an acre.

Mr. BARKLEY. How many acres?

Mr. CLARK of Missouri. One hundred and twenty-five acres. The article states:

In comparison, residential property 5 miles from the District of Columbia costs only \$1,200 an acre.

I am not vouching for this story, but inasmuch as it is circulated all over the United States, and inasmuch as the Senator has been acquiring information on that subject, I wanted to ask him if he had received any information as to that, because if that is true it is a shocking situation.

Mr. BARKLEY. I read in the Merry-Go-Round this morning the article to which the Senator refers. In the first place, it is not 125 acres, it is 500 acres we are getting in Bermuda, which is almost one-twentieth of the entire acreage of the island. All over Bermuda there are very valuable residences which have been constructed by people of means who go there to live, either the year round or seasonally.

Very obviously it will cost more to buy a site in Bermuda than one in Newfoundland or in Trinidad, or at some other place where there has not been the high degree of social development which obtains in Bermuda. But the figure put in this article for the alleged 125 acres of land in Bermuda is almost as much as the entire cost of all of the eight bases, according to the information the Navy Department gives me.

Mr. CLARK of Missouri. The Senator does not think it would be possible that some of the rich Americans who own winter places in Bermuda would be gouging the Government a little bit in this transaction, does he?

Mr. BARKLEY. I am not able to identify any rich American who owns any property in Bermuda.

Mr. CLARK of Missouri. The Senator said that much of Bermuda was owned by Americans.

Mr. BARKLEY. No; I do not know who owns Bermuda. I was there but once in my life, and it snowed then, and I have not been back there since.

Mr. LUCAS. Mr. President, as I look around the Senate Chamber, I find that I happen to be the only member of the Naval Affairs Committee present who attended an executive session held by the committee the other day in order that this very question might be discussed. Now that all this information is before the Senate, it seems that I ought to be at liberty to violate the so-called pledge in respect to secrecy, and merely attempt to clarify to some extent what was brought out in the colloquy between the Senator from Kentucky and the Senator from Missouri.

Three governments are involved in each one of these air bases, the Government of the United States, the government of Great Britain, and the colonial government. In all these bases, with the exception of two, the United States Government at the present time is in possession, as I understand, of all the necessary property.

With respect to the question raised by the Senator from Missouri as to whether we are going to pay exorbitant prices, let me answer by saying to the Senator, that as I understood, the testimony before our committee was simply to the effect that the colonial courts will ascertain what

the fair cash market value of the property is, in line with what we understand the procedure to be in this country. After the courts make their decision, the Government of the United States will still retain the right either to reject or agree to the price, but at the same time we are in possession, we have the actual possession of the property, and are in the preliminary stages of the construction of the naval bases.

I wish to corroborate what the Senator from Kentucky said with respect to the total cost. As it was given to us in the committee, the total cost for all the land in the bases, would not exceed \$2,000,000.

Mr. CONNALLY. It seems to me that sight has been somewhat lost of the fact that the real value, after all, is not in the acquisition, purely, of the fee simple to the soil, but it lies in the right of this Government to go within the boundaries of another sovereign government and acquire the right to exercise military and naval authority in another land. No government could come to the United States and set up a naval base or an army camp without the consent of the Government of the United States, and perhaps we would not for a moment tolerate it, even now, on the part of any other nation as a permanent proposition. So the act of surrender—at least conditional surrender—of sovereignty to those territories, is a valuable right, and we get that whether we own the soil or not. I think that ought not to be lost sight of.

Mr. President, this is something more than simply swopping for a piece of land. We are trading for a valuable and a very lofty governmental right—the right to have naval bases and air bases within the territory of a foreign government. I do not mean that the Senator from Illinois ignored it, but in some quarters that is something which seems to be entirely lost sight of. Some persons simply seem to be looking around to see whether we have made a good real-estate deal, whether the land was worth what we paid for it, and whether it was swamp land. Suppose it was swamp land. We have to have an air base for our planes. We want the base to be close to the ocean. Even in the United States we frequently acquire that kind of land for air bases, and then pump the mud out of the ocean and level the land off, so that the planes can come right in from the ocean to the bases.

Mr. BARKLEY. In Washington we have built an airport right in the middle of the Potomac River.

Mr. CONNALLY. Certainly; and pumped mud out of the river to make it.

Mr. LUCAS. Mr. President, I am delighted with the confirmation given by the Senator from Texas. The question has frequently been raised whether we should not have taken title or attempted to take title to the land where the air bases are to be located; and the other question which the Senator has discussed, the question of sovereignty, has been raised in each instance, and, of course, it is a very delicate and serious thing.

I wish to make a further observation in connection with the statement of the Senator from Kentucky with respect to



swamp lands. Trinidad is the only place where the local people attempted to insist that the Government of the United States take their swamplands as a site for a base.

Senators have heard it said, and it has been discussed, and newspapermen have written about it, that in many of these spots we were taking over a lot of swamp-land. According to the expert testimony, Trinidad is the only place where such an attempt was made, and in that case the colonial government, together with some private persons, attempted to insist that we use swampland. Finally certain officials came to Washington, and that matter was straightened out without any particular difficulty, and we are to have at Trinidad a base located upon high ground, where it should be.

Mr. President, I wish to make one more observation with respect to the site we are acquiring in Newfoundland. That, as the Senator from Kentucky has rightly said, is on high land. There are a few squatters on that property, who have been there for many years, and as a matter of equity and as a matter of right, the United States Government thought it best to pay them a fair and decent sum for their little homes, and for damages which they might sustain by being compelled to move from this property. But, insofar as paying anything for that land is concerned, England has not charged this country a single cent for any Crown property. There is a bit of Crown property in one of the other bases that we did not get, but where that is I have forgotten.

Mr. BARKLEY. I think that is Jamaica.

Mr. CLARK of Missouri. Mr. President, will the Senator from Kentucky yield?

Mr. BARKLEY. I do not have the floor.

Mr. CLARK of Missouri. The Senator from Montana had the floor, but he has left the Chamber for the moment. I am not clear as to who has the floor right now. I certainly have no desire whatever to criticize the policy of the United States Government in paying squatters on Crown land what their holdings may be worth. I was interested in the question whether we were permitted to exercise substantially the power of eminent domain. However, in view of the Senator's last statement, I regret that the air base in Trinidad is upon high ground, because, if I heard correctly the expert opinion of the Senator from Texas a minute ago, it is better to put the base on swamp ground.

Mr. LUCAS. Mr. President, I do not know what the Senator from Texas said. I am attempting only to clear up what seems to be a rather cloudy, swampy situation over the entire United States about all these bases being located in swamplands in various islands along the Atlantic coast. I have attempted, Mr. President, only to state the situation as I understand it, and I would not have violated the confidence of the committee had not the Senator from Kentucky, apparently, obtained the information from the department.

Mr. AUSTIN. Mr. President, will the Senator yield?

Mr. LUCAS. I yield the floor.

Mr. AUSTIN. I merely wish to observe that my recollection of the notes which were exchanged between Lord Lothian and the Secretary of State of the United States is that they clearly describe the correct process of the exercise of eminent domain. That process, of course, must be exercised by the Government which has sovereignty over the land which is to be taken for public use. Those matters are not executive and secret. As I recall, the notes were published in September 1940, and a good deal of the material and facts which have been discussed here today on the floor of the Senate have been public for a long time.

There is apparently no difficulty about the operation of the power of eminent domain, or about the agreement by an interchange of notes made between the British Government and the Government of the United States.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. AUSTIN. I shall be glad to yield in a moment.

As I remember the arrangement—I may not remember it accurately, but this is my memory of it—after the colonial governments have taken the necessary legal steps to ascertain the value or damages, this Government is expected to reimburse the British Government in the eminent domain proceedings. By that method this Government does not acquire title. The Crown acquires the title, and this Government acquires a lease for 99 years.

#### EXECUTIVE SESSION

Mr. BARKLEY. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

#### EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER (Mr. MURDOCK in the chair) laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

The PRESIDING OFFICER. If there be no reports of committees, the clerk will state the nominations on the calendar.

#### DEPARTMENT OF COMMERCE

The Chief Clerk read the nomination of Carroll L. Wilson to be Director of the Bureau of Foreign and Domestic Commerce.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

#### UNITED STATES PUBLIC HEALTH SERVICE

The Chief Clerk proceeded to read sundry nominations in the United States Public Health Service.

Mr. BARKLEY. I ask that the Public Health Service nominations be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the Public Health Service nominations are confirmed en bloc.

That concludes the calendar.

#### RECESS

Mr. BARKLEY. As in legislative session, I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 32 minutes p. m.) the Senate took a recess until tomorrow, Saturday, March 1, 1941, at 12 o'clock meridian.

#### NOMINATIONS

Executive nominations received by the Senate February 28 (legislative day of February 13), 1941:

##### DIPLOMATIC AND FOREIGN SERVICE

The following-named persons for appointment as Foreign Service officers, unclassified, vice consuls of career, and secretaries in the Diplomatic Service of the United States of America:

Philip H. Bagby, of Virginia.  
Walter W. Birge, Jr., of New York.  
William L. Blue, of Tennessee.  
George F. Bogardus, of Iowa.  
Gray Bream, of Wyoming.  
John H. Burns, of Oklahoma.  
Kenneth A. Byrns, of Colorado.  
John A. Calhoun, of California.  
Don V. Catlett, of Missouri.  
Ralph N. Clough, of Washington.  
William A. Crawford, of Pennsylvania.  
Juan de Zengotita, of Pennsylvania.  
Thomas P. Dillon, of Missouri.  
Paul F. DuVivier, of New York.  
Robert S. Folsom, of Massachusetts.  
Edward L. Freers, of Ohio.  
Paul E. Geier, of Ohio.  
James M. Gilchrist, Jr., of Illinois.  
George McM. Godley 2d, of New York.  
Caspar D. Green, of Ohio.  
Alden M. Haupt, of Illinois.  
David H. Henry 2d, of New York.  
Oscar C. Holder, of Louisiana.  
J. Jefferson Jones 3d, of Tennessee.  
David LeBreton, Jr., of the District of Columbia.  
David H. McKillop, of Massachusetts.  
Wilfred V. MacDonald, of Missouri.  
Edwin W. Martin, of Ohio.  
Richard B. Mudge, of Massachusetts.  
W. Paul O'Neill, Jr., of Pennsylvania.  
Richard A. Poole, of New Jersey.  
Stuart W. Rockwell, of Pennsylvania.  
Lubert O. Sanderhoff, of California.  
Herbert F. N. Schmitt, of Michigan.  
Harold Shullaw, of Illinois.  
Ernest V. Siracusa, of California.  
Charles W. Smith, of California.  
Walter L. Smith, of Pennsylvania.  
James P. Speer 2d, of Oklahoma.  
F. Lester Sutton, of New Jersey.  
James S. Triolo, of California.  
William W. Walker, of North Carolina.  
Temple Wanamaker, Jr., of Washington.  
Byron White, of North Carolina.

##### SELECTIVE SERVICE

Brig. Gen. Herbert R. Dean to be State director of selective service for the State of Rhode Island.

Brig. Gen. Vivian Collins to be State director of selective service for the State of Florida.

##### APPOINTMENT IN THE NATIONAL GUARD OF THE UNITED STATES OF THE ARMY OF THE UNITED STATES

###### GENERAL OFFICER

Brig. Gen. Joseph Carson Hutchison, Florida National Guard, to be brigadier general, National Guard of the United States, from February 21, 1941.

##### APPOINTMENT IN THE REGULAR ARMY OF THE UNITED STATES

TO BE FIRST LIEUTENANT, VETERINARY CORPS, WITH RANK FROM DATE OF APPOINTMENT  
Capt. William Edward Bills, Veterinary Corps Reserve.



APPOINTMENTS, BY TRANSFER, IN THE REGULAR  
ARMY OF THE UNITED STATES  
TO ORDNANCE DEPARTMENT

First Lt. John Denton Armitage, Field Artillery (captain, Army of the United States), with rank from June 13, 1936.

First Lt. John William Cave, Field Artillery (captain, Army of the United States), with rank from August 1, 1935.

First Lt. Samuel Arthur Daniel, Infantry (captain, Army of the United States), with rank from August 1, 1935.

First Lt. Horace Greeley Davisson, Field Artillery (captain, Army of the United States), with rank from June 12, 1940.

First Lt. Angelo Ralph Del Campo, Jr., Cavalry (captain, Army of the United States), with rank from August 1, 1935.

First Lt. John Gardner Shinkle, Field Artillery (captain, Army of the United States), with rank from June 13, 1936.

TO AIR CORPS, WITH RANK FROM JUNE 11, 1940

Second Lt. Charles Webster Bagstad, Coast Artillery Corps.

Second Lt. Milton Carlton Barnard 2d, Cavalry.

Second Lt. Anthony Benvenuto, Coast Artillery Corps.

Second Lt. James Fant Berry, Infantry.

Second Lt. William Francis Coleman, Coast Artillery Corps.

Second Lt. Allan Ashley Crockett, Cavalry.

Second Lt. Jack Stewart DeWitt, Signal Corps.

Second Lt. Raymond John Downey, Infantry.

Second Lt. James Francis Downing, Infantry.

Second Lt. John Ross East, Jr., Cavalry.

Second Lt. Joseph Jackson Eaton, Jr., Coast Artillery Corps.

Second Lt. Dill Baynard Ellis, Coast Artillery Corps.

Second Lt. Charles Gillies Esau, Quartermaster Corps.

Second Lt. Charles Richard Fairlamb, Signal Corps.

Second Lt. Harry Albright French, Corps of Engineers.

Second Lt. Elbert Dotterer Hoffman, Field Artillery.

Second Lt. Edward Franklin Hoover, Jr., Infantry.

Second Lt. Franklin Wolfram Horton, Infantry.

Second Lt. William Parham Kevan, Jr., Coast Artillery Corps.

Second Lt. John Richard Knight, Infantry.

Second Lt. Willis Franklin Lewis, Infantry.

Second Lt. Philip Courtney Loofbourrow, Coast Artillery Corps.

Second Lt. James Byington McAfee, Coast Artillery Corps.

Second Lt. Burton Elmo McKenzie, Coast Artillery Corps.

Second Lt. Henry Hudson Norman, Jr., Infantry.

Second Lt. James Lawson Orr, Field Artillery.

Second Lt. Ralph Anderson Osborn, Jr., Field Artillery.

Second Lt. Bradley Foote Prann, Field Artillery.

Second Lt. James McLaurin Ridgell, Jr., Coast Artillery Corps.

Second Lt. Virgil Alvin Schwab, Infantry.

Second Lt. Irvine Harrison Shearer, Coast Artillery Corps.

Second Lt. John Joseph Smith, Jr., Infantry.

Second Lt. Glenwood Gordon Stephenson, Infantry.

Second Lt. Warren Curtis Stirling, Coast Artillery Corps.

Second Lt. Julius Boswell Summers, Jr., Coast Artillery Corps.

Second Lt. Frank Benjamin Wagner, Coast Artillery Corps.

Second Lt. Robert Lamar Williams, Field Artillery.

Second Lt. Victor Stanislaw Zienowicz, Infantry.

### CONFIRMATIONS

Executive nominations confirmed by the Senate, February 28 (legislative day of February 13), 1941:

#### DEPARTMENT OF COMMERCE

Carroll L. Wilson to be Director of the Bureau of Foreign and Domestic Commerce.

#### UNITED STATES PUBLIC HEALTH SERVICE

##### TO BE PASSED ASSISTANT SURGEONS

Carl V. Morrison.

Charles G. Spicknall.

Vernam T. Davis.

Harold T. Castberg.

##### TO BE SENIOR DENTAL SURGEON

Charles W. Wekenman.

## HOUSE OF REPRESENTATIVES

FRIDAY, FEBRUARY 28, 1941

The House met at 12 o'clock noon and was called to order by the Speaker.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

O Thou who art supremely wise and good and Father of our souls, how Thou needest to be enthroned in every walk of life. Help us to see in our vision every vocation; in every business the opportunity of developing a true, strong, manly soul. May not Thy manifold blessings be selfishly used. Lead us to understand that no one can come to the fine summit of character who does not feel that in some measure his life belongs to his country and to the world. Grant, blessed Lord, all that is noblest, heroic, and best in us may be in harmony with Thy holy will. We pray that in all breasts there may be a soul swell of glorious freedom, of a commanding purpose which is manifest in those who love Thee, following those sublimities which tower at the feet of Mary's holy Child. Work Thou in us that the hidden man in the heart may be visible in our daily conduct. May we follow our Master in spirit and in truth by the thoughts we think, by the words we speak, and by the deeds we do; and Thine shall be the praise and glory. In Thy holy name. Amen.

The Journal of the proceedings of yesterday was read and approved.

#### MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 3204) entitled "An act making additional appropriations for the fiscal year 1941 urgently required for the Work Projects Administration and certain other Federal agencies, and for other purposes."

The message also announced that the Senate agrees to the amendment of the House of Representatives to the amendment of the Senate No. 4 to said bill.

The message also announced that the Senate had adopted the following resolution:

#### Senate Resolution 80

*Resolved*, That the Senate has heard with profound sorrow the announcement of the death of Hon. WILLIAM D. BYRON, late a Representative from the State of Maryland.

*Resolved*, That a committee of two Senators be appointed by the Vice President to join the committee appointed on the part of the House of Representatives to attend the funeral of the deceased Representative.

*Resolved*, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

*Resolved*, That as a further mark of respect to the memory of the deceased Representative the Senate do now take a recess until 12 o'clock meridian tomorrow.

The message also announced that pursuant to the provisions of the above resolution the Vice President had appointed Mr. TYDINGS and Mr. RADCLIFFE members of said committee on the part of the Senate.

#### MARY MONAHAN

Mr. COCHRAN. Mr. Speaker, by direction of the Committee on Accounts, I submit a privileged resolution, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

#### House Resolution 119

*Resolved*, That there shall be paid out of the contingent fund of the House to Mary Monahan, widow of Joseph J. Monahan, late an employee of the House, an amount equal to 6 months' salary compensation, and an additional amount not to exceed \$250, to defray funeral expenses of the said Joseph J. Monahan.

The resolution was agreed to.

#### EXTENSION OF REMARKS

Mr. BLOOM. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include an article by Mr. Walter Lippmann.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. Bloom]?

There was no objection.

Mr. MAAS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a resolution adopted by the Conference of Mayors and also as a separate item a resolution adopted by the State Legislature of Minnesota.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota [Mr. Maas]?

There was no objection.

Mr. LUTHER A. JOHNSON. Mr. Speaker, I ask unanimous consent to extend my remarks and include a radio address delivered by the gentleman from West Virginia [Mr. KEE].

The SPEAKER. Is there objection?

There was no objection.

Mr. HOUSTON. Mr. Speaker, I ask unanimous consent to extend my remarks and include an address delivered on Washington's Birthday by William H. Burke.

The SPEAKER. Is there objection?

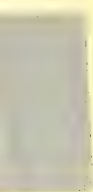
There was no objection.

Mr. DARDEN of Virginia. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.



Mar. 1







# H. R. 1776

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## IN THE SENATE OF THE UNITED STATES

MARCH 1 (legislative day, FEBRUARY 13), 1941

Ordered to lie on the table and to be printed

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## AMENDMENT

Intended to be proposed by Mr. BREWSTER to the bill (H. R. 1776) further to promote the defense of the United States, and for other purposes, viz:

- 1 On page 3, line 7, insert a comma and the following:
- 2 “and no naval vessel of the United States of one thousand
- 3 tons or more shall in any way be disposed of under this
- 4 paragraph if by reason of such disposition the total strength
- 5 of the Navy would be diminished, either in total tonnage
- 6 or in the number of vessels of any category, below its
- 7 strength on the date of enactment of this Act”.



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## AMENDMENT

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Intended to be proposed by Mr. BREWSTER to the bill (H. R. 1776) further to promote the defense of the United States, and for other purposes.

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MARCH 1 (legislative day, FEBRUARY 13), 1941  
Ordered to lie on the table and to be printed



tional Farm Institute meeting, Des Moines, Iowa, February 22, 1941, which appears in the Appendix.]

ADDRESS BY HON. JOHN L. SULLIVAN BEFORE CONFERENCE OF MAYORS, ST. LOUIS, MO.

[Mr. BROWN asked and obtained leave to have printed in the RECORD an address delivered by Hon. John L. Sullivan, Assistant Secretary of the Treasury, before the Conference of Mayors at St. Louis, Mo., February 21, 1941, which appears in the Appendix.]

ADDRESS BY HON. JOHN C. PAGE BEFORE ASSOCIATED GENERAL CONTRACTORS AT HOUSTON, TEX.

[Mr. THOMAS of Idaho asked and obtained leave to have printed in the RECORD an address prepared by Hon. John C. Page, Commissioner of the Bureau of Reclamation, and read on February 18, 1941, before the annual convention of the Associated General Contractors at Houston, Tex., which appears in the Appendix.]

ARTICLE FROM CLEVELAND PLAIN DEALER AND CLEVELAND PRESS

[Mr. LANGER asked and obtained leave to have printed in the RECORD an article published in the Cleveland Plain Dealer and the Cleveland Press of July 30, 1935, which appears in the Appendix.]

VISION—POEM BY MRS. MINNIE FROST HANDS

[Mr. LANGER asked and obtained leave to have printed in the RECORD a poem by Mrs. Minnie Frost Hands entitled "Vision," which appears in the Appendix.]

EDITORIAL FROM NEW YORK DAILY NEWS ON BRITISH AND AMERICAN WAR AIMS

[Mr. REYNOLDS asked and obtained leave to have printed in the RECORD an editorial, entitled "Britain's War Aims—and Ours," published in the New York Daily News, which appears in the Appendix.]

DISSENTING OPINION OF MR. JUSTICE BLACK IN THE CASE OF MILK WAGON DRIVERS' UNION OF CHICAGO

[Mr. MEAD asked and obtained leave to have printed in the RECORD the dissenting opinion of Mr. Justice Black, rendered in the case of *Milk Wagon Drivers' Union of Chicago, Local 753 (a voluntary unincorporated association, et al.)* petitioners v. *Meadowmoor Dairies, Inc.*, which appears in the Appendix.]

EDITORIAL FROM SHREVEPORT TIMES ON RADIO AND THE PRINTING TRADES

[Mr. ELLENDER asked and obtained leave to have printed in the RECORD an excerpt from an editorial published in the Shreveport (La.) Times, entitled "Radio and the Printing Trades," which appears in the Appendix.]

#### PROMOTION OF NATIONAL DEFENSE

The Senate resumed the consideration of the bill (H. R. 1776) further to promote the defense of the United States, and for other purposes.

Mr. WHEELER obtained the floor.

Mr. BARBOUR. Mr. President, will the Senator yield?

Mr. WHEELER. I yield to the Senator from New Jersey.

Mr. BARBOUR. I ask unanimous consent to have printed in the RECORD at this point a short but very telling editorial published in this morning's New York Herald Tribune entitled "Two to One for Lease Lend."

The VICE PRESIDENT. Without objection, it is so ordered.

The editorial is as follows:

#### TWO TO ONE FOR LEASE LEND

It is fortunate for the country that sentiment has crystallized so overwhelmingly behind the lease-lend bill. In time of crisis a nation divided against itself is hopelessly weakened. The more than 2-to-1 support of the bill among the voters is accurately reflected in the Senate, where passage awaits only the completion of the opposition speeches.

Several of our readers have written questioning the assertions that this overwhelming support exists. As a matter of impartial record, the polls establish the fact beyond a doubt. The last Gallup poll, of February 14, revealed a steadily mounting advocacy for the lease-lend bill. Those answered "yes" reached a new high of 58 percent, with only 21 percent voting "no." Of the remaining 21 percent, 14 gave qualified support and 7 percent gave "no opinion." Since the major qualification supported—the time limit—is already in the bill, the bulk of this 14 percent can fairly be counted with the 58 percent. To say that the country is 2 to 1 in favor of the bill substantially as it stands today is an understatement of a resolve that has strengthened with the weeks.

The only serious question that remains is the extent to which the Administration can make the opposition to the bill appear to be a Republican partisan vote. We have repeatedly expressed our criticism of the unfortunate manner in which the bill was put forward and has been urged upon Congress. But for any Republican to decide his vote upon this issue of Administration arrogance seems to us inconceivable.

The country's safety in the present hour and its progress for years to come hang upon this momentous vote. Whether war is to reach these shores or not no man can predict. But it is at least certain that this intelligent, flexible, and constitutional authorization to the President is the one best hope of avoiding war.

Any proper limit upon this authority should most certainly be adopted. But when the amendments have been passed upon and the final vote is reached, we urge upon the representatives of the Republican party, with all conviction, that they cast their final vote for the bill. In our view it would be nothing less than a deathblow to the party if, with respect to this great and critical issue, its representatives permitted themselves to be maneuvered into voting along party lines rather than upon the merits of the issue.

We have no quarrel with the legislators of either party whose reasoned judgment may in the end hold them against the bill. We ask only that conscience, not politics and not prejudice, control in this fateful hour.

Mr. CAPPER. Mr. President—  
Mr. WHEELER. I yield to the Senator from Kansas.

Mr. CAPPER. I desire to have printed in the RECORD at this point a petition and memorial to Congress from the Manhattan (Kans.) Grange, protesting against United States intervention in foreign wars. This appeal reflects the views of the great majority of the farmers of Kansas. The resolution coincides so closely with my own views that I will read it to the Senate at this time:

We, the members of the Manhattan Grange, believing democracy can be preserved only by keeping out of the European war, petition the Congress of the United States of America to exert every effort possible and within reason necessary to keep America out of all foreign wars.

We ask Congress to keep the power vested in it by the Constitution of the United States and not surrender its powers now, or at any other time. We say no blank checks, no blanket powers to one man, and no lend-lease dictatorship law.

We favor a national defense second to none; we are willing to make any sacrifice necessary in money and men to defend America; we are willing to help Great Britain to any extent, but we are opposed to having our sons slaughtered on foreign soil to settle the political quarrels of foreign nations.

Signed this 22d day of February, 1941, by the master and secretary of the Manhattan Grange.

E. L. SMITH, Master,  
CORA B. PARKER, Secretary.

Mr. WALSH. Mr. President—

Mr. WHEELER. I yield to the Senator from Massachusetts.

Mr. WALSH. I ask unanimous consent to have printed in the RECORD a brief telegram from the Samuel Adams Chapter of Descendants of the American Revolution in opposition to the pending bill.

The VICE PRESIDENT. Without objection, it is so ordered.

The telegram is as follows:

CAMBRIDGE, MASS., March 1, 1941.  
Senator DAVID I. WALSH.

Senate Building, Washington, D. C.:  
Massachusetts Descendants of the American Revolution tonight voted approval of the sincerity of your stand on the lend-lease bill. Continuance of our national traditions rest on such genuine representatives of democracy as you.

DANIEL GOODHUE,  
Chairman, Samuel Adams Chapter,  
Descendants of the American Revolution.

Mr. CAPPER. Mr. President—

Mr. WHEELER. I yield to the Senator from Kansas.

Mr. CAPPER. I ask unanimous consent to have printed in the RECORD an editorial written by Dr. Clinton N. Howard for the March 1941 issue of Progress, the official organ of the International Reform Federation, discussing various features of the pending lend-lease bill.

The VICE PRESIDENT. Without objection, it is so ordered.

The editorial is as follows:

#### DID CHURCHILL SAY IT?

In the Progress for February, under title of "Help Save England," we express in the lead article our sincere desire that the United States should aid England in its defensive war against Hitler's totalitarian invasion by every ounce of power, financial, food, raw materials, and every kind of war munitions to the limit of its ability, within the law, and under the constitutional limitation which would keep us out of military participation in the European-Asiatic-African war, and without violation of our neutrality or international law.

In that article we supported what had been the declared policy of the administration again and again, and three times during the pre-election week, in addresses delivered by the President in his personal appeal for the support of the American people to elect him for a third term as President of the United States.

In his campaign speech at Philadelphia, October 23, he said: "Your President and your great Secretary of War are following the road to peace." This "road to peace" was amplified in his address at Boston, October 16, in which he said: "Your boys are not going into any foreign war." At Brooklyn, November 1, he said: "I am fighting to keep



this Nation out of a foreign war." At Cleveland, November 2, he said: "The first purpose of our country is to keep this Nation out of foreign wars." More recently the President gave the lie to those who even suggested that possibility.

Our article was in support of this declared policy, to help England by every possible method, as the President had repeatedly said, "short of war."

We did not pass on the lend-lease bill now pending before Congress. We were not discussing the merits of the proposal, or whether it would keep us out of war, on which both Houses of Congress, both party leaders, and the country are divided. We were holding the administration to its covenant with the American people, upon which they voted to continue the administration in power.

#### THE BRITISH UNDERSTANDING

When it came to a discussion of what is understood, expected, and declared to be the policy of the war ministers of England, we spoke with less confidence of their intention and their understanding of what the American Government proposed and what they expected to receive under the lend-lease legislation, and reminded our people that England had not kept her war contracts with the American Government and had now no intention of doing so.

As evidence of that, we quoted a statement from Winston Churchill to an American press correspondent in an interview at his (Mr. Churchill's) own solicitation, at the place and time of his own designation, which has since appeared in the public press again and again, and never denied until it appeared in Progress.

Doubtless the reason for this was that it was printed in the CONGRESSIONAL RECORD as an extension of the remarks of a United States Senator, a right which is extended to and employed by every Member of that body, even when it has little or no relation to the bill under discussion or the speech delivered.

We need not repeat here the statement of Mr. Churchill in his interview, which is found in Progress for February, but it brought from the British Embassy, on the authority of Lord Halifax, a denial that Mr. Churchill had ever given the interview reported or said anything that resembled it.

#### REAFFIRMED BY AUTHOR

On the contrary, William Griffin, of New York, editor of the New York Enquirer and at the time of the interview a feature writer for the New York World in Europe and England at that time, where he had reported interviews with President Albert Lebrun and Foreign Minister Georges Bonnet, of France, George Bernard Shaw, former Premier Ignace Paderewski, of Poland, David Lloyd George, Eamon de Valera, Lord Robert Cecil, president of the League of Nations Union, Count Galeazzo Ciano, and others. He was received in private audience by Pope Pius XI.

Then follows the detailed occurrence of the time, place, and circumstance of the interview with Winston Churchill, including the paragraph quoted many times and places since, over the past 5 years, as stated in the denial by the Embassy, and allowed to pass unnoticed and unchallenged until now.

All the incidents relating thereto, entitled "When Churchill Said Keep Out," is set forth in an article in the February number of Scribner's Commentator, my William Griffin, with whom the alleged interview was had. \* \* \*

We accept the statement made by Mr. Griffin. We believe that Mr. Churchill said the paragraph printed in the Progress for February, and that the burden of disproof rests upon Mr. Churchill and is not to be discarded by a disclaimer from the British Embassy at this late date, when, under present circumstances, it proved to be a most unfortunate utterance.

#### COMPLIMENTS MR. CHURCHILL

England, under the leadership of Mr. Churchill, is doing a tremendous piece of work in defense of the British Empire, which we prefer to any kind of empire which Hitler proposes to set up, but we do not favor sending an army of millions of American youth across the Atlantic in defense of any empire. That is a road to an unknown destination for our own country, at an unknown cost in American lives and the possibility of a prolonged war which may take our armies into every part of Europe, Asia, and Africa "to defend democracy," which in the last analysis must be defended on our own soil.

We do not wish to scatter our soldier sons all around the world to impose democracy upon nations who do not want it. That is what English statesmen expect as the result of our going into this war. They do not want an American army now. But they well know that if we are to ship our war supplies to them, of whatever kind, in American bottoms, convoyed by American destroyers or battleships, and those ships are submarined as was the *Lusitania* and the *Sussex* in the World War, and our cargoes and sailors are sent to the bottom, that there will be war, which may take an American army across the sea, to any port they may be able to disembark, as it did in the World War. They do not need to ask for it, or to favor it, they only need let an American invasion bring upon us its certain judgment.

That is what happened in the World War within 6 months after the reelection of President Wilson as a reward for "keeping us out of the war," and it will happen again. If we go into this thing, let us go with our eyes open and not trust to potluck that we can both go in and remain out.

#### SHALL WE SURRENDER ALL?

No one is able to state definitely what the result of the passage of the lend-lease bill will be, whether it will defer or hasten our involvement in the war in the Old World, as no one can foresee what action the President of the United States might take under the provisions of the act, as he will interpret it.

To us, it seems an unnecessary if not a dangerous delegation of powers. From our past experience we know that there is no length to which the President will not go to achieve his ends, whether authorized by the Constitution or not. He imposed liquor on this country while prohibition remained a part of the Constitution; he sought to influence the decisions of the Supreme Court by nearly doubling the number of judges by his own appointment; he proposed revolutionary "reorganization" laws which would have vitally changed the character of our democracy, which we are now so zealous to defend by pushing our frontiers across the Atlantic.

He has given away our defensive destroyers in exchange for naval and air bases to be built by the United States on the territory of a foreign country off the American coast, and he has permitted and certified the sale and transportation of war materials and primary war essentials to the extent of nearly a half billion of dollars to be used by Japan in her three years of undeclared war against China, now named by the administration as one of the three "democracies" which we must stand ready to aid and defend.

These sins of commission by the administration make us uneasy of the possibilities resulting from an unlimited grant of power, which we brand as dictatorial when exercised by the totalitarian dictators of Europe and Asia, whose people trust their leaders as we are asked to trust ours.

We repeat, we do not see the necessity for the delegation of such unlimited powers, with unbounded financial burdens, and for an unlimited time, to deal with an unknown situation in the nations on the other side of the world. The President has an overwhelming

majority in both Houses of Congress and a grant of power conferred by a vast majority of the American people, with the added support of his late Republican opponent.

He can obtain the immediate passage of any measure or new grant of power which he desires, to meet any unforeseen emergency growing out of the foreign war, essential to save England's future, by appealing to his party, now in absolute control of both Houses of Congress, and likely to remain in session to carry out the policies of the administration.

If we are in error as to this, if his own party in control of Congress will not trust his leadership, that is all the more reason why he should not be trusted with unlimited powers not conferred upon the administrative branch of the Government by the Constitution. In supporting the democracies of Europe, even from the selfish motive as the first line of our defense, let us be careful not to surrender our democracy at home.

If the surrender of powers to the Executive works at home as it has worked in the nations abroad, the editor will be out of a job soon after the lease-lend bill is passed, or Progress will be renamed Retrogression and die of mortification in the dead-letter morgue of the administration as "subversive to the best interest of the Government."

If the hands of Congress are to be tied and its legs hobbled, why not put a muzzle on the Supreme Court "for the duration of the war" in defense of democracy?

Mr. WHEELER. Mr. President, a colloquy took place yesterday on the floor of the Senate with reference to interpretation which might be placed on the word "value" as it appears in H. R. 1776. I asserted that the President had the right, under this loosely drawn piece of legislation, to dispose of defense articles on any basis that he deemed proper. I say "loosely drawn" advisedly, because, to use the expression sometimes employed by lawyers, one could drive a team of horses and a wagon right through the bill.

In all my experience of 35 years as a practicing lawyer I have never seen a piece of legislation presented to the Congress of the United States, or even to a State legislature or a city council, that was so full of holes and could be so readily misinterpreted, as this piece of legislation.

I desire to call attention to what Corpus Juris says about "value." I do this for the purpose of showing how many different interpretations are put upon the word "value." I read from volume 66 of Corpus Juris, page 418:

VALUE. Section [1] A. As noun. It has long been recognized that "value" may be used in different senses. That the true meaning of a word is to be determined by its context is peculiarly true of "value." The primary meaning of "value" is worth. In general, "value" has two different meanings: It sometimes expresses the utility of an object, and sometimes the power of purchasing other goods with it; the one may be called "value in use," the other "value in exchange."

Can anyone tell me what the term "value" in this bill means from its context, whether it is value in use or value in exchange? If it is value in exchange, what did we get for the 50 destroyers?

My distinguished friend from Georgia [Mr. GEORGE], the chairman of the Foreign Relations Committee criticized me yesterday because I said that under the bill the President could dispose of a warship for almost anything he pleased. What is the value of a warship? Is the value of a warship what



it can bring in the market? Is it its junk value? After the last World War we sank a number of battleships. Where is there a market for a battleship? Who could buy a battleship, or would want to buy one, except Germany or England? What then would be its market price? When we talk about value, do we mean its market value? Do we mean its replacement value? Do we mean its cost value? There is nothing in this proposed legislation showing what is meant. I maintain it is unfair to the President of the United States to say to him, "You may dispose of these articles at their value," when we do not give him any standards or criterion upon which to base the value.

Corpus Juris goes on to say:

The one may be called value in use, the other value in exchange. In the first sense value has been defined as the utility of an object in satisfying, directly or indirectly, the needs or desires of human beings; as applied to property, an attribute which the property possesses by reason of the use which is or may be made of it; of the product that it produces, or may produce; or of some sentimental association connected with it; thus, property may have value, notwithstanding there is no market for it. In the second sense, value has been defined as the amount of other commodities, commonly represented by money, for which a thing can be exchanged in open market; the general estimate of the pecuniary equivalent of the subject of inquiry; the general power of purchasing, the command which its possession gives over purchasable commodities in general, the price deemed or accepted as equivalent to the utility of anything.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. WHEELER. I yield.

Mr. VANDENBERG. While the Senator was having his colloquy yesterday on the question whether "value" is a word within distinct limits, I drew an amendment, which will be offered when the proper time comes, so that the sentence will read:

The articles disposed of in any way under authority of this paragraph, and procured from funds heretofore appropriated, shall not exceed \$1,300,000,000 in replacement value.

This puts an explicit meaning on the word "value." I venture the prophecy that that will be promptly turned down, because the purpose is that the word "value" shall mean anything the President wants it to mean. If it is not the purpose, there will be a definitive amendment.

Mr. WHEELER. Of course, I thoroughly agree with the Senator.

Mr. JOHNSON of California. Mr. President, following the suggestion of the Senator from Michigan—if the Senator from Montana will yield—the discussion yesterday turned upon the question of value, and it was stated that the value would be the "real" value. But we will see the Committee on Foreign Relations rise here in its majesty and might to fight any proposal that a price representing the real value shall be received.

Mr. WHEELER. I thank the Senator.

Mr. CLARK of Missouri. Mr. President, will the Senator from Montana yield to me?

Mr. WHEELER. I yield.

Mr. CLARK of Missouri. In line with what the Senator has said, let me give an illustration which will recur to the mind of everyone who remembers what happened in the last war.

In the last war the United States spent a great many million dollars improving and rebuilding certain French ports, notably Brest and several other ports, which were improved and made modern. At the end of the war all the improvements could have been removed, but there was property which cost millions of dollars, in the shape of cranes, landing facilities, and matters of that kind, which belonged to the United States, fixtures which could have been removed and which belonged to our Government. But in spite of their cost, their value was practically nothing, because it would have cost us more to bring them home than they were worth. We sold them to the French for practically nothing.

In the last war also we had many coast-defense guns, very valuable for the defense of the United States, which cost us millions of dollars. After we became engaged in war we dismounted some of those big coast-defense guns, shipped them across the sea, mounted them on railroad trains and used them as heavy artillery. At the end of the war it was too costly to bring them home, and they were disposed of to the French for practically nothing. Was the value of those guns what it had cost the United States to manufacture them and put them in emplacements as coast-defense guns, or was it the value of the guns when they were transported to France, mounted on railroad emplacements, and used as heavy artillery, long-range artillery? Or was it the value of the guns the day after the armistice, when it was too costly to bring them home?

Mr. WHEELER. I thank the Senator very much for his very germane explanation.

Mr. HOLMAN. Mr. President, will the Senator yield?

Mr. WHEELER. I will yield in a moment.

The value of a thing depends not only on its cost but it depends also on where the particular article is. The value of a battleship might depend a great deal upon where it was located, what our needs were at a particular time, and what the needs of some other country were. If we start out on the assumption that England is our first line of defense, and that it is necessary for us to see that England is not defeated, and that it is necessary for us to go to the length to which a great many Members of the Senate now say we should go, or particularly to the length which the New York Times and the Herald Tribune and the Washington Post say we should go, and to which international bankers say we should go, then "value" becomes a controversial word indeed. Under those circumstances, a battleship would be of little value to us; in other words, it is more valuable to allow England to have the vessel than for us to have it. But, of course, I do not subscribe to the theory that our battleships should be over in the English Channel. So I repeat what I stated yesterday,

that the value of a battleship, as the term "value" is used in the bill, gives the widest kind of latitude to the President of the United States. As it is now written in the bill in connection with the context, it is practically meaningless.

I now yield to the Senator from Oregon.

Mr. HOLMAN. I merely wanted to make the observation that the value of any commodity depends not so much on what the commodity is as where it is.

Mr. WHEELER. That is correct.

Mr. CLARK of Idaho. Mr. President, will the Senator from Montana yield?

Mr. WHEELER. I yield.

Mr. CLARK of Idaho. I think it should be pointed out again to the Senate, as the Senator from Missouri so ably pointed out yesterday, that, so far as the word "value" in the bill is concerned, it has no bearing at all upon sale price. Under the bill the President could give away the whole Navy, if the Navy were worth less than \$1,300,000,000. So value is only used as a measure of articles which the President can give away in any event, and it has no relationship to sale price, or the consideration which may be received. I merely wanted to make that clear once more, as the Senator from Missouri did yesterday.

Mr. WHEELER. I thank the Senator.

If we fix the value at what an article can be sold for, and the would-be buyer does not have any money with which to buy it, nor anything with which to barter, what is the value then? A battleship, for instance, cannot be sold very easily. Of course, it is proposed by this bill that it be given away. If a country cannot buy it, and has no money with which to buy it, and we are giving it to them because they cannot buy it, then value becomes what the interpreter desires to make it.

My distinguished friend [Mr. GEORGE] said on yesterday I was making myself ridiculous and foolish because I insisted that the word "value" in the bill as written is indefinite and subject to a multitude of interpretations. I believe I have just shown, perhaps to his satisfaction, that the legal authorities almost without exception, including those in England itself, that it is the language in the bill itself that is foolish and ridiculous.

I read further from Corpus Juris:

The price which the thing will command in the market. The sum for which like goods are, at the time, commonly bought and sold in the market.

But, of course, battleships are not commonly bought and sold in the market.

The sum of money a thing will produce to the seller, when it is sold.

If Britain, for instance, has no money, what will they pay for it?

The worth of an object in purchasing other goods.

What a willing purchaser will give for the property under fair market conditions.

What a thing will bring today in exploitation or exchange under some presently possible condition; what a thing will sell for within a reasonable time from that in which the "value" is sought to be ascertained. It has been said that the ascertainment of the meaning of the word admits of no precise standard.



Remember, only yesterday we were told on the floor of the Senate that the word "value" has a precise meaning.

My distinguished friend, the Senator from Oklahoma [Mr. LEE], said, "Well, the Army and the Navy have fixed a value." Suppose they have fixed a value. Does the bill specify that the value they have fixed will govern? The bill does not say that. It says that the President may sell or lease or give articles away, but that the aggregate ceiling value of that to be disposed of may not be more than \$1,300,000,000. Does anyone still believe, in view of what the authorities say about "value," that such a limitation means anything?

I continue to read from *Corpus Juris*:

When applied without qualification to property, "value" means the price which it will command in the market, its equivalent amount in lawful money. "Value" usually means "market value."

Although the distinction between "value in use" and "value in exchange" has been generally recognized by the courts, they have frequently used the word "value" without any clear indication of whether it is used in a particular expression to indicate "value in use" or "market value."

Certain courts and writers have rejected the distinction between "value in use" and "value in exchange," defining "value" as the relation between two services, the exchange power which one commodity or service has in relation to another.

I continue to read from page 420 of *Corpus Juris*:

Other terms compared: "Value" has been compared with "price." "Value" has been held to be synonymous, in reference to money or notes current as money, with "amount"; it has also been distinguished from "amount." "Value" has been held to be equivalent to "cost" and "cost price." "Valuation" and "value" may be synonymous. As used in a statute providing that an indictment for forgery shall be sufficient if it sets forth the purpose and "value" of the false writing, the word is used as synonymous with "effect" or "imports." "Value" has also been held to be equivalent to "actual value" and "agreed value," synonymous with "cash value" and "full cash value," synonymous with "market value," and equivalent to "reasonable cash market value," "reasonable selling price," "salable value," and, in proper cases, "rental value." "Value" has been distinguished from "expense" and "income," "acquisition value" and "market value." "Value," literally construed, is broader than "worth in the market."

I assert as emphatically as I know how that under the statutes, and under the decisions in almost all cases deciding that point throughout the United States, the term "value" has no meaning in the bill.

I cite, among other cases, *Joint Highway District No. 9 v. Ocean Shore R. Co.* ((Cal. App.) 18 P. (2d) 413, 417.) (See 2 Bishop Cr. Pract., sec. 751 (quot *Martinez v. State*, 16 Tex. App. 122, 128.)

Mr. President, it has been intimated on the Senate floor, and elsewhere, that because some of us are now opposed to leasing or lending or giving our defense articles to other nations, we desire to see Germany win. Let me read what my distinguished colleague the Senator from Georgia [Mr. GEORGE] said not so long ago. The Senator from Georgia voted for repeal of the arms embargo. He said on the floor of the Senate during the debate on that bill, and I read from vol-

ume 85, page 735, of the CONGRESSIONAL RECORD of October 23, 1939:

Mr. GEORGE. Now I wish to invite the Senator's attention to the fact that although credit was not extended directly by the munition makers, was it not one of the chief vices of the 1914, 1915, and 1916 period that credit was extended in the United States for arms, munitions, and war supplies?

Mr. NYE. Yes; I think those of us, including the Senator from Georgia, who served upon the committee to which I have referred, came very definitely to that conclusion.

Mr. GEORGE. Of course, I know the Senator is not unmindful of the fact that in the measure now before the Senate we have pressed our ingenuity almost to the breaking point to prevent the extension of credit for arms, ammunition, and implements of war.

Mr. President, we may find numerous other statements which were made on the floor of the Senate along the same line at that time. I wish to call attention to a very strong statement by a Senator who made a rousing speech for the pending bill a few days ago, the distinguished Senator from Utah [Mr. THOMAS]. I read:

Mr. THOMAS of Utah. So far as I am concerned, I stand exactly where I think the pending joint resolution stands. I am opposed to giving credit to any country on earth for war purposes. Is that plain?

Mr. DOWNEY. Is that a declaration?

Mr. THOMAS of Utah. That is my stand, and I think it is perfectly understandable. The United States of America should not extend credit; should not allow foreign nations to obtain credit; should not allow foreign nations to sell bonds in our country. In other words, the wars of foreign nations should be financed by foreign nations.

Mr. DOWNEY. I am happy to have provoked that declaration, which, I take it, is a commitment to the American people. If I understand the Senator from Utah, he now means—and if I am in error I should like to be corrected—that if conditions should develop under which the Allies still needed war supplies from us and could not pay for them, he would refuse to grant them credit with which to buy? Is that what I am to understand?

Mr. THOMAS of Utah. Certainly. I stand upon the primary thesis that the United States should not finance the wars of other nations. We have quite a task of our own.

That quotation appears in volume 85, pages 167 and 168, of the CONGRESSIONAL RECORD of October 6, 1939.

I further quote from volume 85, page 154, the following statement by the Senator from Utah [Mr. THOMAS].

Those who have thought only of one thing, the lifting of the embargo, on the assumption that England and France are in need of airplanes, and that is the whole issue, fail to see through the act which we are proposing to pass as a unit. The proposed act can in no sense be deemed pro-German and anti-British. It can in no sense be deemed pro-British and anti-German.

Yet, Mr. President, I know there are those who would try to make it appear that Senators who are opposed to the lend-lease bill, and we who now take the stand taken by a majority of the Members of the Senate scarcely a year ago, we, I repeat, are now painted as being in favor of Germany, because we have still kept our heads on our shoulders.

Mr. President, I could go on and cite innumerable statements, similar to those I have just read, made by many of the distinguished Members of the Senate who have already spoken in favor of the pend-

ing bill. I now wish to quote from a speech made on a previous occasion by my colleague the Senator from Montana [Mr. MURRAY], who spoke in favor of the pending bill a few days ago. On that occasion—only a year ago—he said:

The people of this country have been completely disillusioned by the results of the last war; and no intelligent, patriotic citizen of this country today must fail to take the unalterable position that we at all hazards shall avoid intermeddling, taking sides, or becoming involved to any degree in the present conflict.

Mr. BROWN. Mr. President, will the Senator yield?

Mr. WHEELER. I yield.

Mr. BROWN. I may say, that was before the Germans dropped bombs on Ireland.

Mr. WHEELER. I cannot attribute the change in my colleague to that cause. What I just read appears in volume 85, page 906, of the CONGRESSIONAL RECORD, of October 26, 1939. I continue to read further from my colleague's statement of his conception of what our foreign policy should be:

It is plain, however, that the repeal of the embargo and substitution of the cash-and-carry plan here proposed is the more likely to keep us out of war.

Mr. President, if the American people in this war maintain their neutrality, not on a basis of taking sides but on a just and legal basis—a basis which conforms to international law as we have known it for hundreds of years, no belligerent nation can justly take offense. If we do this, I believe it is as certain as any event of such nature can be certain that sooner or later this country will be asked to exercise its good offices for peace. When that time comes, it will not be difficult for the President of the United States to suggest the terms which will establish justice between the warring countries, and, in fact, between all the nations of the Old World.

Mr. President, that is exactly the contention I have made, namely that the President of the United States has been in a position, and I think is still in a position, to exercise his tremendous influence in an effort to bring about a just peace in the world at this time, and a peace not dictated by Germany, or by any other combatant country. I have hoped, and I have prayed, and I am still hoping and praying, that the time may not be far distant when our President will use his great offices to bring a halt to the holocaust of war, and to bring about peace, a peace that will mean justice, a peace that will give to the ordinary men and women of Europe, and of all other countries throughout the world, the opportunity to earn a decent living.

Mr. CLARK of Idaho. Mr. President, will the Senator yield?

Mr. WHEELER. I yield.

Mr. CLARK of Idaho. I think the Senator's position is perfectly sound. I suppose he read the speech delivered by Ambassador Bullitt the other day.

Mr. WHEELER. I scanned it.

Mr. CLARK of Idaho. Mr. Bullitt had the effrontery to say to the American people, to gratify his own personal spleen against Hitler, that we could not have peace without victory.

Mr. WHEELER. That is not all he said, if I correctly understood his speech. He said that those of us who are opposed



to the lease-lend bill are afflicted with political dementia praecox. Of course, Mr. Bullitt ought to know. Personally I have never been under observation. [Laughter.] I have never been in a hospital for treatment for nervous diseases. Those who have, of course, ought to know about political and other kinds of dementia praecox.

I charge on the floor of the Senate that an Ambassador of the United States of America, who still may be on the pay roll, was intriguing against peace in Europe in 1938 and 1939, when the Members of this Congress were shouting that they were for peace.

Mr. TOBEY. Mr. President, will the Senator yield?

Mr. WHEELER. I yield.

Mr. TOBEY. Does not the Senator agree with me that this "Bullitt" is a dud? [Laughter.]

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. WHEELER. I yield.

Mr. BARKLEY. I am sure the Senator does not wish to make an inaccurate statement. It is not my understanding that Mr. Bullitt is on the pay roll. He resigned as Ambassador to France. Admiral Leahy was appointed as his successor, and, so far as I know, Mr. Bullitt holds no office at this time.

Mr. WHEELER. I am glad to be corrected if my statement is inaccurate.

Mr. BARKLEY. Oh, yes. The Senator knows that Admiral Leahy has been appointed Ambassador to France.

Mr. WHEELER. I understood that Mr. Bullitt was still on the pay roll. I may be mistaken.

Mr. BARKLEY. That is not my understanding.

Mr. WHEELER. Then I stand corrected.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. WHEELER. I yield.

Mr. CLARK of Missouri. It is an undisputed fact, I take it, that Mr. Bullitt abandoned his post in France and came home, and that he spent months and months roaming around the United States in propaganda efforts to get us into war, and making speeches while he was on the pay roll, before Admiral Leahy was appointed Ambassador to France.

Mr. WHEELER. Let me say to the Senator from Kentucky that I think Mr. Bullitt may still be on the pay roll of the State Department. I may be mistaken about it, but I know from things that have happened quite recently that at least he has exercised power and influence in the State Department.

Mr. BARKLEY. That may all be true. I do not know. I suppose Mr. Bullitt is not barred from the State Department merely because he has resigned as Ambassador.

Mr. WHEELER. No; I suppose not.

Mr. BARKLEY. The extent to which he may be consulted about matters I do not know; but I do not want any misunderstanding to go into the Record.

Mr. WHEELER. If I am mistaken I shall be glad to be corrected; but I should like to have the facts with reference to the matter.

Mr. BARKLEY. I shall obtain the facts, so that neither of us can be mistaken.

Mr. WHEELER. I thank the Senator.

Mr. President, I am sorry that I was unable yesterday to conclude my entire address. As I pointed out in the beginning, an adequate comment on the provisions of H. R. 1776 would be encyclopedic in dimension. Therefore I felt it necessary to divide my comments into two or more natural groups. The first of these groups, as I said, would consist of an analysis of the bill's provisions, in an endeavor to determine their meaning from their language, in the light of the cases and the authorities. I had planned to take up at a later time what may be termed the nonlegal aspects of the bill, its background of history and current events, and its significance for the future.

As Senators know, my discussion yesterday led to a number of questions and exchanges, some of them not at all relevant to the pending legislation. It was, therefore, impossible for me to conclude my legal analysis of the bill.

Let me briefly review the points I discussed yesterday. I analyzed the meaning of "defense article" and tried to show that as this term is used in the bill it is as broad as all outdoors. I also discussed the scope of the President's power to deal in defense articles, and the delegation by the President of his powers to dispose of such articles, the countries to be aided, the terms and conditions to be imposed on such countries, and an analysis of the powers themselves.

Just before I had concluded my remarks yesterday I had begun discussion of the power implicit in the bill itself to convoy, and in connection with that point I had pointed out the provisions of the Neutrality Act of 1939 in an effort to show that the most important section of the Neutrality Act, namely, section 2, is not covered by the pending legislation.

As a matter of fact, the President can successfully elude the requirements of both sections 2 and 3 of the Neutrality Act by simply not issuing the general proclamation in the first place. He has already discovered this gap in the act and has made use of it. He has not yet found that a state of war exists between Japan and China; and so long as we choose to ignore what is going on in Asia there is nothing in our present law that prevents our sending American vessels to any part of the Orient.

The word "exchange" in clause 2 also has its possibilities when it is remembered that "defense article" includes any and all articles, and that the President may receive any kind of an article or promise of an article in payment. We are headed for international barter on a gigantic scale. We may find ourselves trading cash registers for Argentine canned meat or corn.

I pointed out yesterday that under the definition of "defense article" the President may transfer or procure any kind of an article under the sun.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. WHEELER. I yield.

Mr. TAFT. I have been trying to estimate what powers the President might

have under the general lease-lend provisions. It seems to me perfectly clear that he might, for instance, in effect consolidate our fleet with the British Fleet, either at Gibraltar or Singapore. In all probability he has the power to send our fleet over there. Certainly, after the bill is passed and we express approval of the policy that Britain's defense is our defense, he would be justified in sending our fleet there. If some British destroyer happened to be damaged in battle, he could turn over an American destroyer at Gibraltar for use while it was being repaired. The same thing might be done at Singapore. Under the terms of the bill, does the Senator see any reason why there could not be worked out a consolidation of our fleet with that of the British?

Mr. WHEELER. Let me say to the Senator that I think, under the terms of the bill, the President could go so far as to do the things mentioned by the Senator.

However, before I conclude today I think I can conclusively show to every Member of the Senate who will not close his mind to light and reason that the President of the United States has no power in peacetime, as Commander in Chief of the Army and Navy, under the Constitution of the United States, to send our battleships into foreign waters.

Mr. TAFT. I agree with the Senator; but what bothers me is that after the Congress has deliberately expressed the opinion and the belief that the defense of Britain is the defense of the United States, the President undoubtedly could send battleships to defend American interests, to defend America wherever America might be defended. If we pass the bill, Congress definitely takes the position that the defense of Britain is the defense of America; and it seems to me that the moment we do that we step beyond the mere question of constitutional power. Under his general power to send the Navy wherever it is necessary for defense, the President may send it to Gibraltar. He may consolidate it with the British Fleet, not in actual shooting warfare, perhaps, but in a way in which it can support the British Fleet, in a way in which it can do all the reserve work, and exchange one destroyer for another, as I have suggested. So it seems to me the bill is a little broader than merely power to lend or lease. It is the expression by Congress of approval of the theory that British defense is our defense and that our defense is the British defense. Therefore the President would be justified in going ahead and convoying vessels and landing men in various places where English defense is necessary, because by this bill we are expressing our opinion that such action is the defense of the United States.

Mr. WHEELER. Let me say to the Senator that I cannot agree that the bill can subvert the Constitution to that extent. But I agree that is the construction that will be put on the bill, and I am afraid the President and his advisers, who will interpret the bill, will construe it to mean that very thing, and may so use the broad powers that are expressed in the bill.



Mr. TAFT. Does not the Senator feel that under the bill the President might establish a great American base at Cairo, let us say, with all kinds of guns and tanks and all sorts of materials? Whether he could send troops may be doubtful; but certainly he could send civilian personnel to take charge of that great base, and from that point he could distribute tanks and guns and all sorts of material to the Greeks or the Turks or the British.

Mr. WHEELER. As the bill stands at the present time, I do not think there is any doubt about that. I think the word "export," in paragraph (5) of section 3, and the word "transfer," in paragraph (2), of section 3, could be taken to mean that the President may send American ships to Singapore, or anywhere on the seven seas. Or he may send them to any other place. I have tried to point out that by modifying the proclamation that has already been issued, he may send them to certain ports in China or to other ports in Europe or Asia.

Mr. TAFT. The important thing about this bill, it seems to me, is that its provisions in effect give the President power to carry on a kind of undeclared war all over the world, in which America would do everything except actually put soldiers in the front-line trenches where the fighting is.

Mr. WHEELER. I think that is true.

Mr. TAFT. I do not see how we can long conduct such a war without actually being in the shooting end of the war as well as in the service-of-supply end which this bill justifies.

Mr. WHEELER. Of course, the Senator is correct. If it is true, according to the theory of those who say so, that the President may do anything as Commander in Chief, that he may order the Army and Navy to go to any place to which he wants to send them, and as Commander in Chief, in peacetime then, as I shall point out, as a matter of fact he may send battleships into any zone into which he wants to send them.

Of course, as I shall point out, the fathers of the Constitution never intended such a distortion of the Commander in Chief theory as is now being advanced by our totalitarian legal interpreters. They never gave the President any such power as that. I am not basing my argument on the statement of some professor who writes for the New York Times or the New York Herald Tribune, but I intend to quote from the framers of the Constitution itself.

Mr. President, the innocuous restrictions inserted in clause 2 by way of amendment in the House speak for themselves. The requirement that the President consult—

with the Chief of Staff of the Army, or the Chief of Naval Operations of the Navy, or both.

is an empty ceremony, since the President is not bound to follow the advice of the experts the country has placed at his disposal, and probably no one will ever know what their recommendations really are, or what dangers are involved when he chooses to ignore them. He did not pay much heed to them in the destroyer deal, at least until after the Attorney General had told them what expert ad-

vice they should give. The other restriction, limiting his power to dispose of "defense articles" procured from funds heretofore appropriated to a "value" of \$1,300,000,000 does not mean much when the President is left free to use any yardstick of value he chooses, including junk value; but it could be made to mean something if "value" had to be calculated on the basis of cost to the United States, or on the basis of replacement to the United States.

Clause 3 contains the next set of powers to be conferred on the President. It, too, is an invitation to commit an act of war that will nullify the control of Congress over the question whether the United States shall go to war or remain at peace. It authorizes the President—

To test, inspect, prove, repair, outfit, recondition, or otherwise to place in good working order any defense article for any such government.

What government? Any government on the earth that he wants to aid. This, of course, means that British war vessels may be repaired in our ports, or, indeed, may seek refuge there for any purpose, including escape from enemy vessels or aircraft. This is clearly in violation of principles of international law, well settled, and repeatedly recognized by the United States, including Presidential proclamations during the present war. It is clearly in violation of our understanding with other countries in the Western Hemisphere. I am astounded to find anyone expressing a contrary opinion. It seems to me to be the rankest hypocrisy for anyone to say that the provisions of this bill contain no violation of international law, and then in the same breath to say, as does our Committee on Foreign Relations in its report, page 4:

As is the way with individuals, nations may, under international law, take such measures to defend themselves as seem just and needful in relation to the peril they face. Nor must a nation remain idle while others plot her harm. The doctrine of mutuality prevails in international law as in equity and clearly proscribes the attempt by any sovereign to sin with the one hand and admonish with the other. \* \* \*

What is really meant by such language is that the United States, which is at peace with all countries and is being attacked by none, is willing to sink to the same depths as are charged against Hitler or Mussolini or the Japanese. It is about to throw overboard any and all precepts of international law that stand in the way of doing whatever seems to its selfish interests.

I, for one, do not subscribe to this doctrine of lawlessness. It is time that some nation in this troubled world arrayed itself on the side of law and order, and set an example of willingness to abide by principles long recognized in the law of nations. But if it be true that valid considerations of national defense against aggression now confront us and justify our disregard of these principles, then let us be frank about it. It does not make sense for us to say in one breath that nothing in this bill violates international law, and in the next to say that we are justified in disregarding it; nor does it

make sense for men to stand on the floor of the Senate and say there is no such thing today as international law, when the President by his own proclamation has recognized international law.

The committee's reference to the Hague Convention, No. XIII of 1907, begs the question. It is true that Italy and Great Britain are not parties to that document. Their representatives at the Hague Conference agreed to it and signed it, but their Governments failed to ratify it; but the United States signed it and ratified it. The principles incorporated in it were not, and were not intended to be, anything particularly new. They were a codification and restatement of principles which had been recognized for years, and to which the United States regularly gave effect so long as it was a neutral in the first World War, and again during the present war.

The committee's interpretation of the Kellogg-Briand Pact is beyond my comprehension. I have read the pact carefully and can find in it no justification for this interpretation. It is very brief, and simply provides that the parties "condemn recourse to war" and "renounce it as an instrument of national policy," and that the settlement of all disputes "shall never be sought except by pacific means." I find nothing in the pact to support the committee's assertion that it gives—

Any signatory the power, where the pact's provisions are violated by another nation, to cease to abide by the neutrality laws which govern in normal times, and to "supply the state attacked with financial or material assistance, including munitions of war."

I have no idea who are the eminent scholars of international law, referred to by the committee, who supplied so convenient an interpretation of our rights and duties with respect to other nations, but I may be pardoned for hoping that the United States will not sink to their moral and ethical level. Their thesis is the negation of all law except self-interest.

Nothing is to be gained by my dwelling on clauses (4) and (5) of subsection (a), and I shall pass them over. Similarly, I shall pass over the amendment inserted by the Senate committee in the opening portion of subsection (a), limiting the President's powers—

To the extent to which funds are made available or contracts are from time to time authorized by Congress.

I confess I do not understand the exact intention of this language and I have questions to ask. What is meant by "contracts"? Are they contracts to procure defense articles? Or are they contracts with foreign governments pursuant to which defense articles are furnished to them? The limitation to a value of \$1,300,000,000 found in clause (2) applies only to defense articles procured from funds heretofore appropriated. Are we to understand that in the future our War Department or our Navy Department can come before Congress and ask for appropriations supposedly to meet our own needs, when actually the appropriations cover the combined needs of the United States, England, Greece, and China? If this is so, should they not



be required to advise us frankly and honestly as to their intentions? Is there to be no segregation of funds, no line drawn, no information given, as between our defense and the defense of other countries? I should like to hear much more than I have to date on the real extent to which Congress is being allowed to retain control over the purse-strings under these provisions, together with section 6 of the bill, which I shall also pass over.

Taking section 3 as a whole, I find it is a provision authorizing the President to engage in armed intervention in the war now raging in Europe. Sugarcoat it as you may, it opens the door to war. It means that Congress has abdicated its constitutional power and duty with respect to war.

#### *E. The power to repeal existing laws*

Mr. President, I have postponed until now consideration of the clause which introduces subsection (a) of section 3:

Notwithstanding the provisions of any other law.

My purpose has been, first, to get a clear picture of the immense length and breadth of this bill before discussing its effect on laws now on our statute books, including existing treaties which, of course, are an integral part of the law of the land.

It is elementary that any valid statute, whether it contains any clause referring to existing law or not, supersedes and repeals all laws and parts of laws clearly inconsistent with its express provisions. From this point of view, there is a measure of justification for some of the statements which have been made on the floor of the Senate, but they do not present the whole picture, and, in my opinion and in the opinion of able lawyers whom I have consulted, they do not present the picture as to the effect of this clause in H. R. 1776. This is because of the boundless powers conveyed by the bill, and because of important rules of statutory construction which are brought into play by this express invitation to the President to disregard or override existing laws.

Such a clause is the lazy way to supersede or repeal existing statutes that stand in the way of accomplishing a purpose. It is the old method of firing a load of buckshot at the side of a barn in the pious hope that somehow you will hit what you want to and with a reckless disregard for the unintended damage to targets you do not want to hit. The efficient and the careful method is to specify the statutes and the parts of statutes you intend to repeal. Then there is no doubt about the result.

The unknown authors of H. R. 1776 have chosen the easy way. With respect to the other provisions of the bill they have said nothing about effect on prior statutes. They have been content to allow the usual principles of statutory construction to play their part. But when it comes to subsection 3 (a), containing the all-important provisions conferring vast powers on the President, they took pains to make it clear that the exercise of these boundless powers was not to be fettered by any other law. This means

something. No court can fail to come to the conclusion that this particular subsection is to have greater effect on existing laws than the rest of the bill. The intent of the Congress will be construed to be that nothing, nothing whatsoever, is to stand in the way of the exercise of these powers of the President. How can there be any doubt that, given the broad language in which the powers are phrased and the equally broad language in which all other laws are disposed of, the President is to have plenary legislative authority to repeal or set aside any law he chooses that may stand in the way of giving complete sway to his powers?

I desire to call this point to the attention of the Senator from North Carolina because the other day he made a statement that there is nothing in the bill giving the President legislative power. If the Senator had been here yesterday and heard the argument—and I hope he will take the trouble to read it in the *RECORD*—he would have immediately come to the conclusion that we delegate to the President many legislative powers. How can anyone say with confidence, for example, that the unlimited power to procure in any way, any article of any kind, from any source, to be conveyed by any method to any country on any terms and conditions is not a power to nullify or disregard the provisions of many of the statutes representing the gains achieved by labor during the last 8 years? How can anyone say that such legislation, and perhaps many other statutes that we have not thought of, remain "untouched by the proposed measure"?—(Committee report, p. 4.)

Mr. BAILEY. Mr. President—

Mr. WHEELER. I yield to the Senator from North Carolina.

Mr. BAILEY. What I said was that this bill did not give to the President any law-making power.

Mr. WHEELER. If we give him the power to set aside any law that he wants to, is not that, in effect, legislative power?

Mr. BAILEY. Since the Senator has presented the matter to me, let me say that my statement was made in good faith and after careful consideration of the bill. I should like to have the Senator point out to me what law the President could decree under the terms of this bill?

Mr. WHEELER. This bill gives him the power to set aside any law upon the books that in anywise interferes with his doing the things provided in the bill. When we give him the power to set aside a law, we give him the power to legislate.

Mr. BAILEY. Mr. President—

Mr. WHEELER. Let me finish, please. The Congress is not repealing law; the Congress is putting it within the power of the President of the United States to say, "This law is in my way; I will suspend it—brush it aside."

Mr. BAILEY. Now, let me read from the proposed act which we are discussing. The language which I think the Senator has in mind is section 3, is it not?

Mr. WHEELER. Yes.

Mr. BAILEY. That section reads:

Notwithstanding the provision of any other law—

That is very customary in our legislation.

Mr. WHEELER. Quite the contrary, let me say to the Senator.

Mr. BAILEY. Section 3 continues—

the President may, from time to time, when he deems it in the interest of the national defense, to the extent to which funds are made available or contracts are from time to time authorized by Congress, authorize the Secretary of War, the Secretary of the Navy, or the heads of any other department or agency of the Government—

(1) To manufacture—

And so forth.

(2) To sell, transfer, exchange—

And so forth.

(3) To test, inspect, approve, repair, outfit—

And so forth.

(4) To communicate to any such government any defense information—

And so forth.

(5) To release for export any defense article to any such government.

That is a clear premise of executive authority that we give the President, with the express reservation that this may be done only to the extent to which funds are made available or contracts are from time to time authorized by the Congress. There is an absolute reservation of the power of the Congress.

Mr. WHEELER. I certainly cannot subscribe to that limited interpretation of the provision. I wish the courts would put such a construction on it. I cannot for the life of me understand how the Senator can say that is the proper construction, for when we give the President power to procure defense articles in any way he wants to, and then consider the definition of "procure" as given in Webster's Dictionary, what does it mean? He may procure the defense articles in any way. He may take over facilities. The term "facility" means "manufacturing plant." Under this measure the President may take over any plant in the country; and does the Senator from North Carolina say that he intended to give the President that power? Does he intend to say to the President that notwithstanding any law upon the statute books he may take over any facility, and that he may procure defense articles in any manner he wants to procure them, and buy them in any country in which he wants to buy them, or manufacture defense articles in any place where he wants to manufacture them?

Mr. BAILEY. To the extent to which funds are made available or contracts are from time to time authorized by Congress. That is the legislative, the law-making power. Now I recur to the original request.

Mr. WHEELER. If those are intended to be limitations upon the power, they are poor limitations, indeed. I have gone over the provision in question and examined it with some of the best lawyers, and we have been unable to conclude that that is the proper construction. I must confess that I am extremely dull if the construction which the Senator is placing upon the provision is the construction that should be placed upon it. It may be that



the Foreign Relations Committee intended that that construction should be put upon it; but I submit that when the provision is construed by some of the persons who will be called upon to construe it, the Senator from North Carolina will be startled to find that under this bill the President may do far more than the Senator from North Carolina now has in his mind.

If that is the proper construction, why should we not express it in the bill, and not leave it to conjecture?

Mr. BAILEY. I should like to say to the Senator from Montana that no one who knows him would subscribe to his own description of himself as being extremely dull. If I had anything to say about the Senator from Montana, I should say that he is entirely too sharp in these matters; he cuts too close.

Mr. WHEELER. Let me say to the Senator from North Carolina that my experience in dealing with some Government officials is that it is necessary to be extremely meticulous as to the wording of provisions they are to administer. The constructions which they have placed in many instances upon certain statutes are such that I am sure the Senator from North Carolina will agree that we must be clear and definite and meticulous in the language we use.

Mr. BAILEY. I thank the Senator for corroborating me in my estimate. The trouble now is, he is carried away by his own meticulousness. He is being extremely meticulous.

I do not know that it is necessary to discuss that matter with the Senator now. We have some backgrounds which may justify that sort of attitude; but, after all, we must read this bill in the light of the ordinary meaning of its language.

The Senator asks me what is meant by the word "procure." The word "procure" has an established meaning in the law; and it is not indulging in legalisms to give to a word in a legislative act its accepted legal meaning. "Procure" means to buy. I will give the Senator the meaning according to the law as I understand it. He may have Webster's Dictionary before him. "Procure" means to obtain for a consideration. I will stand on that as the legal definition of the word.

That brings me to the word "intervention." I have used the word "intervention" in this debate in its established meaning. I think the word has been subjected to misapprehension, but I have given that definition here heretofore. I took some pains to obtain the meaning of "intervention."

"Intervention" means to get on one side or the other; but there are many Senators and many other persons who seem to think "intervention" means to get into the war. That does not follow at all. Japan has intervened, but Japan is not in the war. I might say that Russia intervened in Poland, but Great Britain did not declare war on Russia. She declared war on Germany. So "intervention" does not mean war.

All I have said in regard to the definition of terms is addressed to the suggestion that those of us who discuss legislative words and phrases in terms of their

accepted legal meanings are indulging in legalisms. Not at all. If we do not discuss the words and phrases in our acts in terms of their accepted meanings in the law, we at once go afield, and I suppose from that time on we would be arguing our meaning from dictionaries and general literature and our own concepts. The moment we do that, we are in a wilderness of endless debate and misunderstanding.

Mr. WHEELER. Let me say to the Senator that I subscribe to what he says with reference to intervention. A nation may intervene on one side and still not be at war; but when it intervenes, whether it intervenes all the way in the war or whether it merely intervenes part way, it commits acts of war.

Certainly Russia "intervened" in Poland, and who will assert that Russia did not thereby commit acts of war? Japan "intervened" in China. Our President has not seen fit to declare that what has happened in China is war. Nevertheless, whether we declare it to be war or not, everybody knows that it was and is war. When Russia "intervened" in Poland, it was war, though, of course, not between Russia and England. England did not declare war against Russia because she took part of Poland; England did not declare war against Russia when Russia "intervened" in Rumania. The only time England declared war was when Germany "intervened" in Poland, or Rumania, or elsewhere.

Mr. BAILEY. I think I can tell the Senator why that was.

Mr. WHEELER. I think I know some of the reasons.

Mr. BAILEY. England and France had entered into a treaty by which they agreed to protect the sovereignty of Poland against attack from Germany; and it was in response to that treaty that England took her action.

Mr. WHEELER. England also had an agreement with Ethiopia that she would go to war with Italy in the event Italy invaded Ethiopia, but she did not go to war.

Mr. BAILEY. We will not indulge in debate in regard to things about which we are not sure.

Mr. CLARK of Missouri. Mr. President—

Mr. BAILEY. Now, getting back to intervention—

Mr. CLARK of Missouri. I beg pardon; I thought the Senator had finished.

Mr. BAILEY. No; since we are in this region of definitions, I think it might pay us to dwell upon them.

Intervention, in the custom of nations, which is international law—and international law is based on the obligations of contracts, and not the sanctions of treaties, and there is a great difference—intervention in the custom of nations is fundamentally the act of taking sides. We are neutral; then we take a side, and that is elementary intervention. But it is not armed intervention. It is not war. It is intervention for whatever it may be worth, and for whatever it may lead to. Senators may have different opinions as to the consequences; but intervention, in common acceptance, in this land and in others, is an act which challenges the

sovereignty of a nation. If a nation puts a blockade against a harbor of another nation, or sends soldiers into the territory of another nation, that is the character of intervention which has always been considered as the ground for retaliatory action in the form of armed force. But intervention by way of taking sides with material aid, or taking sides morally, or taking sides with loans of money, or generally by changing from a neutral course to a partial course, has never been considered in the nature of armed intervention, and has never been considered as in itself an act of war. But for the purposes of this debate, and in order to be perfectly fair, I did say to the Senator, and I reiterate, that I know the bill proposes to change our neutral course to one of partiality, that that is elementary intervention, and I am willing to defend the bill with that well understood. Of course, I am also willing for those who oppose the legislation to draw such inferences, or to make such arguments, or to anticipate such events from that elementary intervention, as they in good faith with themselves may feel to be just. That is my attitude.

Mr. WHEELER. I understand exactly, but the bill goes much further than the Senator believes or has said. It actually goes to the point of providing that foreign ships of a belligerent country may be repaired in our shipyards. That of itself, under international law, has always been recognized as an act of war. This is far beyond our "moral" help.

Mr. BAILEY. I would not agree that that has always been regarded as an act of war. It is an act in violation of neutrality, and the nation aggrieved may consider it an act of war, in which event we would have to stand for its decision.

Mr. WHEELER. I think I can convince the Senator that all the authorities—

Mr. BAILEY. The Senator might convince me, I agree, but I remind him that he has not done so as yet.

Mr. WHEELER. The Senator did not hear me yesterday.

Mr. BAILEY. The Senator has not yet given us any list of legislative acts which the President could repeal under the authority of the pending bill.

Mr. WHEELER. If the Senator will give me time, I will do so.

Mr. CLARK of Missouri. Mr. President, will the Senator from Montana yield to me?

Mr. WHEELER. I yield.

Mr. CLARK of Missouri. I was just about to suggest that we return to the subject the Senator was discussing, from which we have departed to take up the subject of intervention, due to the zeal of the Senator from North Carolina in the matter of definitions. He has given a definition of the word "procure" to which I by no means agree, either from the standpoint of law or lexicography. But, inasmuch as he has given that definition and asked for a concrete example, I should like to give him a concrete example of a law passed by the Congress which can be suspended at the pleasure of the President under the language of the proposed act, even under the Senator's own definition of the word "pro-



cure." He says, "procure" means only purchase.

Mr. BAILEY. Or to obtain for a consideration.

Mr. CLARK of Missouri. Or to obtain for a consideration. Of course, that is purchase or barter. I call the attention of the Senate to the language appearing on line 14, page 2 of the bill, section 3 (a):

Notwithstanding the provisions of any other law, the President may, from time to time \* \* \* otherwise procure, any defense article.

Which, of course, I think everybody is agreed, means any article which may be imagined, because the challenge has been made several times, in this debate and elsewhere, for anyone to name any conceivable article or commodity which is not included within the broad definitions of the defense measure. The bill says that the President, notwithstanding the provisions of any other law, may procure articles, which the Senator from North Carolina says means to obtain by purchase or barter.

I shall give just one example. I have thought of a good many, but I do not wish to take the time of the Senator from Montana to enlarge on them. I think it would have been a very great advantage if the Senate could have called on the Attorney General to give us an official list of the acts which might have been suspended or invalidated under this provision. I will give only one example.

Congress, in its wisdom, saw fit to pass, and the President saw fit to sign, an act for the protection of labor; at least, ostensibly that was the purpose. Some of us did not vote for it; others of us did vote for it. It is known as the Walsh-Healey Act. The Walsh-Healey Act provides that neither the President nor any department of this Government can procure "by purchase or otherwise," I think is the language of the law, goods produced in factories except those produced under certain conditions as to wages and hours and other conditions applying to labor.

Plainly the provision of section 3 (a) of the pending bill, which authorizes the President to procure in violation of the present law, would authorize the President to procure defense articles, which means anything, without any reference whatever to the terms of the Walsh-Healey Act. I do not see how that conclusion escapable under the very narrow definition of the word "procure" given by the Senator from North Carolina.

Mr. BAILEY. Mr. President, let me ask the Senator from Missouri, if the Senator from Montana will yield, whether he takes the view that the proposed act would enable the President to repeal or disregard the Wages and Hours Act.

Mr. CLARK. I do. I take the position that it would allow the President to suspend, to as great a degree as he pleased, any act.

Mr. BAILEY. And he could repeal—

Mr. CLARK of Missouri. Not repeal.

Mr. BAILEY. Well, disregard the National Labor Relations Act?

Mr. CLARK of Missouri. I think so; yes.

Mr. BAILEY. And he could repeal or disregard the Agricultural Adjustment Act of 1935—

Mr. CLARK of Missouri. The President—

Mr. BAILEY. Let us go on down the list.

Mr. CLARK of Missouri. Just a moment. If the Senator from Montana is willing to yield, I am willing to discuss these acts in detail as the Senator from North Carolina refers to them. I say that the vice of the sort of legislation proposed is that there is no official determination of what is repealed or what may be suspended. No Senator can stand on the floor and give a list. Neither the Senator from North Carolina, the Senator from Georgia, nor any other Senator, can tell what acts or parts of acts may be suspended in the discretion of the President. I do not profess to have examined every act on the statute books, but I know that if the proposed law is enacted, the Attorney General will be prepared to write an opinion on any act submitted by the President.

Mr. BAILEY. I think we have gone pretty far down the road. The Senator's view is—

Mr. CLARK of Missouri. The Senator is a good lawyer, and I respect his great ability. Does he have a list of acts he thinks would be affected by the clause we are discussing?

Mr. BAILEY. I am perfectly satisfied about that. With all due respect to my friend, I do not think that any other Senator will seriously take the view which he has taken. In this measure we provide—let me read the language once again—

Notwithstanding the provisions of any other law, the President may, from time to time, when he deems it in the interest of national defense, to the extent to which funds are made available or contracts are from time to time authorized by Congress—

And so forth.

Mr. WHEELER. What kind of contracts?

Mr. BAILEY. Contracts the Congress may authorize.

Mr. WHEELER. I have great respect for the Senator from North Carolina, but I should like to know what is meant by the term—

to the extent to which \* \* \* contracts are from time to time authorized by Congress—

Mr. GEORGE. It means simply contract authority.

Mr. WHEELER. What contracts?

Mr. GEORGE. The authority given to the President to contract. In appropriation bills we repeatedly appropriate so much money and give the President certain contract power. That is all it means.

Mr. CLARK of Missouri. That is true, Mr. President, if the Senator from Montana will yield further to me, but let us take, for example, the case of Congress appropriating a billion dollars or \$100,000,000, or any other sum, for the purchase of naval supplies. Does the Senator contend that by virtue of the provision "notwithstanding the provisions of any other law", if the President desired to buy any portion of those naval supplies from factories who could not or do not comply

with the Walsh-Healey Act, he would not have authority to do so?

Mr. BAILEY. If the Congress gave him the funds and the authority, but that is a different case.

Mr. CLARK of Missouri. The Senator says that the Congress makes an appropriation and grants the President power to expend the money for this purpose. Does the Senator contend that Congress should specify the provisions of every contract the President may enter into?

Mr. BAILEY. Certainly under this language he cannot go beyond the extent to which funds are made available for contracts which from time to time are authorized by the Congress. The legislative power is still held by the Congress.

Let me get back, though, to the thought we have been discussing. It is inconceivable that any court would for a moment entertain the argument that this provision gives the President power to disregard or to override any act except those acts which are directly related to the subject. That is very plain. In enacting legislation we frequently say "all laws or parts of laws inconsistent with this act are hereby repealed." We do not specify them, but the word "inconsistent" covers the laws affected. In this bill we find the words "to the extent to which funds are made available or contracts are from time to time authorized by Congress." There is the limitation. The laws to be affected and not mentioned in the act will necessarily be limited to those which are germane and directly involved in this subject matter. It would, perhaps, be an impossibility to define them all, but it would be a perfect absurdity to argue that the President will have the power to disregard the Agricultural Adjustment Act, or the National Labor Relations Act, or any act of that sort, which is not germane to procuring and obtaining the materials and the aids which are directly contemplated by the measure.

Mr. CLARK of Missouri. Mr. President, if the Senator from Montana will permit me to make one observation I will not further trespass on his time. The Senator from North Carolina evidently has no conception of the extent of the authority granted here in this proposed act as to articles. The term includes any article, any commodity, and it authorizes the President to procure it in any way notwithstanding the provisions of any other act. I have not examined the Agricultural Adjustment Act lately, but I would be under the impression, inasmuch as agricultural commodities are included in this bill, that it might affect that act. I am very certain about other acts which I have mentioned, notably the Walsh-Healey Act.

I desire only to say, Mr. President—for I do not wish continually to trespass on the time of the Senator from Montana, that the Senator from North Carolina is undertaking to put a construction on the proviso in italics in lines 16, 17, and 18 of page 2 that those who wrote and sponsored this amendment never conceived and never suggested as being the correct construction.

I may say to the Senator that the amendment was drawn by the Senator from South Carolina [Mr. BYRNES] in response to a suggestion which I made



in the committee. I mean the Senator from South Carolina frankly avowed the purpose of the amendment was to meet an objection which I had made to the effect that the pending measure is simply the signing of a blank check, and authorizes the President, without any limitation whatever as to future appropriations, to expend any amount he might want to, or contract for any amount he might want to, simply by expending the amount which is actually appropriated, and making contracts in excess of that amount, and coming in with deficiency estimates which could be appropriated for.

This amendment was avowedly made in the committee to meet that particular objection. It had nothing whatever to do with the idea of the Senator from North Carolina that it would be necessary in the future for Congress, not only to appropriate money for certain purposes, but to specify the type and terms of contracts which he might enter into under that authority. If the amendment ever had been given the construction the Senator from North Carolina gives it, I do not think it could have possibly received the votes it did in the Foreign Relations Committee. No one except the Senator from North Carolina ever suggested that each and every contract made by the President should be submitted to the Congress as to approval of its provisions.

Mr. WHEELER. I thank the Senator. Let me call attention to Webster's International Dictionary definition of the term "procure":

To bring into possession—

It does not say to purchase it for a consideration, but—

To bring into possession; to acquire; gain; get; to obtain by any means, as by purchase or loan.

Mr. BAILEY. Mr. President, I am bound to remind the very able lawyer who has the floor that we do not argue the legal meaning of words from Webster's Dictionary. We go to Webster's Dictionary only when the word does not have an established legal meaning. Of course, the dictionary gives all the possible meanings of the word. It always has. It takes in everything and leaves one to his choice. But the law gives a specific, direct, substantial, and accepted meaning to a word. That is what some call legalistic talk. It is not legalistic. It is talking about the law in the language of the law's meaning.

I do not wish to detain the Senator from Montana. I simply wish to read, in answer to my distinguished friend from Missouri, one paragraph from the Senate committee's report, on page 4. This comes from a great lawyer in this body, the chairman of the Committee on Foreign Relations, a man for whose judgment in matters of law everyone in this land has the utmost respect. He is a man who has highly distinguished himself in this forum. This is what the report says:

No existing laws in any field not affected by section 3 (a), therefore, are in any way modified, or suspended. Such legislation as the Walsh-Healey Act, the wage-hour law,

the Wagner Act, or the 8-hour law, remains untouched by the proposed measure, since such laws in no way conflict with the proposed bill. Accordingly, no such domestic legislation may be waived by the Secretary of War or the Secretary of the Navy or the head of any agency engaged in administering the bill in their execution of Presidential authorizations to manufacture or procure defense articles under section 3 (a) (1).

That is the word of the majority of the committee. It comes, I take it, from the brain of the chairman of that committee, who is a great lawyer as well as a great Senator.

Mr. WHEELER. I agree that the Senator from Georgia is a very able lawyer, and I agree that the Senator from North Carolina is a very able and very distinguished lawyer. But we are not legislating by reports of committees. We are not legislating by speeches made on the floor of the Senate. Our duty is not to legislate by reports, not to look at the label on the outside of the bottle, but to look inside the bottle and determine its contents.

The Senator says that we do not look to dictionaries, Webster's or any other. I submit that we look not only to the law dictionaries but also to the context of the bill. When we grant such tremendous powers and say to the President that he may brush aside any law on the statute books, what will the courts say? The courts will hold that we have given him unlimited power. They will place the broadest construction upon it. What construction did the Attorney General of the United States place upon the law when it came to transferring the destroyers?

The Senator says that the language in the bill is common, ordinary language. I submit that it is extremely uncommon language. In my recollection, such language has never been used in any statute since I have been a Member of the Senate; and if the Senator knows of any statute in which such language has been used at any time, I shall be delighted to have him call my attention to it.

Mr. BAILEY. Does the Senator refer to the word "procure"?

Mr. WHEELER. No. I am referring to the words "notwithstanding the provisions of any other law."

Mr. BAILEY. I have seen that language repeatedly. I think the Senator has seen it.

Mr. WHEELER. I have no recollection of it. I should like to have somebody call my attention to it, because I have never seen it used. It has never been called to my attention in any other statute.

Mr. BAILEY. As to the matter of reports, I was reading from the committee report. The Senator says that we do not legislate by reports or speeches. We do not legislate by speeches, I will agree—and I think that is very fortunate. But I have always understood that the Supreme Court of the United States, as well as the lower courts, in construing statutes enacted by the Congress have recourse to the reports of the committees, especially when there is any doubt or ambiguity.

While I am saying this, I recall, in a matter in which the Senator who now has the floor was greatly interested, that

the Supreme Court of the United States referred to a speech made on the floor of the Senate, and quoted the words spoken in that speech. The speech was made by the senior Senator from Georgia [Mr. GEORGE]. So the Supreme Court does refer to reports, and in one case—I think it was in the Daugherty case—it had such great regard for the expressed judgment of the chairman of our Committee on Foreign Relations that it quoted the Senator from Georgia. It happened that I read that decision several years ago, and it occurs to me just at this time.

Mr. WHEELER. Mr. President, there is nothing to that argument. Of course, the Supreme Court frequently reviews speeches which are made on the floor of the Senate. The Supreme Court has not only quoted the Senator from Georgia, but it has quoted many other Senators who have made speeches on the floor of the Senate. The Supreme Court has also consulted reports.

But how will a case reach the Supreme Court on a matter of this kind? As I pointed out yesterday, once we give such power to the President, under the Supreme Court decisions an ordinary citizen cannot go into court thus to check the President's actions. I say that there should be greater clarity with reference to this proposed law. We find Senators of great legal ability—eliminating myself entirely—such as the Senator from Missouri [Mr. CLARK] and other lawyers of great standing have questioned the construction of the language. I have very carefully examined the question with some of the ablest lawyers and law firms in the United States, and I wish to say to the Senator that they have agreed that the construction which the Senator from Missouri places upon the language is correct, or at least there is a very serious doubt in the minds of those lawyers. There is a very serious doubt in my mind.

When the Senator says that we are guided by the legal definitions which are given with reference to the term "procure," or some other language, he is entirely mistaken. The language of the bill must be construed in connection with the context and the other language used in the bill. When we give the President such tremendous powers as are given to him under the terms of the pending bill, I say that a horse and buggy could be driven through it in 40 different ways. It is the most loosely and poorly drawn statute I have ever seen presented to the Congress of the United States in my time.

Moreover, I suspect that those who drafted it did so expressly for that purpose. I think I know who the authors of the bill were, because I think I can detect their fine Italian hand. I have seen other legislation drafted by them. I have introduced some of it. And I think I recognize their methods. I think I recognize their ideas, and their fine Italian hand.

Mr. BAILEY. Mr. President, will the Senator yield?

Mr. WHEELER. I yield.

Mr. BAILEY. I merely wish to say to the Senator that I am delighted to hear that those fine Italian hands are carrying us back to the horse-and-buggy days.



I never thought that would happen. [Laughter.]

Mr. WHEELER. If the Senator thinks we are being carried back to the horse-and-buggy days, he will find when he awakens that he has been sadly mistaken.

Mr. GEORGE. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. McFARLAND in the chair). Does the Senator from Montana yield to the Senator from Georgia?

Mr. WHEELER. I yield.

Mr. GEORGE. As a member of the Foreign Relations Committee, I wish to say to the Senator in all good faith that the word "procured," in line 7 on page 2 of the bill, where it first occurs, means nothing but "purchased," and could be properly construed to mean nothing but "purchased"; and the only reason why I did not insist on using the word "purchased" is to be found in studying the conditions under section 3 (a) (1)—

To manufacture in arsenals, factories, and shipyards under their jurisdiction, or otherwise procure.

In that instance "procure" would not mean strictly to purchase. It was pointed out, with very good reason, Mr. President, that something which may have been in process of manufacture, or may have been made in our own shipyards, or in a Government arsenal, might be taken over by the President. That would not be strictly purchasing it, of course. It would be procuring it. It would be taking it. It would be calling for it; and it would be using it, perhaps, for a purpose different from that which was originally in mind when the manufacture of it was started.

The word "procure" has a purely technical meaning in governmental phraseology. We have procurement offices. Such offices purchase, or obtain by contract, barter, or exchange. The function is somewhat broader than implied by the ordinary word "purchase." Nevertheless it is purchase. When we come to the phraseology which applies to transactions of the Government, the word "procure" means primarily and very largely almost exclusively to purchase. But, as I have said, there might be instances in which certain defense articles, already constructed in our arsenals, would not be strictly bought by the President, or procured by him in the sense of "purchase," giving the word a rigid or Websterian dictionary meaning. Therefore the word "procure."

But the committee had another purpose—

Mr. WHEELER. Let me say to the Senator—

Mr. GEORGE. Permit me to finish. The committee had another purpose, which I think the report states. One purpose of the report is to show the congressional intent. The Senator is familiar with the rule that if the intent is clear we do not look at anything to contradict it or to change it; but if it is not perfectly clear, if it is ambiguous or if it is doubtful, we look at the report. Of course the report often sheds light on the legislative intent, because in the drafting of many statutes we cannot use that

nicety of expression or of term that would definitely convey what the legislature had in mind; but in its report the committee may elaborate its intent to such an extent that no court would have any very great difficulty in ascertaining it.

With reference to the words to which the Senator has already called attention, "notwithstanding any other law," I think I may be able to show the Senator an act of Congress in which that precise term is used. I thought I had it before me, and if I find that I cannot show it to the Senator I will frankly say so.

It was not intended, as the report shows—and I think I may so state, as I wish to be at some pains in making the matter perfectly clear—to affect any law such as the Walsh-Healey Act, the Wagner Act, the wage-hour law, or any similar law; because, in the opinion of the members of the committee, those laws do not stand in the way of procuring production. Those laws aid production. Those highly helpful laws which the Congress in its wisdom believed would bring about continuous flow of production, have tended to promote production, in that they have brought about amicable and proper relations between the employee and the employer. Those laws are therefore not in conflict with the bill.

Mr. WHEELER. They might be seriously in conflict with it.

Mr. GEORGE. I do not see how they could be.

Mr. WHEELER. Let me explain to the Senator.

Mr. GEORGE. All I desire to say is that they are not intended to be affected in anywise. The report is at great pains specifically so to state; and while the Senator says there may be no way of testing it in court, nevertheless if the question should ever arise, those who are charged with construing the law would certainly look at the report; I take it that an administrative officer of the Government, who in good faith was trying to carry out the law, assuredly would look at the report. That is as far as the committee can go.

Mr. WHEELER. With reference to the Attorney General's opinion with regard to the sale of the destroyers, I think nearly every Member of the Senate felt there was no question that the law forbade the sale of those vessels.

Mr. GEORGE. I say frankly that I entertained the view that the law did stand in the way of the sale of those vessels.

Mr. WHEELER. Exactly.

Mr. GEORGE. That is one of the reasons why I favor this bill. If the President is going to exercise, and if we desire to have him exercise, such power, I want to give it to him frankly and openly and explicitly. I agree with the Senator.

Mr. WHEELER. Yes.

Mr. GEORGE. As I read the law, without studying it at great pains, I could not reach the conclusion the Attorney General reached in that case; and therefore I regretted it.

Mr. WHEELER. Yes.

Mr. GEORGE. Not that the exchange of the destroyers may not have been

proper and very wise so far as it went, but I did not think the act was subject to the construction given it by the Attorney General; and, therefore, I hope if we are to continue to aid Great Britain or any other nation the survival of which we believe to be vital to our defense, that we may do it frankly and honestly and without any—

Mr. WHEELER. Subterfuge.

Mr. GEORGE. Without any circumvention or subterfuge of any kind.

Mr. WHEELER. I thoroughly agree with the philosophy expressed by the Senator. If it is the purpose and desire of the Senate and the Congress to give away additional vessels of our Navy, we should do it expressly. It should not be a matter of interpretation.

However, what I am trying to call to the Senator's attention, if he will pardon me, is that laws are not always construed as their authors intended. The Federal Communications Act was construed in a way absolutely contrary to the intent of those who drafted the law. I call attention to the fact that at times the Utility Holding Company Act has been construed contrary to the views of Members of the Senate, expressed upon the floor of the Senate, said it should be construed. Particularly in the last 8 years have constructions or determinations, contrary to those held by Senators, been placed upon legislation.

For instance, with reference to the National Labor Relations Act, is there any Member of the Senate who will not say that the reason for so much complaint has been the way the Board has construed the act; and that the way was contrary to the opinion of the majority of the Members of the United States Senate? So when we have legislation the enforcement of which has been placed in the hands of officials who in many cases have never had any legal experience, or who sometimes have had no political experience and no business experience, in many instances they have not paid any attention to the construction placed upon it by committees; they have not paid any attention to the construction placed upon it by the Members of the Senate in their speeches, and they have not paid any attention to the law itself.

In my references to these matters I do not wish to be considered hypercritical of the committee itself or of the Senator from Georgia. If the Senator from Georgia had drafted the bill, I know he would have done it in a careful manner. If it had been left to him, we would not find all these loopholes in the bill. He would have been meticulous. I know there could not be any question in the mind of any Member of the Senate as to what were the purposes of the bill.

Mr. DOWNEY. Mr. President, will the Senator yield?

Mr. WHEELER. I yield to the Senator from California.

Mr. DOWNEY. Let me say to the distinguished Senator who has the floor, and also to the chairman of the Foreign Relations Committee, that if there is any ambiguity existing in the bill it seems to me it could be very easily removed, and we could make very clear the interpretation



suggested by the Senator from Georgia [Mr. GEORGE] by having the bill read in what I think is the usual form of a law when it contains such a clause, as follows:

Notwithstanding the provisions of any other law which may be in conflict with any of the terms of this act, the President may have the power.

I believe the addition of those words would remove all ambiguity from the bill, and would obviate any necessity of argument as to that particular provision of the bill.

Mr. WHEELER. Let me say to the Senator from California that there are many provisions to which a few words could be added which would clarify the bill, so that there could be no chance for a department official to place a construction at variance from that which was intended. In other words, when we contemplate giving such tremendous power to the President—and all Members of the Senate recognize the great power the bill proposes to give to the President of the United States—we should be meticulous to make sure that the construction placed upon the bill here shall be followed by those executing the law. The fact that there is confusion in the minds of a great many Senators as to what the bill means in certain particulars is evidence of the widely varying interpretations which may be placed upon the language it contains.

If there are differences here, how can we expect the head of some department not to be confused about it and not to put the construction upon it that suits him, knowing full well that it cannot be tested in the courts in most instances, for there is no way by which an American citizen can go into the courts and test these various provisions?

Mr. DOWNEY. Mr. President, will the Senator yield further?

Mr. WHEELER. I yield.

Mr. DOWNEY. I should like further to say that I would be very reluctant at this stage of our emergency to vote for any measure which by any possible interpretation gives to the President the power to suspend, so far as the operation of this proposed act is concerned, any labor legislation or any of our other social acts. I believe it would make the pending bill clearer if the committee itself would interpolate the words which have been suggested, which very definitely and precisely would carry out the meaning suggested by the distinguished chairman of the Foreign Relations Committee in the report submitted on the bill.

Mr. WHEELER. The able Senator from Connecticut [Mr. DANAHY], who I am sure every one recognizes is a very able lawyer, has given a great deal of thought and study to the subject. He has placed into the RECORD a long list of statutes which he believes may be affected by the pending bill. He sees a possibility, if not a probability, the President could and might suspend in administering this proposed act.

Again I say when there is in the mind of able lawyers in this body such a difference of opinion on the construction of the language of the pending bill, how can it be said that the view of any particular man is the only possible interpretation?

I do not desire to be dogmatic and assert the construction that I am putting upon the language of the bill is the correct one, nor do I assert that any other Member of the Senate desires to be dogmatic and insist that his construction is the correct one. I remember a great professor at the University of Michigan once said to me, "If you go into any law office, no matter how great the lawyer may be, and he tells you that he knows what the law is, put that man down as not knowing much law or as one who is trying to 'take you in.' The courts of the United States have too frequently reversed themselves."

I have seen the circuit court of appeals reverse itself without ever mentioning the fact that it was reversing former decisions. I have seen the supreme court of my own State change its opinion without ever mentioning the fact. I am aware, of course, that in a number of cases the Supreme Court of the United States has done likewise. Only recently, since new members have come upon the Supreme bench that Court has repeatedly reversed long-standing decisions. Who then, will stand upon the floor of the Senate today and say that he knows what the law is or will be?

Mr. MURDOCK. Mr. President, will the Senator yield?

Mr. WHEELER. I yield.

Mr. MURDOCK. As a very humble Member of the Senator, and a rather new one, let me say that there is much confusion in my mind as to the meaning of the words—

to the extent to which funds are made available or contracts are from time to time authorized by Congress.

The phrase "to the extent to which funds are made available" seems to me to be very clear, but as to the next phrase "or contracts are from time to time authorized by Congress," it seems to me, after listening to the distinguished Senator from North Carolina [Mr. BAILEY], there is some confusion in his mind.

Since the distinguished Senator from Georgia [Mr. GEORGE], the chairman of the committee that reported the bill is in the Chamber, I should like to inquire whether, in his opinion, the construction I place on those words is correct? I know, as a former Member of the House of Representatives, that we frequently find in appropriation bills a specific amount appropriated, and then a clause containing what we call "contract authorizations." In reading this bill, and construing the words "or contracts are from time to time authorized by Congress," it is my opinion that the reference—and I think a similar view has been expressed by the chairman of the committee—is to that type of contract authorizations which is carried in appropriation bills. Am I right in assuming that to be what the committee intended?

Mr. GEORGE. Mr. President, if the Senator from Montana will yield to me—

Mr. WHEELER. I yield.

Mr. GEORGE. I will say to the distinguished Senator from Utah that that is exactly what the committee had in mind, and precisely that thought called for this amendment, because, on a study of the

bill as it came from the other House, while there was another section in the bill providing for appropriations from time to time—and this is only an authorization bill, and appropriations are to be made later on—there was nothing said about contract authorizations, and under the bill as it came from the House the sky was the limit of the extent to which the President might enter into contracts insofar as he had any contract authorization made to him under any appropriation bill for national-defense purposes.

The Senator from Utah is quite right in his interpretation. That was the meaning—and the only meaning—of the amendment, so intended by the committee, and the purpose was to require the President to obtain not only appropriations of money from time to time but contract authorizations for doing anything which he found it advisable to do or necessary to do in executing the powers given him under this bill.

Mr. MURDOCK. Mr. President, will the Senator from Montana yield further?

Mr. WHEELER. I yield.

Mr. MURDOCK. I take it, then, that the distinguished chairman of the committee does not agree with the construction placed on the words referred to by the Senator from North Carolina, namely, as I understood the Senator from North Carolina, that, as to each and every contract the President of the United States may want to enter into, he must come back to Congress and first obtain specific authorization.

Certainly, if the Senator from North Carolina is correct in his construction, the President of the United States would certainly not want that type of legislation. If he had to get the approval of Congress for every contract he contemplated entering into, I would say that he would be so hamstrung and tied up that he could do nothing. So, it is my opinion—and I say it with all due respect to the committee—if the committee intended only contract authorizations such as we find in appropriation bills, certainly some language should be devised to remove the confusion, if there is confusion, in the mind of the Senator from North Carolina as to what that phrase means. I must admit that when I first read the bill the same confusion existed in my mind, that if the President had to come to Congress in the case of every contract, instead of granting him any power we would be simply impeding and hamstringing his progress in carrying out any aid to Great Britain.

Mr. GEORGE. Mr. President, with the indulgence of the Senator from Montana, I will say that was not the intent of the committee. I did not hear all the distinguished Senator from North Carolina said, and I would not want to comment on his position, because I did not understand him.

Mr. MURDOCK. I was hopeful the Senator from North Carolina would remain in the Chamber; but in my colloquy with the Senator from Missouri [Mr. CLARK], after the Senator from North Carolina had concluded, I think that the Senator from Missouri got the same understanding of his position on that phrase that I did.



Mr. GEORGE. The Senator is quite right. The committee and those of us who were directly interested in this amendment intended to do only what and precisely what the Senator from Utah has pointed out. We would be in a very inconsistent position if we compelled the President to come to Congress to have every specific contract approved on the theory on which this legislation is based.

Very frankly, this bill grants to the President extraordinary powers; it is intended to do so; and, very frankly, it undertakes to relieve him of all that necessary impeding red tape that might otherwise be thrown around the exercise of his powers. The theory on which the bill is drawn is that it is necessary to grant to the President extraordinary powers if he is to meet the situation as the majority of the committee believe it to exist, and it is not to require the President to come to Congress in order to have each specific contract approved.

Mr. MURDOCK. Mr. President, will the Senator from Montana yield for one further question?

Mr. WHEELER. I yield.

Mr. MURDOCK. I wonder if the Senator from Montana agrees with the distinguished chairman of the Foreign Relations Committee on his construction of that particular provision of the bill.

Mr. WHEELER. I have already pointed out, I think before he entered the Chamber—that I was frankly confused as to the meaning of that particular language, and that is why I said we should make the language so definite and so clear that there could be no question in anyone's mind about it. I repeat that if the bill is to pass there ought not to be in the minds of lawyers all these questions as to what this provision means, or what that provision means. We must remember there is no way by which this bill can be tested in the courts—at least not in time to give us a legal construction of what the language means before it is too late, before those who are to exercise the power will have already placed their own construction upon it and acted in accordance with their peculiar predilections.

Mr. BARKLEY. Mr. President, I do not wish to take the time of the Senator from Montana, but, in corroboration of the Senator from Georgia [Mr. GEORGE], I wish simply to state that the amendments which have been suggested to that portion of the bill grew out of the fact that complaint was made that the bill might be so construed that the President, without any appropriation, might enter into unlimited contracts for supplies to be either sold, leased, lent, or otherwise disposed of to the countries referred to in the bill.

In order that that would not be the construction, following the passage of the bill, before the President should come in with a request for an appropriation—for that was never the intention—an amendment was suggested in the language which is now carried in the bill to carry out the intention of the authors and the drafters of the bill as well as the committee. In order to satisfy those who felt that under the original language of

the bill the President would have unlimited power without any appropriation to make contracts, the committee put in the words:

To the extent to which funds are made available or contracts are from time to time authorized by Congress.

That did not contemplate that every individual contract had to be brought back to the Congress; but it was contemplated that something like this might happen:

Nobody knows how much the President may ask for through the Budget by way of an appropriation, but let us say \$3,000,000,000 or \$2,000,000,000, to carry out the purposes of this bill; and, in addition to the actual appropriation, he may be authorized to enter into contracts for an additional \$1,000,000,000 or \$2,000,000,000, as is customarily done in all appropriations. A bill we now have on the calendar authorizes a certain amount of appropriations and authorizes the President to enter into contracts for an additional amount. That does not mean that he has to bring back the additional contracts for the approval of Congress, and that is not the intention of the bill or of the amendment. If there is any confusion or misunderstanding about it, certainly the language ought to be clarified so as to indicate what we are undertaking to do.

Mr. MURDOCK. Mr. President, I might make one additional observation. It is a very easy matter for me to know that there was confusion in my mind. That might not mean much; but when I hear such a distinguished lawyer as the Senator from North Carolina [Mr. BAILEY] admit that he, at least, places a different construction on the language, certainly that indicates that the language should be clarified; and certainly, if there is confusion, it is the most significant language in the bill.

Mr. BARKLEY. There is no desire on the part of the committee to confuse anybody, and if there is any doubt as to the meaning of the provision, certainly it should be clarified. I think I may say, however, that the committee never intended, and even before the bill was referred to the committee those who had anything to do with drafting the original language never intended, to give the President authority to make contracts with the sky as the limit before Congress even appropriated any money. The effort has been to clear up that matter so that in addition to the amount actually appropriated to carry out the intention of the bill the President may be authorized by Congress to enter into contracts, not to exceed a certain amount, from time to time. Whether that amount is \$1,000,000,000, \$500,000,000, or any other sum, is a matter that we cannot now foresee.

Mr. WHEELER. Then, as I understand the construction placed upon the provision—I desire to ascertain if I am right, because I must say that I am still confused by the language used in the bill, and by the statements made here, my understanding is that it is the intention that Congress shall appropriate a specific amount for a certain project, or for certain contracts, and then that

the President, within the limit of the amount of money appropriated by Congress, may enter into contracts.

Mr. BARKLEY. I very much doubt if that is precisely accurate. We do not know, and in all probability we shall not know, how much an individual contract with a manufacturer, or an individual contract with a foreign government for a certain amount of airplanes, or whatever the supplies may be, may involve in actual money; but in all probability a Budget estimate would come in for, we will say for the sake of argument, \$2,000,000,000 for various supplies to be furnished under the bill, to carry out the intention of the bill.

It may be necessary, as is frequently true and has been true under the defense program, in addition to authorizing the President to spend \$2,000,000,000, we will say, to authorize him to enter into another billion dollars' worth of contracts. They may be contracts with individual manufacturers. They may be contracts with a foreign government to supply that much material to them. It is not intended that there shall necessarily be a break-down of so many hundred thousands dollars of contracts with any aircraft company, or any tank-manufacturing company, or any powder-manufacturing company, or any gun-manufacturing company; but the President is given authority to spend the amount of money which is carried in the appropriation, and, in addition to that authority, to contract for another amount fixed by Congress, so that the President may make contracts under that authority without having to come to Congress with each one of them broken down and have Congress approve the contracts, for that is not what happens. That is not the way it is now done.

Mr. MURDOCK. Mr. President, will the Senator further yield?

Mr. WHEELER. Certainly.

Mr. MURDOCK. Then, if I correctly understand the Senator from Kentucky, the only purpose of the language with reference to contracts is to limit the President as to the amount he may obligate; and certainly no limitation is intended as to the type of contract he enters into, or as to its specific provisions.

Mr. BARKLEY. The intention is that if the Congress should appropriate in a bill \$2,000,000,000, we will say, and then authorize contracts for another billion dollars, the President could not spend more than \$2,000,000,000, and he could not make contracts for more than \$1,000,000,000 without coming back to Congress for additional authority.

Mr. WHEELER. Mr. President, if that is the intention of the Senate and the committee, it ought to be very easy to draft a very simple, definite, specific provision so that there could not be any question about its meaning in the minds of different Senators; but the very arguments that have been made on the floor of the Senate this afternoon with reference to the provision, and the different constructions which have been placed upon it by various Senators, show how



necessary it is that the language be clarified.

Here again I find my opinion at variance with the opinion expressed in the report of our Committee on Foreign Relations. I respect the opinion and acknowledge its sincerity. But the able chairman of that committee will agree, I am sure, that the authoritative interpretation of the bill will depend on its literal phraseology and not on the committee's views as expressed in its report. Unfortunately, too, in the first instance, the practical interpretation and application of the bill may depend on those unpredictable scholars in the Department of Justice. I do not want to seem dogmatic on this question, but let me cite a few disturbing possibilities. If the word "procure" has the scope I think it has, what stands in the way of the Secretary of the Navy acquiring ships manufactured by workers forced to labor 12 to 15 hours a day, 72 or 90 hours a week, at as low a wage as the shipyard chooses to pay, regardless of the prevailing wage? What stands in the way of the purchase of textiles manufactured in violation of the Wages and Hours Act, or by concerns flouting the National Labor Relations Act? I raise the question whether, if it becomes necessary in order to procure certain defense articles, the President's agents may take over and operate manufacturing plants.

There can be no question about it. The word "procure" means that the President may procure, he may purchase, in any way, notwithstanding any law upon the statute books, from any factory in the United States, if he and he alone deems it in the interest of national defense. I understand there are some factories in this country which do not abide by all the laws, and so a factory from which the President may obtain articles may say, "We cannot give them to you unless we require our employees to put in longer hours. We can observe the provisions of the minimum wage bill, the Walsh-Healey, the National Labor Relations Act, and other statutes." We all know that now some of the industries in the United States are saying, "We cannot furnish the supplies which are necessary unless we do certain things, and we cannot furnish them if we have to comply with certain laws upon the statute books."

If we get to the point where it is necessary to have greater speed and more material, and the President has no way of forcing the factories, under the proposed law he could take over a factory, for he would have the right to procure any facility, which would mean any manufacturing plant, for the purpose of producing anything under the sun. Or he would have the right to procure it from the factory, even if the factory said, "We cannot give it to you under the prevailing wage laws on the statute books."

If there is any doubt about the matter, why could we not write a provision into the law that nothing in the act shall be construed to repeal or set aside the wage-and-hour law, or set aside the Walsh-Healey Act, or the Labor Relations Act? There is nothing to prevent that, if that

is the intent. It is all right to say, "That is not our intention," but how do we know who may be interpreting the law?

My only reason for calling attention to this is that there cannot be any excuse for not writing into the law specifically what we mean and what we intend.

I raise a similar question with regard to the merchant marine. If the Government may take over or operate plants and ships, will not the employees become employees of the Government and thereby lose the rights protected by these labor laws? If you say that in some respects these conclusions are doubtful, I agree. But what right have we to leave such important questions in doubt? If it is not intended that the rights of labor be subjected to this hazard, and I am sure it is not so intended by the committee, why is this needlessly broad phraseology permitted to remain in the bill? If it is permitted to remain, why is it not qualified by an express exception enumerating and preserving the full force and effect of such statutes as the Wagner Act, the Walsh-Healey Act, the Fair Labor Standards Act, and the Davis-Bacon Act?

#### *F. The time limit*

Subsection (c) of section 3, as reported by the Senate Committee on Foreign Relations, represents a distinct improvement over the corresponding provision in the bill as passed by the House. With an important exception about which I shall have a word to say, it terminates the effective operation of subsection (a) on June 30, 1943, or sooner by passage of a concurrent resolution, and thus puts a time limitation on the exercise of the vast powers conferred on the President by that subsection.

Whether this attempt to reserve the right to repeal subsection (a) by concurrent resolution is valid or not, I do not pretend to know. At best, a real doubt is raised as to whether the President's veto power is not being circumvented in a manner not countenanced by the Constitution. But I think the committee chose the best method open to it for accomplishing the desired result, and I am not able to improve on its phraseology.

I am under no illusions, and I believe no one in the Senate is under any illusions as to the effectiveness of this time limitation.

Mr. WHITE. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. McFARLAND in the chair). Does the Senator from Montana yield to the Senator from Maine?

Mr. WHEELER. I yield.

Mr. WHITE. I think that if the Senator regards that provision as an effort to repeal legislation without Presidential approval he is sound in his adverse comment; but that is not the way I regard it. I regard the provision as an attempt to define the grant of power. I think upon that basis it is a legitimate and constitutional effort on the part of Congress.

Mr. WHEELER. I stated that I did not criticize it. I stated that in my mind there was a doubt as to whether or not it was valid under the Constitution, that I felt the committee used the best language that could be employed, but that

there must still be some doubt in the mind of anyone who would consider it.

Mr. MURDOCK. Mr. President, will the Senator from Montana yield?

Mr. WHEELER. I yield.

Mr. MURDOCK. If we can do what is attempted to be done in the provision referred to by way of circumventing the veto power of the President, could we not attach the same clause, or a similar clause, to every piece of legislation which leaves the Congress, and by so doing destroy the veto power of the President?

One of the precedents referred to is the Reorganization Act, which contained a provision, as I recall, that if within a certain period Congress should, by concurrent resolution, disapprove or fail to approve the act of the President in reorganization, it should be invalid. I can see some distinction in that, as was pointed out by the Senator from Iowa [Mr. GILLETTE] a few days ago, in that it establishes a condition precedent to the going into effect of something. But in this case, as the Senator from Iowa well pointed out a few days ago, we are asked to provide for a condition subsequent. If we establish by legislative policy what the President can do under the proposed law, then by terminating the power by concurrent resolution do we not take away the veto power of the President?

If I may make a further observation, Mr. President, it seems to me that perhaps it was necessary and will be necessary for the executive power of the Government, as the executive department of the Government, to make this concession in order to get the bill passed; but even as a supporter of the bill, if I were a supporter, and if I finally decide to support it, I should very reluctantly vote for a bill which, in my opinion, was unconstitutional if it would destroy the veto power of the President.

I think if Senators will take the time to go into the precedents available to us regarding concurrent resolutions and find how they have been used in the past history of this great body, they will find, unless I am badly mistaken, that what we are asked to do certainly does not square with the precedents relating to concurrent resolutions.

Mr. WHEELER. I thank the Senator very much indeed. As I said a moment ago, I have very serious doubt, and I am very much inclined to think that the Senator from Utah is entirely right in the conclusion at which he has arrived.

Mr. WHITE. Mr. President, will the Senator yield?

Mr. WHEELER. I yield.

Mr. WHITE. I take it that the Senator would agree, save for the constitutional doubt, that it does no harm, and contains possibilities of good.

Mr. WHEELER. Mr. President, there is some question in my mind whether it does not do some harm. After all, has the Congress any right to try to circumvent the power vested in the executive branch of the Government? I question frankly whether we ought to try to circumvent the veto power of the President of the United States. I question whether the legislative branch of the Government ought to try to usurp the power vested in



the President under the Constitution, just as much as I question whether the President of the United States should usurp or be given legislative power.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. WHEELER. I yield.

Mr. CONNALLY. The Senator is not opposed, is he, to the clause providing that the act shall expire on the 30th day of June 1943? I am referring to the clause which provides that the measure shall expire on that date.

Mr. WHEELER. No; I am not.

Mr. CONNALLY. How about that disturbing the veto power?

Mr. WHEELER. That would not disturb the veto power.

Mr. CONNALLY. Of course not. Certainly not. If the Congress, though, were to say that this act shall expire on the 30th day of June 1943, without disturbing any Presidential veto power, it could have said that the act would expire on any other date, could it not?

Mr. WHEELER. That is correct.

Mr. CONNALLY. We do not have to pass a law and say that it shall be an enactment to last forever. We can pass it to be in effect for a minute or a week or a year or 2 years, or indefinitely. In such event it has to be repealed or modified by a subsequent act of Congress. We say that this act shall last until the clock reaches 12 o'clock on the 30th day of June, 1943. Therefore we say that it shall last until the happening of a determinable, definite event, and that event is not a repealing resolution, it is not a joint resolution repealing the law. The event is the mere physical passage, the mere mechanics of passing through these two bodies a concurrent resolution saying that we do not need this law any more. That puts it in the bill itself—not in a resolution, subject to the veto power of the President—that it shall terminate. In other words, it has no longer any vitality or effect after the occurrence of this happening or this event. We could just as well have fixed any other determinable event. We could have said, "It shall last until the happening of any particular event," and upon the happening of that event it shall not be a law any longer.

Mr. MURDOCK. Mr. President, will the Senator again yield?

Mr. WHEELER. I yield.

Mr. MURDOCK. I agree thoroughly with what the distinguished Senator from Texas says, that the Congress could, in this bill, with the approval of the President, terminate the bill at any time, by fixing the date in it. We could also set up standards in this bill saying that some other body, some other committee, some other board, on the finding of certain facts, could report to the Congress that those facts existed, and thereby terminate the bill. But the legislative will of Congress, as I understand our Constitution, can be invoked only as provided in the Constitution, so that when, in a bill such as this, we set out the policy of the legislative body, it takes legislation to do that. It takes legislation to confer on the President the powers that are conferred here.

Can any Senator take the position that we can later, in order to terminate a bill,

invoke the legislative powers of Congress, in a manner otherwise than as provided by the Constitution? There is no doubt that we could surely fix certain standards in the bill, and then say to the Secretary of War or the Secretary of the Navy, that "When you find that these conditions have come about, when these facts have materialized, and when you report to the Congress that that has happened, this authority terminates." That, without question, can be done. But when you bring the measure back to the Congress and invoke the legislative will to terminate legislation, in my opinion you violate the Constitution, unless you follow the procedure set forth in the Constitution.

Mr. President, I am surprised; but, I say it with all due respect, to hear a Senator on this floor say "although it might be unconstitutional, it is harmless, so we should pay little attention to it." Certainly if the Constitution means anything, if it has any efficacy today in this great crisis, if that efficacy is to be projected into the future, it means what? That we must adhere to the principles established in the Constitution and adapt the provisions of the bill to it.

Mr. WHEELER. I thank the Senator.

Mr. CONNALLY. Will the Senator again yield?

Mr. WHEELER. I yield.

Mr. CONNALLY. I am sure the Senator from Montana and the Senator from Utah will both recall that in a great mass of legislation relating to the last war there was specifically provided in it that the legislation should be effective only until the President proclaimed peace, or until a proclamation of peace had been issued, or until the termination of a treaty, or until numerous events of similar kind had taken place, which were, of course, purely subsequent conditions and not antecedent conditions. That is the idea I was trying to suggest to the Senator.

Mr. WHEELER. Let me say in passing that I did not take a position because, as I said, I have not gone into the question of the constitutionality of this particular subject. I am not prepared to commit myself on it. I do say there is a very serious question as to the constitutionality of the provision.

Mr. MURDOCK. Mr. President, will the Senator yield further?

Mr. WHEELER. Yes.

Mr. MURDOCK. I wish to say to the Senate that the statements I am making today are made with the greatest reluctance, because I dislike to be in disagreement with lawyers whom I consider much better versed in the law of the land, but when I saw this provision in the pending bill, I could not refrain from going into the precedents with respect to concurrent resolutions. I have gone into everything that I can find that bears on the functions of a concurrent resolution, and I believe that I can say without fear of contradiction that never in the history of this country has a concurrent resolution been resorted to to change a policy once established by Congress.

Mr. WHEELER. I thank the Senator.

Mr. President, I am under no illusion, and I believe no one is under any illusion as to the effectiveness of this time limitation. In theory, the President's powers

will expire on June 30, 1943, or sooner if we choose, just as in theory we shall retain control over the exercise of these powers through our control over appropriations. Actually, once we are committed to the course laid out by this bill, the die is cast.

The momentum forcing us along the primrose path to our fatal rendezvous with war will dictate sheeplike approval of each appropriation requested and meekly obedient extension of the time limit, just as Hitler's powers and Mussolini's powers were extended by the docile representatives of the people.

I do not say that by way of reflection upon any Member of the Senate. I say it with all due respect to the Members of the Senate. I say it because I have seen it. I do not regard myself as a paragon of virtue or anything else, because I know my weaknesses. But considering Senators in the mass, I am simply predicting the happening in the future of what I have seen take place from time to time in the past.

I hold in my hand a list of statements made by Members of the Senate who said in 1939 that they would never vote to extend any credit to any belligerent nation. Senator after Senator made such a statement. Yet today I see the same Senators standing on the floor of the Senate, not only asking that we give credit but asking that we make outright gifts of the taxpayers' money, or give the President power to make such gifts without any restriction whatever.

What has come over Members of the Senate? Many of them said on the floor of the Senate that the fact one side or the other might be losing would make no difference to them. Yet they rise today, without ever referring back to the statements which they previously made, and say, "We now want to give the President the power to make gifts and extend credit not only to England, Greece, and China, but to any other nation on the face of the globe whose defense he deems necessary for our defense."

Are we again to be just marionettes to dance when our ruler pulls the strings, just Charlie McCarthys to utter words that the ruler puts in our mouths? I accept the time limit for what it is—just a crumb, but better than nothing.

But why is the time limit made to apply only to subsection (a) of section 3? There are other important provisions in the bill. Let us not underestimate the importance of the reservation which extends the powers to July 1, 1946, so far as they are "necessary to carry out a contract or agreement with such a foreign government." Suppose that, prior to July 1, 1943, the President shall have involved the United States in a complicated world-wide network of barter agreements, a huge economic superstructure sprawling around the globe? Let no one think that the reservation is trivial in character or portent.

G. Miscellaneous

There are other provisions of the act which deserve comment—extended comment, in fact—but which must be passed over. Among others, sections 5 and 9 are important.



The requirement in section 5 (b) that the President "shall transmit to the Congress a report of operations under this act" not less frequently than once every 90 days is almost nullified by excepting—such information as he deems incompatible with the public interest to disclose.

We are Members of the United States Senate. Some 2 weeks ago I wrote to the Secretary of War asking him for certain information. I have never even received a reply. I presume he thought that furnishing such information would be incompatible with the public interest. Yet the information which I requested is information which I could obtain by looking at the London newspapers, which are carrying information which Members of the United States Senate are unable to obtain.

Notice that the exception is not based on considerations of national defense. It is based on whatever the President chooses to regard as public interest. This reveals an astounding distrust of the Congress and of the people. I was about to say "or woeful arrogance toward them." But it can hardly be considered as arrogance toward the people, because it shows that the Congress lacks confidence in itself. How can we expect the people of the United States to have confidence in the Congress when we do not have any confidence in ourselves? We, the representatives of the people themselves, stand on the floor day after day and day after day and say that we ourselves cannot be trusted and so we must delegate the power to some one man. Shame on a policy of that kind by the chosen representatives of the people.

Certainly it is a sinister omen as to how much information we are really to be given when we are asked for appropriations. Perhaps we may be permitted to inquire as to the defense articles for our Army and our Navy which are to be purchased under such appropriations, but we must not be allowed to learn how many of these defense articles are to be passed on to foreign governments. It will be compatible with the public interest for Congress to drift along under the illusion that it has adequately provided for the defense of the United States. It will not be compatible with the public interest for it to be rudely awakened with the news that it was mistaken, that under the guise of appropriations for the United States Army and the United States Navy it has really sanctioned purchases for undisclosed foreign governments.

Does any Member of the Senate know what we have given to foreign governments up to the present time? We know that we have appropriated so much money for national defense. The people of the United States understood that the money was to be used for national defense, and yet Senators and Members of the House are unable to find out how much of it is left, or how much of it has been given to England or to any other country. We do not know; and we do not know upon what terms and conditions it has been given to them. We do not know for how much the property has been sold. We do not know what value has been placed upon it. Yet we talk about this being an

august body, and our being the representatives of a great democracy.

Incidentally, what did we receive for those 50 destroyers last summer? I know that, according to the description of the deal set forth in the Attorney General's opinion of August 27, 1940, one of its "essential characteristics" was that the United States acquired "rights for immediate establishment and use of naval and air bases" in certain specified British possessions—

such rights to endure for a period of 99 years and to include adequate provisions for access to, and defense of, such bases and appropriate provisions for their control.

We acquired the right to purchase the land from private owners. Let me call attention to the practical aspect of the matter. Suppose some private owner in the United States should be asked to sell some land to the British Government, the Greek Government, or the Canadian Government. Or suppose he should be asked to sell it to the United States Government. I have had some experience with procuring and purchasing lands which were considered useless by the people who owned them. What always happens? Senators know that ordinarily the minute the Government of the United States steps in the price immediately rises to three or four times what anybody else would pay for the land. That is true even when owners are dealing with their own government.

Suppose Great Britain should come over here to purchase land. Suppose Greece, China, Japan, or any other country should come over here to purchase land. What would the individual owner do? Suppose the matter could be taken into court by means of condemnation proceedings. What do Senators suppose a jury in some foreign country would do to the Government of the United States?

We ought to be realists. We are not children. We should look at these things from a practical standpoint. We know perfectly well that if we do not have the right of eminent domain there, the countries and their citizens are in a position to bleed Uncle Sam for every single penny they can squeeze out of him. What is our recourse? We have none whatever. We can either take it or leave it.

Mr. REYNOLDS. Mr. President, will the Senator yield?

Mr. WHEELER. I yield.

Mr. REYNOLDS. I merely desire to say, in that particular connection, that several days ago I observed in the column authored by Messrs. Allen and Pearson, the Washington Merry-Go-Round, an extremely interesting article in reference to these bases, in which they stated that upon authority they had learned that we were offered many acres—aggregating thousands, I assume—in Trinidad, particularly, of swamplands, and that the owners thereof had endeavored to force us to pay a very exorbitant price for that acreage. My recollection is that the article went on further to state that we had had the same experience in Bermuda.

There is one point I am desirous of bringing out now, if I may be permitted so to do, that when we gave 50 destroyers to the British Government, I imagine

their approximate cost was in the neighborhood of \$250,000,000. We gave that \$250,000,000, represented by destroyers, to the British Government for what? For land? No; only for a 99-year lease providing us with a privilege. It was not really a lease, it was merely a privilege extending over 99 years, to construct fortifications and air bases and sea bases and marine bases upon their property. In other words, I dare say that the amount that we shall expend in the construction of the bases in Jamaica, in British Guiana, in Trinidad, in Bermuda, and in Newfoundland will be over a billion dollars.

We must take into consideration the fact that we are spending \$1,000,000,000 for the purpose of building fortifications upon somebody else's land for the purpose of protecting their property—not for the purpose of protecting our property, but for the purpose of protecting their property. Naturally, that fact must be taken into consideration.

By the way, speaking of bases, of course the Senator knows that Bimini, an island belonging to Great Britain, is only 50 miles off the coast of Florida, and Nassau itself is not over 100 or 150 miles off the coast of Florida; so there is property that belongs to a government other than our own within a stone's throw of our own land.

Mr. WHEELER. I thank the Senator for his remarks.

Mr. REYNOLDS. In addition, Mr. President, I desire to state, if I may do so, that our naval authorities recently reported—and through the press, I might add—that the base that we need more than any other is the island of Martinique, which belongs to the French. They say we are bound to have Martinique in order properly to protect the Atlantic or eastern entrance to the Panama Canal. Unfortunately, we did not negotiate for that island last year. If we had negotiated for it last year, the chances are that we could have procured from the Republic of France Martinique, which we so sorely need and so enthusiastically desire at the present time. Now the French Republic is under the domination and, I might say, under the direction of Hitler; and we know that he is not going to give us Martinique, or negotiate with us for the sale of one inch of territory that is in immediate proximity to our territory.

I desire to state one other thing in reference to that matter.

About 15 or 20 miles off the coast of Newfoundland are two islands, St. Pierre and Miquelon. They belong to the French Government. One of those islands is about 5 miles long, and the other is about 25 miles long and 10 miles wide. If we had negotiated with the French Government when it was in a position to negotiate, and if we had been successful in that negotiation in procuring those islands in the North Atlantic, which we so badly need, it would not have been necessary for us to trade 50 destroyers for the privilege of spending millions on some other nation's property, to protect its own property.

Mr. WHEELER. Again, I thank the Senator for his observation. Let me sug-



gest at this point that the deal for the 50 destroyers, and the Attorney General's opinion holding it valid, will, in my opinion, in time be so ridiculed that every Member of the Senate who has said he favored it will be anxious to forget the whole transaction and his remarks in connection thereto. I am not a prophet or the son of a prophet, but I am just as sure as that I am standing on the floor of the Senate that when this hysteria passes away, as it surely will pass away, we shall be ridiculed the world over for that transaction.

Mr. CONNALLY. Mr. President—

The PRESIDING OFFICER. Does the Senator from Montana yield to the Senator from Texas?

Mr. WHEELER. I yield.

Mr. CONNALLY. What I desire to ask is not with reference to the particular point just mentioned, and, of course, I do not desire to take up the Senator's time. However, reverting to the argument about the concurrent resolution, the Senator from Montana recalls, of course, that he offered an amendment to the reorganization bill when it was pending here, did he not?

Mr. WHEELER. I do not recall the specific amendment.

Mr. CONNALLY. I refer to the famous Wheeler amendment. We, at least, cannot forget them; we all recall them.

Mr. WHEELER. I am glad the Senator does.

Mr. CONNALLY. I desire to ask the Senator a question about the famous Wheeler amendment which he offered to the reorganization bill. The amendment appears in the CONGRESSIONAL RECORD for March 15, 1938, at page 3381. Of course, I am not criticizing the Senator for his amendment.

Mr. WHEELER. I understand.

Mr. CONNALLY. The Senator's amendment provided that the Reorganization Act should not go into effect until an event subsequent—

but shall not become effective until after the enactment of a joint resolution specifically approving such Executive order.

If the beginning of an act in the future can be made dependent on an event, then by what logic would the Senator say an act could not be terminated by a similar provision?

Mr. WHEELER. The Senator from Texas, of course, has missed the legal distinction entirely. When the Senator started to read just now I thought he might have found something. However, I do not think it is a parallel case at all, and I believe the legal authorities will bear me out.

Mr. CONNALLY. Very well; I do not care to press the Senator.

Mr. WHEELER. Very well.

Mr. CLARK of Missouri. It is the difference between precedent and antecedent.

Mr. McCARRAN. Yes; the difference between precedent and antecedent.

Mr. CONNALLY. There is no difference between precedent and antecedent except one is subsequent and one is prior; that is all.

Mr. WHEELER. There is a vast difference in the interpretation of the courts in reference to them.

I was saying, that we have yet to learn what the United States was given in return for our destroyers. I have not heard much about what we actually did receive in return for the depletion of our defense articles. Did we get the rights we were promised? Were the sites suitable and adequate for the purposes? Or did they include swampland, or inaccessible areas? Did we find that we were going to have to pay further huge sums to the private owners of the sites selected for us by that "certain naval person." Mr. Churchill? Were any local laws or ordinances enacted that made it impossible for us to obtain the facilities we had a right to expect? So far, there has been no report on the subject; just an inscrutable, sphinxlike smile. Is this the sort of report we are to get every 90 days under H. R. 1776? Will it be against public interest to tell us more—to tell us, for example, that, as usual, we were badly out-traded by the British?

Section 9 authorizes the President to—promulgate such rules and regulations as may be necessary and proper to carry out any of the provisions of this act.

At this point I am lost in infinity. The provisions of the act are boundless in scope. The power to make regulations to carry out the provisions is at least equally boundless in scope. I know, of course, that regulation-making powers, couched in similar phraseology, are rather common in Federal statutes. But the other provisions of such statutes have reasonable limits and furnish sufficiently definite standards so that we can know and foresee the approximate limits of the regulation-making power. Not so in the case of H. R. 1776. Section 9 is delegated legislative power with a vengeance, perhaps conferring power on the President to legislate for the whole wide world. Perhaps, in a series of regulations, he will set up a triple A program of subsidies, consisting of bounties of "defense articles" to be given to any country that is willing to meet the terms and the conditions of the "new order."

#### IV. QUESTIONS OF CONSTITUTIONAL LAW

Next I desire to take up a discussion of the questions of constitutional law.

Mr. President, momentous questions of constitutional law are raised by this bill. The debates disclose a new school of thought on the Constitution. If it prevails, it would convert our great charter of democracy into an engine of autocracy. The rearing of the ugly head of fascism in this country is evidence of the epidemic of madness sweeping over the world until it has invaded our own boundaries, a madness which makes men say that we must fight to save democracy and at the same time must tear down the pillars of our temple at home. As I have heretofore suggested, I have heard it said by prominent officials of the Government that we must set up temporarily a totalitarian form of government in the

United States in order to fight totalitarianism in other lands.

The questions of constitutional law raised by the bill are fairly numerous, but I think the important questions can fairly be grouped under two headings. The first is whether the President or the Congress has power or control over this matter of getting the United States into war. The second is whether the bill oversteps the bounds of validity in its vast delegations of legislative powers to the President.

#### A. The power to get the United States into war

There is no fairer test of democracy than the right of the people, through their chosen representatives, to determine between peace and war. This is the issue which, above all other issues, is important to them. More than any other, it has to do with their inalienable rights to life, liberty, and the pursuit of happiness.

We may talk about the right of free assemblage and the right of free speech, but the most important thing to a people anywhere is the question whether or not they shall be dragged into war. The choice between sending millions of their boys to be killed and maimed, and keeping them at home to engage in productive employment, contributing to the happiness and wealth of the country—the choice between pouring forth billions of dollars for destruction of life and property, and spending those same billions for better homes and better schools and better communities and living conditions—the choice between terrible total war with its ravages on women and little children, and the blessings of peace—this choice belongs to the people if any choice belongs to them. The loosing of the Four Horsemen of the Apocalypse should not depend on the whim or caprice of any one man, be he wise and good, or vindictive and power crazy. "War's a game that were their subjects wise, kings would not play at."

To the extent that the people, through their chosen representatives, have surrendered control over this choice to one man, to that extent they have sacrificed democracy. Oh, I know that in some cases neither people nor ruler can make the choice; there are times when they are subjected to unprovoked attack by the invading armed forces of another country. Everyone in his right senses will grant that power must reside in someone to take the necessary immediate measures to meet and beat back such assaults. But everyone also knows that such cases have nothing to do with the underlying premise of H. R. 1776, namely, the fantastic claim that our frontiers are no longer our two seacoasts; that they are no longer even in the Western Hemisphere, but lie along the Rhine, or on the English Channel, or at Salonika, or at Singapore. The people have the right to pause and think and choose for themselves before they plunge into war or any such theory. And as we mention H. R. 1776, it may not be amiss to recall one of the injuries and usurpations charged



against the King of Great Britain in our Declaration of Independence:

He has affected to render the military independent of, and superior to, the civil power.

Mr. REYNOLDS. Mr. President, will the Senator yield there?

Mr. WHEELER. I yield.

Mr. REYNOLDS. The Senator made mention of the fact that we really did not know where our line of defense is.

Mr. WHEELER. I think I do, but some people think it is in the English Channel.

Mr. REYNOLDS. I am of the opinion that our line of defense is here in the Western Hemisphere and should remain here.

Mr. WHEELER. With that I am agreed.

Mr. REYNOLDS. Doubtless a great many people believe that our line of defense is in the English Channel for the reason that they argue, as did the Secretary of the Navy, Mr. Knox, to the effect that we are entirely dependent upon the British Navy, and if the British Navy falls our Government is sunk.

Mr. President, I cannot understand such a contention. We say we are the most powerful nation upon the face of the earth. Are we? Or is it that we are "kidding" ourselves and have been doing so for all these years? In one breath we say we are the most powerful nation upon the face of the earth, and, in the next breath, representatives of our Government say that we are so weak that we are entirely dependent upon the British Navy.

In this connection let me say that the "big brother," the Colossus of the North, as we are referred to by the 130,000,000 people to the south of us in Central and South America, says to them, "You need have no fear; we will protect you against invaders, against aggressors. We are strong; we are powerful; we are courageous; we are brave; we have the strength to help; and we are going to protect you 130,000,000 Latin-Americans"; yet in almost the same breath we say, "Well, even for our own lives, we depend upon the British Navy."

Mr. WHEELER. I thank the Senator. I wish to call to his attention that Winston Churchill himself wrote that no nation is independent that has to depend upon some other nation for its defense. If we in the United States of America are dependent upon the British Navy, then we are no longer an independent nation. No country can be independent which depends upon some other country for its defense, and it is idiotic, it is insanity, to say that we in the United States depend upon the British Navy; it is ridiculous.

Mr. McCARRAN. Mr. President, on that subject, if the Senator will yield—

Mr. WHEELER. I yield.

Mr. McCARRAN. The Senator says it is insanity. It is almost worse than that; it is cowardice to say that we are dependent upon Great Britain. If this is our war, does not the Senator believe we should be fighting it, rather than standing behind the skirts of some other nation? If it is not our war, then why should we be going into it at all?

Mr. WHEELER. I entirely agree with the Senator. I desire to say that a year

ago, in 1939, Senator after Senator stood on the floor of the Senate and said, "This is not our war." Today they are standing up and saying, "This is our war, and we ought to fight it." Many persons say that I am a pacifist; but I say that if I thought for one moment that this was our war, I would be asking for a declaration of war today. But it is not our war. We did not start it, and we cannot stop it even if we get into it.

Mr. McCARRAN. Let me say in that respect, in the Senator's time and with his permission, that if this were our war, then the American policy which has been pursued for 150 years would be, in keeping with the law of nations, honorably to declare war. If it is not our war, then we should not be dragged into it by subterfuge.

Mr. WHEELER. I thank the Senator. I desire to say to him that a very good friend of mine—who is also, I might say, close to the inner circle, if not one of the inner circle—said to me that we ought to treat the Allies as our mercenaries; we ought to give them everything. Think of it—a nation like the United States treating the nationals of some other country as our mercenaries to fight our wars. We have never employed mercenaries in any of our wars, and we have always been successful. We have never hired Hessians to fight our wars.

Mr. REYNOLDS. Mr. President, will the Senator again yield?

Mr. WHEELER. I yield.

Mr. REYNOLDS. I should like to ask the Senator a question. Does he believe we are dependent upon England for our continued existence?

Mr. WHEELER. If so, we are in bad shape. [Laughter.]

Mr. REYNOLDS. I will ask the Senator if it is not true, and has been evidenced throughout the years, that, to the contrary, Great Britain is absolutely dependent upon us.

Mr. WHEELER. I think, to a large extent, that is true.

Mr. REYNOLDS. I will ask the Senator if it is not true and has not been true over the centuries. For instance—may I continue?

Mr. WHEELER. Certainly.

Mr. REYNOLDS. The Senator will recall that when, in 1807, Napoleon was the then Hitler of Europe, he was about to invade England, and England called upon us for help, and said that if we did not come to her rescue Napoleon would grab her navy, come over here, take South America and Central America, and then proceed to take the United States of America. The Senator recalls that; does he not?

Mr. WHEELER. I do.

Mr. REYNOLDS. And the Senator recalls that during the war of 1917, when the "Beast of Berlin," the Kaiser, was the then Hitler of Europe, the English called upon us and said that if we did not come to their rescue the Kaiser would seize the British Navy and come over here and take the United States. The Senator recalls that; does he not?

Mr. WHEELER. I do.

Mr. REYNOLDS. And now, for the third time, when it is Hitler this time—it was Napoleon in 1807, it was the Kaiser in 1917, and in 1941 it is Hitler—

England, with her back to the wall again, is pleading and calling upon us to give our all to save her for the third time. In other words, it is my opinion that if we do go "all out" for Great Britain now, when we get through, the United States of America will be "all in." [Laughter and manifestations of applause in the galleries.]

The PRESIDING OFFICER rapped with his gavel.

Mr. WHEELER. I thank the Senator, and I entirely agree with him.

Mr. President, I have tried to be most generous in yielding to Senators, and I always dislike to ask Senators not to interrupt me; but I have been on my feet for a long time, and as yet I have not gotten very far with my prepared speech. I shall have to ask Senators, therefore, not to interrupt me unless it is for the purpose of asking a question.

Mr. McCARRAN. Mr. President, before the Senator bars all further questions, there is one question that I hope he may deal with even out of his manuscript, as he has all day long, and that is this: Has the British Navy ever aided the United States in maintaining the Monroe Doctrine in the Western Hemisphere? If it has, my reading of history fails to confirm that idea.

Mr. WHEELER. I may say to the Senator from Nevada that if the British Navy or the British Government at any time, on any occasion, has come to the aid of the United States, I do not know when it was.

Mr. LEE. Mr. President, if the Senator will yield, I will give him one incident.

Mr. WHEELER. Very well; I shall be glad to have it.

Mr. LEE. It was during the Spanish-American War, when Dewey was about to blockade Manila. The British and the German squadrons drew up to watch the operations.

Mr. McCARRAN. Did the Senator say "to watch the operations"?

Mr. LEE. To watch the operations.

Mr. McCARRAN. The Senator has used a good term. [Laughter.]

Mr. LEE. The German vessels cleared their decks for action. They were friendly with the Spanish at that time. The American vessels cleared their decks for battle. The American Fleet at that time faced two enemies in a three-cornered situation—the Germans on one side and the Spanish on the other. Then Admiral Chichester, the commander of the British flotilla, placed the British squadron between the German and the American Fleets, and the British Naval Band struck up The Star-Spangled Banner; and the British Fleet stood between America and Germany then, as it is standing now.

The reason why we have peace today is because somewhere out on the Atlantic today is the British Navy, standing as a bastion between Hitler's hordes and the American people. [Manifestations of approval and disapproval in the galleries.]

Mr. WHEELER. The Senator from Oklahoma takes a position contrary to that taken by many eminent authorities on American history; and I am not familiar with the incident. However, let me say to the Senator from Oklahoma



that if I subscribed to the view I should ask for a declaration of war. I have heard the Senator make those impassioned pleas time and time again, and tell what the boy in France told him as he was coming home; but I submit that I think it is cowardly for us to say that we will not go to war if the British stand between us and Hitler coming over here and conquering us.

Mr. LEE. Will the Senator yield to me to answer that statement?

Mr. WHEELER. No; I have asked Senators not to interrupt me further, and our leader has repeatedly asked me not to yield further.

Mr. LEE. But the Senator has called me a coward.

Mr. WHEELER. Oh, no; I have not called the Senator a coward. I said I think it is cowardly for a Senator of the United States not to vote to declare war if Great Britain is fighting our war.

Mr. LEE. What is the difference, if the Senator will not allow me to explain my position?

Mr. WHEELER. If the Senator wants to take that statement as applying to himself, he may take it any way he pleases. I have told the Senator what my statement was.

Mr. LEE. The Senator from Montana applied it to me.

Mr. WHEELER. Oh, no; oh, no.

The PRESIDING OFFICER. Just a moment.

Mr. McCARRAN. Mr. President—

Mr. LEE. The Senator said I was cowardly if I did not stand on the floor of the Senate and advocate a declaration of war.

Mr. McCARRAN. Mr. President, I ask the Senator from Montana to yield to me.

Mr. WHEELER. I yield to the Senator from Nevada.

Mr. McCARRAN. The Senator from Montana used no such expression as that just used by the Senator from Oklahoma. The Senator from Oklahoma has forgotten his history, although, as I understand, he has been a teacher of history.

In 1898 the relationship between Germany and the United States was the most cordial and the most friendly; and the strain that was struck up by the band on the British warship at Manila was a British strain and not an American strain.

Mr. LEE. To what authority does the Senator from Nevada refer for that statement?

Mr. McCARRAN. To history, the authority which the Senator from Oklahoma may have taught, and some of which he may have written. [Laughter and manifestations of applause in the galleries.]

Mr. LEE. I thank the Senator.

The PRESIDING OFFICER. Just a moment. The Chair admonishes the occupants of the galleries that the Senate has rules which must be obeyed. Order must be preserved.

Does the Senator from Montana yield, and, if so, to whom?

Mr. WHEELER. Mr. President, I shall have to refuse to yield for an argument between two Senators with reference to

the history which either one of them wrote. [Laughter.] I should like to proceed and finish my speech. The leader has asked me to refuse to yield further. I am reluctant to refuse to yield.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. WHEELER. I will.

Mr. BARKLEY. I should like to explain the basis of my request.

When we concluded our session yesterday, the Senator from Montana indicated that he had an hour and a half yet to speak; and upon the basis of that statement from him the Senator from Illinois [Mr. Lucas] indicated his desire to speak, and he has already given out his speech to the press. The Senator from Delaware [Mr. TUNNELL] and the Senator from New Jersey [Mr. SMATHERS] indicated they had speeches which would probably take 30 minutes each. I express the hope that Senators will respect the request of the Senator from Montana that he be permitted to conclude his remarks, because we have tried to accommodate all Senators in the matter of speeches, and we have done so, especially when Senators, thinking they were to speak on a certain day, have given out their speeches to the press. The Senator understands that, and that was the basis of my request. The Senator has control of his time, and, of course, he can decline to yield.

Mr. WHEELER. The Senator from Kentucky has been most generous in working with me and with other Senators in an attempt to apportion the time. I dislike very much to refuse to yield, but under the circumstances I do wish to try to accommodate other Senators.

Mr. BARKLEY. No one will assume, if the Senator declines to yield, that he is afraid to yield, or that he is afraid to answer any question any Senator may desire to ask him.

Mr. WHEELER. I thank the Senator. I might say, also, that I am becoming a little weary. I thought I had gotten much further along, when I spoke to the Senator a moment ago, and I was surprised to find I had covered so little of what I had intended to say. But most of the time taken has been due to interruptions.

With reference to the argument which has just been made, I wish to say that we have always built up an American Navy, not with the idea of fighting Germany or the German Navy, it has always been built up on the theory that we had to offset the British or the Japanese Navy. That has been the theory, ever since I have been in the Senate, upon which we were asked to build up the Navy.

With its background of history and human struggle, we approach the Constitution with the expectation that on fundamental issues we shall find in its provisions a practical solution in favor of democracy and of the people. We shall be surprised if, contrary to our expectation, we find that the solution is on the side of autocracy. If by any chance its provisions are ambiguous, it is our reverent duty to resolve the ambiguity in favor of democracy; it is certainly not

our duty to twist and distort the language in the opposite direction. What difference does it make whether the people of France or the people of Great Britain or the people of Germany have chosen a different course, that they have allowed one man, or a tiny group of men, to decide the momentous issue of peace or war for them? What difference does it make that on one or two occasions in the past our Chief Executives, perhaps acting hastily or under the spur of necessity in unusual emergencies, have exercised powers that cannot be found in the Constitution? Do past wrongs make a right? The test is the document itself, read in the light of its background, and the purposes of the great men who participated in the drafting. As has been said so often by our greatest jurists on the Supreme Court, the Constitution is a living thing, growing as democracy grows, never intended to slide back into the state of affairs from which it liberated our people.

Let us be more specific. The proponents of this bill, both in and out of Congress, are proclaiming a new constitutional theory which places the actual power to involve our country in war at the uncontrolled discretion of the Executive. I say the theory is new. It is an old phenomenon, of course, this constant effort of those in power to seize more power and to shake off limitations on their authority. But I am not aware of its having been urged by anyone as part of our Constitution prior to the past few weeks or months during which a bellicose minority have been pressing us closer and closer to the precipice until they are now mustering their forces to give us the final push. No small part of the force they have applied has consisted of a series of ingenious legal opinions, none of which rings true on its face and some of which, in my opinion, are designed to accomplish preconceived results without regard to the means and without regard to the havoc they may be wreaking on their country and its institutions. We must take heed from the lessons of history, from the days when kings boasted "I am the state," and, aided by their judges and their lawyers, struggled for supremacy over the parliaments of their time.

On what do they base the claim? It is very simple, according to them. Under article II, section 2, of the Constitution:

The President shall be Commander in Chief of the Army and Navy of the United States.

This role of the President, according to our totalitarian philosophers, is all-inclusive and knows no limits. The Congress may not pass any law, either by amendment to this bill or otherwise, forbidding use of American naval vessels to convoy merchant ships, American or British. It cannot even forbid convoying through the very heart of combat areas or in enemy territory, although such action is the equivalent of declaring war. Pursuant to this philosophy, the President may not only order our battle-ships, cruisers, and destroyers to convoy British merchant vessels across the Atlantic but, over a helpless Congress and people, he may order our Navy officers and men to land in England and there, in English ports, establish and maintain



the bases that are inevitably necessary to the operation of the convoy system. That is where the philosophy being preached would take us and nowhere else.

Have I heard someone say that the administration will never send the boys to fight in Europe? Have I heard some say they would never vote to send American boys across the water to fight on foreign soil? Are not the Navy officers and seamen boys of ours? Do we not care if a vessel carrying a complement of 1,200 or more of those boys is sunk by shell from a surface raider, or by a torpedo from a submarine, or by a mine off the coast of Ireland? Are we not concerned if hundreds of such boys are bombed or shelled or machine-gunned into eternity while trying to maintain a base in a British port against a German attack by sea, by air, or by land invasion? This would only be the start, of course, for we would then be not merely in all-out aid to Britain but in all-out war with Germany. Any person who seeks to justify the use of our naval vessels for convoying purposes is necessarily for entry of the United States into war. To say differently is to insult the intelligence of every Senator in this Chamber. And any person who is for entry of the United States into war is necessarily for sending the boys to fight in Europe, or Asia, or Africa, first the naval forces and later the Army. To say differently is again to insult the intelligence, not only of every Senator, but of all the American people.

But that is not all. Our Commander in Chief may, with equal logic, order our battleships to proceed into the harbors of Bremen, Genoa, and Yokohama, and to open fire on the Germans, the Italians, and the Japs—in other words, to start a war. Indeed, I see no reason why he should stop there. He can do likewise at Rio de Janeiro or Buenos Aires. Probably he can even tell the Army and the Navy, over whom he has such absolute authority, to open fire on those of us who disagree with him and at whom he has already fired so much verbal ammunition.

Again, that is not all. The President is Commander in Chief of the Army, too. If he can send the Navy anywhere, he can send the Army anywhere—an A. E. F. to beat back a German invasion at Dover, or to retrace the steps of the British at Dunkirk, or to scale the rocky coast of Brittany, or die of thirst in the Libyan desert. There are no limits to where he can send them or what he can order them to do, according to the philosophy of those who say that as Commander in Chief of the Army and the Navy the President can send the Army and the Navy anywhere.

If there are any limits under the new doctrine, I should be pleased to stop now and have its disciples, if there are any in the Senate, specify them and explain their reasoning.

The way to deal with this totalitarian school of thought is to nip it in the bud. The Congress must assert its authority over the matter of getting us into war, here and now. The way to do it is not to yield weakly to such preposterous claims of power but to legislate clearly

and positively that our naval vessels shall not be used for convoy purposes, and shall not be sent anywhere on earth outside the Western Hemisphere except, of course, to our possessions. The way not to do it is to yield to these preposterous claims as they inch their way into the Capitol, or to put up with a weasel-worded amendment such as was accepted in the House. We should adopt a correspondingly clear amendment with regard to use of our Army.

The authority of the Congress seems clear under the Constitution, even without references to the cases and the text books (and I shall come to them presently). Listen to those powers expressly conferred on Congress by section 8 of article I:

To define and punish piracies and felonies committed on the high seas, and offenses against the law of nations.

To declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water.

To raise and support armies, but no appropriation of money to that use shall be for a longer term than 2 years.

To provide and maintain a navy.

To make rules for the government and regulation of the land and naval forces.

I wish to repeat that provision:

To make rules for the government and regulation of the land and naval forces.

To provide for calling forth the militia to execute the laws of the Union, suppress insurrections, and repel invasions.

To provide for organizing, arming, and disciplining the militia, and for governing such parts of them as may be employed in the service of the United States.

To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the Government of the United States, or in any department or officer thereof.

I would be content to rest my case simply on a reading of these war powers of Congress. Take, for example, the power—

to make rules for the government and regulation of the land and naval forces.

What intelligible and sensible meaning can this clause possibly have if it does not include the power to prohibit sending naval vessels or soldiers outside this country or its possessions, or to the danger-spots of a war between belligerent nations with whom the United States is at peace? Cannot the United States quarantine its own Army and Navy, including their Commander, if it chooses, particularly when they show an inclination to expose themselves to the war contagion? What sort of rules can we make if we must shy away from all important subjects?

What about the power—

to define and punish \* \* \* offenses against the law of nations?

Offenses against the law of nations include violations of the duties of neutral nations, by ourselves and, above all, by our Army and our Navy and their Commander. By what strange trick of fate were our forefathers deluded into omitting power over what is clearly one of the more serious classes of such offenses, namely, the convoying by our naval ves-

sels of armed English merchant ships loaded with contraband? Or the establishing of American naval bases in English ports? Under this power, ever since the early days of the first administration of George Washington, we have maintained a whole code of neutrality laws on our statute books, up to and including the Neutrality Act of 1939. We have never dreamed we were usurping the plenary powers of the Commander in Chief of our Army and our Navy. Under the new theory, some of these will have to be quickly leased, lent, or otherwise disposed of, before it is discovered that the Congress has erroneously exercised the functions of the Commander in Chief.

Take the power—  
to declare war.

We are all familiar with the broad construction that has been given this clause by the Supreme Court, aided, of course, by the power—

to make all laws which shall be necessary and proper to carry into execution—

the enumerated powers. It was broad enough to authorize the Congress to legislate intoxicating beverages out of existence in the ill-fated wartime Prohibition Act, prior to adoption of the eighteenth amendment, *Hamilton v. Kentucky Distilleries* (251 U. S. 146). The Espionage Act, the Trading With the Enemy Act, and many other statutes will occur to Senators as examples of the broad scope of the war powers of Congress.

The power "to declare war" is an empty shell if it can be circumvented and flouted by acts of the Chief Executive which involve our country in war without a declaration, over the heads of the Congress. If ever there was a proper case for calling into play the auxiliary power "to make all laws which shall be necessary and proper to carry into execution" the power "to declare war," I suggest that it is precisely at this point. I need not tell the Senate that a declaration of war is not necessary to start a war. Declarations have gone out of fashion. Indeed, they have never been any too fashionable. In his book on International Relations, the eminent authority Wheaton states:

It has been estimated that of some 120 wars that took place between 1700 and 1872 there were barely 10 cases in which a formal declaration preceded hostilities.

I need not take much time in demonstrating the obvious, namely, that war is war, whether or not its birth has been formally announced. This has been recognized by our Supreme Court ever since its early days, beginning with the leading case of *Bas v. Tingy* (4 Dall. 40-41), in which the opinion was written by Mr. Justice Washington.

In Oppenheim's authoritative treatise on International Law, we find the following:

It is certain that states which deliberately order the commencement of hostilities without a previous declaration of war or a qualified ultimatum commit an international delinquency; but they are nevertheless engaged in war. Further, it is certain that states which allow themselves to be dragged into a condition of war through unauthorized hostile acts of their armed forces commit



an international delinquency; but they are nevertheless engaged in war. Again, war is actually in existence if the other party forcibly resists acts of force undertaken by a state by way of reprisals, or during a pacific blockade, or an intervention (vol. II, p. 249).

You may read article II of the Constitution, containing the provisions having to do with the Executive, from beginning to end and you will not find a word that even remotely suggests that the President has any war powers, or any powers even remotely connected with war, other than being designated Commander in Chief. The only war powers mentioned in the entire Constitution are those specifically delegated to Congress. One further comment is in order with regard to these war powers, taken as a group. Our forefathers were scrupulously careful to assign to the Congress all control over acts of hostility, and acts which might lead to hostilities, outside our boundaries and on the high seas. It is the Congress which has power "to define and punish piracies and felonies committed on the high seas"; and "to grant letters of marque and reprisal, and make rules concerning captures on land and water," to mention only the two most obvious instances. These powers would seem to constitute terrific invasions of the Commander in Chief's functions. But perhaps we will be told that these portions of the Constitution are themselves unconstitutional.

That the war powers should be conferred on the Congress and not on the President by the Constitution is what we should have expected from the Constitutional Convention of 1787. Fresh in the minds of the delegates were the long series of battles fought from one end of the Atlantic seaboard to the other, against the redcoats and the Hessian mercenaries which King George III, in his role of commander in chief, had ordered to march against the colonists. These were battles against oppression by an English tyrant who had denied them the right to be governed by their legislative assemblies. He had inherited the divine right of kings to plunge their subjects into war. The War of the Revolution was a struggle for liberation from a monarch who, in the words of our Declaration of Independence, had "affected to render the military independent of, and superior to, the civil power." As I remember, in the first World War to make the world safe for democracy, we were told that the Kaiser and the Emperor of Austria-Hungary had autocratic power to embroil their unwilling peoples in war, whereas in a democracy the people had the controlling voice in the matter. Our boys died for this in 1917 and 1918, 130,000 of them. To say that our forefathers, having fought to establish a democratic form of government safeguarded and preserved by effective checks and balances, then proceeded to nullify their purposes by anointing the President as absolute monarch over the most important issue of them all, is to indulge in an absurdity.

When I read these provisions in the Constitution, I have no difficulty in understanding what they were intended to mean. The designation of the President

as Commander in Chief of the Army and Navy was never intended to impair or subtract from the unqualified grants to Congress of power over peace or war. It means just what the ordinary person, lawyer, or laymen, would take it to mean. He is the top general and admiral, in charge of what might be called the tactical activities of our armed forces, but always subject to the rules laid down by the Congress, and particularly the rules on what he may or may not do in the way of acts which might take our Nation from a state of peace into the holocaust of war. If you say that such powers in the Congress derogate from his complete and absolute authority to be a commander in chief, I answer, of course, they do. That is one of the virtues of being a democracy. It would be a silly situation if the situation were otherwise, since we can also prevent him from playing the role of Commander in Chief at all by simply not exercising our powers "to raise and support armies" and "to provide and maintain a navy."

He is not Commander in Chief because he is President but because the people, through the Constitution, have so provided. Undoubtedly, his office of Commander in Chief calls for the exercise of greater and more strenuous duties in time of war than in time of peace, but it does not make him arbiter to change the country from a peace- to a war-time footing. There are probably many things which he may lawfully do in time of either peace or war, so long as the Congress has not spoken but which, once it has spoken, he may not do. For example, I find nothing unlawful in the present state of the law in his going beyond the 3-mile limit in a destroyer on a fishing trip, or perhaps to meet a foreign ambassador to whom he wishes to pay the proper deference. But I say that Congress can, by legislation, forbid him and all other officers and members of the naval forces to send that destroyer to fish in troubled waters, such as in the Norwegian fjords, the Irish Sea, the Bay of Naples, or in the straits commanded by Singapore, or to transport gold from South Africa, or to convoy bundles to Britain.

What has the new school of thought to offer on this issue? As I understand its theories, they are based on the contentions, first, that the President's power as Commander in Chief of the Army and the Navy is plenary and knows no bounds; and second, that the President has a very broad power in the control of foreign relations. I cannot fathom just what this second contention means or what it has to do with the issue.

I do not know who first devised these ingenious arguments. It is enough for me that, so far as I know, they first sprang into headline prominence with the Attorney General's opinion of August 27, 1940, justifying the barter of our 50 destroyers for 99-year leases of naval and air bases. In his learned monograph the versatile jurist said that the question—

involves consideration of two powers which the Constitution vests in the President. One of these is the power of the Commander in Chief of the Army and Navy of the United States, which is conferred upon the President by the Constitution but is not defined or limited. \* \* \*

The second power to be considered is that control of foreign relations which the Constitution vests in the President as a part of the executive function.

After citing and quoting from the Supreme Court's decision in 1936 in *United States v. Curtiss-Wright* (299 U. S. 304), the Attorney General concedes that the President's power over foreign relations is not unlimited. He is unable to get around the constitutional requirement that treaties have to be submitted to the Senate for its advice and consent by two-thirds vote. He did conclude, however, that the destroyer deal was an executive agreement not requiring our ratification.

Think of it. The Attorney General of the United States, sworn to uphold the Constitution, decrees that the power of the Commander in Chief is not limited. What about the express war powers of Congress? Do they not impose limits on the Commander's authority? What about the Bill of Rights in the amendments? Is the Commander free to ignore it? What about the most elementary and well-settled rules for construing written documents? They must, so far as possible, be read so as to give a reasonable meaning and effect to each provision, to carry out the intent of the authors, and must not be tortured into absurd, fantastic, and unreasonable meanings, contrary to their declared purposes. It seems to me that the Attorney General's views are, to say the least, so ridiculous as not to deserve the dignity of discussion. Yet they may prove the turning point on the issue of peace or war, because of the respect which attaches to his office and the weight which his words will carry with those who are not in a position to test their correctness. The Commander in Chief fiction may be the magic wand by which a democracy is transformed into a dictatorship.

Let us see how far the Attorney General would carry his theory. Over and over again he refers to the power of the Commander as plenary. The act of June 28, 1940—Public, No. 671—forbids the transfer, sale, or other disposition "in any manner whatsoever" of any—

military or naval weapon, ship, boat, aircraft, munitions, supplies, or equipment, to which the United States has title—

Without a certificate from the Chief of Naval Operations or the Chief of Staff of the Army—

that such material is not essential to the defense of the United States.

What has Mr. Jackson to say about this plainly worded statute? Simply this:

Thus to prohibit action by the constitutionally created Commander in Chief except upon authorization of a statutory officer subordinate in rank is of questionable constitutionality.

He goes on to say, after briefly reviewing certain facts, that the appropriate staff officers not only "may" but "should" furnish certificates under certain circumstances. Think of it! In the twinkling of an eye, the Attorney General became our military and naval expert, and instructed the real experts how to think and what to decide in performing their



duty in determining what is "essential to the defense of the United States." After such juggling, he had no trouble at all, of course, in arriving at the conclusion that our act of June 15, 1917, specifically forbidding just what was done in this instance, namely, the sending of our vessels of war to a belligerent nation, had nothing to do with the case. I grant that it is refreshing to find someone in the administration relying upon the Constitution.

The theory that the military is supreme over the civil authorities has cropped up every so often ever since the dawn of history. It was this theory that overthrew the Roman Republic and converted it into an empire, though preserving for a while merely the form and outer shell of its republican institutions. If the Attorney General's views prevail, do you want to know what the American title will be, corresponding to "Il Duce" and "Der Fuehrer"? Our title will be "Commander in Chief."

Let us now take up the other power on which Mr. Jackson relied, the power to control foreign relations. It may or may not authorize these so-called executive agreements, that have immunity from the constitutional requirement of ratification by the Senate. I do not know the answer to the question, When is a treaty not a treaty? The doctrine of executive agreements may have something to do with trading destroyers for leases on bases, but it has nothing to do with the power to determine whether we shall go to war. It takes a vivid imagination to see in the power to control foreign relations a power to use our naval vessels to convoy British merchant ships, or to send our merchant ships to the ports of belligerents, or to afford a haven in our ports for belligerent war vessels in violation of international law, or to send an American expeditionary force to Europe. I simply cannot see the connection.

Mr. McCARRAN. Mr. President, will the Senator yield?

Mr. WHEELER. I yield.

Mr. McCARRAN. I desire to call to the attention of the majority leader the fact that it is now approaching 4 o'clock and that the Senator from Montana has been on his feet since approximately 12 o'clock today. As I view his manuscript—and I hope the Senator will not minimize that manuscript—he now has some several pages yet in his hand. To my mind, he is dealing with one of the most important phases of the entire bill. I think the majority of the Members of the Senate have been trained in the law, and the Senator is now dealing with a phase of the bill which addresses itself to the law.

This is Saturday afternoon. It would seem to me entirely in keeping with propriety that the Senate might have a better attendance than it now has, that the country might know the study that has been given to the bill by the Senator from Montana; and those who adhere to his views, of whom I am one, believe that the Senate might well recess until Monday.

During the entire consideration of the bill there has not been anything that would suggest a blocking of fair, frank, legitimate consideration. Until the Sen-

ator from Montana took the floor yesterday, he had but intermittently entered into the debate on the bill. Both sides have intermittently entered into the discussion of the bill. Both sides of the question have given it a very frank expression as we went along, in which expression the country itself has indulged. After all is said and done, it is the country that will bear the brunt of this whole situation. I think the country has rejoiced in the fact that the Senate of the United States, the last great parliamentary body in the world free to deliberate *ad libitum*, has indulged itself so that the country might know from both sides the real, true meat of the situation.

I now appeal to the able majority leader, the Senator from Kentucky [Mr. BARKLEY] in a serious way. I am not striving to delay; I am only striving to obtain for the great Senator from Montana an opportunity to give to the Senate and to the country his views when he is fresh and able to express his views in the vehement manner customary to him.

I make that appeal to the able majority leader.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. WHEELER. I yield.

Mr. BARKLEY. Mr. President, I do not know whether the Senator from Nevada was here a short time ago when I stated the situation that at present exists.

Mr. McCARRAN. I think I was.

Mr. BARKLEY. Also I do not know what the Senator from Montana wishes to say about the matter. We have tried our best to accommodate the debate to the convenience of Senators. I think it will be generally agreed that no effort has been made to shut off any Senator.

A few days ago when certain Senators who are opposed to the measure anticipated that they would be permitted to speak on a certain day and gave their prepared addresses to the press. I know we stayed here late on two different afternoons in order that they might be accommodated and in order that they might not be subjected to the embarrassment of having their speeches published in the newspapers one day and made in the Senate Chamber the next. I am not sure whether the Senator has realized the embarrassment of such a situation as that.

I have just conferred with the Senator from Illinois [Mr. Lucas] and I am informed that he is compelled, if at all possible, to deliver his speech today. I do not know how much longer the Senator from Montana will be speaking, but I feel that we cannot now in the middle of the situation recess and leave suspended in the air the addresses expected to be made by Senators who were led in good faith to believe that they would be permitted to deliver their speeches this afternoon. I do not think it would be fair to do such a thing. I do not know how much longer it will take, but I do not think it will take more than another hour or two.

Mr. WHEELER. Let me say to the Senator that if I am not interrupted I think I can finish in half an hour.

Mr. BARKLEY. I think we should go ahead.

Mr. WHEELER. Frankly, I say that I myself would feel very much embarrassed to ask that the Senate recess at this time. If no one were to follow me this afternoon and if the Senator from Illinois [Mr. Lucas] and the other Senators had not given out their speeches and if a recess at this time would not interrupt them, of course, I should be glad to have a recess taken now.

Mr. BARKLEY. I appreciate that.

Mr. WHEELER. However, under the circumstances, frankly I would not feel right about it. I would not want someone to embarrass me in such a way, and I just could not ask that anything be done to cause such embarrassment to others.

Mr. McCARRAN. In deference to the Senator from Montana I desire to state that I was only trying to suggest a course of procedure that would lend emphasis to the expressions of the Senator from Montana.

Mr. WHEELER. I am very grateful and very thankful to the Senator from Nevada, and I appreciate his efforts very much.

Mr. McCARRAN. Further, I desire to state that the speech of the Senator from Montana appeared several hours before it was delivered on yesterday; so there is nothing particularly peculiar about such a situation.

Mr. BARKLEY. The trouble was that the Senator's whole speech was given to the press yesterday, whereas he delivered only half of it at that time. Of course, the Senators who interrupted the Senator from Montana in the course of his speech were responsible for the fact that the Senator was able to deliver only half of his speech yesterday. The Senator from Montana would have completed his speech yesterday if he had not been thus interrupted; and, of course, as I have frequently said, such a situation always is in the control of the speaker.

Mr. WHEELER. Let me say that I gave out the speech the night before with the understanding that I was to go on at 12 o'clock, but the Senator from Connecticut [Mr. Maloney] took the floor at the hour of reconvening, thus further delaying my own address. I shall continue. Mr. President, the President's functions with respect to foreign relations are not so difficult to fathom if we keep our eyes fastened on the language of the Constitution and do not let them wander to gaze at the fair vision of the new order which is rising from the ashes of the New Deal. The President has power, by and with the advice and consent of the Senate, to appoint ambassadors and other public ministers. He has power to receive ambassadors and other public ministers. Through these representatives he naturally has power to carry on conversations and negotiations with foreign governments; but he cannot make a treaty without Senate ratification; and whatever may be embraced in the term "Executive agreement" even the Attorney General concedes that arrangements resulting from negotiations involving commitments as to the future must be submitted to the Senate for ratification. He qualifies this by saying that the commitments must carry an obligation to exer-



cise powers vested in the Congress in order to be considered a treaty. This is an important qualification on the rights of the Senate, with which I do not agree, and for support of which the Attorney General has no authority except his own. I shall pass it over as merely another symptom of the disease which has infected our executive department in its efforts to exalt itself at the expense of the legislative branch of the Government.

A careful reading of the Curtiss-Wright case shows that the Supreme Court has said nothing particularly momentous on the issue I am discussing; in fact, nothing that even bears on it. The principal question passed on by the Court was whether a certain joint resolution enacted by the Congress constituted an invalid delegation of legislative power. The joint resolution provided that if the President shall find that the prohibition of the sale of arms and munitions of war in the United States to certain belligerents may contribute to the reestablishment of peace between them, and if he makes proclamation to that effect, it shall be unlawful to sell such arms and munitions to such belligerents, and so forth. On May 28, 1934, the President made such a proclamation with respect to Bolivia and Paraguay, and on November 14, 1935, he revoked it. The Curtiss-Wright Co. was indicted for selling machine guns to Bolivia during the period the proclamation was in force.

It was contended that the joint resolution was invalid as an excessive delegation of legislative functions. The Supreme Court found it unnecessary to determine whether the joint resolution would have been open to this challenge if it had related solely to internal affairs. The Court held that it was not open to the challenge because it related to foreign affairs, in which the President necessarily has a broad discretion under the Constitution and should not be bound by narrowly definite standards. That is all the case held. True, the opinion, written by Mr. Justice Sutherland, contains a long dissertation on the subject of the President's power to control foreign relations, most of it dictum, but none of it derogating one iota from the war powers of Congress or the control of the Senate over treaties through the process of ratification. Among other things, the opinion quotes with approval the statement that—

For his conduct he (the President) is responsible to the Constitution (p. 319).

And says that his power in the field of international relations—

like every other governmental power, must be exercised in subordination to the applicable provisions of the Constitution (p. 320).

Of course, this is true—and it gives small comfort to the school of thought represented in the Attorney General's opinion.

It happens, however, that Mr. Justice Sutherland expressed his views directly on the question we are considering in his book, *Constitutional Power and World Affairs*. I wish time permitted me to read in full chapter IV of this book, entitled "The War Powers—Nature, Basis,

and Distribution," but I shall have to limit myself to portions of it.

After summarizing the applicable provisions of the Constitution, he states:

A declaration of war, for example, is generally a matter for the Executive. It is the King of England, and not Parliament, who possesses the power. Parliament, by reason of its control of the purse, may exercise a restraining or even a controlling influence, and, thereby delay or prevent a declaration of war by the King; but Parliament can neither directly declare nor directly prevent a declaration of war. The framers of our Constitution, however, concluded, and I think wisely, that such a power in the hands of a single person was not consonant with the genius and spirit of a republic such as ours. They, therefore, provided that Congress, and not the President, should have the sole power to declare war. The effect of this, as already suggested, is not to confer a power on the general government which otherwise would not exist, but to point out the department of that government upon whom the duty and responsibility of exercising the power shall rest. The period of deliberation having passed and the people, through their chosen representatives, having determined upon war, vigorous and effective action must ensue, to the end that the conflict may be speedily and successfully prosecuted. Here, singleness of command and concentration of power are vitally essential, and so the power to wage war is given to the President as Commander in Chief, and not to Congress.

Let me emphasize this point—it is only after the representatives of the people have determined upon war that the President is possessed of any war powers. To continue quoting Mr. Justice Sutherland:

The war powers vested in Congress and the war powers vested in the President, by virtue of his office as Commander in Chief are distinct. Generally speaking, the war powers of the President under the Constitution are simply those which belong to any commander in chief of the military forces of a nation at war. The Constitution confers no war powers upon the President as such. \* \* \* It will tend to a more distinct understanding of the President's powers and limitations as Commander in Chief if we will leave out of consideration altogether the fact that he is President, and think of him as a person who holds the military office only.

Certainly no one will contend that a military officer has power in time of peace to commit acts of war or acts provocative of war without being ordered to do so by the agency of the Government entrusted with the power to effect the transition from peace to war; namely, Congress. After reviewing the President's powers as set forth in the Constitution, the Justice continues:

All these duties relate, primarily to a condition of peace; that is, they do not contemplate war as a basis for their exercise, though, of course, they may be exercised in time of war as well as in time of peace. He does not, however, command the military forces of the United States as President but as Commander in Chief.

The war powers, with the exception of those pertaining to the office of Commander in Chief, are vested in Congress, and that body must exercise its own judgment with respect to the extent and character of their use. The advice and counsel of the President should be given great weight, but the acceptance of the President's recommenda-

tions must be the result of intelligent approval and not of blind obedience. Any other course involves a double betrayal of official trust—usurpation of power by the President and abdication of duty on the part of Congress.

So when reference is made to the plenary power of the President of the United States in peacetime to send the Army and the Navy anywhere contrary to the Constitution of the United States, I say there cannot be found any competent authority who will contend that he has such power.

I shall quote from Abraham Lincoln; but, first, let me say that it will be recalled that early in 1848 the Whigs introduced a resolution to the effect that the Mexican War had been "unnecessarily and unconstitutionally commenced by President Polk." The Whigs voted supplies once the war was on, but they had been bitterly opposed to starting it. Their resolution failed to pass against a Democratic majority, but most of the Whigs voted for it. One of them was Abraham Lincoln, then serving his only term in the House of Representatives. His friend, Herndon, wrote from Springfield, challenging Lincoln's position. Mr. Lincoln, in part, replied:

Allow the President to invade a neighboring Nation whenever he shall deem it necessary to repel an invasion, and you allow him to do so whenever he may choose to say he deems it necessary for such purpose, and you allow him to make war at pleasure. Study to see if you can fix any limit to his power in this respect, after having given him so much as you propose. If today he should choose to say he thinks it necessary to invade Canada to prevent the British from invading us, how could you stop him? You may say to him: "I see no probability of the British invading us," but he will say to you, "Be silent; I see it, if you don't."

I quote further from Lincoln:

The provision giving the war-making powers of the Constitution to Congress was dictated, as I understand it, by the following reasons: Kings had always been involving and impoverishing their people in wars, pretending generally, if not always, that the good of the people was the object. This our Convention understood to be the most oppressive of all kingly oppressions, and they resolved to so frame the Constitution that no man should hold the power of bringing this oppression upon us. But your view destroys the whole matter and places our President where kings have always stood.

The entire letter may be found on page 111, volume 1, *Abraham Lincoln Complete Works*, edited by Nicolay and Hay.

So, Mr. President, when Senators have said that when we pass this bill, and give to the President power to commit acts of war, the Congress of the United States is abdicating its constitutional power, we not only have the opinion of a former Associate Justice of the Supreme Court of the United States, Mr. Justice Sutherland—one of the greatest authorities on constitutional government in the United States—but we have the opinion of a former President of the United States, Abraham Lincoln, about whom we talk so much, and whose opinions we revere.

As pointed out by Mr. Justice Sutherland, and as held by the Supreme Court in *United States v. MacIntosh* (283 U. S.



605), in which the opinion was also written by Mr. Justice Sutherland, the term "to declare war" necessarily connotes "the plenary power to wage war."

One premise of H. R. 1776 in its present form is that because of the new doctrine the Congress cannot forbid the conveying of ships, even of British ships, because that would invade the supposedly plenary, unlimited power of the President as Commander in Chief. I hope I have convinced the Senate that this premise is without the slightest semblance of foundation. The doctrine is a product of a school distinctly out of sympathy with the American form of government.

This view, expressed by Mr. Justice Sutherland, has been the sound and recognized doctrine of this country ever since the beginning of its history under the Constitution. We have no less authority for this than the Federalist Papers themselves. In paper No. 69, written by Alexander Hamilton, we find the following:

The President is to be Commander in Chief of the Army and Navy of the United States. In this respect his authority would be nominally the same with that of the King of Great Britain, but in substance much inferior to it. It would amount to nothing more than the supreme command and direction of the military and naval forces, as first general and admiral of the Confederacy; while that of the British King extends to the declaring of war and to the raising and regulating of fleets and armies—all of which, by the Constitution under consideration, would appertain to the legislature.

As against Attorney General Jackson, I am content to put forth the opinion of one of our great heads of the Department of Justice of the past, the Honorable Caleb Cushing. He had occasion to render an opinion with respect to the power of Congress "to make rules for the Navy and regulation of the land and naval forces," and the related question as to how much power this left to President Fillmore. The situation was this: The Congress had authorized the President, through the Secretary of War, to make rules and regulations governing the Army, but had not delegated to him any corresponding authority with respect to the Navy. Notwithstanding this, the President, through the Secretary of the Navy, assumed the power, and promulgated regulations for the Navy. Listen to what Mr. Cushing had to say on the subject in 1853, volume 6 of the Opinions of the Attorney General, page 10:

On the letter and theory of the Constitution, the President has no separate legislative powers. The Constitution has carefully distinguished the two powers, the Executive or administrative, and the legislative, one from the other. The President, whether as Executive of the United States, or as Commander in Chief of the Army and Navy, has no legislative power of himself alone, except in his peculiar legislative relation to, and in conjunction with, the two Houses of Congress. But the system of orders and instructions is, in my judgment, an act in its nature essentially and emphatically legislative, not Executive, and therefore can have no legality, unless or until sanctioned by Congress, either by previous authorization, or by subsequent enactment, neither of which grounds of legality does it possess.

I know there is a tendency in some quarters to cite one or two cases as au-

thority for the proposition that the President has power to issue such regulations purely by reason of his office as Commander in Chief. The only decision of a United States court that I have heard cited for such a proposition is *United States v. Eliason* (1842), (16 Peters 302). On examination, this case proves to hold nothing of the sort. The rules under consideration in that case had to do with the Army, and were pursuant to express authorization by the Congress.

In this connection, I call attention to the recent published opinion of Prof. Edward S. Corwin, of Princeton, appearing in the New York Times for Sunday, February 23, 1941. Professor Corwin is well known as the author of a number of books on matters relating to the Constitution, including his recent volume entitled "The President, Office and Powers." It is his conclusion that Congress has power to prohibit the President from using the Navy to convoy British merchantmen, particularly because of Congress's power to declare war. I quote the following from his opinion:

In short, to Congress must be attributed authorization of any acts of hostility on the part of our Government against others, and certainly no one can deny that for us to furnish British merchantmen with naval convoy would be an act of hostility against Great Britain's enemies.

It is true that in the course of practice under the Constitution a kind of war-making power has come to be attributed to the President, especially with respect to regions bordering upon the Caribbean, but warlike measures undertaken by the Commander in Chief on this vague authorization are by allowance only. When Congress has spoken with reference to matters of this character its will must be deemed controlling.

I ask unanimous consent that the entire article of Professor Corwin be inserted in the RECORD at this point, without reading.

The PRESIDING OFFICER. Without objection, it is so ordered.

The article is as follows:

#### CONVOYS DEBATED—COURT RULING HELD TO PLACE POWER WITH CONGRESS

TO THE EDITOR OF THE NEW YORK TIMES:

I wish to demur to the views expressed by my good friend Charles Warren with regard to Congress' power in the matter of convoys. Mr. Warren argues that Congress would have no power to prohibit the President from using the Navy to convoy British merchantmen. It seems to me that the contrary is the case, particularly because of Congress' power to declare war.

In this connection the opinions of the justices in the early case of *Bas v. Tinny* (4 Dall. 37 (1800)), seem to me fairly conclusive as to the original theory of the Constitution on this point. Incidentally to deciding the case the Court had to pass upon the nature of the relations existing between the United States and France in 1799, in dealing with which Justice Chase said:

"Congress is empowered to declare a general war, or Congress may wage a limited war; limited in place, in objects, and in time. If a general war is declared, its extent and operations are only restricted and regulated by the jus belli, forming a part of the law of nations; but if a partial war is waged, its extent and operation depend on our municipal laws.

#### PARTIAL WAR ONLY

"What, then, is the nature of the contest subsisting between America and France? In my judgment, it is a limited,

partial war. Congress has not declared war in general terms; but Congress has authorized hostilities on the high seas by certain persons in certain cases. There is no authority given to commit hostilities on land; to capture unarmed French vessels, nor even to capture French armed vessels lying in a French port; and the authority is not given, indiscriminately \* \* \* but only to citizens appointed by commissions, or exposed to immediate outrage and violence. \* \* \* but, nevertheless, it is a public war, on account of the public authority from which it emanates. \* \* \*

"The acts of Congress have been analyzed to show that a war is not openly denounced against France, and that France is nowhere expressly called the enemy of America; but this only proves the circumspection and prudence of the legislature.

"Considering our national prepossessions in favor of the French Republic, Congress had an arduous task to perform, even in preparing for necessary defense and just retaliation. As the temper of the people rose, however, in resentment of accumulated wrongs the language and the measures of the government became more and more energetic and indignant; though hitherto the popular feeling may not have been ripe for a solemn declaration of war, and an active and powerful opposition in our public councils has postponed, if not prevented, that decisive event, which many thought would have best suited the interest as well as the honor of the United States.

#### WILL OF CONGRESS CONTROLS

"The progress of our contest with France, indeed, resembles much the progress of our Revolutionary contest, in which, watching the current of public sentiment, the patriots of that day proceeded, step by step, from the supplicatory language of petitions for a redress of grievances, to the bold and noble declaration of national independence.

"Having, then, no hesitation in pronouncing that a partial war exists between America and France, and that France was an enemy, within the meaning of the act of March, 1799, my voice must be given for affirming the decree of the Circuit Court."

In short, to Congress must be attributed authorization of any acts of hostility on the part of our Government against others, and certainly no one can deny that for us to furnish British merchantmen with naval convoy would be an act of hostility against Great Britain's enemies.

It is true that in the course of practice under the Constitution a kind of war-making power has come to be attributed to the President, especially with respect to regions bordering upon the Caribbean, but warlike measures undertaken by the Commander in Chief on this vague authorization are by allowance only. When Congress has spoken with reference to matters of this character its will must be deemed controlling.

#### HAMILTON'S OPINION

I might add that Mr. Warren's quotations assertive of the prerogative nature of the President's power as Commander in Chief can be matched by quotations of a very different tenor. In Federalist 69 Hamilton minimizes the power of the President as Commander in Chief in the following words:

"The President is to be Commander in Chief of the Army and Navy of the United States. In this respect his authority would be nominally the same with that of the King of Great Britain, but in substance much inferior to it. It would amount to nothing more than the supreme command and direction of the military and naval forces, as first general and admiral of the confederacy, while that of the British King extends to the declaring of war and to the raising and regulating of fleets and armies—all which, by the Constitution under consideration, would appertain to the legislature."



Mr. Warren himself recognizes that the President's power as Commander in Chief is limited by Congress' power to dispose of "property belonging to the United States." Nor could the President, by virtue of the same or any other power, set aside the Neutrality Act, which was enacted by Congress by virtue, in part, of its power over commerce and, in part, of its powers in the field of international relationship. And there would seem to be no reason why Congress' power to declare war should not be equally controlling.

EDWARD S. CORWIN.

PRINCETON, N. J., February 17, 1941.

Mr. WHEELER. So, Mr. President, when I hear Senators on the floor of the Senate argue, or when I read columnists and read these utterances by the Attorney General of the United States to the effect that the President, under his powers as Commander in Chief, may send the Army and the Navy anywhere, I say it is because they have not read the Constitution of the United States, and they have not read the authorities, both in this country and in England, on constitutional law who have given their interpretation to it. The President of the United States has no power to commit acts of war. That power rests with the Congress of the United States alone; and yet this bill delegates to the President the power to violate international law as recognized by the Government of the United States and as recognized by every country in the world.

It is said there is no longer any international law because of the hysteria and the fear which is generated throughout this country by the motion pictures and by the publicists.

In New York a few days ago a man condemned a great meeting at which I spoke, and said that it was un-American because the people applauded or did not applaud, or booed someone or did not boo someone else. This man, coming to the United States only a few years ago from England, and other people coming here as refugees from their own countries, say that those of us who do not want this Nation plunged into war, are un-American; that we are un-American because we are trying to preserve the Constitution of the United States; because we are trying to keep the people of this country out of the holocaust of war; because we do not want to give to the President powers which belong to the Congress.

Some of my conservative friends in this body and throughout the Nation have preached and talked and preached and talked about the Constitution of the United States, but when it came to passing laws designed to feed and clothe the hungry, they maintained such legislation was unconstitutional. When was it that Tom Lamont ever agreed that the Constitution of the United States gives the President the power that he now urges be given Franklin Roosevelt? When did these international bankers agree we should not balance the Budget? Surely they are willing to balance the Budget when it comes to feeding the hungry; they are willing to balance the Budget when it comes to aiding the drought-stricken farmers; they are willing to balance the Budget when it comes to caring for undernourished in the United States; but they are willing to unbalance the

Budget by billions upon billions and billions upon billions for the purpose of taking us into war. Why do they want to get us into war? I do not know, I cannot understand, except upon one theory: They think more of their money invested across the water in European countries than they do of human beings in the United States.

Is it any wonder that women, the mothers of America, come here and excitedly seek to interview Members of Congress? These mothers who fear, and in my opinion with justification, that their sons will be taken—trained briefly in the refinements of mass murder, and then be sent to the slaughtering pens of Europe, Africa, or Asia. Some Senators condemn these mothers and some want to throw them into jail. Why? Because they dared to come to the Capitol, and to protest steps that would take us to war.

I go to my office and I find a policeman standing every few steps. I do not know who is responsible for it. Certainly, I need no policeman to protect me. I am not afraid to let the people of the United States come into the Capitol at any time they desire. We are not at war, we have not any enemies in the United States, we should not have any here. The only reason why we have all these guards and policemen trying to herd people as they do in Russia or as in war time, is to create a psychology of war.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. WHEELER. I yield.

Mr. CLARK of Missouri. I suggest to the Senator that those who are responsible for trying to suppress citizens in any lawful effort to present views to the Congress of the United States have never taken the trouble to read the constitutional provision guaranteeing the right of petition in this country, the preservation of which occasioned one of the greatest and longest parliamentary fights that ever took place in the history of the United States, and contributed in considerable degree to bring about the American Civil War.

Mr. WHEELER. Mr. President, I differed with the President in regard to the Supreme Court, and a great many people in my State wrote me letters, and some of them came here to protest. They did not use the nicest kind of language at times. Some of them came all the way from my State. I felt they were mistaken. They came from Montana to protest to me about my action. But when they came to protest, I invited them into my office. At times they used language which was not very polite, but I saw them. I believe that under the Constitution of the United States American mothers of this country, American fathers of this country, American workers of this country, no matter to what party they belong, or what their beliefs might be, are entitled to petition their Government, and to express their views to their Senators and their Representatives.

When we stop that, oh, then we go into dictatorship. We put ourselves on the same plane with the royalists of Europe who produced the present holocaust. When we do that, we indicate that we do not believe in democracy any longer,

do not believe in allowing the poor of the country to be heard.

Mr. CLARK of Missouri. Is not the right of petition one of the four freedoms which by the President's annual message, we are committed to guarantee around the world?

Mr. WHEELER. Surely; we are going to carry it to China.

Mr. CLARK of Missouri. It is all right to preserve it in India and China, but in the United States peaceful petitioners will be investigated by the F. B. I.

Mr. WHEELER. Of course. I stated a moment ago that certain Members of this body have preached to me and criticized me when I voted for measures appropriating money out of the Treasury for the poor and the lowly. They denounced in no unmeasured terms the idea of giving the President of the United States powers which they said were dictatorial, to be used in feeding the hungry. But I see the same great statesmen, the same great conservatives, now saying, "Give the President this power." Give it to him for what? To preserve the British Empire! Hitler, though he has failed to cross the English Channel in some 9 or 10 months, is coming across 3,000 miles of ocean to attack us. They must think us a Belgium, a Holland, a Luxembourg, or a Denmark. They read Dorothy Thompson, they read Joe Alsop, and they read Walter Lippmann. They hear Mr. Swing and they hear Walter Winchell. Then they shiver; they are afraid to sleep lest when they awaken they will find Mr. Hitler landing troops. They fear that Mr. Hitler will bomb New York City tomorrow and then bomb Savannah, Ga. They fear the Japs, having no worries in China or the Orient, will cross the Pacific Ocean and take San Francisco, or Portland, or some other city. We are acting like children—afraid of the man on the stair who is never there.

Mr. President, some day sanity will return to the United States. I saw the same sort of hysteria sweep over the country in 1917. I saw a city council pass a resolution to prohibit me from speaking in the city. They did this because certain newspapers said that I was preventing the United States district attorney from sending everyone to jail who he thought belonged there; that I favored giving workers an increase in pay; that I favored better prices to the farmers for their products. I saw the houses of men who did not agree with the majority, painted red. Men were hanged for their opinions. Others were taken into cellars and beaten. I saw civil liberties denied in the United States. I never would have believed that 22 years later the same serpent of hysteria and prejudice and warmongering would again raise his ugly head to scare Members of the United States Senate.

Mr. President, certainly I could arise and wave the American flag, I could stand here and wrap myself in the American flag, and I could talk about "our cousins across the water," and I could shout that the lights are going out all over Europe. But I am not trying to appeal to Senators' prejudices or passions. I am simply trying to appeal to



the common sense of the Members of the United States Senate, to the common sense of the people of this country, and ask them to be realistic. I ask Congress not to give away the powers it should exercise under the Constitution. I ask Congress not to lightly toss away its duty and prerogative and give them to the President. If the American taxpayers want to help England, if they want to loan her money, if they want to give her money, then we can do that within the framework of the Constitution. But no reason exists—and never will exist in a democratic republic—to delegate our powers to the President of the United States, as is proposed to be done under this measure.

Mr. President, what are you going to tell your people when you go back home? Are you going to say, "I wanted to balance the Budget; I did not want to give money to the workers; I did not want to give money to the farmers; I did not want to give money to the widows or to the aged; but I was willing to vote to permit the President of the United States to give \$1,300,000,000 to any or all countries in the whole wide world."

Mr. President, is it any wonder that we have distress in this country? Realize what is happening and what may happen and does anyone then believe that "isms" will not grow in the United States? Senators, read some of the letters which come into your offices from patriotic mothers—mothers, some of whose husbands were killed in the last war, and who now have sons just the right age for cannon fodder who are now being drafted. It is time that the Senate, the Congress, and the people of this country displayed sanity. This country is being torn to pieces by insidious, war-minded propaganda. They are subversive who want to get this country into war. They are subversive because war will mean the end of what we have known as constitutional government. War will mean dictatorship during the course of the war, could mean the permanent end of parliamentary government in the United States. I have been asked what is the other road. Of course, no one can see it clearly. We shall have difficulty in the United States, whether we go to war or keep out of it. We shall have a terrific job on our hands to bring about decent living conditions and to maintain a semblance of prosperity. We shall have a difficult time keeping the country out of dictatorship no matter what happens. But if we take the war road we know beyond any cavil that dictatorship and disaster are the destination; if we take the other road, we have at least a chance—and I believe a good chance—to save democracy in the United States.

On somewhat the same premise, somewhat paradoxically, we are asked in this bill to authorize the President to commit acts of war which would be tantamount to delegating to him the power to declare war. One such provision is the authorization to use our harbors as havens of refuge and repair for the naval vessels of one belligerent and not of the other. There can be no reasonable doubt as to the warlike character of such an act. For example, in the 1940 edition of Pro-

fessor Oppenheim's treatise, page 554, appears the following—Professor Oppenheim was one of the most distinguished English authors on international law:

It is obvious that belligerent men-of-war must not commit any hostilities against enemy vessels during their passage (through neutral territorial waters) and must not use a neutral maritime belt and neutral ports as a basis for their operations against the enemy. \* \* \*

The limits \* \* \* of the right of the neutral state to permit the passage of belligerent men-of-war through territorial waters was well illustrated by the case of *Altmark*.

All that I have said applies with equal force to any contemplated act of our Government in seizing German, Italian, or Japanese merchant ships in our harbors. To authorize such an act is to authorize the equivalent of a declaration of war, without the approval of Congress, whenever the President chooses to throw us into war. By H. R. 1776 the Congress delegates to the executive branch of the Government the power which, above all other powers, should be jealously and zealously retained by the representatives of the people. Under the Constitution they, and not the President, have been charged with the terrible responsibility.

#### *B. The delegation of legislative powers*

The second group of constitutional questions raised by H. R. 1776 has to do with whether the bill oversteps the bounds of validity in attempting to delegate legislative powers to the President. I believe it does, Mr. President, and that it is unconstitutional. While, as all of us know, the Supreme Court has gone a long way in upholding delegations of legislative power to the Executive and to administrative agencies, it has placed limits on this process in such decisions as in the hot-oil and the sick-chicken cases, *Panama Refining Co. v. Ryan* (293 U. S. 388), and *Schechter v. United States* (295 U. S. 495). As Mr. Justice Cardozo so ably stated, a valid delegation must be "canalized within banks that keep it from overflowing"; it must not be "unconfined and vagrant"; and it must not be in effect "a roving commission to inquire into evils and upon discovery correct them."

If there ever was a bill that sought to set up a roving commission to inquire into evils and upon discovery correct them, it is this. The unfettered powers it confers upon the President to determine what countries should be aided, what the aid shall consist in, and what conditions and terms shall be imposed on them is a roving commission on an international and world-wide scale. This, I think, I have already pointed out sufficiently. In my opinion, the Curtiss-Wright case furnishes no answer to the charge of invalidity. H. R. 1776 deals only partly with the field of foreign relations, but, insofar as it does so, it seeks to authorize the President to impose terms and conditions on the foreign countries aided which may require until July 1, 1946—3 years after his powers expire—to carry out both on his part and on the part of the foreign governments. Such arrangements, call them what you will, are treaties and require ratification by vote of two-thirds of the Senators.

This constitutional requirement cannot be bargained away for the future.

Nor does the Curtiss-Wright case justify our delegating to the President the equivalent of the power to declare war or the power to regulate and carry on foreign commerce through a barter system. We must not overlook the unlimited authority the bill would give the President to set aside any existing law that stands in the way of the full accomplishment of his broad powers. Nor may we overlook the powers themselves, having to do with all articles of any kind and including the manufacture or otherwise procuring of such articles. To a great extent these powers have to do with internal affairs and, if they can be delegated at all, must at least be accompanied by reasonably definite standards.

But I do not propose to enter upon a lengthy discussion of the subject of delegated legislative powers. As I have previously indicated, I fear that, no matter how unconstitutional this bill may be, once it becomes law, no practical way of testing its validity will be available. With increasing frequency during recent years, the Supreme Court has said that the legislative branch of the Government has an equal share of responsibility for seeing to it that laws are within the framework of our fundamental charter. We, the Congress, are accountable if this bill, which sets at naught our institutions and our traditions, is permitted to become law.

The subject of "delegated legislative powers" sounds like a dry, legalistic matter. But it has to do with an issue of paramount importance to our form of government. It has to do with one of the principal features distinguishing a democracy from a dictatorship. It is a landmark we cannot afford to obliterate.

#### CONCLUSION

My analysis of the bill is now concluded, and I shall add only a brief summary to remind the Senate of the principal points I have tried to develop.

First. The title of the bill, with its catch-word, "defense," is contradicted by its contents. Actually, it is a bill which would strip us of our defenses, invite the Chief Executive to plunge the country into war, and create a dictatorship. Its title should be the "American Enabling Act of 1941."

Second. "Defense article," defined in section 2, means any and all articles of every conceivable kind.

Third. The powers conferred on the President by section 3 to deal in "defense articles"—

(a) May be delegated to any agent or officer he chooses to designate.

(b) May be exercised in favor of any country he chooses, whether or not it is a democracy, including the countries of South America in their controversies with each other, or in their internal revolutions.

(c) May be exercised on any terms and conditions he chooses to impose on foreign governments, which may or may not include money or other things of value, disregard of their war aims or attempts to control their war aims, an attempt to set up an N. R. A. of the uni-



verse, or a world-wide superbarter system, including the taking over of the surplus farm products of South America.

(d) Include a vast variety in methods of dealing in such articles, including the power to commit acts which are the equivalent of a declaration of war and which would involve the United States in war, including: First, the seizure of German, Italian, or Japanese merchant ships in our harbors; second, the sending of American merchant vessels to belligerent ports in violation of section 2 of the Neutrality Act of 1939; third, the furnishing of a haven in our ports for belligerent men-of-war for repairs, outfitting, and other purposes; and fourth, because not sufficiently negated, the use of American naval vessels for conveying either belligerent or American merchant ships, all these acts being in violation of international law.

(e) Includes the power at will effectively to repeal or suspend a large and undetermined number of existing laws, probably, including at least some of the laws enacted for the benefit of labor.

The virtually unlimited scope of these powers is not seriously restricted by the provisions in the bill with respect to appropriations, time limitation, or the 90-day reports required of the President. Section 9, conferring equally broad regulation-making powers on the President, is delegated legislative power with a vengeance, perhaps giving him power to legislate for the whole world.

Fourth. Serious and fundamental questions of constitutional law and of our very form of government are raised by the bill, including:

(a) The question whether the President's role as Commander in Chief of the Army and Navy is "unlimited" and overrides the constitutional powers of Congress to determine whether the United States shall remain at peace or go to war.

(b) The question whether legislative powers may be delegated to the Executive to such an extent that an "American Enabling Act of 1941" will find its way onto our statute books, to blot out over 150 years of successful democracy under the Constitution.

I have commented at length on the new doctrine because to me it is a legal and constitutional monstrosity, full of a deadly fatal poison for the future of our country. The preaching of this doctrine, I must add, has been accompanied and paralleled by an equally sinister and ominous poison in the realm of factual statements. In recent days our land has resounded, with the frenzied voices of propagandists shouting, "We are already at war." These shouts have been echoed deliriously by Cabinet officers testifying at committee hearings and by a woman radio commentator addressing thousands of our citizens at a meeting presided over by the First Lady of the Land, and by a constantly swelling group of columnists and armchair experts. In the name of our forefathers and in the name of the American people I say to them: Stop; that is not true; we are not at war. The American people have shown in no uncertain terms that they refuse to be at war. If this Congress but retains its calm and reason, heeds the will

of the American people, and steadfastly refuses to surrender its power under the Constitution, please God, we shall not go to war.

Why are such statements made? Is it to make the people feel resigned to a fate which the war shouters plan and foresee for them? Or is it to seek to justify, in the minds of the electorate, enormous grants of power to the Commander in Chief, grants which can only be justified, if ever, on the theory that we are already in the crucial stages of a war? Whatever the reason, so far as words can do so, the way for the ghoully specter of war is being prepared. The narcotic phrase "short of war" has not been heard since November 5. Cabinet officers and others in high station speak of the "inevitability of war." Members of Congress declaim "We are ready to fight." Once again, as in the early months of 1917, we hear the ominous phrase, "Some things are worse than death." Dorothy Thompson is screaming that she is ready to sacrifice the lives of a million American boys to crush Hitler and will give her own son to the cause. Think of it! She will give a life that belongs not to her but to the boy and to the country! She will give the suffering which his maimed body will have to endure. Others, like parrots, repeat her words, glowing with a sense of vicarious heroism but dull to the sinister meaning of their hollow utterances. In the past such talk has been the harbinger of death.

No, Mr. President, we are not yet at war. But we must retain our powers under the Constitution if we are to stay out of war. We must, so far as considerations of our own national defense permit us, turn our thoughts and hearts and efforts to the pursuits of peace and the preservation of our democracy, and work toward days when, in the words of the prophet Isaiah:

They shall beat their swords into plowshares and their spears into pruning hooks; nation shall not lift up sword against nation, neither shall they learn war any more.

Mr. LUCAS obtained the floor.

Mr. LEE. Mr. President, will the Senator yield for me to read a paragraph from history to substantiate a challenge which was made recently?

Mr. LUCAS. Mr. President, it is rather late, and I think perhaps I had better proceed with my speech. I regret that I cannot yield at this time.

The PRESIDING OFFICER. The Senator declines to yield.

Mr. LUCAS. Mr. President, this has been about the longest hour and a half I have experienced since I have been in the United States Senate. [Laughter.] It was my understanding that I should speak about 1:30. Otherwise I should not have attempted to speak at all today, and I should not now detain or burden the United States Senate with this address except for circumstances over which I have no control.

Mr. President, it is with further reluctance that I engage the time of the Senate and the country in discussing legislation that should be speedily enacted if aid to England is to become effective in time to bulwark our own defenses.

Time is a defense need. It affects not only England but also this Nation materially in planning and producing a defense that can meet and defeat any hostile power or combination of powers which may have designs in the Western Hemisphere. Time is a defense; and yet we have seen, during the past 2 days, time taken in the debate of this bill while Hitler overruns another country, and Japan moves farther south into the southern seas.

Time is so important that perhaps I should give every Senator my ear and not my voice. Then, too, silence in this Chamber is usually the better part of wisdom; but, Mr. President, upon the great issue before the country I am duty bound to speak and express my views. Silence at this hour would violate a solemn duty that I owe to the people of Illinois and to the Nation. Yes, Mr. President, Illinois is truly a great State. In its cities, on its farms, and throughout its industries are millions of God-fearing, independent, and liberty-loving citizens—citizens who number in their ranks every race, creed, and color, and who are vitally interested and concerned in the legislation now pending before the Senate.

Illinois, in a national crisis of an earlier day, gave Lincoln, Douglas, and Grant to the Nation. She has always stood as a bulwark of liberty. Her citizens are entitled to know my reasons for supporting H. R. 1776.

Therefore, Mr. President, I turn directly to the report and the minority views of the Committee on Foreign Relations for the premise from which my argument shall stem. I have read and analyzed both. I call the particular attention of the Senate to the general statement filed by the able Senator from Georgia [Mr. GEORGE], chairman of the committee. This statement is a masterpiece of brevity and clarity as to what these patriotic and distinguished Senators believe our foreign policy to be. The statement reiterates the pioneer policy of a nation that has been the envy of every individual throughout the civilized world who longed for the right to live in a land where freedom exists. It is so strikingly American in its context and purpose that I am constrained to burden the Senate by reading it in full. I quote:

Your committee has been engaged in earnest consideration of the need for enacting legislation of such emergency character as H. R. 1776, and has been pleased to have appear before it to aid it in its deliberations a group of eminent and distinguished witnesses representing most ably the views of the American people concerning the proposed measure. It is the conviction of your committee, confirmed by the testimony of those witnesses, that the welfare of the United States can best be served by a foreign policy based, as it has always been, upon two fundamental principles. Those principles are:

First. The United States must strive in all ways reasonably possible to stay at peace with all the world; and

Second. The United States must, in its own interests, supply effective material aid to those countries whose defense is vital to our defense.

Your committee believes that within the terms of H. R. 1776, as amended, provision is amply, safely, and constitutionally made that



the foreign policy of the United States shall continue to be guided by these two principles. To the end that we may have peace the bill authorizes aid to be given promptly to those nations whose defense is vital to ours. To the end that we may have freedom, the bill casts the strength of American industry into the struggle against forces which may be directed against us. Your committee wishes strongly to emphasize its considered conviction that H. R. 1776 is not a war measure but a practical safeguard aimed at keeping us out of war.

Mr. President, as one who places America first, I subscribe to the basic standards laid down in that general statement. It should be said at this point, however, that in order to promote national unity, I shall support certain amendments; but, irrespective of their final disposition, I shall support the bill.

I will read again the last expression in that general statement, which is—

Your committee wishes strongly to emphasize its considered conviction that H. R. 1776 is not a war measure but a practical safeguard aimed at keeping us out of war.

I repeat that statement, Mr. President, primarily because of what has been constantly said on the floor of the United States Senate during the past week about this being a war bill.

Mr. President, to me that considered conviction of these learned and distinguished United States Senators is not only reassuring but inspiring refreshing. In making that statement or any other in the course of my remarks it should be understood that I cast no reflection upon the able Senators who disagree with this report or who disagree with my position on this bill. I have great affection and admiration for them all. But, Mr. President, for the past week or more the country has heard the tramp of soldiers' marching feet here in these aisles in the United States Senate. Flags have been unfurled. War drums have been beating. The War of '17 and '18 has been recalled in all of its ghastly hideousness. Senators openly say that this bill is tantamount to a declaration of war. Prominent persons outside the Senate talk glibly and irrationally about our entry into war. Radio speakers seem to vie with one another in rash, reckless, and intemperate utterances about cold and cruel war. Is it any wonder that there exists today in America an almost fatalistic type of war hysteria? Mr. President, I thank God that there exist in the United States Senate some men who still choose their words with caution and deliberation; and I now refer to the men in the United States Senate who challenge this war hysteria or war psychosis, and tell the world that H. R. 1776 is not a war measure, but is one that is designed to keep the peace.

Fifteen United States Senators on the Foreign Relations Committee, representing practically every section of America—men highly patriotic, men trained in statecraft, men with superb judgment and skilled in the science of law—after hearing all the testimony presented before that committee, dogmatically state that H. R. 1776 is a step toward peace.

Mr. President, it is well to repeat here something that is known by every Senator as well as the great majority of patri-

otic citizens throughout America. The chairman of the Committee on Foreign Relations is one of the most distinguished men who ever served in this historic hall. I challenge any Senator to say that this able and courageous statesman is not a man who believes in peace rather than war, and one whose convictions on that subject are deep-rooted in the traditional soil of America. Is there a Senator on the floor who sincerely believes that the President of the United States would dare fling in the face of the great constitutional lawyer from Georgia a combination of a war and a dictatorship bill and expect him to embrace it with open arms?

Mr. TAFT. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. TAFT. Yes; I say so.

Mr. LUCAS. The Senator says the senior Senator from Georgia would embrace a dictatorship bill?

Mr. TAFT. No.

Mr. LUCAS. That is what I said.

Mr. TAFT. No, Mr. President—

Mr. LUCAS. Just a moment, please.

Mr. TAFT. No; the Senator asked if anyone believed—

The PRESIDING OFFICER. The Senator from Ohio will please suspend until the Senator from Illinois yields to him.

Mr. TAFT. The Senator asked if anyone believed that the President of the United States would impose on the Senator from Georgia a bill that would lead to war—is not that what the Senator asked?—without telling him that it would lead to war. I say, yes; I think he would.

The PRESIDING OFFICER. Will Senators suspend for just a moment? The Senator from Ohio is in gross violation of the rules of the Senate when he pays no attention to the request of the Chair that he suspend until the Senator from Illinois has yielded.

Mr. TAFT. I apologize to the Chair; but I did not hear the Chair make such a request.

Mr. LUCAS. I desire to add to what the Chair said, that the Senator from Ohio is one of the worst offenders on the floor of the Senate in violating the Senate's rules along that line.

I will repeat what I said, and I do not yield to the Senator from Ohio until I finish; and I want the rule observed, too. The Senator misconstrued the statement, as he and other Senators have constantly misconstrued, from time to time, statements on the floor of the Senate as to what the bill does. What I said was:

It is well to repeat here something that is known by every Senator as well as the great majority of patriotic citizens throughout America. \* \* \* Is there a Senator on the floor who sincerely believes that the President of the United States would dare fling in the face of the great constitutional lawyer from Georgia a combination of a war bill and a dictatorship bill and expect him to embrace it with open arms?

What the Senator from Ohio desires me to say is that the President would fling into the face of the Senator from Georgia such a bill, and that he would embrace it with open arms. I say that the Senator from Georgia would never embrace a dictatorship bill and a war bill, as is contended here by the Senator from

Ohio, without a long, devastating legislative struggle. Mr. President, the character and judgment and honesty and patriotism of a man such as the Senator from Georgia, WALTER GEORGE, cannot be challenged. Not only on the question of peace is his position well known, but his legal arguments on the question of the delegation of power from the legislative to the executive branch of government rank with the best that have been made on that important question.

I dare say history will record that the arguments which have been made by the great Senator from Georgia upon the question of the delegation of power will rank well with what will be said about the arguments of the Senator from Ohio upon that question.

Mr. President, the senior Senator from Georgia would be the last man in the Senate Chamber to abdicate from either of these propositions. Yesterday he stood here and told the Senator from Montana that he was willing to forget the past; that he was interested in his country. That is something that many men on the floor of the Senate cannot forget. Many men on the floor of the Senate cannot forget the campaign of 1940. Many of them are looking to the campaign of 1944, and some of them are making statements in connection with this important bill—which means the defense of America—in line with what they are thinking politically in regard to 1944. The Senator from Georgia, WALTER GEORGE, that great man from the South, said to the Senator from Montana yesterday, "Yes; I can forget what the President of the United States attempted to do to me in the purge. I am a patriot. I love my country better than I love prejudice and deep-seated bias and politics." That is what he told the country.

Mr. President, I unhesitatingly say that it is fortunate for the President of the United States and the country at large that Senator WALTER GEORGE is chairman of the Committee on Foreign Relations during this great national emergency.

But some opponents of the bill say that it is the President's bill, and that by some great stroke of magic power he has fooled these seasoned statesmen on the Committee on Foreign Relations. He has put something over on you, Senator HARRISON; he has put something over on you, Senators BYRNES and CONNALLY, and all you seasoned veterans who have been here for all of these years. Yes; he has fooled you. The same group say that if the bill is passed the President of the United States might plunge us into war. We are told that he is war-minded; that he wants to send an expeditionary force to Europe; that he wants to embroil us in war with the Japanese.

Mr. President, I do not think the people of the United States are much alarmed by such allegations. The people of the United States have learned to judge a man by his deeds. The people know that the President of the United States loves peace. They know that the man who conceived and executed the great program of social justice that he gave them is not, and cannot be, war-minded. The people know that a love



for humanity, such as the President of the United States has demonstrated, cannot exist in the same heart and mind as a love for war. The two cannot abide together.

What warmonger, Mr. President, ever carried into execution a program of social justice? What dictator, what blood-thirsty tyrant, ever devoted himself to uplifting the general welfare of his people?

To portray the President of the United States as desiring aught but peace is to deny the facts. To maintain that he is but waiting an opportunity to plunge us into war is to disregard his entire record.

A heart that beats for humanity beats on no war drums. A mind that loves humanity abhors the thought of war. Franklin D. Roosevelt has made his record. The American people know him as a humanitarian in the best sense of the word.

By what strange chemistry is it that a heart so laden with love of humanity, a mind so charged with a desire to help his people, suddenly desire war?

No, Mr. President; the people of the United States know Franklin D. Roosevelt as a man of peace, as a man with a passion for aiding humanity, as a man who fought and conquered untold physical suffering and pain. He knows what it is to suffer as much as any soldier who was ever wounded on the field of battle. The people of the United States know that he will avoid war so long as it is within his power to avoid it. They know that he has piloted the ship of state through many treacherous waters in the past. They know that when war comes, if it does—and may God forbid it—it will be a defensive war, one forced upon America by the totalitarian dictators, and not by the President of the United States.

Mr. President, H. R. 1776 is the real beginning of preparation for any unforeseen eventuality. If to prepare to defend one's land in the great emergency that now exists throughout the world is intervention, then we have been in this war for over a year. This is the first time I have ever heard it said that taking every necessary precaution to defend one's own land and ideals is an act of war. I say that to furnish weapons to a nation whose defense is vital to ours is not an act of war. The principle of self-defense is as old as civilization. After all, why all this stewing and fretting around about the so-called war powers contained in this bill? The most rigid neutrality that this Nation could adopt would not save America if it were to the advantage of Adolf Hitler to make war on us, and every Senator who knows anything about what has happened in Europe during the past 9 months knows that to be the cold and unvarnished fact. That has been demonstrated in several free countries during the last year, much to the humiliation, the despair, and the untold suffering of millions of people. That tyrant strikes with or without provocation. He ruthlessly invades and conquers without the slightest concern for treaties, pledges, or international law. It makes no difference to him what he does, or how, so long as he accomplishes the ob-

jective. Let me read to you at this point Mr. Hitler's code, the conqueror's code. This is what he says:

There is no such thing as truth, either in the moral or in the scientific sense. \* \* \* Providence has ordained that I should be the greatest liberator of humanity. I am freeing men from the dirty and degrading self-mortification of a chimera called conscience and morality, and from the demands of a freedom and personal independence which only a very few can bear. \* \* \* I make use of all means that seem to me to be of service, without the slightest concern for the proprieties or for codes of honor. And if people come blubbing to me, complaining that I am breaking my word, that I am paying no regard to treaties, that I am making a practice of trickery and deception and misrepresentation, I reply, "Well, what of it? You are free to do the same. Nobody is preventing you."

What does Hitler say about the United States?

I have been asked about my opinion of America, especially the United States and the danger of this pseudo-democratic Republic's possible attempts to hinder us in our historical development. \* \* \* We Germans have accounts which must be settled with this country. In this war, not to mention the last war, the United States holds all the gold of Europe, which was and indisputably is our property. Germany being the successive state of subjugated nations. The gold alone is practically of no value to us; but the insulting fact that something which God intended for us, which we were robbed of and which is intentionally withheld from us, must not remain unpunished.

The United States also will be forced by Germany to complete and final capitulation.

Again Hitler said:

We shall soon have storm troopers in America. We shall train our youth. We shall have men which degenerate Yankeeism will not be able to challenge. National socialism alone is destined to liberate the American people from their ruling clique and give them back the means of becoming a great nation.

I shall undertake this task simultaneously with the restoration of Germany to her leading position in America. \* \* \* The German component of the American people will be the source of its political and mental resurrection.

I guarantee that at the right moment a new America will exist as our strongest supporter when we are ready to take the stride into overseas space. We have the means of awakening this Nation in good time. There will be no new Wilson arising to stir up America against us.

Those quotations are taken from Rauschning's Voice of Destruction.

Notwithstanding these boasts of world domination, notwithstanding these jibes at degenerate Yankeeism, notwithstanding the dictator's hatred of democracy, notwithstanding the violation of every law of man and God, notwithstanding the subjugation of over 200,000,000 free people in Europe, with thousands more to come, there are those in the United States who believe that Hitler has no designs on any part of the Western Hemisphere, and especially our America. Able Senators take the position that America is safe, even though we be surrounded from the North Pole to the Straits of Magellan by the totalitarian forces in Europe and Asia and Africa. Hitler or no Hitler, they proclaim business will be as usual.

Yes; they want England to have aid, but not enough to arouse the wrath or condemnation of Hitler.

Mr. President, there are those who claim everything will be peaceful and serene in our country regardless of who is victorious in Europe. They also contend that British sea power is not vital to American defense. If this is so, I pose the following question: Why all this sound and fury about a two-ocean navy which, when completed in 1946, will be the largest of any in history? Why are we so anxious about adding thousands upon thousands of airplanes, tanks, and all other weapons of modern warfare to our present strength? Why, if we fear no one after the fury of hell in Europe is spent, did the Seventy-sixth Congress burden the taxpayers in America with \$13,106,000,000 in appropriations and contract authorizations, to say nothing of the billions yet to come?

Mr. President, actions speak louder than words, for the record discloses that no Senator of the Seventy-sixth Congress voted against the appropriations necessary to arm America to the teeth on the land, on the sea, and in the air. There can be only one answer to this extraordinary procedure brought about by a unanimity of thought in this Senate Chamber. And, Mr. President, it does not lie in the fact that we have any fear of the English Navy attacking the shores or outposts of America. The only logical conclusion to reach is that we, here in this greatest of all legislative halls, fear that some day England might lose that fleet through destruction or surrender before we can complete our two-ocean Navy in 1946. We fear a Hitler victory.

Mr. President, if I were convinced that regardless of who wins the war in Europe America is safe from the standpoint of both an economic or military invasion, I never could have conscientiously voted for a single dollar for defense purposes beyond the normal and usual appropriations. In my opinion, these appropriations of billions of dollars by a unanimous Senate is clinching proof that every man on this Senate floor fears that the totalitarian germs somehow, someway, somewhere, some place may spread their deadly poison into the Western Hemisphere.

No, Mr. President, I repeat that H. R. 1776 is a peace measure and not one of war. I submit it is a step in the direction of peace, and if I thought for one moment that it was a step toward war, I would be standing here opposing it with all of the power and force that I command. I have heard Senators, in the course of this debate and outside, make some dire and baneful predictions for America if this bill becomes the law. For instance, one Senator says the bill is tantamount to a declaration of war. Another said that every boy who goes out for 1 year's training was going for good and for all if this bill passes. Think of it! Another said it was un-American and a war bill. Another said this bill would be the means of plowing under every fourth American boy. Another said the bill was fraught with grave peril in the American way of living. Another said war would come within 30 days if the



bill passed. That was the Senator from North Dakota, who has made many baneful predictions about the future of this country, and who has been wrong every time, in every prognostication. Yet he says on the floor of the Senate, or at least gives out statements to the press, and creates war hysteria by telling the American people that when the pending bill is passed war is going to be here within 30 days.

It reminds me of the last campaign in my State, when some Republican organizations went so far as to publish half-column advertisements telling the people that if they elected Roosevelt President war would come by Christmas, that it would be presented to them as a Christmas present.

Mr. President, another Senator said, "If war comes—and it will come if we pass this bill—tolerance will die." Think of it! Tolerance is the very foundation stone upon which rest the Bill of Rights and the right to worship God according to the dictates of one's conscience; and yet one Senator says tolerance would be dead in the United States if the pending bill were passed.

Another said that this bill is the final step before the armed force of the United States is scattered over the waters of the seven seas and the lands of four continents.

Mr. President, if all of these prophecies come true, America has just about reached her journey's end. I sincerely regret that this legislation has caused so many of my distinguished colleagues to lose faith in the future of this beloved America of ours. For me, I can see no such gloom or distaster in this bill, and I deny that it carries any of these doleful implications. Mr. President, if I thought it did, I say with a sense of deep obligation to country that, as one United States Senator, I would do my utmost to save America here on the floor of the United States Senate.

Now, Mr. President, we come to another argument used by the opposition to this measure. It is that of dictatorship—it is the charge that passage of the pending legislation will make a dictator out of the President of the United States.

How familiar, Mr. President, is that charge.

We have heard it on many occasions during the past 8 years. It has been raised time and time again; not once, but more often than I can recall I have heard the same charge made when important legislation was under consideration. Ever since I have been in Congress, during the last 6 years, almost every measure which has been presented for consideration has been said by someone to have had attached to it a "dictatorship" label. When the utility bill sponsored by the Senator from Montana, and containing the so-called death sentence clause, was passed, it was the beginning of "dictatorship" bills in this country, according to the views of many people. But the measures were passed—and still, we in America are without a dictator. In America we retain every vestige of those unalienable rights guaranteed us by the Constitution.

But still we hear the cry of "dictator," the cry of "Wolf, wolf." And there is no wolf. Such a viewpoint reveals a profound ignorance of the world of yesterday and the world of today. Such a viewpoint is utterly blind to the great differences between the political natures of Germany, Italy, Russia, and Japan, and the United States.

In this country we have been reared on more than 150 years of republican practice and democratic self-rule. The dictator nations have been reared on centuries of rule from above, relieved at periods with a diluted form of parliamentary representation. Their traditions are those of empires, kings, and the military caste. Ours are those of equality and the sovereignty of the common man. When, within the recent past, they embraced new forms of dictatorship, they were not surrendering generations of freedom. They were only giving up something they never really had. Untrained in self-government, they were only reverting to the pattern of their past. Knowing nothing of the soul of democracy and uneducated in the elastic form of republican government, they slumped back from such superficial forms of individualism as they thought they had. The Republic of Germany, after the World War of 1914-18, was short-lived, ineffectual, and weak, because its practitioners had never been trained for generations in self-government. They were unable to master the sabotage of the old junker imperial class on the one hand and the wild Bolshevik agitators on the other.

Hitler fastened his autocratic grip in Germany because there was no great body of public opinion to restrict him, no population steeped in democracy to control him.

The tragedy of Germany's past has been one of the glories of America, in that most of its citizens who could have built up a tradition of democracy had emigrated to the United States. They had climbed out of the system which bred Kaisers and autocrats, and had come to America where their own hunger for freedom could thrive. Germany's loss, across many generations, has been the United States' gain. What is true with Germany is also true with Italy and Russia on a smaller scale. What was left in their home countries were people too supine, when modern crises came, to resist the old appeal of despotism.

And now, who is it who believes that our American people, reared on independence, schooled in self-rule, toughened in the practice of preserving liberty, ever can repeat the recent history of these now prostrate peoples?

To say that the United States Senate, by passing the lease-lend bill, is starting the American people into the abyss of home-Hitlerism is to misjudge everything in the warp and woof of American character. Those who repeat this folly show that they have, in panic, or for some other reason, forgotten their neighbors, forgotten their own national history. They are already strangers in their own land.

No; my friends, the passing of the lend-lease bill will make certain that the seeds of dictatorship cannot even sprout, let alone grow and survive in the free atmosphere of these United States of America, whether those seeds are wafted in with some foreign breeze, or are planted by some misguided soul here upon our own free earth. It seems to me that people who believe so strongly and talk so much about a dictator for America never stop to think that in past emergencies our Presidents have been given executive powers of even greater magnitude, and that when those crises passed, all our national liberties came back to us, often, and I will say, usually in greater effectiveness.

Mr. AUSTIN. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. AUSTIN. While the Senator is engaged in discussing the question of dictatorship, as involved in the pending measure, I should like to ask him a question. I am greatly interested in his eloquent address, in which I agree. I have not heard great emphasis laid upon the terms of the bill itself, as they relate to the subject of dictatorship, and I should like to ask the Senator how a dictator could possibly arise out of a piece of legislation which has nothing to do with anything whatever except things.

I call attention to the fact that the bill is probably one of the narrowest bills Congress has had to deal with, for it deals only in defense articles, that is, things, not men, not strategy, not the disposal of the Navy or of the armed forces of the United States—nothing but things.

Then I ask the Senator from Illinois what his views are about this limitation upon the only power contained in the bill with respect to the industry of the United States, namely, as found in section 3 (a) subsection (1), the power, through agencies of the Government, that is—

The Secretary of War, the Secretary of the Navy, or the head of any other department or agency of the Government—

To do something about things, namely—

To manufacture—

Things—

In arsenals, factories, and shipyards under their jurisdiction.

I lay emphasis on that "under their jurisdiction."

I now ask the Senator how one can possibly imagine a dictatorship or dictatorial power arising out of such a limited direction as this, that the President, through agencies of the Government, shall manufacture war materials in institutions or factories of the Government.

Mr. LUCAS. Mr. President, the able Senator from Vermont is perfectly correct, as I view it, with respect to the bill, insofar as dictatorship is concerned. It does deal with things, and not with the rights and the liberties of people. There cannot be any question, after the bill is passed, that the inalienable rights guaranteed by the Bill of Rights and the



Constitution will remain just where they are at this moment, notwithstanding the Senator from Montana and the Senator from Missouri to the contrary. In other words, the right of petition will continue under the Constitution after the bill is passed, just the same as has always existed.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. CLARK of Missouri. The right of petition will not continue if the Senator from Virginia [Mr. GLASS] has his way and has the F. B. I. investigate everyone who comes to his office and tries to petition him.

Mr. LUCAS. The Senator from Missouri has his own views about that. I doubt if the Senator from Virginia will annul the Constitution overnight by reason of his request, which appeared in the newspapers, that something be done to protect a man who is more than 80 years of age from some women who are slightly disagreeable around his office.

Mr. President, speaking about that situation, it is unfortunate that the Senator from Missouri did not have Mrs. Dilling from Chicago come to his office. If the Senator from Missouri had been for the bill I am sure Mrs. Dilling would have been there with her crowd, and I know the Senator would have welcomed her with open arms and said, "Come right in, Mrs. Dilling. Is there anything I can do for you?" I know he loves the Constitution.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. CLARK of Missouri. Let me say to the Senator that I have received many persons in my office who did not like the course I was pursuing in the Senate. I have received them all courteously and treated them all with respect, though I have not been influenced by their exercise of the right of petition.

Mr. LUCAS. But the Senator did not get hold of Mrs. Dilling. [Laughter.]

Mr. CLARK of Missouri. The Senator seems to speak from bitter experience. [Laughter.]

Mr. LUCAS. I speak from experience, Mr. President. I can appreciate what the Senator from Virginia had to experience when that lady—shall I say—came along and presented her views. Unfortunately for many excellent persons, fine mothers with sons, who are vitally interested, as they have a right to be, that individual is jeopardizing their right of petition because of the type and kind of action in which she is indulging in the Nation's Capital.

I can tell the Senator more if he would like to hear the story. There are many things that people generally do not know, and many things which Senators imply through innuendo and implication in an attempt to place another Senator—such as the Senator from Virginia—in a bad light, without knowing the facts. As one who has had experience with the "Red Network" lady, I can sincerely appreciate the position in which the venerable statesman and great patriot from Vir-

ginia found himself when the ladies rushed him.

Mr. CLARK of Missouri. If the Senator from Illinois will permit me just one more remark, although I do not wish to take his time at this late hour, but since he asked me a question, I merely desire to say that there was once a man in the United States as old as the Senator from Virginia—a man who had been the Chief Executive of this Nation. He was then a Member of Congress. He was sent a petition calling for his own expulsion from the House of Representatives on the ground that he was crazy. He rose in his place in the House and presented the petition for his own expulsion because he believed in the right of petition guaranteed by the Constitution of the United States. He did not ask for the F. B. I. to investigate the petitioners. He rose and presented the petition, and claimed the floor for debate to prove that he was not crazy.

Mr. LUCAS. If the Senator wishes to deal with insanity petitions, I suggest that he take the matter up with Mrs. Dilling. [Laughter.]

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. BARKLEY. In that case the petition was presented to Adams in a respectful and respectable manner. That cannot be said of certain efforts recently made. The petition in that instance was not brought by Mrs. Dilling, or anybody like Mrs. Dilling.

Mr. LUCAS. I thank the Senator.

Mr. President, study the nature of our system of government and observe that President Lincoln was accused, even more hysterically and bitterly than is President Roosevelt, of having taken unto himself too much power. There were hysterical men who saw nothing but complete and permanent ruin to the temple of our liberties when Lincoln was given extraordinary powers in the sixties. There were other ever excited men in the South who cried that the soul of independence was being crushed forever in southern hearts when the Confederate Congress, in search of efficiency, voted President Jefferson Davis unprecedented authority. Yet, when the emergency passed, the people in all the States regained their rights, so quickly does the spirit of independence rebound in the American breast.

It is the way we are taught. It is the way we are raised. We have been shaped on the anvil of republican practice and democratic thinking to unite in a crisis, to delegate authority, to sacrifice temporary privilege for the sake of maintaining permanent rights.

Mr. BARKLEY. Mr. President, will the Senator yield for me to put into his remarks at this point what the Constitution says on that subject?

Mr. LUCAS. I yield.

Mr. BARKLEY. I read amendment I to the Constitution:

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to

petition the Government for a redress of grievances.

Mr. LUCAS. Mr. President, if we should start to debate what the word "peaceably" means, I undertake to say that it would take us as long to determine its meaning as it would to determine what the word "value" means. I think I understand what "peaceably" means; and I appreciate the Senator's contribution in putting that amendment to the Constitution into the RECORD.

Mr. BONE. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. BONE. I am not sure that I am prepared wholly to agree with the Senator that after a great crisis men's emotions come, or ought to come, normally to some rational degree of repose, and that we then come back to the orthodoxies of life. I was not privileged to live during the period to which I shall refer, but I recall one period of American history when for 10 years after a war a very harsh condition was imposed on a large segment of the population of the United States. That era is now commonly referred to as the "tragic era." Everyone familiar with American history knows that during that period of practically 10 years many of the orthodox rights in which men believe so enthusiastically, and for which they have given their lives, were suspended and blotted out in a large segment of the country.

Mr. LUCAS. Mr. President, I would to God that we had a national unity at this hour which would shock the world. And yet, Mr. President, I fully realize the number of good citizens in this country who honestly fear that the delegation of power by this bill is a danger to our liberty. There are also others who, with a demagogic sneer, use it as a springboard to make the headlines and create panic and fear among the American people. There has never been a time in a grave foreign or domestic emergency when we were not compelled to retreat some distance from the barricades of free action. If this flexibility did not exist we would be in danger of ultimately losing our national existence, which would mean the losing of all our liberties guaranteed by the Bill of Rights.

Obviously the delegation of power is always distasteful to every friend of freedom; but true patriots know that in this crisis it is essential and absolutely necessary and indispensable to meet unpleasant realities brought about by a strange economic, social, and military system that threatens to spread its tentacles of tyranny throughout the world.

Mr. President, I remind America in this critical hour that Lincoln said that there was a necessity for strong dealing in preserving the public safety and that he could no more be persuaded that the Government was constitutionally helpless to take strong measures in time of crisis than he could be persuaded that a particular drug is not good medicine for a sick man because it can be shown not to be good for a well one.

On June 12, 1863, Lincoln wrote to Erastus Corning, an appeaser and alarmist, words that might have been written



today. Corning had declared that the extraordinary powers given the President in the crisis meant the death of democracy and the Bill of Rights. Lincoln answered that the people had indeed been deprived of some rights in the crisis, but that he could not believe that they had thus lost those rights—

throughout the indefinite peaceful future, which I trust lies before them, any more than I am able to believe a man could contract so strong an appetite for emetics during temporary illness as to persist in feeding upon them during the remainder of his healthful life.

The horse sense of the American people agreed with Lincoln, just as the horse sense of the American people today agrees with House bill 1776 in giving President Roosevelt power to make democracy effective in the perilous days in 1941.

The cry of "dictator," I repeat, has been the cry of "wolf, wolf" across the progress of our Nation. It was raised against President Cleveland in times of labor strife; and yet the rights of labor have grown steadily stronger.

The cry of "Dictator" rose against President Wilson, and critics wailed that he was slaughtering the Bill of Rights. Yet, when the emergency passed, his extraordinary powers disappeared, and we saw that the flag was still there. The Stars and Stripes still wave over the Capitol, in heaven's breeze, above the dome. The Bill of Rights was still the safeguard of the people after the war of 1917-18. President Wilson received all of those grants of extraordinary power, but they all returned to the people; and, indeed, the democratic processes were actually extended.

If, in the past, the American people gave to Abraham Lincoln and Woodrow Wilson extraordinary power to meet crises, and yet with the passing of the emergency recovered all their traditional rights, shall we be so blind today as to refuse to President Roosevelt even less powers in order that he may keep war away from our shores?

If the American people promptly reassumed their traditional privileges after having undergone the convulsions of foreign war, and, what was worse, civil war, how in the name of common sense are they eternally to forfeit those rights by equipping their chosen Executive with the legal machinery to keep us out of war?

Do the opponents of this bill have some strange, sudden, and new knowledge of a change in the nature of the American people? Do they believe all our coonskin, squirrel-rifle, horse-sense, pioneer strength of character is gone? Have they any secret reports of a sudden disappearance of faith and strength in the men and women of the United States? If so, this is the time and this is the place to tell it.

From intimate knowledge of the plain people of the Middle West, the people of the great Mississippi Valley, where I have lived all my life and where my people upon my father's side have lived for over a hundred years, I, for one, believe the population there is just as firm in the faith of democracy as were the fathers who freely gave emergency

powers to Woodrow Wilson and as were their grandfathers, who as gladly gave extraordinary authority to Abraham Lincoln. They have not suddenly turned into serfs or peasants, as certain opponents of H. R. 1776 seem to think. They have never been drilled in a serf psychology into which they can readily return when danger threatens. They can, like freemen, assign enlarged powers to policemen and Presidents, depending upon the nature of their troubles; and then, when the trouble passes, they can reclaim those powers. What our opponents in this debate forget is that democracy, as America has practiced it, is an elastic thing, a resilient form; and, because this is so, democracy has lived and grown.

The able Senator from Ohio [Mr. BURTON] has been a great mayor of his city of Cleveland. He knows that time and time again he has delegated power to policemen and firemen—indeed, perhaps even at times beyond their employment—but they did not become dictators as a result of the delegation of such power. After the act was done and performed, those powers came back where they belonged. That is the history of democracy. That is the way democracy works. After the present convulsion has passed from Europe, democracy will grow again, here and abroad.

Mr. President, I thank God that we have Franklin D. Roosevelt to stand between us and the dictators of other nations, to aid democracy in its continued progress.

So let us waste no further time on dictators who are but figments of the imagination, on dictators who are not realities. Let us, rather, aid England in her struggle with dictators who are actualities, with dictators who are more terrible, more real, than any who may be conceived in the wildest flight of imagination—including that of the Senator from Montana [Mr. WHEELER] who has talked here for two days.

House bill 1776 is our declaration that we will keep the fire of democracy burning during the long and bomb-shaken European night, and that we will preserve it so that downtrodden and humiliated peoples from abroad may come here in what Lincoln called the indefinite peaceful future and from this eternal fire kindle torches of their own. Let them come, Mr. President, just as your people and my people came here in the long, long ago, fleeing from oppression and tyranny in the Old World, coming here where there were no dictators, no dukes, no crowned heads—coming here in order that they might breathe the fresh, pure air of liberty on the altar of freedom. That is the kind of American life we want to continue; and I believe that H. R. 1776 will help perpetuate that kind of life.

Mr. President, let us be completely realistic, not idealistic, about the problem which faces us. In the enforcement of the Monroe Doctrine we have had the benefit of the British Fleet, not because the people of Great Britain love us so much, or we them, but because one great section of the British Commonwealth—Canada—is safe so long as the United

States is safe and endangered when we are endangered. Great Britain cannot protect Canada and Australia without protecting us, for Canada and Australia are our neighbors. Their way of life is much like ours. They crave, above all else, to grow beside us in peace and amity.

If Great Britain falls before Hitler's blockade or invasion, the British Fleet will no longer defend Canada and Australia, and the republics of North and South America will be at the mercy of the despotic totalitarian powers which have vowed to exterminate democracy from the face of the globe.

Yes, Churchill has said that if England falls the fleet will not surrender; and Churchill means it. But if England falls, Mr. President, Churchill will not be alive. Anybody who knows him is fully aware of that. If England comes to the end, Churchill will die in some last desperate stroke, going down and taking with him as many enemies as he can. Then will come the Quisling of England, and the fleet will be in Hitler's hands; and he, with the shipyards of Europe and Asia at his command, can outbuild us 6 to 1 in merchant ships and almost at that rate in naval vessels.

If we pass this bill and keep the British Fleet between us and the forces which have openly damned our system of government and our way of life, we shall continue to sail the high seas secure from danger for generations to come. Furthermore, we shall guarantee to our sister republics of Latin America a continuance of their own way of life, undisturbed by the totalitarian powers which hope to enslave them as they have enslaved the smaller nations of Europe.

Let us support the British with the tools they need; and when this war is over, as surely as the sun rises, naval supremacy will be centered in this city of Washington.

Let us make no error: The common sense of the American people demands the support of Great Britain, at least until such time as we ourselves are so strong on land and sea and in the air that the whole dream of world autocracy will begin to fade like a nightmare from the face of Europe and Asia.

Mr. President, if England falls, and the British Fleet goes down or surrenders, it is certain that Japan, if she does not move before that time, will move into the Netherlands East Indies; that Hitler and Mussolini will control the air, the sea, and the land of all Europe and Africa as well as the sea lanes through the Mediterranean. We shall be rimmed with totalitarian powers, from the Strait of Magellan to the North Pole. If that happens, then, just so surely as I am standing on the floor of the Senate, some day in the distant future those powers will impinge somewhere on the Western Hemisphere. It may not be in 3 years, it may not be in 4 years, it may not be in 5 years, perhaps there will be no military invasion at the very beginning; but, ultimately, they will get a foothold somewhere. When they do, the United States of America may ultimately stand alone, as Lincoln said:

The last, best hope on earth.



Mr. President, in that event we may be the only democracy in the world. We may have to battle this totalitarian power. So long as England holds out in this war, there cannot be any question that she is helping America.

If we abandon Great Britain to her fate, what real chance have we to escape being dragged into a war with both Hitler and Japan, fighting on two fronts, vastly outnumbered, laboring under awful handicaps? Today there are only two great powers on earth that are peace-minded—the United States and Great Britain. By supporting Great Britain—with tools, not men—we can eventually compel the warmongers to keep the peace. This is our chance to save democracy over the civilized—if I may use that archaic term—over the civilized world.

If Great Britain falls, Japan will carve up the Orient while Hitler enslaves Europe and Africa. Then the victors will partition South America, and will build air bases on the very edge of the Panama Canal. To deny this prospect is to live in a fool's paradise. To refuse the one way of national security now remaining open to us is to disregard the grim truth and to wander, wool-gathering, with our heads in the clouds.

We who support this bill are the real guardians of the peace. We are the realistic, hard-boiled avoiders of war. We advocate the only practical method of making America first in naval power, first in national power, first in power of the ideals which guarantee life, liberty, and the pursuit of happiness.

Mr. President, it was Emerson who said:

For what avail the plough or sail,  
Or land or life, if freedom fail?

#### CONTRACTS UNDER THE NATIONAL-DEFENSE PROGRAM

Mr. BYRNES. Mr. President, from the Committee to Audit and Control the Contingent Expenses of the Senate, I report back with an additional amendment the resolution (S. Res. 71) for the appointment of a special committee to investigate the national-defense program and the handling of contracts, and I ask unanimous consent for its present consideration.

The PRESIDING OFFICER (Mr. Brown in the chair). Is there objection to the present consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution which had been submitted by Mr. TRUMAN on the 13th ultimo.

The PRESIDING OFFICER. The clerk will state the amendments.

The amendment of the Committee on Military Affairs was, on page 1, line 1, before the word "Senators", to strike out "five" and insert "seven"; and the amendment of the Committee to Audit and Control the Contingent Expenses of the Senate was, on page 3, line 1, after the word "exceed", to strike out "\$25,000" and insert "\$15,000."

The amendments were agreed to.

The resolution as amended was agreed to, as follows:

*Resolved*, That a special committee of seven Senators, to be appointed by the President

of the Senate, is authorized and directed to make a full and complete study and investigation of the operation of the program for the procurement and construction of supplies, materials, munitions, vehicles, aircraft, vessels, plants, camps, and other articles and facilities in connection with the national defense, including (1) the types and terms of contracts awarded on behalf of the United States; (2) the methods by which such contracts are awarded and contractors selected; (3) the utilization of the facilities of small business concerns, through subcontracts or otherwise; (4) the geographic distribution of contracts and location of plants and facilities; (5) the effect of such program with respect to labor and the migration of labor; (6) the performance of contracts and the accountings required of contractors; (7) benefits accruing to contractors with respect to amortization for the purposes of taxation or otherwise; (8) practices of management or labor, and prices, fees, and charges, which interfere with such program or unduly increase its cost; and (9) such other matters as the committee deems appropriate. The committee shall report to the Senate, as soon as practicable, the results of its study and investigation, together with its recommendations.

For the purposes of this resolution the committee, or any duly authorized subcommittee thereof, is authorized to hold such hearings, to sit and act at such times and places during the sessions, recesses, and adjourned periods of the Seventy-seventh and succeeding Congresses, to employ such clerical and other assistance, to require by subpoena, or otherwise, the attendance of such witnesses and the production of such correspondence, books, papers, and documents, to make such investigations, to administer such oaths, to take such testimony, and to incur such expenditures as it deems advisable. The cost of stenographic services to report such hearings shall not be in excess of 25 cents per hundred words. The expenses of the committee, which shall not exceed \$15,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

#### EXECUTIVE MESSAGE REFERRED

The PRESIDING OFFICER, as in executive session, laid before the Senate a message from the President of the United States nominating Ben Moore, of West Virginia, to be district judge for the southern district of West Virginia, vice George W. McClintic which was referred to the Committee on the Judiciary.

#### PROMOTION OF NATIONAL DEFENSE

The Senate resumed the consideration of the bill (H. R. 1776) further to promote the defense of the United States, and for other purposes.

Mr. TUNNELL obtained the floor.

Mr. BARKLEY. Mr. President, will the Senator from Delaware yield?

Mr. TUNNELL. I yield.

#### RECESS

Mr. BARKLEY. There is no executive calendar, and I therefore move that the Senate take a recess until Monday next at 11 o'clock a. m.

The motion was agreed to; and (at 5 o'clock and 53 minutes p. m.) the Senate took a recess until Monday, March 3, 1941, at 11 o'clock a. m.

#### NOMINATION

Executive nomination received by the Senate March 1 (legislative day of February 13), 1941:

#### UNITED STATES DISTRICT JUDGE

Ben Moore, of West Virginia, to be United States district judge for the southern district of West Virginia, vice Hon. George W. McClintic, whose retirement will become effective March 1, 1941.

## SENATE

MONDAY, MARCH 3, 1941

(Legislative day of Thursday, February 13, 1941)

The Senate met at 11 o'clock a. m. on the expiration of the recess.

The Chaplain, Rev. ZēBarney T. Phillips, D. D., offered the following prayer:

O Thou in whom we live, having our life hid in Thee, as the life of the flower hides in the stem that bears it who art the eternal reality out of which we appear and pass: We thank Thee for the moments when we have seen, as in a sudden flash of light, the veiled face behind the veil, the truth which we must carry from the surface to the depths of thought and meditation before we adequately give it utterance through lips into which special grace is poured. Let the mystery of this inspiration govern us in all our deliberations here; help us to recognize the opportunities of our lot, to labor not for the getting, but for the joy of the deed. Thou who dwellest in the darkness as well as in the light, whom the thick cloud enfold and the sunny sky reveals, help us to see Thee in the cloud, to realize the goodness of the severity, the mercy of the judgment through which we are passing, that the sins which now defile may at length become the purifying agents of our world.

We ask it in the name of Him who knew no sin whom Thou hast made "to be sin for us," that we might be made the righteousness of God in Him, even Jesus Christ our Lord. Amen.

#### THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day of Saturday, March 1, 1941, was dispensed with, and the Journal was approved.

#### CALL OF THE ROLL

Mr. HILL. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Byrd	Gurney
Aiken	Byrnes	Harrison
Andrews	Capper	Hatch
Austin	Caraway	Hayden
Bailey	Chandler	Herring
Ball	Chavez	Hill
Bankhead	Clark, Idaho	Holman
Barbour	Clark, Mo.	Hughes
Barkley	Connally	Johnson, Calif.
Bilbo	Danaher	Johnson, Colo.
Bone	Davis	Kilgore
Brewster	Downey	La Follette
Bridges	Ellender	Langer
Brooks	George	Lee
Brown	Gerry	Lodge
Bulow	Gillette	Lucas
Bunker	Glass	McCarran
Burton	Green	McFarland
Butler	Guffey	McKellar



McNary	Reed	Tobey
Maloney	Reynolds	Truman
Mead	Russell	Tunnell
Miller	Schwartz	Tydings
Murdoch	Sheppard	Vandenberg
Murray	Shipstead	Van Nuys
Norris	Smathers	Wallgren
Nye	Smith	Walsh
O'Mahoney	Stewart	Wheeler
Overton	Taft	White
Pepper	Thomas, Idaho	Wiley
Radcliffe	Thomas, Utah	Willis

Mr. HILL. I announce that the Senator from Oklahoma [Mr. THOMAS] and the Senator from New York [Mr. WAGNER] are unavoidably detained from the Senate.

The VICE PRESIDENT. Ninety-three Senators have answered to their names. A quorum is present.

#### EXECUTIVE COMMUNICATION

The VICE PRESIDENT laid before the Senate the following letter, which was referred as indicated:

#### SCHOOL FACILITIES AT ARMY AND NAVY RESERVATIONS

A joint letter from the Secretary of War and the Acting Secretary of the Navy, with reference to Senate Resolution 324, Seventy-sixth Congress, requesting the Secretary of the Navy and the Secretary of War to make an investigation as to school facilities at navy yards and Army and Navy reservations, and submitting a further report and recommendations thereon (with accompanying papers); to the Committee on Naval Affairs, and ordered to be printed (S. Doc. No. 20).

#### PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate by the Vice President, or presented by Senators, and referred as indicated:

By the VICE PRESIDENT:

Joint memorials of the Legislature of the Territory of Alaska; to the Committee on Territories and Insular Affairs:

#### "House Joint Memorial No. 2

*"To the Honorable the Congress of the United States:*

"Your memorialist, the Legislature of the Territory of Alaska, in Fifteenth Regular Session assembled, respectfully submits that:

"Whereas the Honorable ANTHONY J. DIMOND, Delegate to Congress from Alaska, has introduced in the Congress a bill known as H. R. No. 94, the same being entitled 'An act to forbid the appointment of any person but a resident of the Territory of Alaska to the office of Governor of said Territory'; and

"Whereas said bill is in the interest of and supported by the people of this Territory: Now, therefore

"Your memorialist respectfully urges Congress to pass and the President to sign said H. R. No. 94 introduced in the Seventy-sixth Congress by the Honorable ANTHONY J. DIMOND, Delegate to Congress from Alaska,

"And your memorialist will ever pray.

"Passed by the House, February 3, 1941."

#### "House Joint Memorial No. 4

*"To the Honorable the Congress of the United States:*

"Your memorialist, the Legislature of the Territory of Alaska, in the fifteenth regular session assembled, does most respectfully represent that:

"Whereas the Organic Act of the Territory of Alaska provides as follows: 'No divorce shall be granted by the legislature nor shall any divorce be granted by the courts of the Territory unless the applicant therefor shall have resided in the Territory for 2 years next preceding the application \* \* \*'; and

"Whereas the requirement of 2 years' residence now imposed upon the Territory by the Organic Act we believe burdensome and unreasonable; and

"Whereas all States in the continental United States, excepting Indiana, Maryland, New Jersey, Tennessee, Rhode Island, Vermont, Wisconsin, Connecticut, and Massachusetts, are permitted to grant divorces after a residence of 1 year, or even shorter period: Now, therefore

"Your memorialist, the Legislature of the Territory of Alaska, most respectfully petitions the Congress of the United States to so amend the Organic Act of Congress that applicants may be granted a divorce after a residence of 1 year in the Territory of Alaska.

"And your memorialist will ever pray."

A resolution of the Chinese American Citizens Alliance, San Francisco, Calif., favoring amendment of the Immigration Act of 1924, for the relief of a certain alleged hardship imposed by that act upon citizens of the United States of the Chinese race; to the Committee on Immigration.

A letter in the nature of a petition from John H. Gilbert, of Waterbury, Conn., praying for the enactment of House bill 1776, the lease-lend bill; to the table.

A telegram in the nature of a petition from sundry citizens of San Benito, Tex., praying for the prompt enactment of House bill 1776, the lease-lend bill, and also full aid for Great Britain, Greece, and China; to the table.

A letter in the nature of a memorial from L. M. Williams, of Papillion, Nebr., remonstrating against involvement in war; to the table.

A letter in the nature of a memorial from Mr. and Mrs. C. L. Barton, of Alhambra, Calif., remonstrating against the enactment of House bill 1776, the lease-lend bill; to the table.

By Mr. VANDENBERG:

Memorials, numerously signed, of sundry citizens of the State of Michigan, remonstrating against involvement in war, and also the enactment of House bill 1776, the lease-lend bill; to the table.

By Mr. TYDINGS:

A resolution of the Anne Arundel County (Md.) Sanitary Commission, favoring inclusion of employees of Federal, State, and local governments and their instrumentalities within the scope of the Social Securities Act; to the Committee on Finance.

By Mr. MALONEY:

A joint resolution of the Legislature of the State of Connecticut; to the table:

*"Resolved by this assembly:*

"Whereas a great emergency threatens all of the free governments of the world, including our own: Therefore, be it

*"Resolved,* That we respectfully urge our Senators and Representatives in Congress to assist in the passage of the lend-lease bill now pending therein, as speedily as possible, with such amendments and reservations as may be deemed necessary; and be it further

*"Resolved,* That the clerk of the senate and clerk of the house of Representatives be directed to forward a copy of this resolution to each of the Connecticut Senators and Representatives in Congress."

By Mr. THOMAS of Utah:

A resolution of the Legislature of the State of Utah; to the table:

#### "House Concurrent Resolution No. 1

"Resolution approving the foreign policy of the President of the United States, the lease-and-lend proposal, adequate aid to Great Britain, and other Axis-opposed democracies

*"Be it resolved by the Legislature of the State of Utah, the Governor concurring herein:*

"Whereas the President of the United States enunciated the policy of adhering to the principles of democracy of the world as against those of tyrannical and dictatorial governments; and

"Whereas it is necessary for the safety of the United States and its inhabitants not only to rearm for their own defense but to give aid to those democracies which are now engaged in a struggle for existence against the Axis Powers; and

"Whereas the President has enunciated the policy of aiding Great Britain by leasing and lending to them the necessary implements of war and supplies so necessary to successfully repel the advances of the Axis Powers: Now, therefore, be it

*"Resolved that the Legislature of the State of Utah, the Governor concurring herein,* Declares itself in favor of the proposal of the President of the United States to continue the national-defense program and concurrently lease and lend all war implements and supplies that Great Britain may need to carry on, to a successful conclusion, the war in which she is so heroically engaged and that the President of the United States do everything within his power to make his proposal effective as soon as humanly possible, and in a manner best calculated to achieve the result of giving aid to Great Britain now; be it further

*"Resolved,* That a copy of this resolution be sent to each of the Representatives in Congress from Utah, to each of the Senators from the State of Utah, the Secretary of State of the United States of America, and to the President of the United States of America."

By Mr. McCARRAN:

A joint resolution of the Legislature of the State of Nevada; to the Committee on Banking and Currency:

#### "Senate Joint Resolution No. 7

"Senate joint resolution, memorializing Congress to reduce interest charges from 4 percent to 3 percent on loans which the Reconstruction Finance Corporation makes to irrigation districts and others similarly situated

"Whereas Walker River Irrigation District, of Lyon County, Nev., has been refinanced through a loan from the Reconstruction Finance Corporation, which refinancing has greatly aided the district in meeting its financial obligations; and

"Whereas while said members of Walker River Irrigation District are most appreciative of the assistance received through the above-mentioned refinancing, they find that the lower and still lower prices being received by the farmer for his agricultural products is making it extremely difficult for him to pay the expenses of production, meet his taxes, and provide a modest living for himself and family; and

"Whereas while the districts are now paying interest at the rate of 4 percent per annum on their loans, the Federal Government has at the same time through provisions of the Bankhead-Jones Act loaned to farmers some \$35,000,000 for the purchase of land, such loans bearing interest at the rate of 3 percent per annum; and

"Whereas the difference of 1 percent in the annual interest rate will still further aid the distressed farmer and would lessen the discrimination between the two classes of loans, one being to enable the farmer to purchase more land, and the other to prevent the farmer from losing the land he now owns; and

"Whereas the farmers within these districts pay the same interest rate as farmers outside of the districts on any loans they make through and from any governmental agency, in addition to the 4 percent they are now paying on loans from the R. F. C. The interest on first mortgages and 4 percent on loans from the R. F. C. make a total of approximately 9 percent that farmers who have first mortgages on their lands are now paying, which is absolutely prohibitive under the present prevailing low prices for farm products: Now, therefore, be it

*"Resolved,* That the Congress be memorialized to enact such legislation as will



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77TH CONGRESS  
1ST SESSION

# H. R. 1776

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IN THE SENATE OF THE UNITED STATES

MARCH 3 (legislative day, FEBRUARY 13), 1941

Ordered to lie on the table and to be printed

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## AMENDMENT

Intended to be proposed by Mr. REYNOLDS to the bill (H. R. 1776) further to promote the defense of the United States, and for other purposes, viz: At the end of the bill add the following new section:

- 1        SEC.    . No person who is a Communist, Nazi, or
- 2        Fascist, and who is employed in any department or agency of
- 3        the United States on the date of enactment of this Act shall,
- 4        after such date, be permitted to remain in such employment,
- 5        or be paid any compensation out of funds available to any
- 6        such department or agency.



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## AMENDMENT

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Intended to be proposed by Mr. REXFORDS to the bill (H. R. 1776) further to promote the defense of the United States, and for other purposes.

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MARCH 3 (legislative day, FEBRUARY 13), 1941  
Ordered to lie on the table and to be printed



# H. R. 1776

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## IN THE SENATE OF THE UNITED STATES

MARCH 3 (legislative day, FEBRUARY 13), 1941

Ordered to lie on the table and to be printed

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## AMENDMENT

Intended to be proposed by Mr. REYNOLDS to the bill (H. R. 1776) further to promote the defense of the United States, and for other purposes, viz: At the end of the bill add the following new section:

- 1        SEC. . Notwithstanding any other provision of law,
- 2 the Attorney General is hereby authorized and directed
- 3 to take into custody forthwith and deport forthwith to
- 4 Australia, the country of which he is a citizen or subject,
- 5 the alien, Harry Renton Bridges, whose presence in this
- 6 country the Congress deems hurtful.



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## AMENDMENT

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Intended to be proposed by Mr. REYNOLDS to the bill (H. R. 1776) further to promote the defense of the United States, and for other purposes.

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MARCH 3 (legislative day, FEBRUARY 13), 1941

Ordered to lie on the table and to be printed



# H. R. 1776

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IN THE SENATE OF THE UNITED STATES

MARCH 3 (legislative day, FEBRUARY 13), 1941

Ordered to lie on the table and to be printed

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## AMENDMENT

Intended to be proposed by Mr. REYNOLDS to the bill (H. R. 1776) further to promote the defense of the United States, and for other purposes, viz: On page 5, between lines 4 and 5, insert the following new subsection:

- 1       (f) Nothing in this Act shall be construed to author-
- 2 ize or permit the authorization of the granting of any aid
- 3 to the Union of Soviet Socialist Republics.



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## AMENDMENT

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Intended to be proposed by Mr. REYNOLDS to the bill (H. R. 1776) further to promote the defense of the United States, and for other purposes.

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MARCH 3 (legislative day, FEBRUARY 13), 1941

Ordered to lie on the table and to be printed



reduce the interest charges from 4 percent to 3 percent on loans which the Walker River irrigation district of Lyon County, Nev., and other such similar districts have received from the Reconstruction Finance Corporation; and be it further

"Resolved, That our Senators in the United States Senate and our Representatives in Congress be requested to use all honorable means to carry out the intent of this resolution for the benefit of the farmers; and be it further

"Resolved, That the secretary of state be, and he hereby is, authorized and directed to transmit duly certified copies of this resolution to our Senators and Representatives in Washington, D. C., and to the President of the United States Senate and to the Speaker of the House of Representatives.

"STATE OF NEVADA,  
"Executive Department.

"Approved February 25, 1941, 2:51 p. m.

"E. P. CARVILLE,  
"Governor."

#### RIGHTS OF TEACHERS UNDER THE SO-CALLED HATCH ACT

Mr. BROWN. Mr. President, I ask unanimous consent to have printed in the RECORD and appropriately referred a resolution adopted at the twenty-seventh annual meeting of the American Association of University Professors, held at Chicago, Ill., on December 30 and 31, 1940, in which they requested that Congress reexamine the provisions of law under the so-called Hatch Act prohibiting participation by certain teachers and university professors in political activities.

I may say in that connection that two attorneys general—the attorney general of Ohio and the attorney general of Minnesota—have ruled that notwithstanding the fact that we had supposed that we exempted such persons from the provisions of the Hatch Act, nevertheless, under their interpretation, accepted by many others, university professors are prohibited from engaging in any political activity if in any part, no matter how small, their salaries are paid by funds which trickle down from the Government of the United States.

I may say that I offered the amendment which was adopted by the Senate upon that proposition, which clearly exempted them. When the bill got to the House of Representatives, those provisions were changed in such a manner that there is some room for doubt about the matter. In conference the amendment was emasculated. I give notice that it is my intention to reoffer the original amendment which was adopted in the Senate.

The VICE PRESIDENT. Without objection, the resolution will be printed in the RECORD and referred to the Committee on Privileges and Elections.

The resolution is as follows:

The American Association of University Professors at its 1940 annual meeting, wishing to support and perpetuate generally recognized principles of academic freedom and tenure, reiterates its conviction that teachers and other scholars everywhere constitute, and should be recognized as members of, an independent profession whose principal function is to search for and disseminate the truth. In that conviction they insist that, although they may in many instances be paid by the State or Federal Government, they are not employees of the Government in the usual sense. As professional scholars

and as educated citizens, their search for the truth and efforts to express it should not be hampered by laws designed to eliminate improper political pressure from elections. Therefore this association expresses its concern lest generally recognized principles of academic freedom and tenure be violated by enforcement of the act of Congress known as the Hatch Act, and urges Congress to modify the phrasing of this act in order to make it certain that college and university professors in the United States are not to be deprived of the rights that they have always enjoyed to write and speak freely on political subjects and to engage in political activity within the limits of accepted academic tradition.

#### EXILE AND PERSECUTION OF THE POLES

Mr. MALONEY. Mr. President, I present and ask unanimous consent to have a letter which I have received from Rev. A. J. Fiedorczyk, president of the Polish-American Citizen Committee of New Britain, Conn., inserted in the RECORD and appropriately referred, together with two identical resolutions adopted by Polish citizens and representatives of 24 societies of New Britain, Conn., on February 9, 1941, and February 14, 1941, at meetings held at the Sacred Heart of Jesus Parish Hall in that city. There being no objection, the letter and resolutions were referred to the Committee on Foreign Relations, and one of the resolutions was ordered to be printed in the RECORD, as follows:

FEBRUARY 21, 1941.

HON. FRANCIS T. MALONEY,  
Senator, State of Connecticut,  
Washington, D. C.

MY DEAR MR. SENATOR: Enclosed please find copies of resolutions adopted by two different gatherings held at the Sacred Heart of Jesus Parish Hall in our city.

We respectfully request that these formal resolutions be given your attention, and that you take whatever steps you deem necessary to introduce these matters to your respective branch of the Congress.

Respectfully yours,

REV. A. J. FIEDORCZYK,  
President, Polish-American Citizen  
Committee of New Britain, Conn.  
[Enclosure.]

Whereas a portion of the land of Poland has been invaded and occupied by the armies of the Union of Soviet Socialist Republics; and

Whereas that portion of Poland which was usurped by the Union of Soviet Socialist Republics is peopled by Poles who at the present time are being exiled or in grave danger of being exiled to Siberia by the Union of Soviet Socialist Republics; and

Whereas untold hardships are being suffered by these people in being exiled from their natural habitat to what will be a virtual life imprisonment; and

Whereas this unbearable situation has been brought to the attention of the citizens of the United States of America, and particularly to the attention of the citizens of Polish extraction of the parish of the Sacred Heart of Jesus and the city of New Britain: It is therefore

Resolved by this assembly, That American citizens of Polish descent residing in New Britain, Conn., and more particularly the parishioners of the Sacred Heart of Jesus Church, located in said city, totaling more than 5,000 in number, earnestly request the Congress of the United States of America, which has done so much on behalf of oppressed peoples, to take such action as might be within the power of Congress to make every possible intercession to stop and alleviate the unwarranted and unjustifiable persecution of Polish nationals by exile to Siberia

by the Government of the Union of Soviet Socialist Republics: And it is further

Resolved, That copies of this resolution shall be forwarded to the Members of the Congress of the United States of America from the State of Connecticut and to those Members of the Congress who are of Polish descent.

[The above-noted identical resolutions were signed, respectively, by Rev. C. J. Fiedorczyk, president, Polish-American Citizens Committee of New Britain, Conn.; Genevieve T. Toczko, secretary; and by Rev. L. Bojonowski, Leon Tomi Gorosch, and Marein Roval, resolution committee.]

#### REPORTS OF COMMITTEES

The following reports from the Committee on the Judiciary were submitted:

By Mr. HATCH:

S. 412. A bill to provide for the appointment of an additional circuit judge for the seventh judicial circuit; without amendment (Rept. No. 77).

By Mr. BURTON:

S. 482. A bill to provide for the appointment of one additional United States district judge for the northern district of Ohio; without amendment (Rept. No. 78).

#### SENATOR FROM NORTH DAKOTA—EXPENSES OF COMMITTEE ON PRIVILEGES AND ELECTIONS

Mr. CONNALLY, from the Committee on Privileges and Elections, reported a resolution (S. Res. 81), which, under the rule, was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

"Resolved, That the Committee on Privileges and Elections, or any duly authorized subcommittee thereof, is hereby authorized to expend not to exceed \$5,000, and to take such further steps as may be necessary in addition to those heretofore taken (including the impounding of ballots, tally sheets, poll lists, and other election records, and the issuance of subpoenas for the attendance of witnesses, and the production of books, papers, and other documents) in connection with the proceeding now pending before said committee to determine whether William Langer is entitled to retain his seat in the Senate to which he was certified as having been elected on November 5, 1940. The expenses incurred by the committee and its authorized representatives for the purposes of such proceeding shall be paid out of the contingent fund of the Senate upon vouchers approved by the chairman of the committee."

#### EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable committee reports of nominations were submitted:

By Mr. CHANDLER, from the Committee on the Judiciary:

Oscar H. Doyle, of South Carolina, to be United States attorney for the western district of South Carolina.

By Mr. SMATHERS, from the Committee on the Judiciary:

George F. Troy, of Rhode Island, to be United States attorney for the district of Rhode Island, vice J. Howard McGrath, resigned.

By Mr. McKELLAR, from the Committee on Post Offices and Post Roads:

Sundry postmasters.

#### BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. ANDREWS:

S. 1019. A bill to provide for the holding of terms of the district court of the United States at Fort Myers, Fla.; to the Committee on the Judiciary.



By Mr. GREEN:

S. 1020. A bill granting a pension to Emma S. Boutwell; to the Committee on Pensions.

By Mr. NYE:

S. 1021. A bill for the relief of Richard Barton; to the Committee on Claims.

By Mr. RUSSELL:

S. 1022. A bill for the relief of Richard Gammon; to the Committee on Claims.

By Mr. SHEPPARD:

S. 1023. A bill for the relief of Richard L. Byrd; to the Committee on Claims.

By Mr. CAPPER:

S. 1024. A bill for the relief of John F. Thomas; to the Committee on Civil Service.

By Mr. BROWN:

S. 1025. A bill to amend the act entitled "An act to prevent pernicious political activities," approved August 2, 1939, as amended, with respect to its application to officers and employees of educational, religious, eleemosynary, philanthropic, and cultural institutions, establishments, and agencies; to the Committee on Privileges and Elections.

#### PROMOTION OF NATIONAL DEFENSE—AMENDMENTS

Mr. REYNOLDS submitted several amendments intended to be proposed by him to the bill (H. R. 1776) further to promote the defense of the United States, and for other purposes, which were ordered to lie on the table and to be printed.

#### ABANDONMENT OF DENVER & RIO GRANDE WESTERN RAILROAD BETWEEN ANTONITO, COLO., AND SANTA FE, N. MEX.

Mr. JOHNSON of Colorado submitted the following resolution (S. Res. 82), which was referred to the Committee on Interstate Commerce:

Whereas authentic reports indicate that all of the pertinent facts were not disclosed in the hearing before the Interstate Commerce Commission following which an order was entered on January 22, 1941, by a division of the Interstate Commerce Commission ordering the abandonment of the narrow-gauge railroad between Antonito, Colo., and Santa Fe, N. Mex.; and

Whereas national defense with which the American people are vitally concerned demands that this railroad line be not abandoned but that it remain serviceable during the present emergency for the transportation of military supplies.

Resolved, That the Committee on Interstate Commerce or any duly authorized subcommittee thereof is authorized and directed to make, and to report to the Senate the results of, a thorough and complete investigation of the proposed abandonment and all pertinent facts including the practices, the methods, and acts or omissions to act of the Denver & Rio Grande Western Railroad in the operation of the narrow-gauge branch of said Denver & Rio Grande Western Railroad between Antonito, Colo., and Santa Fe, N. Mex.

The Committee on Interstate Commerce, or any duly authorized subcommittee thereof, is authorized and directed to obtain such facts as other Government agencies may have, and to secure the assistance of other Government agencies in the investigation hereby authorized.

For the purposes of this resolution the committee, or any duly authorized subcommittee thereof, is authorized to hold such hearings, to sit and act at such times and places, either in the District of Columbia or elsewhere, during the sessions, recesses, and adjourned periods of the Senate in the Seventy-seventh and subsequent Congresses, to employ such experts, and clerical, stenographic, and other assistants, to require by subpoena or otherwise the attendance of such witnesses and the production and impounding of such books, papers, and documents, to administer such

oaths, and to take such testimony and to make such expenditures as it deems advisable. The cost of stenographic services to report such hearings shall not be in excess of 25 cents per hundred words. The expenses of the committee, which shall not exceed \$5,000 shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman.

#### ADDRESS BY SENATOR CHAVEZ ON THE LEND-LEASE BILL

[Mr. REYNOLDS asked and obtained leave to have printed in the Appendix a radio address on the lend-lease bill, delivered by Senator CHAVEZ on Saturday, March 1, 1941, which appears in the Appendix.]

#### ADDRESS BY STATE SENATOR PAUL F. DOUGLASS BEFORE VERMONT HISTORICAL SOCIETY

[Mr. AIKEN asked and obtained leave to have printed in the Record a speech delivered by State Senator Paul F. Douglass before the Vermont Historical Society on January 14, 1941, which appears in the Appendix.]

#### STATEMENT ON THE LEASE-LEND BILL BY BOOTH TARKINGTON

[Mr. GUFFEY asked and obtained leave to have printed in the Record a statement on the lease-lend bill prepared by Booth Tarkington, and submitted by the Indiana Committee for National Defense, which appears in the Appendix.]

#### EDITORIALS FROM ST. LOUIS STAR-TIMES AND ST. LOUIS POST-DISPATCH ON AIRPLANE CRASHES

[Mr. CLARK of Missouri asked and obtained leave to have printed in the Record an editorial from the St. Louis Star-Times of February 28, 1941, entitled "Five Fatal Air Crashes," and an editorial from the St. Louis Post-Dispatch of February 28, 1941, entitled "Another Airplane Tragedy," which appear in the Appendix.]

#### ARTICLE BY WALTER LIPPMANN ON EDUCATION IN SOCIAL SCIENCES

[Mr. SCHWARTZ asked and obtained leave to have printed in the Record an article by Walter Lippmann, published in the Washington Post of March 1, 1941, entitled "On Being Too Current," which appears in the Appendix.]

#### BASES ACQUIRED FROM GREAT BRITAIN—ARTICLE BY DREW PEARSON AND ROBERT ALLEN

[Mr. REYNOLDS asked and obtained leave to have printed in the Record excerpts from an article by Drew Pearson and Robert Allen, published in the Washington Times-Herald, relating to the acquisition of bases from Great Britain, which appear in the Appendix.]

#### LETTER ON ENGLAND'S OPIUM TRADE

[Mr. REYNOLDS asked and obtained leave to have printed in the Record a letter written by Mrs. Anna Johnson to a New England newspaper and published under the heading "Must we fight to save England's opium trade?" which appears in the Appendix.]

#### YOUTH'S ROLE IN DEFENSE OF DEMOCRACY—DISCUSSION IN TOWN MEETING OF THE AIR

[Mr. PEPPER asked and obtained leave to have printed in the Record a discussion in the Town Meeting of the Air on December 30, 1940, on the subject What Is Youth's Role in Defense of Democracy? which appears in the Appendix.]

#### ADDRESS BY SENATOR MURRAY ON THE LEND-LEASE BILL

[Mr. BARKLEY asked and obtained leave to have printed in the Record a radio address

delivered by Senator MURRAY on March 2, 1941, on the subject of the lend-lease bill, which appears in the Appendix.]

#### SENATOR MURRAY CLEARS THE AIR—EDITORIAL FROM BOZEMAN (MONT.) DAILY CHRONICLE

[Mr. BARKLEY asked and obtained leave to have printed in the Record an editorial from the Bozeman (Mont.) Daily Chronicle of February 28, 1941, entitled "Senator MURRAY Clears the Air," which appears in the Appendix.]

#### MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Latta, one of his secretaries.

#### PROMOTION OF NATIONAL DEFENSE

The Senate resumed the consideration of the bill (H. R. 1776) further to promote the defense of the United States, and for other purposes.

Mr. TUNNELL obtained the floor.

Mr. HERRING. Mr. President, will the Senator yield?

Mr. TUNNELL. I yield to the Senator from Iowa.

Mr. HERRING. I ask unanimous consent to insert in the Record at this point an editorial from the Des Moines Tribune entitled "Time's Up."

The VICE PRESIDENT. Without objection, it is so ordered.

The editorial is as follows:

#### TIME'S UP

When is a filibuster not a filibuster?

We are seeing in the United States Senate again, in connection with the debate on the lend-lease bill, one of those "delaying actions" that are so familiar in our history but that fall just on the border of being outright and frank stalling.

It is generally understood that if put to a vote the bill would pass, with only minor amendments, on any day the voting was done.

Even the minority that opposes it makes no pretense that it is a majority.

Senators have talked and talked. All the arguments have been gone over a dozen times. Since the lower House tackled the bill first, all the arguments, indeed, had been rehearsed repeatedly before the Senate even got started.

Senators in favor of the bill are consuming little or no time now.

The opponents have been reduced to making speeches, for the most part, that are just wearying repetitions of slogans and set phrases, largely emotional appeals to prejudice.

But the other Senators are not influenced by this. And the public has quit paying attention.

So what's the sense of it?

When anyone hints publicly that the procedure is "filibustering," those who are uselessly keeping it up put on a show of being furiously angry, cry about free debate being curbed, and say that if they hear any more along this line they'll start reading the Bible or books about astronomy—in other words, that they'll show everybody what a frank filibuster is.

We think they are bluffing about this. For a frank filibuster would smell to Heaven. The public reaction would be sharp and acid. The country wouldn't stand for it.

The Senators know that. If they don't, they'd soon find out.

So we suggest that it is about time to cut out the unfrank tactics of pure delay.

We're as strong for full debate, in the Senate or out of it, as anybody.

But when not a vote is being changed, when there has ceased to be any chance of chang-



ing a vote, when the whole performance takes on the overtones of fiddling while Rome burns, we think it's time to stop.

The issue is decided. Let's vote, and have it announced.

Mr. TUNNELL. Mr. President, I will ask that I be not interrupted until I shall have concluded the prepared portion of the speech which I shall attempt to deliver.

Some days ago, I heard one person say with reference to the speech of another in a public place, in response to the statement that he knew it would change no votes, that that was one thing to which the listener agreed. I propose to leave no opportunity for such a retort. My purpose in trespassing upon the time of the Senate today is that there may be a record of the reasons which have impelled me to vote favorably on the pending bill. Second, it is my desire to show, if possible, that those of us who vote for the measure are not voting for war.

I am not anxious for the passage of the bill entirely because of its aiding Great Britain. I am in favor of the bill because I believe it will aid America in its defense.

The Senator from Montana stated Saturday that those who oppose the bill are not in favor of Hitler's winning his fight. I can say, without fear of successful contradiction, that while we all believe that they are not anxious for Hitler to win his fight, Hitler is most anxious for the ones who are opposing the bill to win their fight in the United States Senate.

My sympathies are entirely with Great Britain in its fight. However, the fight on the floor of this Senate is not a matter of little consequence in the European contest. If aid to Great Britain can be defeated, this will be of tremendous assistance to the Nazi Powers. If the bill cannot be defeated, every day's delay will be of assistance to the Nazi Powers. It is said that Nero fiddled while Rome burned. I can think of nothing which would have done more harm to his memory than fiddling while Rome burned, unless it had been that he had been in position to make a speech and had done so while Rome burned.

Mr. President, at this time I desire to call attention to the language of the two party platforms in the last campaign. I first call attention to the fact that the Nazi powers have so far won in the present contest because they have attacked one nation at a time. First they took Poland, and then various little nations have followed one by one. It is the belief of those who are proponents of the pending bill that if those who are opposed to it succeed, Hitler will be permitted to continue his fight by attacking one nation at a time. If he is able to conquer Great Britain, and if he conquers Great Britain without the interposition of serious aid by the United States, he will then be in position to attack the United States, having carried his program from the beginning of his attempt at world power to its conclusion, or almost to its conclusion, without having to seriously contest with more than one great nation at a time.

In the Democratic platform of 1940 the following language was used:

In self-defense and in good conscience the world's greatest democracy cannot afford heartlessly or in a spirit of appeasement to ignore the peace-loving and liberty-loving peoples wantonly attacked by ruthless aggressors. We pledge to extend to these peoples all the material aid at our command, consistent with law and not inconsistent with the interests of our own national self-defense—all to the end that peace and international good faith may yet emerge triumphant.

In the Republican platform of 1940 the following language was used:

Our national defense must be so strong that no unfriendly power shall ever set foot on American soil.

Our sympathies have been profoundly stirred by invasion of unoffending countries and by disaster to nations whose ideals most closely resemble our own. We favor the extension to all peoples fighting for liberty, or whose liberty is threatened, of such aid as shall not be in violation of international law or inconsistent with the requirements of our national defense.

Almost without exception, those who are opposed to the pending measure have stated that they favor a victory by Great Britain. Undoubtedly, differences of opinion would arise as to how much aid should be given, whether certain aid would be detrimental to the United States because of our needing the particular articles or equipment for our own defense. However, there seems to be general agreement that Great Britain should be aided to the extent of our ability, keeping in mind our own requirements for national defense at home.

The question naturally arises as to why Senators of the United States want a particular belligerent to win. Senators state that they are in favor of loaning to Great Britain \$2,000,000,000. As there would, of course, be no expectation of its repayment, one wonders why those of us who vote for a leasing or a lending of armed equipment to Great Britain should be classed as favoring a war, and those who desire to loan money for the purpose of conducting a war are claiming to be in favor of peace. Certainly Hitler would not look kindly upon either a gift or a loan of \$2,000,000,000 to Great Britain for the purchase of any war equipment.

When we think of the nations which have been overrun at the command of Adolf Hitler, when we consider that those nations have been guilty of no offense against Germany, we wonder by what process of reasoning the conclusion can be reached that aid to Britain in money would be a pardonable proceeding, and the leasing or lending of war materials would be unpardonable. It could hardly be urged that the United States should loan \$2,000,000,000 to Great Britain for the purchase of war materials in the United States. Certainly, so far as Germany is concerned, this would be equally offensive to the furnishing of the materials themselves. Again, the question might be asked where outside the United States Great Britain could go with the \$2,000,000,000 and purchase war materials. But, on what theory do Senators believe that any aid should be given to Great Britain? Do the Senators who favor the gift or loan of \$2,000,000,000 to Great Britain think that this would be aiding the defense of the United

States, or do they believe that we should make a present to Great Britain of this amount of money? In other words, why are we interested at all in any gift or loan to Great Britain, if such gift or loan would not aid our defense? I, for one, should oppose such aid if it is not and cannot be considered a part of our national defense, or beneficial to the United States. However, we are told that Great Britain will probably win in any event, and without the aid proposed by this bill. If Great Britain is to win without the aid of this bill, it certainly would win with the aid suggested here. The best judges of military probabilities do not concede that Great Britain has more than a 50-50 chance to win this war, even with the aid of the United States. If Great Britain's chances of winning are only 50-50 with United States aid, what chance does Great Britain have without that aid? We have been told that if the methods suggested by the opponents of the bill, the advancement of money, should be accepted, that the bill could be passed in anywhere from 1 to 3 days. But, if aid to Great Britain is not a matter of defense for the United States of America, by what right, moral or legal, do we furnish any aid to Great Britain; by what right, moral or legal, do we take money belonging to the United States and put it under the control of the Government of Great Britain for wartime purposes? If the battle of England is not a contest in which America has a direct interest, then let us do nothing. To place money in the control of a belligerent, at a time when we have no direct interest in the outcome of the struggle, would not only be unwise but it would be criminal.

Necessity for this aid was known for months. In the Republican national platform of 1940, this language was used:

The zero hour is here. America must prepare at once to defend our shores, our homes, our lives, and our most cherished ideals.

Why did a great political party, in convention assembled, admit that the zero hour is here? Why did it state that America must prepare at once to defend our shores, our homes, our lives, and our most cherished ideals? Against whom is that necessity to defend? We scarcely have to defend our shores, our homes, and our lives unless they are to be attacked. We are told on the floor of the Senate that there is no danger of foreign attack. We are told, not on the floor of the Senate, but by those on the outside who are opposing the bill, that—

The United States is poised on the brink of war because we are listening to international bankers and their dupes, to British propaganda, and to the emotional drivels of bellicose old men and garrulous women.

Were the writers of the Republican platform listening to garrulous women or bellicose old men when their platform was written? The distinguished leader of the majority in this body believes that there is real danger. I was impressed very much by this language:

A world enslaved to Hitler is worse than war and worse than death.

President Roosevelt does not stand alone in the demand the pending bill be passed. The man who was the candidate of the Republican Party for President in



the last campaign, in speaking at a Republican meeting a few days ago, is quoted as saying:

I am here to challenge you to a higher fate than compromise, negation, or death.

Before the Foreign Relations Committee Mr. Willkie said:

Again I protest. I struggled as hard as I could to beat Franklin Roosevelt, and I tried to keep from pulling any of my punches. He was elected President. He is my President now.

When he was a candidate for the Presidency he never approached the height that he did when he uttered those words.

A few days ago, when the distinguished leader of the majority of the Senate told of the speech of Walther Darré, Reichminister of Agriculture in the Hitler government, in which the reichminister referred to the slaves that Germany was going to have to do its bidding, he was answered that this statement had been denied by the reichminister. Ordinarily when a person connected with the administration of a government makes a mistake in language which that government desires to have corrected, the government itself, or the superior officer of the person making the statement, will have some contradiction made of the statement, or if this cannot be done, the government itself denies the sentiments expressed by the offending member of the administration. This does not seem to have been done. We are asked to accept the denial of the reichminister as to the publication of the statements at all. I did not hear at the time of the denial by the distinguished gentleman in opposition that any denial was made as to the statement by Hitler that:

National socialism alone is destined to liberate the American people from their ruling clique and give them back the means of becoming a great nation.

No doubt a representative of the Nazi government will be the one to teach national socialism to the American people. And whether any such statement was in fact made by Mr. Darré or by Mr. Hitler, I think that in the sentiments therein expressed one recognizes the same tone that has characterized the statements of the Nazi officials for several years. Whether or not the Nazi officials actually expect to make slaves of the rest of the world in the sense in which that slavery was alleged to have been expressed by Mr. Darré is something which we can well leave to conjecture. At any rate, we cannot envision the President of the United States, whoever he may be, or of whatever political party he may be, on bended knees, begging for favors from any monarch, European or otherwise.

I am of the opinion that the distinguished gentlemen who have so eloquently pleaded that there shall be no war might be induced to change their minds on this subject, if and when any President of the United States on bended knees is compelled to ask a favor from European dictators. A few days ago the distinguished Senator from Vermont [Mr. Austin] made the following statement on this floor:

No sneers can shake my belief that the United States is in imminent peril of invasion if Britain falls.

Did the majority members of the House of Representatives of the United States listen to garrulous women or bellicose old men when the House passed the bill substantially in its present form? Did the great array of Americans who have endorsed the bill do so because of British propaganda? Are they all dupes of international bankers?

International bankers have come in for more than the ordinary terms of abuse. We have had very little definition as to who constitute this band, or what their purpose may be. My own impression is that in a war such as is possible in America—even probable, should Great Britain fall—the men who have the money will be the ones who will lose most of the money; and I cannot conceive of this imaginary group of international bankers being responsible for the bill. But if our people, including the National House of Representatives, are not such dupes, or mistaken in judgment, then there is a danger in the minds of the best judges in America that America will be attacked. However, those who are opposed to the bill take the position that those of us who favor it are entirely wrong in our reasoning. With reference to this conclusion, I desire to quote from the record of one of the speakers in the Senate who opposes the passage of this bill, as follows:

Prophecies of wise men as to what the future holds have often failed to come true, and, therefore, are not always a safe guide to be relied upon. Sometimes the prophecy of a layman is better than the prophecy of a priest. One man's judgment in predicting the future is about as good as another's, and there are no infallible men when it comes to predicting or mapping the future.

I have noticed that the opponents of the bill have at times admitted their error in statement of fact as to things which have passed. I have heard an intimation once or twice that they concede that possibly they might be wrong in their reasoning. There has been very little doubt expressed at any time by those gentlemen when it comes to a prophecy as to what will take place in the future. They have arbitrarily set up as one of the alternatives the defeat of the bill, and as the other alternative, war. They have been very doubtful in their reasoning as to why it means war. They start with the presumption that war is the inevitable result of the passage of the bill.

When I was in college I studied what was then known as logic. I think it is still used to a certain extent. One of the thoughts impressed upon me in the study of logic was that a wrong premise almost inevitably leads to a wrong conclusion. At one time in my life I was a surveyor. I surveyed land from given beginning points and I soon learned that if I had the wrong beginning I came to the wrong conclusion. Our friends have started with the premise that war is the inevitable result of passage of the bill. Even in this statement it is conceded that there are no infallible men.

It may be that those who favor the bill are not dupes of anybody. It may be that both great parties in national convention assembled really saw the danger they believed to be imminent. It may be that the eminent gentlemen from all over the United States who sat in the national conventions and who believed that in case of the defeat of Great Britain, America would be invaded, are not entirely dupes. However, those who oppose this bill base their principal argument on two premises. The first of these is that those who are favoring the bill are either knowingly or unwittingly favoring a war policy. Secondly, when they tell us that they are in favor of placing America first by preparing our defenses, they seem to forget that our defenses are being strengthened as rapidly as men, money, organization, and machinery can improve these defenses.

I listened with a great deal of interest to the speech of the distinguished junior Senator from Illinois [Mr. Brooks]. He reminds us that the hopes of President Wilson that the first World War would be the last world war have not been realized. Much could be said as to why the plans of Woodrow Wilson never entirely succeeded, and his hopes and aspirations were not gratified. I do not care to go into a discussion of that question. Is any opponent of the bill ready to state that the efforts of Woodrow Wilson toward democracy were entirely in vain? Would any person care to assert that within the generations to come the philosophy in which he breathed, lived, and died, will fail to impress the people of the world? Personally, I am one of those who believe that millions of Europeans today are waiting for the success of the philosophies preached by Woodrow Wilson, which have been practiced by the Nations of the Western Hemisphere, and of which our President, Franklin Delano Roosevelt, is the most outstanding advocate.

I do not care in any way to intimate that the life or teachings of Woodrow Wilson were a failure. I am one of those who believe, with the poet, that:

Truth forever on the scaffold,  
Wrong forever on the throne,  
And yet behind the dim unknown,  
Standeth God within the shadow,  
Keeping watch above his own.

The junior Senator from Illinois further stated that he would aid England—by giving them whatever we could spare out of our present production from now on—short of war—and not dissipate another ounce of the already inadequate defense of America.

I assume that no bill could be written, no enactment could pass the two Houses of Congress, on which the Members of the Senate would agree as to the line between what we could spare and what we could not spare.

The Senator from Illinois [Mr. Brooks] further stated:

I would make this Nation so strong that Hitler would never send a boat headed this way, or I would prepare to sink his ships as fast as they came.

The Senator failed to state how long it would take him to place America in



this impregnable position. He failed to state where the fortifications would be located. One wonders how a man can make such statements in view of the fact that we are told that it would take at least 5 years to place America in such an impregnable position, and we are told that there is danger that Great Britain may fall within 60 days.

Let me say to the Members of the Senate that in listening to those who have participated in this debate, both those who favor the bill and those who oppose it, I have heard no Senator say that it is possible to make America impregnable within the time when it is possible that, without our help, Britain may fall.

The Senator from Illinois also used this language:

Mr. President, this is a war bill, with war powers, with the deliberate intention of becoming involved in other people's wars.

One wonders who has the deliberate intention of involving the United States in war.

The same Senator tells us that he could not believe that Great Britain would surrender her Navy. I agree with the Senator that Great Britain will not willingly surrender her Navy. Great Britain will not willingly be defeated in this war, which will determine whether her sons and daughters will be free men and women, or slaves. However, Britain may be defeated.

We have been told that if the bill shall pass, President Roosevelt will become "World Power Politician No. 1." When I heard the expression "power politician" used, I wondered where it had originated; and when the Senator from Michigan [Mr. VANDENBERG] used that expression, I came to the conclusion that his mind, as mine did, went back to the events at Philadelphia. There is no other explanation. He conceded that in this situation President Roosevelt would be No. 1. I do not think anybody on this side of the Chamber ever thought of placing him anywhere else but No. 1; and when the territory is extended to the world instead of the United States, the Senator still says President Roosevelt will be No. 1. I think he will, if ever it is so extended. I do not think there is any possibility of such an extension. There is no reason for the statement so far as I have been able to comprehend.

We have been told:

We all realize that the powers which are incorporated in the bill to give aid to England will in all probability be used to the nth degree, and used perhaps to an extent which will be definitely injurious to our own national defense.

That statement came from the Senator from North Dakota [Mr. NYE].

Throughout the debate there has been a most generous sprinkling of predictions regarding what the President of the United States will do against the interests of the United States. We have been told that he will give away the Navy. We have been told that he will spend all the money that can be borrowed. When I heard those statements I wondered where those Senators were on November 5, and whether they realized that the American people do not have quite the

same opinion of the man who is in the Presidential chair that they seem to have, or would like the people of the United States to have.

I sympathize with these Senators. They are in a peculiar position. Our friend Willkie has taken a position with President Roosevelt. We can sympathize with these Senators to a certain extent—these Senators who are Republicans—because once we thought we had Wendell Willkie, and we did not have him; and then last year these Senators thought they had him, and they did not have him. I say, oh, how sharper than a serpent's tooth it is to have a thankless child.

However, this is a situation in which more is involved than political priority, political prestige, or political disappointment.

One of the Senators opposing the bill told us:

We all realize that the powers which are incorporated in the bill to give aid to England will in all probability be used to the nth degree, and used perhaps to an extent which will be definitely injurious to our own national defense.

That is a slanderous statement regarding the President of the United States, when we know that he, above all other men, has attempted to place America in a state of defense; that he asked that America be defended; and the ranking Senator on the Republican side of the Foreign Relations Committee, the late Senator Borah, stated that the President's information differed from his own.

President Roosevelt realized the seriousness of the situation when the Congress did not. President Roosevelt told the leadership of both parties of Congress the danger that was coming, and they told him they thought he was wrong. Our opponents did not believe this war was coming, and they said they did not believe the situation would be very serious.

Let me recall the story of the traditional neighbor of Noah who came along while Noah was building the ark. Noah told him what he believed was about to happen; that he believed the deluge was imminent; but his neighbor said he did not think there was going to be much of a shower. That seems to have been the position taken by many of those who are today saying such harsh things with reference to the President of the United States.

We have been told that he should have placed America in the position of defense; in other words, that the President of the United States, without the authority of Congress, should have been a dictator. Then when he comes to Congress and asks Congress to sanction a measure which he says would benefit the American people, they again yell "Dictator," even though he is asking that Congress aid him and give him power to defend the Nation.

When I think of the conflagration which has spread over the greater part of continental Europe, when I read, as we all read last week, while we were here trying to help the defense of the United States, of other countries being added

to the already long list, when I think of the millions of people who have died, the millions of homes that have been destroyed, the millions of persons entirely under the control of the Nazi power who today are starving, I wonder if our friends still think that it is not going to be "much of a shower."

I hope I may never lose confidence in America, American legislators, and American executives to the extent that I should fear both the wisdom and patriotism of our leadership. I have heard much about requiring a two-thirds vote to repeal an act of Congress. I say to the gentlemen of the opposition that, in my opinion, if the power granted to the President of the United States by this proposer's act should be abused, those who are opposed to this bill and those who favor it would unite on a bill for its repeal, and that it would not be necessary to worry about whether it took a majority or two-thirds vote to repeal this measure, if it shall be enacted into law. But the same lack of confidence which cause the expressions of distrust, the designation of the President as "world power politician No. 1," the expression "a power-hungry Executive," would cause suspicion of the American people themselves. I believe that the Senators and Representatives of the Congress are responsive to the will of the people of the Nation, and I believe that the people of the Nation would not hesitate to take from the President the power they had given him if they believed that power was being abused. I hope I may never lose confidence in America to the extent that I should suspect either the integrity or the ability of the President of the United States, the Congress of the United States, or the people of the United States.

The charge that Congress is attempting to pass an act to change the Government of the United States from a democracy to a dictatorship does not appeal to me, and, in my opinion, it does not appeal to the people of the United States. It is not necessary for gentlemen to change the speeches they made last October and November when they made charges of dictatorship. We heard all of them; the American people heard all of them, and as a jury they gave their verdict that they did not fear Franklin Delano Roosevelt and they did not believe he wanted to be a dictator or would be one.

I have too much faith in the efficacy of democracy itself, I have, as the senior Senator from Vermont (Mr. AUSTIN) said a few days ago, too much faith "in the sovereignty of our form of government," to believe such a thing possible. If gentlemen are right in their judgment of the President, if they are right in their judgment of the Congress of the United States, if they are right in their judgment of the people of the United States, then, we are not as a nation now ready for democracy.

I desire to call attention to the fact that, while there has been much criticism in the United States during some administrations as to the use made of the Army and Navy, such criticism has never been leveled at the man who is now occupying the Presidential chair. Criticism



of this kind was leveled at President Zachary Taylor; it was leveled at President Benjamin Harrison, at President Grover Cleveland, at President William McKinley, at President Theodore Roosevelt, at President Woodrow Wilson, at President Calvin Coolidge, at President Herbert Hoover for the incident at Anacostia, but in two full terms of occupancy of the Presidential chair, President Roosevelt has refrained from using the armed forces of this Nation.

I refer to an article in the United States News under date of January 31, 1941, with the title "Power of War Making Vested in the President." I think a careful reading of that article will leave nothing in our minds of the bogeyman who has been created with reference to this bill making it possible for a President to get us into war. I think that Americans are not being influenced with reference to this bill by the drivel of garrulous women and of bellicose old men so much as they are by the groans of starving and bleeding Europe. One Senator laconically tells us that the smoke goes up from the chimney just the same.

Mr. President, I desire to call attention to the fact that the smoke is not going up where the chimneys stood in millions of homes in Europe. There are neither homes nor chimneys; nay, there are not even occupants. We are told that in Poland alone 3,000,000 persons lost their lives, practically all of them noncombatants. No, Mr. President, the smoke is not going up the chimneys of Europe but is going up on the outside, and the smoldering ruins of millions of homes are a continuing reminder to Americans that we must make America strong, that we must defend America even if that defense includes the use of American arms by foreign friends.

Oh, we are told that we will be getting into war if we do these things. Pray, can anyone tell us, what it was that Poland did, that Finland did, that Norway did, and that Belgium did, that The Netherlands did, and that numerous other small countries of Europe did that have been wiped off the map so far as their governments are concerned? What was their offense? Did they furnish money? Did they furnish arms? Is it necessary in the present attempt at world domination in the interest of totalitarianism that any offense be committed? No, Mr. President, the groans of wounded, starving Europe have been British propaganda.

Those on the other side of this question seem to fear British propaganda. We are told that propaganda is being used to put this bill through the Senate of the United States, but about all the propaganda I have seen or known or contacted has been against the bill.

Just a few days ago another Senator, who has since spoken in opposition to the bill, and I were coming from the Senate Office Building. We were accosted by a lady who was so offensive in her manner that this Senator said to me, "I think one or two of those will pretty nearly cause me to change my opinion on this bill." I imagine he was not followed up. I imagine he did not see the rest of them. They were here.

They were here for propaganda purposes.

A few days ago a woman came into my office and told me that she was the mother of two children; that she lived in the city of Detroit; that she had left her family, her husband, and her two little children to come here to tell the Senators of the United States how to vote on this bill. I said, "You must be a woman of a good deal of wealth, are you not?" She said she was not. I said, "Do you mean to tell me that you are paying your way here, that you paid for your transportation here, and you are going to pay for your transportation back home?" She said, "Yes." I suppose that is the sort of propaganda to which some Members are being subjected.

I remember seeing the picture of a death mask in a periodical, published I do not know where. I simply noticed that on the front of the same periodical was the statement, allegedly by the wearer of the mask, that she had rehearsed her act in the office of one of the opponents of this bill.

I have an abiding faith in the American people, in their judgment of public questions. I have an abiding faith in the democracy which has made of the United States of America the greatest Nation on earth. I think our democracy is worth saving. I think democracy need not perish from the earth. This is a warning to the millions in America that neither American property nor American lives will continue under the government of free America if new order is allowed to prevail.

There are those who believe, or seem to believe, that the whole condition in Europe today is under the control of Adolf Hitler. Prophecies are uncertain; prophets either rise to fame or sink into oblivion, according to whether their prophecies succeed or fail. Adolf Hitler is riding on a wave of discontent in Germany. It is my belief that should Adolf Hitler die, the movement would go on until crushed. The movement might or might not have so able a leadership without him. There is no doubt that Hitler has succeeded because there was a hunger in Germany for justice, or even for vengeance; but the struggle is not between Hitler and President Roosevelt. The struggle is between two philosophies of government. In one of them, the traditional lines dividing nations amount to nothing. They are wiped out at the whim of one of the leaders of that belief. We see something like a dozen different countries wiped off the map; and we come into the Senate of the United States when we think of all that desolation, of all that destruction, of all that failure to obey any rule of international law, and we are told that this bill violates international law.

The struggle is one in which slight provocation will be sufficient excuse to draw into it every nation on the face of the earth that subscribes to the democratic philosophy. Preferably, those who are leading the Nazi movement desire that the nations be drawn in one at a

time, defeated one at a time, enslaved one at a time.

The Germans' dream of having President Roosevelt on his knees, begging for the favor of Germany, fits in and harmonizes with the Germans' dream of hundreds of millions of slaves with German masters, with higher education confined to German masters, with the world's activities centered around Germany and its leadership.

The opponents of the bill have announced that they are for America first, the implication being that those of us who favor this measure are placing Great Britain, Greece, China, or some other nation in our affection and our loyalty above America. Mr. President, I resent the implication. The cry "America first" in the Senate of the United States is an unnecessary slap at the intelligence and the patriotism of America and Americans.

I cannot envision the Goddess of Liberty with a Nazi collar. I do not see America bowed in subjection to any foreign power. I do see in the present situation a test of democracy. Adolf Hitler, and those with whom he is surrounded, believe that democracy is decaying. They believe democracy is incapable of assigning to its agents sufficient powers to make effective a government under democracy.

It is with no hope of reward from Great Britain that America will aid the remaining democracy of Europe. We have heard George Washington's Farewell Address discussed. There is something in it which appeals to all of us. We believe what he then said. We believe it still applies. We believe there are situations arising which demand immediate action. He said in that address, as to gratitude on the part of nations:

There can be no greater error than to expect, or calculate upon real favors from nation to nation. It is an illusion which experience must cure, which a just pride ought to discard.

When can America, now or in the future, state that it expects either reward or gratitude for what it does? I, for one, do not hesitate to state that I expect no gratitude.

It is apparent that those who are opposed to this bill prefer to have the war, if one does occur in which the United States is directly interested, take place in the United States itself. We are told that we are going to make this Nation so strong that no other nation will attack it. We are told that that is the way to defend America.

I have a recollection of seeing a fire loose in a great forest. I remember how the people toward whom the conflagration was rushing were anxious to stop the fire. They did not go over and say to the people who were fighting the fire, "We do not trust you. We remember that you insulted us some years ago, and we hope your timber burns." They did not do that. They helped to fight the fire, and tried to stop it while it was still small.

The greatest war machine ever created, from an executive standpoint, was the German general staff of the first World War. The great success of that staff was that it conducted a war through some-



thing like 4 years of continuous conflict without any serious damage being done to Germany's home territory. The devastation of that war was largely in France and Belgium. Both England and Germany were almost unscathed by the direct effect of the war. The destroyed homes, the ruined hospitals and churches, were in France and Belgium. Great Britain and Germany lost man power, and lost money, but the real sorrow and sadness of that war fell on France and Belgium. This was considered a military triumph. Our friends of the opposition seem to prefer that the battle of America be fought in America.

Mr. President, I have recently received from Delaware Post No. 1 of the American Legion, located at Wilmington, Del., a communication dated February 13, 1941, in the following language:

At a regular meeting of Delaware Post No. 1 of the American Legion, held Monday evening, February 10, 1941, a resolution was offered and unanimously adopted that Delaware Post No. 1 go on record as unanimously favoring the House bill 1776, commonly known as the lend-lease bill, now before Congress, and that the commander of the post write each representative of the State of Delaware stating that Delaware Post No. 1 favors and urges the representatives of the State of Delaware to cast the vote in favor thereof.

This communication was signed by J. Paul Green, commander of the post. There is no better cross section of the people of my State than that of Delaware Post No. 1. This is a group whose opinions I entirely respect. They are Americans with experience in the horrors of war, and are now defenders of America, defenders of democracy, while America is still at peace. This post is composed of about 550 members, men in the prime of their lives. These men saw active service in the first World War, and they are anxious, if bloodshed must come, that it come as far away from their homes, their families, their business, their property, as it is possible to keep war. I have no doubt that they are impelled to this position by their experience and their knowledge of the horror of war.

No human being should or can with confidence predict the future. It is entirely possible that war may result in America whether or not the pending bill is passed. It is entirely possible that America may become involved in a war even if the bill is defeated. It is entirely possible that America may become involved in a war if the bill is passed. I am one of those who believe that the bill will not cause war. I am one of those who believe that if war does come, it will be easier for America to defeat a weakened Germany, than to defeat Germany without the decimation of both resources and men which will result from real defense of England, made possible and stronger by American aid, as provided by this bill.

The Senator from Illinois told us that he would stop creating hysteria, and would stop this talk of fear. In my opinion the greatest preaching of fear in America today is by those who fear democracy, whose suspicion is of our Executive, whose suspicion is of the Congress

of the United States, whose suspicion and distrust are of the ultimate power back of both Congress and the Executive, the American Nation.

I rejoice that neither the ghost of a political defeat, nor the temptation of political ambition, has persuaded or induced me to sneer at America's chosen leaders, or to point the finger of scorn at democracy, yes, glorious American democracy, in successful operation.

Mr. SMATHERS. Mr. President, I trust my colleagues will accord me the privilege of not interrupting me until I shall have concluded my brief remarks on the pending bill. I had hoped, in the interest of speed, and realizing the seriousness of world conditions, that I might sit silently by until the debate on the bill had been concluded and not add to delay in the final passage of the bill by any speech or an attempt at oratory on my part.

After listening for the past 2 weeks to the fine speeches which have been made on both sides, I am convinced that the subject has been thoroughly exhausted, and nothing that I may say will add any enlightenment or influence any Senator's vote on H. R. 1776. However, I cannot refrain from briefly stating my views on the bill, so that I may record my position and my reasons for supporting this momentous legislation, which, in my humble opinion, will shape the future course of the world.

I shall vote for the bill, not because I love England or the English cause, not because I hate Germany or that I am unalterably opposed to the totalitarian form of government as represented by Mr. Hitler, but because I love America and because I believe the bill provides the courageous, honorable course that America should take in order that history may record that this great Nation met the challenge and took her rightful place as one of the great nations of the world in a struggle the outcome of which will determine whether we live as free people or whether we stand by and let a little band of pirates enslave the world.

I have no sympathy, Mr. President, for the parrotlike prattle that if the bill is passed we will be at war in 30 days. I have heard that prediction made time and time again by the same men on this floor. I recall that a year or so ago, when the embargo was lifted, the same cry went up that it was an act of war, that it would lead us to war, and that we would be at war within 30 days. Then, months later, when we wrote the great conscription bill in order to protect ourselves from the onslaught of totalitarianism, I heard the same cry on this floor by the same men that it was an act of war and if the bill were passed we would be in the war within 30 days. I heard some of these prophets, who now call themselves isolationists, predict only a week or 10 days before Hitler started his march to enslave Europe that "there will be no war in Europe"; that "the European nations are further away from war than they have been in the last 20 years"; that "under no circumstances will there be any war in Europe unless President Roosevelt gives the word to go."

So I say that when these isolationist prophets predict that this is a war measure, and that we will be in war within 30 days if it passes, I am not impressed, and I know, Mr. President, that they are not succeeding in their purpose of frightening the American people. In every instance these wise prophets have convicted themselves of being false prophets, and yet they have the temerity to continue predicting and prophesying as if they were wise men who were going to lead this Nation out of the wilderness.

Neither am I impressed by those small souls with weak knees who assert, without feeling the sting of shame, that Germany is invincible, that the English cannot win, and that we should not support or attempt to support a lost cause; that England, even with America's help, cannot defeat Germany. Shame on an American who makes such a statement. It ought to be treason for any American citizen to make a public statement that this Nation cannot "lick" any other nation, including the entire world. [Laughter.]

When I hear such cowardly opinions expressed, my mind goes back in history to that glorious day when a little band of Spartans, in a defile in the mountains, withstood a whole army. I suppose that little handful of Spartans had their Lindberghs, and their Williamses, and so forth, telling them that that great marching army was invincible, but, thank God, we know that the thing which is invincible is the spirit of mankind.

We have been led by the Lindberghs and others to believe that totalitarianism as represented by Hitler, Mussolini, and Japan is some great superphilosophy, so strong that it is invincible and that we ought to appease it, yield to it, compromise with it, or bow down to it; but that theory has recently been exploded when the totalitarian hordes of Mussolini, outnumbering their Greek adversary 3 to 1, turned tail and ran like a bunch of scared rabbits, totalitarianism, fascism and all, when they met the spirit of man in the valor of the Greek soldier.

It is therefore, Mr. President, my fervent hope that this invincible spirit of man will be rekindled in the breast of the American citizen; that we may with courage and fortitude cast our lot in this world conflict with those who are fighting for their lives, their liberty, and their freedom, by giving effective aid through the speedy passage of this bill, bringing the great power of American productivity to the aid of those who have the faith to resist aggression.

In the beginning of the present conflict in Europe, I was led to believe by the "appeasers" that the conflict was nothing more than a struggle between two nations of Europe over boundary lines or property rights, and, so believing, I reluctantly voted to take our ships off the high seas where, under international law, they rightfully belonged, and to make any other reasonable sacrifice or concession which would prevent the United States becoming involved in the European war.

We were told by Mr. Hitler that he had no designs on America, but we now know, at least I am one who is thoroughly convinced, that Mr. Hitler was lying, that his



design on our Nation is certain, and that this is not merely a European conflict, but is a world-wide conflict in which America is the biggest prize at stake.

When Mr. Hitler and Mr. Mussolini and Japan bound themselves together in a world axis power by an agreement, many terms of which are secret, they convinced me that their paramount purpose was to conquer and enslave the world.

In the light of Hitler's secret agreement with Japan, anyone who stands on this floor and argues that should the British Empire fall, Hitler will not bother us or any South American country, is "kidding" himself and the American people.

I shall vote for the bill because I believe it is America's last chance to save Europe; yes, save the entire world, from enslavement to the totalitarian Axis Powers.

I shall vote for it because I believe that America, the strongest Nation in the world, should take its rightful place as the leading Nation of the earth in an effort to resist the spread of totalitarianism and to lead mankind throughout the world into a sphere of greater liberty and greater freedom.

I shall vote for the bill because I am one who believes that America should take its head out of the sand of appeasement, place our ships and our commerce back on the high seas, and tell the three gangster pirates that we will not be cowed by them and their threats, that we intend to live as free men in a free world and to give every aid within our power to those nations who have a like desire and the courage, faith, and hope to resist totalitarian enslavement.

I shall vote for the bill because I trust the President of the United States to execute without abuse the will of the American people to give to the nations resisting aggression all possible effective aid.

Mr. President, it seems to be the order of the day to quote former Presidents of the United States. I wish to quote the immortal Lincoln, who uttered the powerful phrase that a government of free people "shall not perish from the earth."

The passage of the pending bill will proclaim to the world that America is still determined that liberty and freedom of man "shall not perish from the earth" if it is within our power to give aid to those who are fighting for those sacred and inalienable rights.

Mr. President, that is all I have to say on the bill. Of course, I realize that what I have said is not much; but I also know that had I had something to say, I could have said it in the 20 minutes I have consumed in expressing my position on the bill. It seems a shame to me, when every man, woman, and child in America knows that the bill will pass, and when every Member of the Senate knows how he expects to vote, that we must turn this great body into a debating society week after week, with the result that the passage of this great legislation must be delayed.

The delay which the bill has met in the Senate almost proves that Adolf Hitler is right when he ridicules democracy and says that democracy is a joke and cannot work, and that a little group of

evil men in a democracy may gang up and prevent a democracy from functioning as it should function.

Therefore, Mr. President, it is my humble hope that the Senate may be able to cast off the shackles of delay and the characteristics of a debating society, and within the course of the next day or two become a great deliberative body of action, so that the bill may be written into law, for I believe that not only all the people of America but all peoples throughout the world are crying for action on the bill by the Senate. I for one am not content to sit here as a member of a debating club while empires fall.

Mr. CLARK of Missouri. Mr. President, before the Senator takes his seat, will he yield to me? I understood him to say that he would be glad to yield at the conclusion of his prepared address.

Mr. SMATHERS. Mr. President, I will not yield, because I think yielding for a personal colloquy will only delay action by the Senate on the bill. I shall be very glad to meet the Senator in the press room, where he can get full credit for anything he wishes to say and obtain all the publicity he desires.

Mr. CLARK of Missouri. We all read the Senator's speech yesterday in the Sunday newspapers.

Mr. CONNALLY. Mr. President, a point of order.

The VICE PRESIDENT. The Senator will state it.

Mr. CONNALLY. The Senator from New Jersey has not yielded.

Mr. CLARK of Missouri. Mr. President, does the Senator from New Jersey decline to be interrogated? He said at the beginning of his address that he would be glad to be interrogated.

Mr. SMATHERS. I shall be very glad to have the Senator follow me out to the press room—

Mr. CLARK of Missouri. I do not care about having any private conversations with the Senator from New Jersey. That is beside the point.

The VICE PRESIDENT. The Senator declines to yield.

Mr. WALSH obtained the floor.

Mr. AUSTIN. Mr. President, will the Senator yield?

Mr. WALSH. I yield.

Mr. AUSTIN. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Capper	Herring
Aiken	Caraway	Hill
Andrews	Chandler	Holman
Austin	Chavez	Hughes
Bailey	Clark, Idaho	Johnson, Calif.
Ball	Clark, Mo.	Johnson, Colo.
Bankhead	Connally	Kilgore
Barbour	Danaher	La Follette
Barkley	Davis	Langer
Bilbo	Downey	Lee
Bone	Ellender	Lodge
Brewster	George	Lucas
Bridges	Gerry	McCarran
Brooks	Gillette	McFarland
Brown	Glass	McKellar
Bulow	Green	McNary
Bunker	Guffey	Maloney
Burton	Gurney	Mead
Butler	Harrison	Miller
Byrd	Hatch	Murdoch
Byrnes	Hayden	Murray

Norris	Sheppard	Tunnell
Nye	Shipstead	Tydings
O Mahoney	Smathers	Vandenberg
Overton	Smith	Van Nuys
Pepper	Stewart	Wallgren
Radcliffe	Taft	Walsh
Reed	Thomas, Idaho	Wheeler
Reynolds	Thomas, Utah	White
Russell	Tobey	Wiley
Schwartz	Truman	Willis

The VICE PRESIDENT. Ninety-three Senators have answered to their names. A quorum is present.

Mr. WALSH. Mr. President, I ask that I be not interrupted during the delivery of the formal speech I have prepared.

Mr. President, it is gratifying to know that in the discussions of this highly controversial bill, fraught with so many uncertainties as to the future of our country, all Members of the Senate and all Americans are in accord on the importance of making all necessary sacrifices and taking all necessary measures in the preparedness of all our national defenses. Happily, there is and will be no difference of opinion on that subject.

We agree also that this is a grave hour in the history of men and in the history of nations. It is a grave hour for our own country and our own people. This truth is brought home to us with ever-increasing emphasis by events on every hand. Those who do not see them are blind. Those who do not realize their implications are unthinking. Let no words of mine here today be taken as depreciating the gravity of world events, the extreme perils to democracy and to freedom throughout the world, peril to our own democracy and to our own freedom.

It is natural that a bill of this kind would arouse sharp differences of opinion and stir up an enormous amount of passion. Those of us here who possess strong convictions have not only the right, but the duty, to set them forth. It should be done, however, subject to at least one restraint, namely, that no Senator or other real American has a right to impugn another's motives. I for one do not doubt the patriotism of those who differ with me. I have at times vehemently protested what seemed to me to be specious propaganda seeking to affect the judgment of the American people, but even that can be alleged to exist on both sides of this issue. Let us disagree, if necessary, but in the course of the argument let us not lose sight of the fact that Americans who differ with us may have intentions as patriotic as we hope our own are.

The bill now before the Senate is offered to the Congress and to the country as a measure for promoting the defense of the United States. The proponents of the bill have sought to lead the country to believe that this legislation is not only promotive of our own defense and safety, but that it is indeed indispensable to our defense and safety and that any who oppose it or any part of it are obstructionists of national defense.

It is my conviction that the advocates of this bill misrepresent both the character of the legislation and the position of those who are opposed to it. It is my conviction that the country is being grievously misled and that those who



raise their voices in opposition are being grossly misrepresented.

In my judgment, the pending bill, when thoroughly examined in relation to existing facts and conditions, is objectionable on two grounds, either of which offers the most compelling reasons for its rejection.

First and foremost, in purpose and effect it gives blanket approval to policies and a course of conduct that I most earnestly and most regretfully believe will lead the United States into the war in Europe or in Asia, or perhaps both. Indeed, in my judgment, this bill when viewed in the perspective of all the attendant circumstances is an absolute committal of the United States to war as Britain's ally in her life and death struggle with Nazi Germany and Hitler's associated partners and pawns. I say this fully conscious that the proponents of this legislation, when it was first presented to Congress and to the country a month ago, loudly proclaimed it a measure to keep the United States out of war. Such a claim is entirely specious. Such a belief is a delusion. The proponents of this legislation, it seems to me, refuse to face the realities of the course which they advocate. If they do face them and perceive them, they have not acquainted the country with the implications.

But it is only fair to say that as public debate and consideration of this legislation have advanced, less is heard of the claim that this is a peace measure. There is now a tacit admission even from many of the proponents that this bill does in fact take us down the road to war.

Those who face the realities and speak out and say, "Let's go to war now at once on the side of England to save England and to destroy Hitler in order to save ourselves from a worse war and perhaps a worse fate in years to come," may be absolutely wrong in their judgment as to the course that we ought to follow for our own safety and our own interests. In my view they are wrong, for reasons that I will discuss briefly before I conclude. However, they are at least outright and candid when they say "Let's go to war." But they are a minority.

My words here today are directed to those who will not face the realities, and who still pretend and insist the bill the Senate is asked to accept, and Congress to enact, is for the purpose of keeping the United States out of war and at peace. I repeat that any such claim belies the realities.

My position and my views in opposition to the entry of the United States into the present war in Europe have been publicly stated on repeated occasions even before the outbreak of the war. It was an issue in my campaign for reelection to the Senate. Time and events have reinforced my opposition to our entry into the war and my conviction that such a step will be our ruin—economically, socially, and politically.

There have been endless discussions and debates as to what may be the future destiny and final fate of the United States or of the Western Hemisphere should Britain be vanquished and the totalitarian

powers finally obtain mastery of all of Europe and Asia. A great deal has been said about isolation and about those who were asserted to be advocates of isolation. I would be the last to profess indifference to the outcome of the war in Europe or indifference to the present plight and future destiny of these countries—Poland, Czechoslovakia, Norway, Holland, Belgium, France, and others—who have already fallen into the clutches of Hitler. I would be the last to contend that post-war conditions in the rest of the world are of no consequence to the United States. I readily concede that of necessity we are directly concerned. We may speculate as to whether the conquest of the Western Hemisphere will be attempted sooner or later by the Nazis if their triumph in Europe is complete. We may theorize concerning the Monroe Doctrine, the policy of hemisphere defense, and what will happen in the Central and South American republics if Hitler wins, but in our discussions of these questions let us not lose sight of the fact that they are conjectural rather than actual.

Briefly stated, the argument of the proponents of this bill is that unless we intervene in the European war we will have to fight the Axis sometime and that we should do it now when we have Britain to help us. Why wait, they say, until we have to face the whole world alone?

Let us stop to inquire what this argument assumes. Their argument assumes that the British Empire without our aid must fall; that the totalitarian states will survive the conflict; that if they do survive, they will want to attack us; that Hitler will be in a position to do so; that he will have the resources and the backing of his people to do so. It assumes that the task of holding down conquered nations, including England, will be of little or no trouble to Hitler; that he will be unconcerned as to the attitude of Russia; and, last and most important, he will find it feasible from a military and naval standpoint to reach America by sea or air to attack us. All these things must be assumed by those who say we ought to go to war, to fight Hitler before he comes over here to attack us.

I do not myself accept this hypothesis, but the point I would emphasize is that it is in any case a hypothesis, a speculation, a contingency, rather than a reality.

We must prepare, as I said at the outset, and we are preparing, for any eventuality including the possibility of attack upon us. It is the presence of the contingencies mentioned a moment ago that impels and justifies a virtually unlimited expansion of our Navy and our Army and our aircraft that is now under way; but let us be candid to the point of conceding that our preparations up to the present time have not been in anticipation of an attack, but rather as measures of protection and primarily for the purpose of forestalling any hostile moves in this hemisphere.

So it seems to me preferable to risk the future, prepared to the limit for our own and for hemisphere defense, and with a strong and free people, a stable and truly democratic government, a

sound, and as nearly as possible, a self-contained industrial economy coupled with every possible defense against attack from any quarter—it is infinitely preferable, I repeat, to take these risks of the unknown future, great though they may be, than to intervene in the war now, when to do so means irretrievable ruin, a self-inflicted destruction of our own democracy, a self-imposed totalitarian government, fetters that once they have been riveted may never be unloosed.

Our choice today is either to keep out of war and risk whatever the future holds in store, or to get into the war either through the front door or through the rear gate and at once cast to the winds our heritage of freedom, make of our Constitution a scrap of paper, conscript millions of our youth for fighting, put private property in the hands of the Government, and proceed to national bankruptcy.

Our choice today is between the present war and positive ruin on the one hand, and present peace and future risks on the other hand. There is no middle course. Lincoln said no nation can endure half slave and half free, and so today it may be said with equal pertinence that no nation can hold its place half in war and half in peace.

How tragic it is that so many of our people are so grossly misinformed and so grievously misapprehend the nature of the decision which they are called upon to make. They are being led step by step down the road to war, first under the impression that they are escaping war, then under the impression they are preventing the spread of war from Europe to America, and then under the impression that by going into the war or half way into the war they are safeguarding democracy and promoting America's future security; and, finally, that by going into the war now they are saving America from invasion and capture.

To my colleagues and fellow countrymen, to such few as truly favor plunging the United States into war in an effort to overthrow Hitler and the Nazi menace, to such few as truly believe the only successful way of fighting a heavily armed, highly efficient dictator state is to adopt similar tactics and set up a dictatorship in the United States, I say that those who hold such beliefs and favor such a course are rightfully supporting the bill now before the Senate.

But with respect to those who profess truly to desire escape from war and who profess truly to desire preservation of the democratic form of government, who profess truly to oppose an American dictatorship, however beneficent and well-intentioned such a dictatorship may be, how they in good conscience can support this bill is to me incomprehensible. For, make no mistake, this bill is not a defense measure or a lease-lend bill—it is a war bill, transferring the war-making powers of Congress to the President. This bill does not add to our defenses, it subtracts from them. It does not strengthen them, it weakens them. It does not lessen the risks of war, it multiplies, the Almighty only knows to what degree, the risks of war.



One line of argument advanced by the proponents in support of the pending bill is the argument that the President—any President of the United States—if he is so disposed, has the constitutional power to issue orders and take steps that by their nature might plunge the country into war. Proceeding upon this assumption, the proponents contend that it is unfair to charge this bill with being a war bill and a bill tending to take the country into war, because the President has that power in any case, and that with this bill or without it, it will rest entirely with the Executive as to whether or not the United States becomes an actual participant in the war or by its acts incites other nations to declare war upon us.

This line of argument is advanced in a leaflet which is now being distributed by the Massachusetts League of Women Voters, an organization that favors the passage of the bill. They point out that under the Constitution the President is at all times the Commander in Chief of the Army and Navy; that the Mexican War was in consequence of actions taken by President Polk, without express authorization by Congress, in ordering the United States Army into land claimed by Mexico; that when the South seceded in 1861 President Lincoln ordered the Army to blockade the South without waiting for authority from Congress; that President McKinley sent troops to China at the time of the Boxer Rebellion; and that President Wilson sent the Army into Mexico in pursuit of Villa and sent the Navy to Vera Cruz.

It is well to recall these incidents. It gives us fresh realization of the great power and heavy responsibilities that rest with the Executive.

The argument is persuasive that the President can take this country into war without the consent of Congress, but in my judgment that fact does not offer any justification for the present bill. Those who advance such an argument, if they carried it to its logical conclusion, might as well call upon Congress to abdicate all authority and to act only as a rubber stamp for the Executive simply because it was contended that since the Congress was powerless to checkmate the Executive it might as well register in advance its approval of any course that he may see fit to pursue.

One of the fundamental objections to the present bill is that it does in fact not only delegate blanket authority but in a sense register advance approval by Congress of any course that the President may hereafter take in the name of national defense or in the name of aiding in any way any nation anywhere that the President, in his sole judgment, deems to be vital to our national defense.

Let us be realists and admit that once in the war, and with the Navy and Army actually in action, Congress would be in no position to refuse to provide the money and do the things necessary to carry on the war.

There is nothing in the bill to prevent the use of our Navy in convoy service. That step means war. Yet the proponents object to any prohibition against such a step being placed in the bill. Obviously, the recital contained in the

bill as it passed the House and as reported to the Senate to the effect that nothing in the bill authorizes the employment of the Navy for convoy purposes is in no sense a prohibition. The clause in the bill on this subject is utterly misleading.

It is misleading to the very people whom it is meant to reassure. It gives the false impression that because we are not by this bill authorizing armed convoys we are thereby forbidding convoying. As Mr. Charles Warren, a very high authority in these matters, made clear the other day, such declarations—

have absolutely no legal effect—

Because—

Congress has no power to regulate or prohibit the President from exercising his authority as Commander in Chief of the Army and Navy to direct the movement of ships of the United States Navy.

It cannot be wise, and certainly it is not candid, to create the impression that Congress has forbidden measures which it has no power to forbid and, in practice, could not effectively forbid.

There is nothing in the bill to prevent the use of our Navy or our Air Force by Great Britain. That means war. There is apparently nothing in the bill to prevent sending our armed forces to the scene of the European conflict. We are assured there is no thought of such a step and no need of such a step, but the fact remains that the bill as it was presented to the Senate is broad enough to sanction such a step. It is to be hoped that an amendment specifically prohibiting any such course will be incorporated into the bill before it is enacted.

There is nothing in the bill to prevent alien ships now in sanctuary in our harbors from being seized and transferred to other belligerents. This may mean war.

The provision permitting the use of our ports for the repair and supply of foreign warships is contrary to international law and contrary to agreements to which this country has been a party. This may or may not mean war.

There are no limits in the bill as to countries to be aided.

The financial limitation that was inserted in the bill in the House was shadow without substance.

There is no real limitation to the President's judgment. There is nothing in the bill to prevent involvement in war as distinguished from a declaration of war by the Congress.

It is not to the point to say these powers will not be exercised. They can be exercised and every past event and present circumstance point to their exercise.

I said earlier that I view this bill as objectionable on two grounds, each of which affords the most compelling reasons for its rejection. One ground is this inescapable conclusion—the bill commits us to a war from which we may never recover.

The other ground is that with reference to measures short of war for the aid of England or aid to any other foreign nation or nations in need of our help—aid not incompatible with our own defense

needs—this bill is neither wise nor necessary.

Mark my words, "short of war!" Mark my words, "not incompatible with our own defense needs!"

If we are to repeal the Neutrality Act, but desire to accomplish it by subterfuge, then this bill is useful. If we are to lend or give away portions of our Navy, then this bill is useful. If we are to undertake to send armed convoys across the Atlantic to Britain, then this bill is useful.

But let it be clearly understood that the passage of this bill does not of itself produce a single additional airplane, ship, or tank, for the United States or for England. Certainly, the defense program is being rushed, and we understand that the bulk of our munitions now being produced is being shipped to Britain as fast as possible. Granting our desire that she be able to hold out and in the end triumph, what do we propose to do for her help, that we are not doing today, if we are to confine our efforts to measures short of war?

If, in accordance with the President's lease-lend special message to Congress that coincided with the introduction of this bill the President desires further credits or gifts for Britain when her own resources are exhausted so that the manufacture and supply of munitions may continue uninterrupted, is there the slightest doubt, in view of the well-known temper of the majority of Congress, that Congress would grant specific authority for such financial assistance in specific amounts? Any specific proposal for credits or gifts to China or Greece would undoubtedly receive congressional approval.

I cannot reconcile the facts with the statement that if this bill is not rushed through to passage it may be too late to save England. What class of aid that we are not now giving will be given if the bill is passed? Does the passage of this bill mean convoys, the sending of our Navy or air force to the assistance of England—in other words, definite involvement in the war in direct violation of the candidates' pre-election speeches and the platforms of both parties?

What are the specific objectives of this bill and what is the reason that such objectives cannot be obtained by specific measures giving specific authority?

So I am compelled to the conclusion that the bill in reality is unnecessary, either to expedite our own national defense or to expedite aid to England, short of war, and my conclusion is that it conceals designs and powers intended for war and is being pressed for that purpose.

It seems to me that the real pith of the bill and its most portentous aspect lies in its granting of virtually unlimited powers to the President to aid—and I quote the exact words—

The government of any country whose defense the President deems vital to the defense of the United States.

Here is enunciated a policy unprecedented in the history of our Republic, namely, that our continued national existence depends upon the defense of foreign countries. In effect we are writing into the law the admission that the United States cannot defend its own in-



tegrity by itself. In these few phrases we abandon our independence as a nation.

I am impressed by the fact that these phrases do not say that the continued existence of certain nations may be helpful to our own world position under certain future conditions. The implications of the bill are quite different. The implications are that we cannot survive as a nation unless these other nations survive. I do not subscribe to any such doctrine. Neither do I believe the American people subscribe to any such doctrine.

There is another argument advanced by the proponents of the pending bill upon which I wish to comment briefly. It is a two-faced argument. It is contended on the one hand that to all intents and purposes we are already in the war, it is already an accomplished fact, hence to talk about this bill as a measure taking us into war is a waste of breath. On the other hand, it is contended that we may be "in" the war already, but we are not "at" war because we are not yet engaged in actual conflict. It is said that either with or without this bill, we might engage in a limited conflict—say, for example, in keeping open certain sea lanes, without declaring war or becoming obligated to fight a war to a conclusion. We have engaged before in limited and undeclared wars. So have other nations.

I submit that such ingenious and cunning reasoning with respect to issues of such overwhelming gravity, with respect to decisions that may sacrifice the lives of millions of our young men and may in the end settle the fate of America, is unworthy. Let us not split hairs about "in" war and "at" war. We are either in or out. We are either a belligerent or a neutral.

Long before the outbreak of the present war in Europe—to be exact, in April 1939—I made a speech in the Senate directing attention to the rumblings of war in Europe, urging the adoption of a policy that would insure our avoidance of and our nonparticipation in that war. I pleaded for a policy of neutrality by the Government of this Nation, absolute official neutrality, as the surest and most necessary step to take to avoid war. Please note that this was months before the outbreak of the present European war, and before anyone knew exactly what countries would be involved, though even then it could clearly be seen that another world conflagration was in the making.

The second proposal that I then urged upon my country was the speedy building up of our national defenses so as to be prepared "for any eventuality that may follow a war in Europe." This latter recommendation I have urged for many years. I have, over and over again, affirmed the proposition that the surest way to preserve peace and security and to avoid war is to make our national defenses, particularly our Navy and air force, so powerful that no nation or combination of nations on earth would dare invade us. I have repeatedly emphasized that our Navy was our first line of defense; that it should be impregnable against any foreign foe or power daring to attempt the invasion of our country. But I have never made a plea for the

expansion of our Navy without assuring the American people that it would never be used for aggression.

I have never changed my opinion as to the course our country should take with respect to war in Europe or Asia. Indeed, I took the same position with respect to the Spanish civil war, the Chinese-Japanese war, and to the Ethiopian-Italian war when powerful forces tried to involve us. I have long been convinced that it would be ruinous and destructive to adopt a national policy that leads to our country policing the world or attempting to dictate a form of government for other nations, or forming political or military alliances with countries which have been engaging in feuds and wars for unnumbered centuries.

Inasmuch as I am resolved, so far as lies within my power, to keep this country out of war, and since I look upon this bill as equivalent to a declaration of war without a declaration in fact or specification or designation of the name, it follows that I am opposed to it in its entirety. Admitting my view, none of the amendments that have been proposed, nor all of them together, will remedy this basic vice and convert this war bill into a peace bill.

Of what account are the time limits that have been written into the bill as a sop to the sensibilities of those who shrink from the delegation by the Congress to the Executive of such unprecedented, such unrestricted, and such fateful power? Of what account are these time limits, I repeat, when commitments may be undertaken, steps initiated, and de facto participation in the war accomplished upon the day or within the hour or even before the ink is dry on the Presidential signature to the bill?

Mr. President, the purport of this bill has been exceedingly well expressed in a very few words by a Washington news columnist in one of his recent dispatches. I have not heard it better expressed by any living human being. And let me say parenthetically that this columnist is distinguished for his dispassionate and factual reporting of events, without partisanship or bias.

Here is his summary, made within the past few days:

The bill pledges this country to do whatever is necessary for a British victory. This is its whole purpose. If war becomes necessary, it will be war; if a million planes become necessary instead of a few thousand, it will mean a million planes.

The amount of money it is to cost or the consequences it is to entail are incidental to its single purpose—as will become apparent as soon as it is enacted. If you are going to commit yourself to another nation's victory, you must do whatever is necessary to assure that victory as a matter of course.

Mr. President, I repeat, that in my opinion, there can be no merit to this bill unless we are resolved to go to war. As an empty gesture there would be no purpose in conferring these great powers upon the President except in contemplation of their exercise, and once the die is cast and we are in the war, of what account then will be the so-called limitations and safeguards that it is as-

serted have been incorporated in this bill? Once in war, there can be no turning back. The Congress will have no choice, the people will have no choice. Such a war will not be America's war. It will be a world war in which we will join in world ruin.

Of what account is the provision requiring consultation with his military and naval aides, with no obligation to follow their advice?

Of what account is the provision requiring reports by the President to the Congress every 90 days, but conditioned so as to leave with the President the decision of what to disclose and what not to disclose?

I have mentioned earlier the futility of the recital in the bill respecting armed convoys.

Having pointed out two fundamental objections to the bill, I propose through a series of questions to indicate the uncertainties ahead, the dire consequences, the unconsidered factors, and to demonstrate that the state of mind of those who favor this measure is the result of emotion with blind disregard of what we are undertaking.

The following questions will, it seems to me, serve to indicate the overwhelming social, economic, political, and financial consequences that are being completely disregarded, and make it plain that the advocates of this bill are guided by their emotions rather than by reason.

Is there any guaranty that we shall win the war if we go in?

If we lose the war, or even if we win, may we not face bankruptcy and such a depression as will make past depressions seem trifling by comparison?

What assurance have we that our participation in the war will not enmesh us irretrievably in the conflicts of Europe and Asia?

Is there any guaranty that our Navy is not to be used to aid the British in either the Atlantic or Pacific, or both?

Do the American people realize the import of what the naval experts have told to committees of Congress, that we are without bases in the Pacific Ocean beyond Hawaii; that it is a tremendous distance from Japan to Hawaii, and that the greater the distance from naval bases the more hazardous is a naval engagement; and that engagement in a sea battle on the other side of the Pacific might prove to be naval suicide?

If Britain repels invasion, as all Americans desire and hope, who is to undertake the job of removing Hitler and his allies from Europe and restoring the enslaved people of Europe? Are we going to help to do it?

If our objective is to remove and destroy the doctrines and military power of the Nazis and Fascists, how is it to be done unless we land armed forces on the continent of Europe?

Will not the chief burden of Government expenditures for war inevitably fall upon the poor—the poor, who will pay with the hunger of their children—and the middle class, who will be reduced to the bare necessities?

Will not the industries of the country pay not only directly in high taxes, but



after the war is over in idle factories, which means unemployment?

What assurance have the American people that the capitalistic system, which many claim this war has ended for France and England, will not likewise be ended in America, and some plan of socialism substituted, as an inevitable consequence of our participation in the war?

Has any naval or Army officer ever suggested or stated in his opinion the United States is in a position to give any vessels or planes or other war weapons to any belligerent without impairing our own national defense?

Let me pause a moment to say that the answer to that question is an emphatic "No."

Has any Army or naval officer given to the American people or to any Member of Congress a list of our military weapons and war paraphernalia that we could lease or lend without impairing our national defense?

If England falls, what will become of the war vessels, planes, weapons, and munitions delivered by our Government out of its own arsenals, from its own defense protection?

Have the advocates of this bill questioned what Admiral Stark said before the Committee on Naval Affairs early last summer that—

The airplane as it demonstrates its effectiveness in England will hardly be an effective weapon against this country, so far as bombing operations or importation of troops or anything else is concerned.

Or what Admiral Yarnell said on May 18 last:

The Atlantic still remains a large body of water and the possibility of plane attack from overseas on this country will remain remote for some time to come. Furthermore, planes alone cannot win a war. The foot soldier is still needed for an engagement and must come in transports over the ocean.

None of these stupendous possibilities are being considered by those who would give America to save the world.

Do those who indulge in the alarmist talk of an overseas invasion of America by Hitler know that when you move one soldier you must move with him nearly 8 tons of supplies, and that an additional 13 tons are required to supply him for 1 month? Multiply this by the number of men in any size army you wish and you can readily perceive the remote, if not impossible, chance of an invasion of this country.

Is not this bill designed to permit the United States to undertake military commitments in other parts of the world that we are not prepared to fulfill and cannot make effective?

Finally, is not the proper way to preserve the American way of life to build up our defenses on land, sea, and in the air and make them impregnable by uniting our people as one in resisting an aggressor, rather than by participating in wars in other parts of the world?

To me it is incomprehensible that America would knowingly undertake these stupendous risks—and my conviction is that we are undertaking them unthinkingly—without deliberate, thorough, and conclusive realization of the

program that we are proposing to ratify, a program that, in my judgment, may be suicidal. To my mind, this bill approaches the recklessness, the daring, the insanity of one who tries to ride Niagara Falls in a rowboat.

The danger to America at the present time does not lie in Europe. Real and immediate danger to America lies in improper guidance of our people—the danger of following the impulses of our hearts instead of the dictates of reason. Even the untold sufferings of millions in other parts of the world should not send us hunting for machine guns and other weapons of war until we know that something will evolve from that tragic cataclysm which will maintain and strengthen our own freedom and preserve our own institutions. There is no evidence before us to justify this. But this does not mean we should not prepare ourselves against such a possibility. It does mean that we should not bring war to ourselves because of a suspicion, a possibility, or a chance that we may be attacked.

There is, it seems to me, underlying the war-provoking policies of this bill an utter lack of positive and unalterable determination to safeguard the lives of Americans, to conserve our own military defenses, or to contribute to the preservation of the life of the Nation. Frankly, is not America today thinking too much of sacrificing and dying for the adjustment of wrongs elsewhere and thinking too little of the resulting destruction of our own people?

The real and vital question before the Nation, as I see it, involves, however appealing the cause may be, more than aid to Britain or even support of the British war policy. America's problem is this: Are we to defend our freedom in our own Western Hemisphere, or are we to adopt, in effect, a policy of relying upon other nations in the Eastern Hemisphere for our own preservation?

The argument advanced in favor of the bill and the course of action contemplated boils down to the single proposition, "Let us take steps to save the British Empire, and if we do this we will save the American way of life." Ah, Mr. President, we have dared for 150 years to protect and defend alone the American way of life. We did it when we were small in numbers and poor, without substantial material resources. Now we are 130,000,000 people, the richest nation on earth, with an industrial power equal to that of all Europe combined; and yet, because a war-mad man named Hitler has come to power in Europe, we are afraid to stand alone and challenge him to place one of his soldiers on American soil.

Other Americans today urge that we should become an ally with those who are fighting aggressors in other parts of the world, without our fighting such aggressors. Think of it! Proclaiming that the European war is America's war, they insist that we take no part in it with our man power, yet they expect that Britain should negotiate a peace which would be satisfactory to us. Why this lack of frankness with the American people?

What assurance have we, if this bill passes, that we shall not ultimately send

men to Europe? Only last year we were told all that was necessary to help win the war was the repeal of one clause of the Neutrality Act—the arms embargo. Since that time one protection after another has gone, and we are now actually handing over destroyers, bombers, and all other kind of war materials. I repeat. What assurances, before we cast this vote, can we give the American people that our youth will not go? An amendment to give this assurance was defeated in the House. I fear it will be defeated here; and yet this measure is labeled a defense measure and not a war measure.

Who can draw the line beyond which aid short of war becomes war or an involvement that will force us into war? If tanks are not enough, if our aircraft proves insufficient, if conversion of our bases into British war stations fails to provide sufficient aid to Britain, China, Greece, and other beleaguered democracies, what shall be expected of us and can be reasonably asked of us by those democracies if we go that far? The answer can only be that we shall be committed to aid which involves actual war, not only material resources and financial resources, but the blood of our young men.

No other result can follow a course of action by a nation willing to go to the aid of other nations.

If England is fighting our fight, we belong in the war by her side. What hypocrisy of those who insist that England is fighting our fight, and yet insist that we shall give only limited aid—limited to measures short of war.

How much more honorable it would be, how much more commendable would be their course, to advocate our immediate entry into the war, with no sham or pretense about the extent of our participation.

Mr. President, it is obvious to me that the sensible course for us to pursue is now to go forward in solving sanely and wisely our tremendous domestic problems—preservation of the social advances we have made and improving the way of life that has made America a beacon light to all the world. Let us assume that obligation now and not wait until we are disillusioned and bankrupt by another war "for democracy" or for any other slogan that may be invented for us by the war-makers. We have enough to do, tremendous tasks ahead to safeguard and preserve America and by sacrificing to defend our free institutions in our own waters, in our own trenches, on our own ground. This, in my judgment, is the prayer of the great majority of the American people, the fervent hope of the countless millions who are opposed to our military intervention in Europe.

I realize that I and other Senators are in disagreement with many of our colleagues in this body for whom we entertain personal feelings of high regard, but that those of us who are in opposition to this bill are motivated by powerful—aye, overpowering—convictions must be evident to all. It is therefore natural, indeed inevitable, that we should speak out forcefully and criticize sharply. Muffled and soft words are not to be expected in



such a fateful hour and in such a momentous decision.

I conceive it to be my duty, my solemn obligation, to decide the issues here presented according to my own judgment and the dictates of my own conscience, even if my conclusion and my position run counter to the opinion or the emotional sensibilities of numbers of my constituents.

It is my obligation as I see it to utter the warning against the taking of this country into war. It is my obligation to oppose this bill as a war measure, even if in doing so I were standing alone.

We are dealing here not with the fate of Senators but with the lives and fate of our countrymen. Though we may be a minority here, we are not standing alone—far from it. Our citizens are awakening in rapidly increasing numbers to a realization of the degree to which the pending bill intensifies the risks of war. In my opinion, the rising tide of public sentiment against this bill is the result of the spreading knowledge of its heretofore unknown and dangerous possibilities.

It is also the result of a realization that when a nation mobilizes to preserve peace and freedom, it does not look or march or move in the direction of the spot where wars originate. It mobilizes to preserve peace, to prepare to meet invasion or attack, but it does not look for or invite participation in war.

Finally, Mr. President, we who are opposing this bill urge that America's destiny be to preserve the civilization here which is so steadily disappearing in Europe; keep clear, we say, of adventurous crusades which might end in tragic futility; be strong for the preservation of peace in our own hemisphere, where we can reasonably—aye, almost surely—hope to make our naval and military strength most effective.

Let me add as a final word that I am convinced that the sentiments I have expressed, the position I have taken, the opposition I have registered to this bill, are in accord with the sentiments, the aspirations, and the prayers of the great majority of my countrymen, and if that be not the case today, due to their imperfect knowledge or inadequate realization of the consequences, it will be true in time to come. In a word, I am convinced that time and events will fully corroborate and justify the words I have uttered in this Chamber today.

Mr. BRIDGES obtained the floor.

Mr. GEORGE. Mr. President, will the Senator from New Hampshire yield to me for just a moment?

Mr. BRIDGES. I yield.

Mr. GEORGE. I did not wish to interrupt the distinguished Senator from Massachusetts who has just spoken; but I now desire to have placed in the Record, Mr. President, a statement by the distinguished Senator from Massachusetts himself, made 2 months and 12 days less than a year ago, with respect to the possible danger to and with respect to the precarious condition of these United States.

I read, Mr. President, from Senate Report No. 1615, Calendar No. 1677, entitled "Construction of Certain Naval

Vessels," submitted by the distinguished Senator from Massachusetts; and I read from page 7 of that report:

From all the evidence available it appears that the United States can be defeated and conquered without military conquest of continental United States. Without a navy capable of controlling the sea areas against an enemy, an effective blockade against our foreign commerce can be established and maintained at points thousands of miles from our coasts and well beyond aircraft range. Our outlying possessions will be captured and used against us as advance bases. There will be nothing to prevent the establishment of bases, by force if necessary, in this hemisphere, from which, as well as from aircraft carriers, repeated bombing raids can be dispatched against our highly industrialized areas.

It is obvious that such a war will not be particularly expensive to a well-prepared enemy. It merely involves the expenditure of additional fuel and ammunition for his ships and the replacement of losses in his aircraft. In fact, such a war might even prove quite lucrative, provided the enemy managed to secure a sufficient portion of our destroyed overseas commerce.

Under the foregoing conditions, enemy ships, except in the form of raiders, need not approach anywhere near our shores. With the loss of our outlying possessions, our foreign commerce, and subject to continual raids upon our coastal areas, our ultimate defeat is inevitable. It will be only a question of time, depending on how long our national will to further resist will hold out. Without the power to carry the fight to the enemy, there can be no alternative other than subjugation to his wishes. It is reasonable to assume that before this time arrives public opinion will demand that our fleet, no matter how inadequate, make an effort to relieve this intolerable condition by seeking out and engaging the enemy main fleet, regardless of its location or superiority.

Military and naval operations that so threaten our industrial existence as to make our ultimate capitulation inevitable, such as closing all avenues of imports to us, by blockading our ports, or the ports from which we import essential raw materials might easily force us to accept drastic terms to avoid complete collapse or certain military invasion.

I prefer to follow the distinguished chairman of the Naval Affairs Committee in this magnificent, if strong, statement, made to this body less than 2½ months under 1 year ago.

Mr. WALSH. Mr. President—

The PRESIDING OFFICER (Mr. LEE in the chair). The Senator from New Hampshire has the floor. Does he yield to the Senator from Massachusetts?

Mr. BRIDGES. I yield.

Mr. WALSH. First of all, this report was made for the purpose and with the intent of urging upon Congress the further expansion of our Navy. I certainly was not trying to set forth in that report that we had the size, quality, and kind of navy we needed; otherwise there would be no need of the expansion urged. The whole purpose of the report was to show the dangers ahead, to prepare for any eventuality which might occur, and to make plain the needs of our Navy in view of the uncertainties of the future. The report is dated May 15, 1940, and it was submitted in connection with a bill for the construction of certain naval vessels. The very first sentence which the distinguished Senator from Georgia recites reads:

From all the evidence available it appears that the United States can be defeated and conquered without military conquest of continental United States.

The next sentence modifies the first sentence:

Without a navy capable of controlling the sea areas—

Which I was urging and for which I was reporting the bill—

against an enemy, an effective blockade against our foreign commerce can be established and maintained at points thousands of miles from our coasts and well beyond aircraft range.

The Senator from Georgia has failed to quote from page 8 of the same report, as follows:

Should Germany's submarines and aircraft succeed in overcoming the greatly superior fleets of Great Britain and France and destroying British sea power, there is every reason to infer that they could probably overcome the United States Fleet if we entered the war and sent our fleet and aircraft to operate in European waters within ready reach of short-range aircraft and numerous small submarines. \* \* \* On the other hand, should Germany's submarines and aircraft succeed in overcoming the Navy of France, a neighboring nation, and of Great Britain, a nation separated from Germany by the narrow reaches of the North Sea and thus within ready reach of short-range aircraft and numerous small submarines, it would by no means follow that German submarines and aircraft could overcome the United States Navy in a similar fashion, provided the United States Navy operated from its home bases to keep hostile forces far from our shores.

The report is a very long one, and should be considered as a whole. The purpose of making the report so long and extensive was to give the Congress and the American people a real understanding of our naval strength and our naval condition. When that report was submitted on a bill providing for an 11-percent increase in our naval strength, we had not then considered and did not for 2 months thereafter consider another bill for a two-ocean navy, which was reported in July; but as far back as January 1938, I publicly advocated a two-ocean navy and have continued to advocate it ever since, and this was before the war in Europe began.

I wish to state, very briefly, what my understanding is as to the Navy, and what our naval authorities say in regard even to our present Navy. It is the opinion of our naval officials that we have, at the present time, a Navy of sufficient size and strength to protect the continental United States, but we have not a navy of sufficient size to engage in a conflict away from our bases and away from our own shores. If this country were to engage in a naval battle with Japan a reasonable distance from the Pacific coast, in my opinion, victory would be assured to the American Navy; but should a conflict take place thousands of miles away from the Pacific coast in the waters of Japan, in all probability, the risk would be extreme, and some would even go to the extent of saying it would be suicidal. The same thing is true of the Atlantic. The moment the Navy gets away from its bases and gets thousands of miles away



and engages in conflict near the bases of the enemy, it is making an up-hill fight, and the consequences are apt to be disastrous.

Mr. BARKLEY. Mr. President, will the Senator yield.

Mr. BRIDGES. I have the floor. I yield to the Senator from Kentucky.

Mr. BARKLEY. I beg the Senator's pardon. I should have asked him to yield. I should like to ask the Senator from Massachusetts a question. The report from which the Senator from Georgia has read was submitted about 9½ months ago, and was based upon conditions which the Senator as chairman of the committee thought then existed?

Mr. WALSH. Yes, sir.

Mr. BARKLEY. Since that report was made, we have appropriated money for and authorized the construction of what we call a two-ocean navy.

Mr. WALSH. The bill on which the report was submitted provided for an 11 percent increase in the Navy. Then the bill for the two-ocean navy followed somewhat later.

Mr. BARKLEY. Yes. That bill provided only for an 11-percent increase, but, since that time and independent of that bill, we have provided by appropriations and authorizations for practically a two-ocean Navy, which almost means a doubling of our naval forces as they existed at the time this report was submitted. That is correct, is it not?

Mr. WALSH. Yes, sir.

Mr. BARKLEY. The two-ocean Navy which we have visualized will not be completed until 1946 or thereabouts, as I understand?

Mr. WALSH. That was the statement made before we enacted legislation to speed up the building of our Navy; 1946 was the date, if there had been no speeding up of naval construction.

Mr. BARKLEY. Speeding up might shorten the period so that such a navy might be ready in 1945, but if there should occur anything in the world which would precipitate upon the United States the situation which the Senator described in the report referred to, we would still be facing the dangers which he visualized and cautioned us against at that time, would we not?

Mr. WALSH. There is no doubt about that; there is no doubt as to the importance of building up our Navy, and there is no doubt of the fact that our Navy had shrunk to very low levels in comparison with the naval strength of any group of nations which have substantial navies. If we give the Navy, in whole or in part, to any European allies, then we will be in exactly the position the report visualizes. We will then be in a position to be blockaded and our cities bombed.

Mr. BARKLEY. So that, if the situation should be precipitated which we then visualized, if war should be brought within a reasonable distance of our own shores, and if we were required to defend ourselves even with our present strength and with whatever increase we have been able to add since the report was submitted, we would be almost in the same situation which the Senator at that time described, would we not?

Mr. WALSH. Yes. Of course, this whole subject has been brought up—I have noticed that some alleged naval experts who are columnists have discussed it—for the purpose, I think, of frightening the American people with the idea that if Germany gets hold of the British Navy, with her own Navy and with the British Navy and with the Italian Navy she will overpower us in naval strength. In view of the fact this hostile fleet would have to operate far from its bases, I will not concede that, even under such conditions, the United States Navy can be defeated if we retain our present and increasing naval strength. This assumes we retain our planes and ships for our own use.

Mr. BARKLEY. And the Japanese Navy in addition.

Mr. WALSH. And the Japanese Navy.

Mr. BARKLEY. Of course, the Germans already have their own Navy, whatever it is; and they have the Italian Navy.

Mr. WALSH. But the moment any one of those navies gets away from its base, its strength and its power diminishes very rapidly, so it is the opinion of our best naval experts that staying home, close to our own bases, we shall be prepared, even with the limited Navy we have.

Mr. BARKLEY. The Senator knows that in no war, especially a naval war, that any of us knows anything about, has any navy ever been willing to hug its own shores. A navy usually searches out the enemy wherever he can be found.

Mr. WALSH. Not too far from its bases. That is the important factor.

Mr. BARKLEY. Admiral Dewey went 7,000 miles from the Pacific coast to fight the Spanish Fleet in Manila Bay.

Mr. WALSH. He had a base.

Mr. BARKLEY. Where was our base at that time?

Mr. WALSH. At Hawaii and he based somewhere in China.

Mr. BARKLEY. Oh, well, that is 5,000 miles away from Manila; so he got away from our bases.

Mr. WALSH. Then, of course, there were practically no naval vessels there to combat him.

Mr. BARKLEY. The Spanish Fleet was there. The Spaniards thought they had a navy. They found out later that they did not have much of a navy; but Admiral Dewey had the courage to go 5,000 miles, even from Hawaii, which was more than the distance across the Atlantic Ocean that any enemy navy would have to travel in order to get to the United States.

Mr. CLARK of Missouri. Mr. President, will the Senator yield? Dewey was based on Hong Kong.

Mr. WALSH. Before I yield I want to call attention to another matter.

The distinguished Senator from Georgia [Mr. GEORGE] read from the sub-heading of this report, entitled:

The United States can be defeated unless it possesses adequate sea power.

The next heading, following that paragraph, is as follows:

With adequate sea and air power the United States cannot be defeated.

And the first sentence is:

From the evidence available it appears that if we build and maintain an adequate

navy, provide ourselves with adequate air power, and a comparatively small but well-trained and highly efficient army, we cannot be defeated. If our fleet, supplemented by our air forces, is able to exercise control of our essential sea and air communications, our Nation is secure.

I shall have something more to say about the Navy when the amendment as to the Navy comes up. I do not like to fill the RECORD with a great deal of matter that is not entirely pertinent to the issue here; but it seems to me that the report to which reference has been made should be considered as a whole.

Mr. CLARK of Missouri. Mr. President—

Mr. BRIDGES. I yield to the Senator from Missouri.

Mr. CLARK of Missouri. I do not wish unduly to delay the Senator from New Hampshire; but inasmuch as he yielded to the Senator from Georgia to read some quotations from the Senator from Massachusetts, and also yielded to the Senator from Kentucky, would he be willing to yield to me to enable me to read a few quotations from the Senator from Georgia?

Mr. BRIDGES. I yield.

Mr. GEORGE. Mr. President, I have not made any speech; but if the Senator wishes to do that, it is all right. I shall make one in time.

Mr. CLARK of Missouri. The Senator has made a good many speeches in time.

Mr. GEORGE. Yes; but I have not made any on this subject.

Mr. CLARK of Missouri. The Senator quoted from the Senator from Massachusetts [Mr. WALSH].

Mr. GEORGE. I did, and I said I was following the Senator when he submitted that report to Congress, and I am still willing to follow him; but the Senator from Missouri wants to lug in now some speeches I have made. I do not know on what subject they are. They might range—

Mr. CLARK of Missouri. They are on this very subject.

Mr. GEORGE. I have not made any speech on this bill.

Mr. CLARK of Missouri. No; the Senator has not. He has made several in the time of the Senator from Montana [Mr. WHEELER] and other Senators—

Mr. GEORGE. Oh, no.

Mr. CLARK of Missouri. But not in his own time.

Mr. GEORGE. No; I have not. I have been forced to get a little time, Mr. President, from the small crumbs of time that are squeezed in between the continuous opposition to this bill.

Mr. CLARK of Missouri. Mr. President, if the Senator from New Hampshire will permit me, the Senator from Georgia has been making up the program. He can speak at any time he wants to speak. He could have spoken at this moment, instead of the Senator from New Hampshire. He could have spoken on the first day.

Mr. GEORGE. Oh, no.

Mr. CLARK of Missouri. The Senator could have spoken at any time he wanted to speak.

Mr. GEORGE. Oh, no, Mr. President. I was sick during the first 3 days of the debate.



Mr. CLARK of Missouri. I regret that the Senator was sick.

Mr. GEORGE. I am not very well even yet, but I can speak; that is true. But if the Senator from New Hampshire yields to the Senator from Missouri to read some excerpts from speeches I have made that may have some bearing upon this question, I simply invite him to wait until I speak, and then he may read them; that is all.

Mr. CLARK of Missouri. Mr. President, I have no desire to embarrass the Senator from Georgia—

Mr. GEORGE. The Senator is not embarrassing me.

Mr. CLARK of Missouri. Or to delay the Senator from New Hampshire. The Senator from Georgia and the Senator from Kentucky [Mr. BARKLEY] were the ones who selected the Senator from New Hampshire to proceed. Then the Senator from New Hampshire yielded to the Senator from Georgia to read at some length some extracts from a report submitted by the Senator from Massachusetts. Then the Senator from Kentucky proceeded to expatiate at some length upon that report. I have no desire to delay the Senator from New Hampshire further than to read just one sentence from a speech of the Senator from Georgia.

Mr. GEORGE. Just 1 minute. If the Senator from New Hampshire yields—

Mr. BRIDGES. I yield to the Senator from Georgia.

Mr. GEORGE. If the Senator from Missouri reads speeches I have made I shall, of course, claim the right to reply, and reply immediately; but I did not wish to do so, because I was not engaging in this debate except to read an absolutely pertinent reply to what I conceived to be the very able speech of the very able senior Senator from Massachusetts, and to say that I wished to follow the chairman of the Naval Affairs Committee in his speech made 9½ months ago rather than the conclusions reached by the senior Senator from Massachusetts today. That is all I did.

Mr. CLARK of Missouri. Mr. President, if the Senator from Georgia objects to my reading a few of his old remarks, I will not delay the Senator from New Hampshire further. In view of what has been said, there is one sentence here that I wondered if the Senator from Georgia would object to my reading, if the Senator from New Hampshire would yield to me for that purpose. Since a great many of us who have been opposed to the United States getting into war have been accused of being false prophets, I should like to read just one sentence; but if the Senator from Georgia objects, I will not do that.

Mr. GEORGE. No, Mr. President; I do not object. I have no objection. I was simply saying that if anything was read here that occasioned a reply, I should ask the privilege of replying immediately.

Mr. CLARK of Missouri. Mr. President, I never said there would not be a war in Europe, because I never professed to predict about it; but the Senator from Georgia, on April 13, 1939, said:

I venture the statement, Mr. President—

He was not an isolationist—

and I venture it without fear or hesitancy—that if we let Europe alone there will be no war.

[Laughter.]

Mr. GEORGE. Mr. President, I was mistaken then; but that was 2 years ago, and I am perfectly frank to admit that I was mistaken then. The difficulty with the Senator from Missouri is that he never knows when he is mistaken although everyone else clearly recognizes it. [Laughter.]

Mr. BRIDGES. Mr. President, we are passing through a very difficult time in the history of the world. We are faced with the problem of determining the part America should play in this world situation.

We Americans want to live and let live. We want to be able to go about the business of making our country a better place to live in, just as we always have. We have a tradition of liberty and progress which is very precious to us and for 150 years our every effort has been directed toward the maintenance of that tradition.

We are trying to live in peace and freedom and as Christian people should live in a world that has very little peace, very little freedom, and less and less adherence to Christian principles, in a world where the lights of civilization are flickering.

The physical isolation in which we as a nation have lived and developed is a thing of the past. The progress in ways and means of transportation and communication has made the problems of the peoples of some nations a matter of common interest to the peoples of all nations. We cannot ignore these changed conditions.

This war which rages in the world today is not merely a struggle between armies, navies, and air forces. It is not one of the never-ending wars that have plagued Europe through history. It is a struggle between philosophies of government and ways of living. In the place of Christian brotherhood and obedience to moral law, the dictators put racism and obedience to power. They have developed the philosophy that the governing officials of a nation are the masters and not the servants of the people; that the government should be all-powerful and the people without voice.

We are in the midst of a world revolution fomented by the leaders of the dictator outlaw nations. Let us not fool ourselves by thinking that this threat will not eventually seriously affect America and every one of us personally. As the tragic scenes have been enacted during the past year and a half, many Americans have failed to recognize the seriousness of this situation, for behind an assaulted Belgium and Holland there stood a France; behind an assaulted France there stood an England; behind assaulted England and Greece there stands a United States of America—but behind the United States of America there stands no nation. We are the ultimate core of the last resistance to a new world order. We cannot look to any larger, stronger nation for protection and help. We cannot lean; we must stand.

In determining our policy, I believe we must approach the problem from one

angle alone, and that is: What is best for America? What will best provide for our safety and security today and the safety and security of our children and their children tomorrow?

We wish our vision of America's tomorrow were so true that we could legislate for the future with accuracy. That is impossible. We can, however, do our best to preserve the heritages we cherish. The people are trusting us to do just that; and with their trust in mind, we cannot afford to gamble with the safety and security of our country.

We certainly do not want to live in a Nazi-dominated world; but we shall live in a Nazi-dominated world if Great Britain and her allies fail. Such a condition would bring us only grief and trouble and result in the lowering of our living standards, the sacrificing of our social gains, and would bring us immediately into an economic war and either immediately or eventually into a military war. The people of this country do not want to be involved in war, and I, for one, do not want to see this country go to war.

Without the materials we alone can supply them, Great Britain and her allies cannot long continue to fight the combination of aggressors she faces. It is to our own interest and to our own safety and security that Great Britain and her allies prevail. If Great Britain and her allies fail, our people will be living in a hostile world with a powerful combination of hostile nations against us.

It is to our interest that we have the time to prepare an adequate national defense for this country. We should have started long before we did. The administration ignored the storm signals too long. We are going forward on the program of national defense now, but our progress is slow. It will be 1 or 2 years before we have the planes, guns, tanks, and other modern instruments of war necessary to our defense. It will be a period of several years before we have a complete two-ocean Navy and are capable of defending ourselves on the Atlantic and the Pacific should we be attacked on both coasts simultaneously. If Great Britain and her allies can hold out, we will have time to complete our defense program.

I have consistently favored all national-defense measures before Congress and all defense appropriations; I have also consistently favored the policy of extending to the countries putting up such a gallant fight against the dictator nations all aid not inconsistent with our own demands.

Several of the provisions contained in H. R. 1776 as introduced did not appeal to me. I thought the measure was too wide in scope. Some of them have been corrected by amendment; others have not. However, this is the measure recommended by the administration who have been chosen to head this country during this critical period, and H. R. 1776 is the bill before Congress on which we have to pass.

However, this bill does provide a method of giving effective aid to Great Britain, Greece, and China. Effective aid is necessary, because ineffective aid might be worse eventually than no aid. It does provide for a coordination of the



manufacturing of defense material, including planes, guns, ammunition, tanks, and other implements of defense, which means the ability to standardize production, which means vastly increased production, which means not only aid for Great Britain and her allies but a definite stepping up of our own preparedness program, which is highly essential.

The measure has been amended since it was introduced to provide certain limitations to the bill. Some of these amendments provide definite safeguards, and they cannot be dismissed lightly, as many persons have a tendency to do.

There is an honest difference of opinion between sincere, honest people in this country and in the Senate as to this particular legislation. I have great respect for some of the Members of this body who are opposing the proposed legislation. Even though I do not agree with their position, I respect the sincerity of their opinions. I deplore the bitterness which seems to mark the attitude of some legislators toward the measure. I think this is the time when we should be tolerant of each other's views and have the utmost respect for all who are giving expression to their honest convictions.

One can either be for this legislation without reservation or against it, or one can favor the objective sought and endeavor in a constructive way to get the best bill possible, providing necessary safeguards without interfering with the objectives of extending aid to the Allies. This latter course is the one which I have determined to follow.

Mr. President, the bill will pass and will shortly become law. That is inevitable. The great heart and soul of America have already gone out to the nations which it is proposed to aid through the operation of this bill. By enacting this legislation sufficient aid will be given to Great Britain and her allies to enable them to continue their fight and thereby make it less likely that we will be involved in war.

Our people are in accord with the objectives sought; that is, aid to Great Britain, Greece, and China, and such other countries as may be attacked or invaded by the aggressor nations. So I have no doubt that within a few days the bill 1776 will become law. I will not occupy the time of this Senate, therefore, with any lengthy remarks. I will not take the time to go into the merits or defects of the bill. Others have done and will do that. But I should like to direct the attention of the Senators to a phase of the situation which I fear has been neglected or slighted in the discussion of the bill here and in other forums.

We have all been so engrossed with this measure during the last few weeks that many have come to call it the aid-Britain bill, or the proposal to lease or lend war materials to the English. We have come almost to ignore the fact that the bill, in its purposes, and I pray in its execution and operation, is more comprehensive than these short titles would indicate. I believe it is a measure to protect America by giving aid to those countries whose defense is vital to ourselves.

Much has been said about the fight which Britain is making; much has been

written about the courage displayed in that fight by the English people; much has been heard of the dogged tenacity with which the people of the great British Empire are holding out against the dictatorships; our people and even those in high Government office are coming to think that only Britain is fighting.

Mr. President, I want to be sure that after the bill shall have been enacted those charged with its execution will remember that basically it is a bill to protect the United States, and to afford that protection, aid must go to all nations which are being attacked by outlaw dictator nations.

I would not for a moment detract one iota from the admiration which our people and you, my colleagues, have for the fortitude, the dogged and determined bravery, the self-sacrificing unity and loyalty with which the British people have met a great and terrible challenge.

I yield to no man in the quality of admiration for the manner in which these courageous people on their little island have fought back a ruthless despot. The might of the British Empire, shattered by the first impact of an aggressive enemy, has rallied to show the world an unconquerable spirit.

But, Mr. President, we must not let our feelings for England's glorious struggle blind us to the deeds, just as heroic, just as glorious, just as courageous—the glory that was and is Greece. And today Greece faces a new crisis—Hitler's legions are at the Greek borders.

In the operation of this measure, our executive officers must not for a moment, in their anxiety to aid the British in the defense of their homes, be permitted to forget or overlook that other nation on the Continent of Europe which accepted foursquare the challenge of the despotic aggressor, met him at its borders and hurled him back.

On history's scroll the gallantry and courage of the British people will always occupy a prominent place, but there will also be found on that scroll the story of the stand and fight of the Greek nation. It will be a long time before we witness again a stand of a nation which exceeds that of the Greeks in their glorious idealism, steadfast courage, and military valor.

The United States would be false to the ideals which this bill is to implement if our Government were not to demand and insist upon the right of a place in that historic picture by giving to the great people of Greece a share, and a just share, of the help, the armaments, and the weapons of war which our country will pour forth under this measure.

Britain entered this war as one of the most powerful countries in the world. She brought to it all the might of a far-flung, highly motivated people. After the fall of nation after nation, with her back against the wall, Great Britain gave to the world an example of courage and fortitude which will go down through the centuries as outstanding. Her people came back after each blow dealt them, until now the British seem to have turned the tide and to be meeting with some equality the blows which sinister and efficient powers have been dealing.

It was the action of Greece which gave Great Britain a new foothold in the Mediterranean and made possible the start of the successful African campaign which Great Britain has waged against the Italians, and for which the British have won the commendation of most of the civilized world.

Following that period in which Poland, Norway, Denmark, Belgium, Luxembourg, Holland, and France were conquered, and with England waging a gallant fight but falling back under a terrific battering from the combined forces of Germany and Italy, a new light started to shine for the hope and salvation of a fearful world. That light was Greece.

When all the world stood aghast at the spectacle of nation after nation overrun and despoiled by the military mass and machine assembled with sinister forethought and devilish cunning by Hitler and Mussolini, Greece alone among the smaller nations held aloft the torch of courage, the symbol of a world rising in its might of right to repel the flood tide of destruction and ruin and enslavement.

When Norway, Denmark, Belgium, Luxembourg, Holland, and France were stabbed to the death by the invader, when the British were hurled in a shower of death and flame from the shores of Europe, Greece joined with Great Britain in holding out to the world a hope for a continuance of an era in which nations might be free and individuals enjoy liberty. Greece joined Britain in displaying the indomitable will, the essential unity, the fierce self-respect to repel the aggressors. Greece spoke and acted at a time when the conquerors were seemingly cloaked with invincibility, when the brothers of destruction seemed to make no errors in their march to world domination, when they swept over or through every peoples that dared stand in the path of their ruthless barbarians.

With what did Greece meet these invaders at her borders—these invaders who came in steel-sheeted machines, who dropped death from the skies, who with bomb and bullet spread a holocaust wherever they touched?

Against these modern terrors what could Greece bring to bear?

Greece threw into the fight the age-old weapons of a people the world had apparently left behind. She threw into the fight a courage which could not be denied. She drew upon the resources of a people free and determined to remain free.

Against the weapons which had conquered Europe she pitted the bodies and blood of her people. "A futile gesture," said the world. Better to accept the terms of the conqueror than to accept the horror and suffering which would be visited upon her people. "Accept the yoke," said the world; "you are powerless against these machines and these men." The world spoke from despair. Greece answered from a courage soaring high and stood side by side with England.

The answer is written—how the efficient and merciless army of Italy marched from an already conquered country into Greece; how the small army of Greece met them; how the women of Greece, with stones and rocks in hand,



joined their men to defend their homes; how the women literally hurled down precipices on the invaders.

Mr. President, the world laughed pityingly at the pictures of the Greek soldiers in their skirts. They admired but found no hope in a nation where the women joined with the men in battle and where the men wore skirts. "All futile," said the world. "They will just be wiped off the earth."

But not so.

This ill-assorted army, garbed and armed in the fashion of another day brought to a full stop the army which Mussolini had bled Italy white for years to build. On the borders of Greece they turned the posturings and gestures which had terrified the world for years into grimaces.

But Greece, little and lowly, living in the past, was not content merely to stop the enemy at her borders.

From some bottomless pit of resource she drew the power to hurl back these hordes, to thrust them from stronghold after stronghold.

With the bricks of her women and the cold steel of her men she routed the army which twice had been victorious in modern wars. An army whose leaders and whose men delighted in carnage, who found inspiration in the death struggles of the victims of their bombs.

Then it was that the world took new heart, took new courage. Then it was that beleaguered England took new hope. Here was an example for freemen, for brave men, for men with a love of liberty. When a little Greek boy unearthed a spy ring and won himself a corporal's stripes the world donned a new badge of faith in the eternal success of right.

Battered nations, their peoples in slavery, found a new birth of inspiration in those fiercely fighting men, women, and children who stood shoulder to shoulder with the British.

It is natural now to laugh at Mussolini's shock troops, to scorn them as parade-ground warriors, and to mock at the jutting jaw of their leader. And later the British in Africa completed the job. But it was Greece that first made them the laughingstock. It was Greece that found the feet of clay.

Mr. President, when we in the Senate talk of all-out aid for Britain, we should include Greece in that picture. We are just a trifle faulty in not recognizing the fight which Greece has already made. In all the debate in the House and Senate—and I have heard or read it all—there has been only casual reference to the part Greece has played in this particular situation. When we talk about giving help to those fighting the aggressor nations, let us not, my colleagues, forget Greece, which stood side by side with England when most of the free world was falling.

Let us not forget the plight in which Greece finds herself. She needs help today, now. The mighty German Hitler war machine is at her borders. Bulgaria has been invaded. Greece faces the crisis of her life, while the Senate talks on this bill. We need action in this country, and those countries whom we intend to help need the bolstering of morale which the passage of the bill will bring about.

Let us insist upon it that under this bill and under all plans to be made for its execution Greece shall receive the aid to which her courage entitles her.

From the time when Germany invaded the lowland countries this Nation has been giving of its resources to Britain. I am for all effective aid to Britain short of involvement. Britain urgently needs all that we can give her. It is to our advantage to keep her going. We need the time that her successful fight will give us for us to prepare here at home. But from the time when the Fascist legions under Mussolini marched through Albania to Greece, we have given to the Greeks practically nothing.

We find Greece now in the hour of its greatest peril. Still conquering the forces of Mussolini, she is today threatened and faced with another invasion from another direction by Mussolini's blood partner.

Flesh and blood cannot hold out forever. The women of Greece cannot go forth to battle with bricks and win eternally. The children of Greece will reach the end of their endurance.

Let our executive officers turn now to Greece, with the passage of the pending bill, with the same hand which is extended to Britain. Let us say to Greece as well as to Britain, "You are waging a great fight. The world will be a safer place in which to live if you win. We do not intend to go to war, but we intend to provide you and any other nations that are attacked by outlaw-dictator nations the implements of war and materials to defend themselves."

Mr. President, the situation is extremely grave. The developments of each new day make it more and more obvious that in extending a helping hand to these besieged peoples time is of the essence. I am certain that the materials we alone can supply are essential to make their victory possible. I am certain that their victory is necessary to our own future unmolested security. Conscious of these self-evident truths, I have chosen to support the lend-lease bill.

No one can honestly accuse me of wanting to give President Roosevelt any more powers. No Senator has stood on the floor of the United States Senate and fought many of his domestic policies any more vigorously than have I. No person campaigned against him any more vigorously than I did last fall; but today this country faces a crisis, the serious world situation overshadows all other issues. I believe that our duty today is to view this question not as partisans, not selfishly or personally, but from the viewpoint of the best interests of America, not only for today, but over the years ahead.

The present status of the measure is far different from the bill as originally introduced. I hope for further amendments providing further safeguards but not interfering with the objectives of the bill to provide effective aid to Great Britain, her dominions, Greece, China, and such other nations as may be attacked or invaded, whose defense is vital to the defense of the United States.

I think most people in this country realize what the issue is, and I believe it is time for action in this body. To my

mind delay in connection with this matter may have a vital effect in the situation which now exists in the Balkans.

In supporting this bill and the consequent aid to those who fight for the preservation of liberty and decency, I am being consistent with my policy of favoring that legislation which is designed to protect and preserve the present and future security of the United States and help keep our people at peace.

Mr. President, what has gone on in this country and the world in years past? We saw the period after the last World War, when people of ideals and principles came forth in various nations with such things as the League of Nations, the World Court of International Justice, the Treaty of Locarno, the Kellogg-Briand Peace Pact, the Nine-Power Treaty, and so on down the list. In some of those efforts this country played a part and great nations all over the world joined in pacts and treaties to outlaw war and to make peace. However fine the objectives sought, these pacts and projects are all forgotten or scrapped today.

Then we in this country took a new course. We decided to legislate peace, and we went ahead with neutrality legislation. Peace cannot be legislated, however. Peace will be determined by the emotions and convictions of the people of this country. If Hitler wanted to make war on us, he had plenty of excuses up to date. He has never looked for an excuse from the day the war broke out. This bill will allow us to coordinate and speed up production, which will mean not only greater help to the Allies but quicker and more effective adequate national defense for America. It is a step in the right direction.

In my judgment, the bill was far too wide open in scope when it was introduced. It has been amended. It needs further amendment. I believe that the attitude of a person who approaches this problem should be: Let us get the best bill we can under the circumstances—what is best for America today and in the years ahead. We are much less likely to be involved in this war if the Allies have the material and weapons to fight this war successfully. This bill should aid them to this end.

I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks an article by Raymond Moley, entitled "Perspective," published in Newsweek for February 24, 1941, which analyzes the amendments adopted to date.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From Newsweek of February 24, 1941]

#### PERSPECTIVE

(By Raymond Moley)

#### LEND-LEASE AMENDMENTS

The lend-lease bill, although it is only about 1,100 words long, or, roughly, the same number of words as appear on this page, is pretty tough reading for most of us. Its language is technical. Its implications escape most of those who have not been following the congressional debate on it with scrupulous care. These are the reasons why a strange misconception about the amendments to the bill has gained such wide currency.



The story goes that the amendments are one and all trivial, meaningless, inconsequential. This generalization has been expressed by extremists on both sides of the national debate and has been echoed for the past week by commentators who ought to know better. It is not the conclusion of reasonable people on either side. Certainly, the administration leaders in the House and Senate aren't of that opinion. And, by the same token, it isn't the opinion of those close to the legislative forge who have successfully urged that the bill be hammered down here and there.

What is the meaning of the six House changes and the three Senate changes so far made? Some, of course, are infinitely less important than others. But it is pointless to discuss them at all without weighing each of them separately. Here they are, one by one:

1. The first change requires the President to consult the Chief of Staff of the Army or the Chief of Naval Operations of the Navy, or both, before leasing, lending, or disposing of any defense article. This change is a compromise between the proposal that the Army or Navy certify to Congress that such articles are not vital to our own defense needs and the original proposal which gave the President full power to act without any consultation whatever. But the effectiveness of even the more stringent check upon the President would be doubtful, in light of Supreme Court decisions on the President's vast powers in the field of foreign and military affairs. More, it is unlikely that the President would in any event dispose of defense articles without consulting the Army and Navy. So this amendment merely underlines the probable.

2. The second change limits the President's powers to lease, lend, and sell defense articles somewhat more precisely. The House has provided that not more than \$1,300,000,000 worth of existing or already authorized defense articles shall be disposed of. This amendment was intended to meet the specific objections that Congress was being asked to authorize "the giving away of the whole Army and Navy" not to say to "surrender the power of the purse." To this restriction the Senate Foreign Relations Committee has added another which limits the President's power to dispose of defense articles "to the extent to which funds are made available or contracts are from time to time authorized by Congress." In short, a ceiling of \$1,300,000,000 has been put on the disposing of articles already existing or authorized and, in future, the President will have no power to spend money or make contracts involving the spending of money for aid to foreign nations until Congress so authorizes. As a practical matter, the congressional appropriations in future will probably leave the President a large amount of discretion. Nevertheless, the power of the purse remains in Congress, and the determination of Congress to preserve this vital element in our system of government is immensely reassuring at this time.

3. A third change in the lend-lease bill, adopted by the Senate committee, reaffirms that determination to a degree. The original bill provided that any money repayments from nations to which material is lent or leased should revert to the appropriation out of which funds for such material were first expended and that these repayments should then be available for expenditure again. In other words, it set up a revolving fund which could have revolved to the end of time, presumably. The amendment provides that "in no event shall any funds so received be available for expenditure after June 30, 1946."

4. Amendment has now placed a 2-year time limit on the powers conferred by the bill. This restriction may seem more formal than real, since the dangers which preoccupy most of us are certain to come to a head within 2 years. But there are other dangers

against which this amendment would be a powerful safeguard—among them the possibility that whole industries may be taken over as "facilities" which the President is authorized to "procure." The chief value of the time limitation is to stamp the bill as temporary, and, before the powers conferred by the bill are renewed, the people will have an opportunity to pass judgment on how they have been used in the congressional elections of 1942.

5. But even before that time—when the electorate can, if it sees fit, return a new House of Representatives and 32 new Senators—Congress may terminate the powers granted by the bill. The Dirksen amendment, as perfected by the Senate committee, now provides that if Congress passes a concurrent resolution (which requires no Presidential approval) declaring that the powers conferred by the bill "are no longer necessary to promote the defense of the United States," the President shall no longer exercise such powers. There is question about the constitutionality of such a provision to recapture power. Beyond this is the hard fact stressed by Representative MUNDT, the fact that if this bill should fail to do what proponents believe it will do—keep war away from us—a concurrent resolution could not repeal a war. But, with this exception, the restriction ought to have both point and meaning. Whatever the legal argument, when the time comes that a majority in each House votes to recapture the powers involved, the change in public opinion will be so drastic that the President is not likely to set his face against it. If he should, we shall have a lot of things even more serious than this particular bill to worry about.

6. The sixth change in the bill merely says that there is nothing in the bill authorizing or permitting the conveying of vessels. This is what might be called a psychological amendment. The President now has ample power to authorize convoys. It is doubtful whether any act of Congress could take away that power. This amendment simply amounts to an assertion that Congress does not favor convoys.

7. Similarly intended as reassurance is the amendment reaffirming that section of the Neutrality Act which prohibits the entry of any American vessel into a combat area. This provision was offered by the administration to quiet the fear that the President desired to override that prohibition in the Neutrality Act.

8. Finally there is the amendment requiring the President to report to Congress every 90 days. Certainly it is in the interest of popular understanding of what goes on. It is true that the President retains the right to withhold such information "as he deems incompatible with the public interest to disclose." But this reservation is only a formal acknowledgment of the President's constitutional right to refuse information to Congress on the ground stated. The purpose of Congress is unmistakable.

Here, then, are the amendments that have been made up to this writing. Obviously they do not satisfy all the critics of the bill. They do not restrict the powers given to the President even as much as Mr. Willkie, for instance, would have them restricted. But it is simple inaccuracy to dismiss these amendments as insignificant. They do reaffirm one or two basic principles of constitutional government at a moment when it is easy for us to lose our sense of relative values.

Mr. REYNOLDS obtained the floor.

Mr. NYE. Mr. President, will the Senator yield to me for the purpose of suggesting the absence of a quorum?

Mr. REYNOLDS. I yield.

Mr. NYE. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Ellender	Murray
Aiken	George	Norris
Andrews	Gerry	Nye
Austin	Gillette	O'Mahoney
Bailey	Glass	Overton
Ball	Green	Pepper
Bankhead	Guffey	Radcliffe
Barbour	Gurney	Reed
Barkley	Harrison	Reynolds
Bilbo	Hatch	Russell
Bone	Hayden	Schwartz
Brewster	Herring	Sheppard
Bridges	Hill	Shipstead
Brooks	Holman	Smathers
Brown	Hughes	Smith
Bulow	Johnson, Calif.	Stewart
Bunker	Johnson, Colo.	Taft
Burton	Kilgore	Thomas, Idaho
Butler	La Follette	Thomas, Utah
Byrd	Langer	Tobey
Byrnes	Lee	Truman
Capper	Lodge	Tunnell
Caraway	Lucas	Tydings
Chandler	McCarran	Vandenberg
Chavez	McFarland	Van Nuys
Clark, Idaho	McKellar	Wallgren
Clark, Mo.	McNary	Walsh
Connally	Maloney	Wheeler
Danaher	Mead	White
Davis	Miller	Wiley
Downey	Murdock	Willis

The PRESIDING OFFICER. Ninety-three Senators having answered to their names, a quorum is present. The Senator from North Carolina [Mr. REYNOLDS] is recognized.

#### EXEMPTION OF GOLD AND SILVER MINING INDUSTRY FROM EXCESS PROFITS TAX

Mr. McCARRAN. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from North Carolina yield to the Senator from Nevada?

Mr. REYNOLDS. Yes; I gladly yield to the distinguished Senator from Nevada.

Mr. McCARRAN. Mr. President, I desire to have inserted in the Record and appropriately referred a joint resolution passed by the Legislature of the State of Nevada memorializing the Congress of the United States to eliminate from the excess-profits tax miners of newly mined gold and silver in the United States.

There being no objection, the joint resolution was referred to the Committee on Finance, and ordered to be printed in the Record, as follows:

#### Senate Joint Resolution No. 3

Resolution memorializing Congress to exempt the gold and silver industry from the excess-profits tax of 1940 and years subsequent thereto.

Whereas the Federal Congress, by congressional enactment some time during the year 1940, passed what is commonly known as the Excess Profits Tax Act; and

Whereas said Excess Profits Tax Act is equally applicable to all persons, corporations, and associations doing business throughout the State of Nevada, the United States of America, in that it places a tax upon all such persons, corporations, and associations earning profits in excess of 8 percent; and

Whereas said Excess Profits Tax Act is distinctly burdensome and deleterious to the gold- and silver-mining industry in the State of Nevada; and

Whereas by virtue of said act capital is discouraged and dissuaded from financing, aiding, and assisting in the development and working of such mines throughout the State of Nevada; and



corporation to elect either the average-earnings credit or the invested-capital credit. Under the present law, a taxpayer who elects one or the other of the credits is required to be bound by such election for the taxable year for which the credit was made. Since it is very difficult for many taxpayers to determine accurately what their invested capital is, it will result in a serious hardship to force them to be bound by an election made at this time. The amendments which were inserted by your committee will permit the taxpayer to adopt that credit which results in the lesser tax. To get this result a taxpayer must compute the tax under both credits on its return unless it is desired to take only one credit. Where the taxpayer does not desire to make the necessary computations in its return under both credits it may disclaim in such return the use of whichever credit it does not desire. This will relieve a taxpayer who is satisfied with the average-earnings credit from having to compute its credit according to the invested capital method to determine whichever is the lesser tax. The same is true of a taxpayer that is satisfied with the invested-capital credit and does not wish to go through the difficulty of having to compute both credits on its return.

These sections also permit corporations actually in existence prior to January 1, 1940, that have gone through tax-free liquidations, mergers, or consolidations, to elect whether they shall compute their credit in the ordinary way or take the experience of their predecessors as required under supplement A. Under the present law such corporations were required to compute their credit under supplement A. In some cases it may be more beneficial for such corporations to ignore the experience of their predecessors in the base period. In other cases it may not. This election will also enable such corporations, if they do not elect to come under supplement A, to get the benefit of the "growing corporation relief" granted to corporations not coming under supplement A.

The PRESIDING OFFICER. The clerk will state the amendments reported by the Committee on Finance.

The first amendment of the Committee on Finance was, in section 5, "Abnormalities in income in tax period," on page 16, line 13, after the word "abnormal", to strike out "net."

Mr. BROWN. Mr. President, I should like to say to the Senator from Colorado and the Senator from Nevada that on a previous occasion they both joined me in a proposal, which was adopted by the Senate but rejected when the bill then under consideration got into conference, which would have been of great benefit to the mining industry, that is, as to the nature of the proprietorship in the period upon which the excess-profits tax is based. Heretofore the credit could not be used unless the same corporation which is now in existence was in existence during the 3- or 4-year period. By changes which have been written into the law, if the proprietorship were a partnership or an individual out of which a corporation grew, such as a mining corporation, the earnings during the base period may be used as the basis for

calculation of the tax. I think the proposed amendments are very valuable for that reason.

Mr. VANDENBERG. Mr. President, I wish to make a very brief statement regarding the pending bill from the minority side of the Finance Committee.

I do not see how it is possible for these amendments to the excess-profits tax law to be anything but an improvement to it. I do not see how any change in the 1940 law could make it worse. So the conclusive presumption is that the amendments should be agreed to. They are almost as imponderable in their text as is the original 1940 law; but if they mean what the committee was told by the Treasury experts and by our own staff of experts they do mean, they are steps in the direction of relief in certain hardship cases, and heaven knows there was plenty of hardship in this 1940 tax monstrosity.

Mr. President, I take the experts at their word. I can do nothing else, because the text of this pending bill, like its 1940 parent, is still a maze of terrifying words, which few Senators would dare undertake to explore or explain.

Our experts promised at the time of the passage of the original act to do something about hardship cases. They have bravely sought to keep their word. Laboring from October to February they have gone as far as these amendments go in attempting to clear up some of the hardship cases. They frankly say they have been unable as yet to traverse the whole field of inequity and inequity which is cursed by the 1940 law. This is just the first correction. The experts reserve the right subsequently to correct these corrections and to make additional corrections if, as, and when they find the time and genius to successfully unravel some of the remaining enigmas with which the 1940 law is still shot through. The Finance Committee wants further corrections made and is committed to them.

If for no other purpose than to encourage the experts in this effort I am happy to join in this much progress. But I wish to point out that we are eliminating the general relief clause from the law by these amendments. I am making this statement particularly in response to an inquiry submitted to me by the able Senator from Vermont [Mr. Austin] who presents a telegram which he has received pointing out that there still remains certain abnormalities which are not reached by the pending corrections. The constituent of the Senator from Vermont asks that the general basket clause, the general relief clause, in the old law, section 722, should be retained in its original form. I point out that it is not retained in its original form. It is not retained at all. The general-relief section is eliminated, but it is pleaded in behalf of the elimination that the general section never did really promise any specific relief, but was much more a matter of pretense rather than a matter of substance. It is argued that this clause was so general that it really promised no relief at all, and that the limited specific relief, though admittedly inadequate, contained in the pending bill really represents a net advance.

Mr. President, I think it is true that the amendments upon which we are now about to vote do make specific progress in the direction of certain corrections of hardship cases, but I think it should be made very plain that they do not go the whole way by any manner of means. It still leaves many other abnormalities which need correction. They should be corrected as soon as possible. Taxpayers should not be left at the mercy of any of these miserably unfair levies.

We need a total revision of our tax laws not only to simplify and consolidate the structure, but also to provide revenue at least distantly approaching our gargantuan expenditure, present and prospective. But in the preliminary approach to that ultimate effort, I am agreeing with the Senator from Mississippi that the pending amendments are a step in the right direction and I am taking the liberty of saying that I approve them within the limits which I have announced. They do not cure a bad law. But they make it slightly less obnoxious.

The PRESIDING OFFICER. The question is on agreeing to the first amendment of the committee.

The amendment was agreed to.

The next amendment was, on page 33, after line 14, to strike out:

SEC. 13. Election to compute average base period net income under supplement A.

Section 742 of the Internal Revenue Code is amended by striking out "shall be computed as follows" and inserting in lieu thereof "if the taxpayer is entitled under section 712 (a) to elect the excess profits credit computed under section 713 shall, at the election of the taxpayer made in its return for the taxable year, be computed as follows, and if the taxpayer is not so entitled, shall be computed as follows."

And insert in lieu thereof the following:

SEC. 13. Allowance of excess profits credit.

Section 712 of the Internal Revenue Code is amended to read as follows:

"SEC. 712. Excess profits credit—allowance.

"(a) Domestic Corporations: In the case of a domestic corporation which was in existence before January 1, 1940, the excess profits credit for any taxable year shall be an amount computed under section 713 or section 714, whichever amount results in the lesser tax under this subchapter for the taxable year for which the tax under this subchapter is being computed. In the case of all other domestic corporations the excess profits credit for any taxable year shall be an amount computed under section 714. (For allowance of excess profits credit in case of certain reorganizations of corporations, see section 741.)

"(b) Foreign Corporations: In the case of a foreign corporation engaged in trade or business within the United States or having an office or place of business therein, the first taxable year of which under this subchapter begins on any date in 1940, which was in existence on the day 48 months prior to such date and which at any time during each of the taxable years in such 48 months was engaged in trade or business within the United States or had an office or place of business therein, the excess profits credit for any taxable year shall be an amount computed under section 713 or section 714, whichever amount results in the lesser tax under this subchapter for the taxable year for which the tax under this subchapter is being computed. In the case of all other foreign corporations the excess profits credit



for any taxable year shall be an amount computed under section 714.

"(c) Effect of Disclaimer of Credit: If the taxpayer states in its return for the taxable year under this subchapter that it disclaims the use of the credit computed under section 713 or the use of the credit computed under section 714, the credit so disclaimed shall not, for the purposes of the internal revenue laws, be applicable to the computation of the tax under this subchapter for such taxable year."

The amendment was agreed to.

The next amendment was, on page 35, after line 15, to insert:

SEC. 14. Excess profits credit of acquiring corporations.

Section 741 of the Internal Revenue Code is amended to read as follows:

"Sec. 741. Allowance of excess profits credit.

"(a) Allowance: In the case of a taxpayer which is an acquiring corporation which was in existence on the date of the beginning of its base period, the excess profits credit for any taxable year shall be an amount computed under section 713 or section 714, whichever amount results in the lesser tax under this subchapter for the taxable year for which the tax under this subchapter is being computed.

"(b) Effect of disclaimer of credit: If the taxpayer states in its return for the taxable year under this subchapter that it disclaims the use of the credit computed under section 713 or the use of the credit computed under section 714, the credit so disclaimed shall not, for the purposes of the internal revenue laws, be applicable to the computation of the tax under this subchapter for such taxable year."

The amendment was agreed to.

The next amendment was, on page 36, after line 11, to insert:

SEC. 15. Average base period net income of acquiring corporations.

So much of section 742 of the Internal Revenue Code as follows the section heading and precedes the beginning of subsection (a) is amended to read as follows:

"In the case of a taxpayer which is an acquiring corporation the excess profits credit of which is allowed under section 741, its average base period net income (for the purpose of the credit computed under section 713) if the taxpayer was actually in existence before January 1, 1940, shall, at the election of the taxpayer made in its return for the taxable year, be computed as follows, and if the taxpayer was not actually in existence before such date, shall be computed as follows, in lieu of the method provided in section 713:"

The amendment was agreed to.

The next amendment was, on page 37, after line 2, to insert:

SEC. 16. Computation of credits on returns. Section 729 (b) of the Internal Revenue Code is amended by striking out "(b) Returns—" and inserting in lieu thereof the following:

"(b) Returns:

"(1) Computation of excess-profits credits: In the case of a taxpayer which under section 712 or section 741 is entitled to have the excess-profits credit computed under section 713 or section 714, whichever results in the lesser tax under this subchapter, the return under this subchapter for any taxable year shall contain computations of two tentative taxes, one with the credit computed under section 713 and one with the credit computed under section 714; and the return shall contain all information which the Commissioner, by regulations prescribed by him with the approval of the Secretary, may prescribe as necessary for such computations. If

the taxpayer states in such return that it disclaims the use of one of such credits in the computation of the tax under this subchapter for the taxable year, the computation and information based on such credit may be omitted from the return.

"(2) No return required:—"

The amendment was agreed to.

The next amendment was, on page 38, line 1, to change the section number from 14 to 17.

The amendment was agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

Mr. McCARRAN. Mr. President, I shall not take up the time of the Senate except to emphasize the expressions I made before the bill was taken up. I have two amendments which I would offer but for the fact that I do not wish to jeopardize the passage of the measure, for, in my judgment, it does afford some opportunity for relief to those who have been punished by the present excess-profits tax. I wish to give notice, however, that when there is reconsideration of the whole subject, as I know there must be, I shall take the position before the respective committees and before this body that the strategic metals essential for national defense, and the by-products of such strategic metals, namely, gold and silver, should be eliminated from the excess-profits tax.

The PRESIDING OFFICER. The question is, Shall the bill pass?

The bill (H. R. 3531) was passed.

#### PROMOTION OF NATIONAL DEFENSE

The Senate resumed the consideration of the bill (H. R. 1776) further to promote the defense of the United States, and for other purposes.

Mr. GEORGE. Mr. President, will the Senator from North Carolina yield to me to submit a unanimous-consent request, which I do not think will lead to debate?

Mr. REYNOLDS. Certainly.

Mr. GEORGE. There has been a quorum call, and I believe that most Senators interested in the pending matter are present. I would not wish to make the request without their presence or the presence of some of them.

Mr. President, I should like to submit a request for unanimous-consent agreement for a reasonable limitation upon general debate on the pending bill and, if possible, on amendments. I would not suggest a restricted period of time that would not be ample for fair expressions of opinion, but this debate having gone on now for 13 days, including today, having been carried on in the House for 1 full week, public hearings having been held for approximately 5 weeks by both the Foreign Relations Committee of the Senate and the Foreign Affairs Committee of the House, I think it would be in order to express the hope that some agreement may be reached as to further debate upon the bill. I am sure we all recognize the importance of this measure, whether we are for it or against it, and the importance of permitting the Senate to reach a final conclusion upon the issues presented.

I therefore ask unanimous consent that, beginning tomorrow morning, no

Senator speak more than once nor longer than 1 hour on the bill, or more than once nor longer than 30 minutes on any amendment thereto. If the request were granted, any Senator would be at liberty to speak, beginning tomorrow, a full hour and one-half upon both the bill and the pending amendment.

I am submitting the request in all good faith in the hope that we may bring to a conclusion—not immediately, for the proposed limitation would not do so, but at some reasonably early date—the issues involved to the end that the Senate may reach a final decision upon the issues presented by this bill.

The PRESIDING OFFICER. Is there objection?

Mr. CLARK of Missouri. Mr. President, reserving the right to object, let me say that I had not been advised that the Senator from Georgia was going to make this request. I stepped off the floor for a moment, and did not hear all the Senator from Georgia had to say.

Let me say that on a matter of this tremendous importance to the destiny of the American Republic, I think the debate has been very brief. Certainly in my experience, and I am certain also in the experience of every Member of this body, there has never been any debate in either House of Congress more closely and completely confined to the issues of the bill itself than has this debate.

Mr. President, recently I have heard some charges—I heard one on the floor of the Senate the other day by the Senator from Georgia himself—about a filibuster. Let me say that I do not believe such charges are justified. There has been no evidence whatever of a filibuster. When the Senator from Montana [Mr. WHEELER] was holding the floor the other day more of his time was taken up by questions and debate by the proponents of the bill, including the Senator from Georgia and both Senators from Kentucky, and other Senators, than was taken up by the Senator from Montana himself.

Mr. President, I do not think a limitation of debate at this time is justifiable. Certainly many amendments of very great importance are to be presented. So far as I am concerned, while I did not hear all that the Senator from Georgia had to say, and I may have occasion to revert to it later in the afternoon after I shall have read what the Senator from Georgia had to say, I am certainly not willing to agree at this time to any limitation of debate. Therefore I object.

The PRESIDING OFFICER. Objection is heard.

Mr. REYNOLDS. Mr. President, in reference to the unanimous-consent request made just a moment ago by the distinguished senior Senator from Georgia, I wish to say that I expect in the course of my remarks this afternoon to make mention of matters connected with the subject matter of his request.

Mr. WHEELER. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. BUNKER in the chair). Does the Senator from North Carolina yield to the Senator from Montana?

Mr. REYNOLDS. I yield.



Mr. WHEELER. With reference to the request which was made by the senior Senator from Georgia, I simply wish to say that I hope no such request will be made at any time unless there is a quorum call; and if a request of that kind is made while I happen to be absent from the Chamber, I hope some Senator on my behalf—if he does not wish to do so on his own behalf—will object to it.

A charge was made the other day by the Senator from Georgia intimating that I was filibustering because I spoke for 2 days. Of course, there was no foundation in fact for such a charge, because up to the present time I have never been a party to a filibuster in the Senate. However, I have seen many other Senators filibuster on pending legislation which was far less important to the American people than is the bill which is before the Senate today. I have seen them filibuster on legislation which the overwhelming majority of the Senate favored. Never before during the period I have been in the United States Senate have I received as many letters. I do not recall that, previous to this time, I have ever received a letter or a telegram asking and demanding that Senators filibuster against a piece of legislation. Thousands of communications are coming to my office at the present time from every part of the country—not only from New York, Chicago, and Detroit, but from away out in the "sticks," from farmers and others who are saying that if there is no other way to defeat the bill now before the Senate a filibuster should be conducted against it.

I for one feel that they are justified in making such demands, because, regardless of how much the proposed legislation is sugar-coated, the more one looks into it the more he sees the cunning and the concealment in the bill, and the more he realizes how dangerous it would be to place it upon the statute books in a so-called free democracy.

Mr. President, I expect to fight the bill in any way, shape, or form that I can. I want to see the American people realize—because I am sure that a great many of them today do not realize—that the bill, which is presented to the Senate with the sugar-coated title of "Defense," does not mean defense for the United States at all, unless we concede that the defense of England is our defense, or that the defense of Singapore is our defense. On the contrary, it means the defense of some foreign country.

I do not wonder that some of the proponents of the bill want it jammed through the Congress at the earliest possible moment, because they know, as I know, that when the American people come to understand it in its details—if it is possible for them to understand it—there will be an uprising in this country against the bill such as has never before been witnessed in the United States.

Mr. GEORGE. Mr. President, will the Senator yield?

Mr. REYNOLDS. I yield.

Mr. GEORGE. A quorum call had just been had, and I surveyed the Senate and

saw that the opposition to the bill was well represented on the floor.

Mr. WHEELER. I did not know that.

Mr. GEORGE. The quorum call was immediately followed by consideration of a tax measure which did not provoke debate. I should not call up the matter, even for the purpose of submitting a request, if the Senator and other Senators opposed to the bill were not represented. The Senator may be assured of that.

All I have done is simply to ask for a reasonable limitation on debate beginning tomorrow. That has often been done in the Senate before, and I am sure it must often be done if the Senate is to function in an orderly way.

It seems to me that the request is altogether reasonable when we consider the length of debate already and the limitation suggested, which would give any Senator a full hour and a half for debate upon a pending amendment and the measure, whether or not he had already spoken, or whether or not he had spoken repeatedly.

That is all I desire to bring to the attention of the Senate.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. REYNOLDS. I yield.

Mr. CLARK of Missouri. Let me say that I was on the floor after the quorum call. The Senator from Michigan [Mr. VANDENBERG] had claimed the floor for debate on a very important measure which was under discussion in the Senate. I stepped out of the Chamber for a moment to talk to a constituent who had sent in his card, and by the time I returned to the Chamber the request was being considered. I understand that the Senator from Georgia had asked that I be notified. He had already made his statement, and I arrived just as the Senator from Oklahoma [Mr. LEE], then temporarily in the Chamber, was about to put the request, whereupon I objected.

I have heard much talk about delay and filibuster. The Senator from New Jersey [Mr. SMATHERS], who has not been in the Chamber more than 3 or 4 hours during the past 2 or 3 weeks of debate on the bill, gave out a speech which was printed in the newspapers yesterday, and which I read yesterday. He then came into the Senate Chamber and delivered it again today, which seems to me to be a filibustering method. At the conclusion of his address he inveighed against any further discussion of the matter. When I sought to interrogate him he dashed out the side door. The Senator from New Jersey said he thought that anyone ought to be able to express any views he had on the bill in 20 minutes. After listening to the Senator from New Jersey today, I am convinced that he could have expressed his views without addressing the Senate at all.

I object to any suggestion on the part of the Senator from Georgia or anyone else that there has been any undue delay or unnecessary debate in connection with the pending bill. To my mind it is the most important bill which has been presented to the Congress of the United States certainly in the lifetime of any of us now present, and probably since the Civil War. We have had 2 weeks of

orderly, germane debate, all confined to the issues and to the measure itself—at least on our side. I very much resent the suggestion that there has been any unnecessary delay of any sort in the consideration of the bill.

In view of the tremendous issues which may be presented in the amendments, I think it is unfair at this time to suggest a "gag" rule limiting any Senator to an hour and a half of further debate on the bill, and I insist on my objection.

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. REYNOLDS. I yield.

Mr. WHEELER. I have read in the newspapers that two different Senators have said there ought to be cloture. Of course, if two-thirds of the Senators want to invoke cloture in the Senate, they can do so, and the others of us probably cannot help it. But it so happens that the Senators who have been talking most about cloture are those who have been on the floor of the Senate hardly at all. If some of the Senators who are talking so much about invoking cloture were to remain in the Senate and listen to some of the debates, find out what is in the bill, and study it, they might not be shouting so much for cloture.

Mr. REYNOLDS. Mr. President, at last! [Laughter.]

Let me assure the Senate that I have been very happy to accommodate my friends in this body.

It would be difficult to conceive of a more dangerous mistake at this time in America than a filibuster in the Senate by the opponents of the lend-lease bill.

That is the opening paragraph of a most able editorial published in the columns of the News and Observer of Raleigh, N. C., from the pen of its editor, Hon. Jonathan Daniels, famed author and newspaperman.

I am thoroughly in accord with that statement; and, insofar as I am concerned, I shall not participate in any filibuster. Insofar as I can learn, those who share my attitude and who are opposing the passage of this bill have no inclination whatever to launch a filibuster on this occasion.

Initially, Mr. President, I desire to make it clear that there is a great distinction between a filibuster and legitimate discussion of any legislation. At this time I merely desire the opportunity to express additional opinions as to certain features of the bill which I heretofore have not undertaken to express.

Some ardent advocates of the bill have already in American street-corner participation in the debate taken the position at the opposite extreme that debate ought to be stopped. Of course, to cut off debate on this bill in order that democracy might be aided quickly would be a quick form of destroying democracy at home before aid of it in the world could begin.

Continues the editorial. With this view I am also in thorough accord.

The editorial from the News and Observer, of Raleigh, N. C., continues:

Opponents of the bill, however, face such an American mood. They have every right to express their opinions. Indeed, in reaching such an important decision as lies implicit in the bill, America needs their opinions.



But taking the time necessary to voice opposition is one thing, filibuster would be something else altogether.

With this view I also am in accord. The editorial concludes with this very pertinent statement:

The right of men to voice and vote their conscience in so serious a matter as this one should not be questioned—should, indeed, be respected. But those who speak against surging emotion in a democracy should not threaten democracy with the rousing of the furies which a filibuster might mean.

Editor Daniels is right, eternally right, when he says that:

The right of men to voice and vote their conscience in so serious a matter as this one should not be questioned—should, indeed, be respected.

In pursuance of a portion of the aforementioned paragraph of the aforementioned editorial, I remind my colleagues that the first amendment to the Constitution of the United States reads:

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

Mr. President, never during my tenure of office in the United States Senate have I known any debate to be more orderly and more consistently confined to the issue itself than the debate on the bill now under discussion, known as the lend-lease bill, which I formerly referred to as the "lend-lease-give bill." I agree with my distinguished colleague from the State of Missouri [Mr. CLARK] that we have confined our arguments on this bill exclusively to the issue before us. In this body there has been no evidence of personal antagonisms. Personalities have been entirely eliminated, and have not been found in any statement or statements made upon the floor of this Chamber, nor have they found or wormed their way into the arguments pertaining to the all-important issue now before us. We here upon the floor of the Senate recognize that each Member thereof has a constitutional right—under the first amendment to the Constitution—to give expression to his conscientious convictions; and we here in the Senate recognize that our colleagues' opinions are to be respected, realizing as we do that every man is entitled to his opinion. That is one of the fundamental principles of democracy. Free speech, unhampered debate, and orderly procedure providing the right of free speech and opportunities for debate are not only for the Members of this body but for the American people as a whole, as likewise provided by our Constitution.

We in this body recognize that every man has a right to his own opinion, and further recognize that each man's opinion is a conscientious one. Being tolerant persons, we do not become bitter with a colleague or colleagues because we may differ with him or them. We are all anxious to ascertain what is best for our country, and that is the only answer we are seeking. However, regardless of our high ideals and the respect that we in this body may have

for the opinions of others, I have discovered and doubtless many others have learned during this controversy, if not before, that unfortunately there are some in this country who evidently do not believe in the provision of the Constitution which guarantees free speech. There are, unfortunately, those who evidently do not believe in a democracy, because many have challenged the right to our expressing our respective attitudes, and have publicly and otherwise challenged my right to give expression to my conscientious convictions. We do not challenge the right of our respective fellow Americans to express their convictions; and I, at least, am not going to criticize any Member of this body, or any citizen, for holding opinions contrary to my convictions on these grave questions.

Now, in further pursuance of the statement I have just made that evidently some people do not believe in free speech as provided by the first amendment to the Constitution, for instance, I have received thousands of communications in the form of letters and telegrams, a great majority of which come from my State, and a few of these telegrams evidence to my mind more convincingly than ever that there are at least some people in my Commonwealth who have assumed the attitude that it is treasonable—highly treasonable—to express an honest, sincere, and conscientious opinion, if that opinion happens to be contrary to theirs. For instance, I have before me several telegrams which I should like to read.

The first is from—

DURHAM, N. C., February 20, 1941.  
ROBERT R. REYNOLDS,  
United States Senator:

I have heard you are being paid by Hitler and unless you can disprove this I shall tell it to the world. The burden of proof is on you. You visited Germany and Russia and you evidently fell by the wayside.

The next is from—

RALEIGH, N. C., February 22, 1941.  
Hon. ROBERT R. REYNOLDS,  
United States Senator:

We celebrate today the birth of a great American. We mourn today the demise of another American whose greatness only the Wheelers, Holts, Clarks, and Quislings may attest.

The third telegram is from—

CHARLOTTE, N. C., February 22, 1941.  
United States Senator ROBERT R. REYNOLDS:

You have betrayed the people of the great State of North Carolina and the party you represent. Your stand on lease-lend bill should be the voice of the people instead of your individual opinion. You have placed yourself in the class with the Benedict Arnolds, Lindberghs, and Wheelers and your iron cross no doubt is already en route to you from the bandit Hitler.

The next is from—

DURHAM, N. C., February 22, 1941.  
Senator ROBERT R. REYNOLDS:  
Your obituary being written. Don't force me to the wake.

Another telegram is from—

IVANHOE, N. C., February 20, 1941.  
Senator ROBERT REYNOLDS:  
Deeply regret your unfortunate speech today. I assure you that a vote against lend-

lease bill will be considered a traitorous act, and one which your former friends will neither forgive nor forget.

The next is from—

ROXBORO, N. C., February 21, 1941.  
Senator ROBERT R. REYNOLDS:  
Judas Iscariot, Benedict Arnold, Quisling, Pierre Laval, and appeasers in general all enjoy certain types of things. Do you also aspire to that group?

Another telegram is from Durham, N. C., which was received at a time when I had not definitely made up my mind as to what positively would be my position upon the bill. It is dated February 21, and reads:

Your telegram received—

I had sent a telegram to this gentleman when I had not definitely made up my mind as to how I should vote—

Your telegram received. We in Durham cannot understand your indecision on lend-lease bill. It is time to get off the fence and to do it blankety blank fast. If I publish your telegram in Durham—

That is to say, the telegram he had received from me advising that I had not definitely made up my mind as to the matter—

you can write Durham County off your map in 1944. I am giving you this advice as a friend. I do not say this in the form of a threat, but I say honestly and frankly that 95 percent of the voting public in Durham will bury you deep if you oppose the bill. I would appreciate your sending me a wire that I can publish.

Immediately upon receipt of the telegram which I have just read I telegraphed my friend an answer, as follows:

In answer to your wire, I consider lend-lease bill one demanding thorough consideration of every Member of United States Senate, and I do not propose to be hastened to a decision by threats of any character from any source. I place my country far above any political ambitions I may have; and when I make up my mind, after hearing all evidence now being produced in our committee and hearing some arguments, both pro and con, on Senate floor, I shall then vote according to the dictates of my conscience and as I see it in the interests of the United States, as I owe allegiance to no other country other than the United States of America. You are at liberty to publish this telegram, and I trust sincerely you will bring about its publication through columns of the North Carolina press.

Highest regards,

ROBERT R. REYNOLDS,  
United States Senator.

Mr. President, it is interesting to note that this gentleman who asked me to send him a telegram which he could publish has never published the one I have just read, or, if he has published it, I have never seen it or heard about it having been published.

However, on the other hand, I want to state that there are a large percentage of people in my Commonwealth who are in accord with my attitude and they, for the first time, are giving expression to their thoughts and convictions through the columns of the press in my State. Amongst those I have seen, I particularly am desirous of reading into the Record a letter written by Mrs. M. S. Scheffer, who resides in Catawba County, N. C., at Newton, dated February 25, 1941, and



published in the public forum columns of the Hickory Daily Record, at Hickory, N. C. The letter reads:

Dear Mr. Editor: I suppose it would be unpatriotic and aiding Hitler if you would publish an article that a lot of people agree with Senator REYNOLDS in regard to his stand on the lend-lease bill.

I live in a rural section and know of at least 25 people in my immediate neighborhood that would be glad to send him a telegram of congratulation if they could afford it. We can afford to give billions of dollars to England but children from our rural sections do not have a chance to go to school 8 months in the year. They go for a half day 2 months in the summer and the same for another month in the fall in order to help their parents in the fields.

Present farm prices do not justify hiring help. I suppose the children are expected to work in the fields, stay home from school, be patriotic and glad to give to help keep the King and Queen of England on the throne.

Why do we have Congress if everyone is supposed to agree and be on one side? If you don't you are branded as a Communist, Nazi, "fifth columnist," and unpatriotic. I thought this was a free country and every one had a perfect right to their own opinion without being hounded about it.

In further reference to free speech, I wish to read into the RECORD now extracts from an article of Mr. Walter Hildebrand, Washington correspondent of the Greensboro (N. C.) Daily News, dated February 27, 1941:

WASHINGTON, February 27.—

Another development in the State that fails to meet a responsive echo in the North Carolina delegation is the intemperate criticism of, and the strictures directed at the course that is being pursued by Senator REYNOLDS, who is opposing the lease-lend bill.

Members . . . are . . . of the opinion—

Speaking of the members of the North Carolina delegation, our 11 Representatives—

that a sustained campaign of abuse directed against the junior Senator is a mistake, politically, morally, or from considerations of patriotism. A campaign of this kind, it was said today, may in the first place react in favor of the intended victim, while there is always the possibility that time will provide vindication for the attitude currently assumed by Senator REYNOLDS as he sees his country approaching the brink.

Members of the State delegation, viewing the situation in some of its broader aspects, would like to feel that they would always be privileged to follow the dictates of their better judgment, even in times of stress and vast confusion in the world, without having their motives impugned. And once more, speaking broadly, members feel that if there is to be a war for the essential freedoms and especially for freedom of speech, everywhere in the world, they see no reason for making an exception of North Carolina or for establishing there an island or an area for the application of totalitarian restrictions.

It was recalled by the delegation spokesman today that Claude Kitchin was virtually crucified and the late Robert N. Page was driven from public life because they opposed our entrance into the first World War, and it has never been thought that this demonstration of ignorance, hate, and hysteria was anything for the State or for the Nation to look back upon with pride, for rarely has a State sent to Congress men who possessed a higher de-

gree of intelligence or a more lofty, unselfish patriotism.

Senator REYNOLDS may be all wrong—

That I admit, Mr. President, without hesitation—

it is frequently reflected here, but in any event he has been consistent since his stand against the repeal of the arms embargo, a step which he thought then, and still thinks, started the country down the traditionally easy road to war. He thinks passage of the lease-lend bill will be final and fatal, that it will prove the next to the last, if not the last, step to war. This deliberate judgment of the junior North Carolina Senator is today finding almost universal acceptance. Senator WHEELER read to the Senate the editorial contribution made to the New York Times today by Arthur Krock. This commentator wrote that, at the end of many months of official unreality the administration "is squarely facing the prospect of war." Krock added that the administration "conceding, almost openly, that the United States cannot give to Great Britain the degree of assistance required to defeat the Axis and deny, as during the campaign, that war can be a consequence. This is a factual report of a definite new attitude in Washington which emerges in any conversation with officials.

"With this calm though reluctant acceptance of the prospect has come a tendency to admit—almost in the open, too—that, since the purpose of the all-out-aid policy is to assure the defeat of the Axis, it must be carried out to the limit. In responsible quarters is now heard the candid opinion, which could not be obtained a few weeks ago, that if American convoys are needed to deliver the products of the 'arsenal of democracy' to the British war machine, they should be furnished. And the same officials are beginning to say that, in this event, they will be furnished."

Distinctly, it is a war atmosphere that is prevailing here, and it is for this reason that Senator REYNOLDS is admonishing the people to stop, look, and listen. And Members of the North Carolina delegation feel that he is well within his constitutional rights in doing so. Members from other States, Democrats and Republicans alike, are sounding a similar warning without being taxed with treachery.

Mr. President, I have before me an article which I clipped from the Raleigh News and Observer of Raleigh, N. C., entitled "Opposition Has Rights." I had intended placing this article in the Appendix of the RECORD, but I wish to read it into the RECORD now in conjunction with the fact that the opposition has rights. This article, I might add, is from a gentleman who does not share my attitude.

#### OPPOSITION HAS RIGHTS

To the Editor: There have been many vicious attacks upon those who have opposed the pending lease-lend bill in Congress. Typical is that of Representative Withrow, of Rutherford—

Meaning Rutherford County, in North Carolina—

made upon the stand taken by Senator REYNOLDS. Representative Withrow charged that Senator REYNOLDS had disgraced North Carolina and the United States. He intimated that the stand taken by Mr. REYNOLDS only reflected the lack of patriotism on the part of the junior Senator.

Though not in agreement with Mr. REYNOLDS in his opposition to the lease-lend bill, I see no reason for feeling that such opposition is not perfectly consistent with an unqualified desire for the welfare of this country. When the time arrives that an American cannot speak the minority view without being subject to bitter accusations

of un-Americanism, then we have no democracy to fight for; it is already dead. Of course, in these trying times it is easier to forget our principles of tolerance in denouncing those who oppose measures which we think expedient for our own welfare. But it is only in such times that these principles meet the acid test. And if our constitutional traditions of freedom and tolerance do not come through now, then it would seem that they are not very deep-rooted. More than ever, we need the voice of the minority sounded as a constant reminder to stop and take stock of ourselves. Of course, time is of the essence, and we must act and act quickly. But that does not necessarily mean that those of us who constitute the majority group are always dead right in every particular.

PHILIP E. LUCAS.

CHAPEL HILL.

Mr. NYE. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from North Carolina yield to the Senator from North Dakota?

Mr. REYNOLDS. Certainly.

Mr. NYE. When I was called from the Chamber a few minutes ago the Senator was reading some of the complimentary telegrams and letters he has been receiving from his State. I am delighted to know that the Senator has in his State editors and commentators who are ready to ascribe to him the honest motives that we know are his.

Has the Senator any notion where persons get ideas to the effect that some of us who are opposed to this bill must be in the reward of Hitler, or Nazi Germany, or some Fascist cause?

Mr. REYNOLDS. I have not the slightest notion how anybody could have such ideas, or upon what they could base false and unwarranted accusations of that sort. The American people should not be mad with us. We are not mad with them. All we are doing is that which we think is best for the preservation of our country. I am not angry with our friends in the Senate who do not share our views. I am not angry with my fellow American citizens who do not share our views. As the Senator knows, all we are endeavoring to do is, as I have just stated, that which we think best for our country. We may be right; we may be wrong. Time only will tell.

Mr. NYE. Mr. President, let me say to the Senator that more and more I am inclined to be much more forgiving of people, even those who write anonymously in criticism of our position, charging allegiance to some cause other than that of Americanism. I am inclined more and more to forgive them when I see the kind of thing that is dished up to them at times by people presumably of some responsibility.

Only last Wednesday or Thursday one columnist wrote this in his column:

Finally, there is the opposition of the BENNETT CLARK, EURTON WHEELER, GERALD NYE, BOB REYNOLDS type. The administration does not question their intelligence, but it does doubt their sincerity. It sees the roots of their support as representing subversive forces in our public life.

I submit to the Senator that when columnists are preaching that manner of thing to the American people surely there are going to be among them those who feel they are quite justified in charging,



as I heard the Senator charged in one of the telegrams this afternoon, with being on the pay roll of Hitler or of some foreign cause. I appreciate the opportunity the Senator has afforded me to make record of this scurrilous attack upon men who are only striving to do what they think proper to do in the interest of their country.

Mr. REYNOLDS. I merely happened to say that we are pro-American, and today many classify anyone who is pro-American as a Hitlerite or a "fifth columnist," or something of the sort.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. REYNOLDS. I yield.

Mr. CLARK of Missouri. The article just quoted by the Senator from North Dakota was written by a man who does not write under his own name but writes under an alias. I had always assumed he wrote under an alias because he was ashamed of his own name, but in the last few weeks I have become acquainted with some of his relatives, and I find that the fact that he writes under an alias is the only spark of decency, so far as I know, he has ever had. He is ashamed to put out the stuff he writes under his own name because he evidently comes from a decent family. I refer to Mr. John Franklin Carter.

When Mr. John Franklin Carter, who writes under the name "Jay Franklin," accuses me of being in the pay of any subversive element, I hurl that back in his teeth as an absolutely malicious lie. No one would print an article of that sort about Members of the Senate who happened to be in disagreement with his position who did not intend to print in his column, which I think is published now in only two or three papers, an absolutely malicious lie.

So far as being connected with any subversive elements is concerned, I have all my life been in favor of putting down subversive elements in the United States. I wore the uniform of the United States in one war, which is a good deal more than Mr. John Franklin Carter ever did, and I am perfectly willing to wear it in another war—though God forbid another should occur—which again is more than Mr. John Franklin Carter is willing to do.

I join with the Senator from North Dakota and the Senator from North Carolina in condemning such scurrilous, outrageous, malicious libels as that which the Senator from North Dakota has quoted. I dare Mr. John Franklin Carter or anyone else to get within arm's reach of me and make any such remark.

Mr. REYNOLDS. I am deeply indebted to the Senator from Missouri for his fine, straightforward contribution to the comments I have seen fit to make in reference to these unfair, malicious statements.

Mr. BONE. Mr. President, will the Senator yield?

Mr. REYNOLDS. I yield.

Mr. BONE. There is nothing new or startling in public men being identified with something or other that is bad, by those who disagree with them. They had no such things as "fifth columnists" in the time of Jesus of Nazareth, but His critics tied Him in with everything that

was then bad. It was either of Him or Paul that it was said he was "a pestilent fellow, and a mover of sedition among all the Jews." Sedition was a serious crime in those days, as now. It adds nothing to our security and to the stability of this Republic for men to substitute harsh personal indictments for at least an attempt to appraise. Criticism is always in order, but its reasons can rest in facts and not on personal likes and dislikes. Times like these always invite some criticism that is later regretted by its authors. It was true of the last war; it will be true of another such as we face.

Mr. REYNOLDS. I thank the Senator.

In reference to the communications I have just read, I sincerely trust that my remarks will not be misconstrued. I recognize that I am subject to criticism, as is every other man in public life. As a matter of fact, I have never attempted to clothe myself in raiment of white or place myself upon a pedestal of ivory. But there is a radical distinction between constructive, honest criticism, and charges of treason such as have been made in some of the communications I have received.

Mr. President, to repeat, we are all striving for a solution. We are all seeking that which is best for our country. We all have the same objective, namely, keeping the United States out of war. Some say "it is a bill to get us into war." Some say that "it is a bill to keep us out of war." Some allege that it is a bill to turn the Nation into a dictatorship. Others say that "It gives the President more powers than he already has as Commander in Chief of the Army and Navy."

Men differ honestly, and honestly differ upon just what the bill will do or will not do. I have declared against the bill. I may be wrong; those who do not share my views may be right. Time only will tell who was right and who was wrong. Insofar as I am concerned, I shall welcome the arrival of the hour when a jury of the great American public may render its verdict as to who was right. And anticipating "jury day," I shall retain in memory my remarks upon this all-important subject, to be submitted to a jury of the American public, when, in the future, the American public as a whole has been thoroughly informed—and at that future time I shall re-submit my remarks for consideration by the men and women of our Republic—as to whether I was right or whether I was wrong.

In further discussion of this bill entitled "A bill further to promote the defense of the United States, and for other purposes," I wish today to devote my major remarks to the vital matter of promoting the defense of the United States, and not to that portion relating to "other purposes."

In considering the matter of further promoting the defense of the United States, we should, I aver, take into consideration the defense of this country from within, for the reason that the fundamentals of a defense program must of necessity be constructed upon solidarity and unity, and a firm structure here at home. By that I mean that we must first build solid, concrete foundations here in

America. We must clean house here in America before attempting to launch forth in foreign fields to clean house over there. We must first see that democracy is safe here at home, and that its preservation is assured, before we go to Europe or any other part of the world to impose democracy upon those countries which have evidenced their unwillingness to adopt the American way of life.

I recall well the obligation which I assumed by oath when I entered the United States Senate, when I swore that I would defend my country against the enemies from within as well as against the enemies from without. The oath submitted to me and which I acknowledged reads as follows:

Do you solemnly swear that you will support and defend the Constitution of the United States against all enemies, foreign and domestic; that you will bear true faith and allegiance to the same; that you take this obligation freely without any mental reservation or purpose of evasion, and that you will well and faithfully discharge the duties of the office on which you are about to enter; so help you God?

That is the same oath, Mr. President, which you took also on the convening of the Senate on January 3, 1941. Recalling that oath, and the oath which I took on the convening of the Senate in 1932, when Mr. Curtis was Vice President, and Mr. Hoover was President, and the oath which I took in 1939, I wish now to call to the attention of the Members of this body the statement by the sixteenth President of the United States, Abraham Lincoln, that "if this Nation is ever destroyed it must be destroyed from within." That statement was correct when he made it, it is correct now, and I am thoroughly in accord with the statement he made pertaining to the enemies from within.

As this fateful year of 1941 is now running its course our country is the battle ground of men and women, American men and women, fighting upon American soil the feuds of the Eastern Hemisphere—Europe and Asia—and I respectfully submit that, in my opinion, those men and women should be devoting their time, their thought, and their energies to a solution of our problems here at home.

Long ago the patriotic and far-seeing Abraham Lincoln recognized the fundamental truth that America's downfall, if it ever occurred, would take place internally and not externally. These are his words:

At what point then is the danger to be expected? I answer if it ever reaches us, it must spring up among us. It cannot come from abroad. If destruction be our lot, we must ourselves be its author and finisher.

So I say, Mr. President, that today our danger is from within. We must eternally guard ourselves against the inroads being made upon our form of government and our American way of life by the enemies of this Government who are eternally boring from within. Nazis and Fascists, their spies and their saboteurs, Communists and their propagandists, all day and night, night and day, are making terrific assaults upon the very foundations of our Government.



Mr. President, instead of going across the ocean to make destruction of these "isms" which are constantly working toward our destruction here, I assert that we should devote our time and our energy to destroying these vicious foreign "isms" right here in our midst. As an example of what we may expect here, unless we check the inroads being made by our enemies right on American soil, we have only to cite what is occurring in foreign countries. As a concrete example, England's good friends, the Communists, are taking advantage of her distress to demand her submission to the Soviet Union. Only recently there was a widespread demonstration by Communists in London and other cities of the British Isles. Communism will no doubt triumph in England as a result of this war if and when the warring factions are so thoroughly weakened that they shall have destroyed themselves, thus providing the next meal for the Stalin vulture that soars over all England today awaiting the fateful hour. Moreover, if the war continues long enough, as I have stated, communism may triumph over all England, and some allege that if we get in the war communism might triumph in America, too—which is not exactly what the average American expects when he observes the war spirit being constantly worked up by our good friends from alien lands, in moving pictures, and over the radio and through the press, anonymous literature, and what have you. But that is exactly what the average innocent American is going to get if we do not begin now to combat and to stop the enemies already here who are eternally boring from within, like termites, thousands of them, in their bold attempt to destroy America, and the cross, the little white cross over the newly made grave, will mark the spot where he will get it first.

Foreign nations have learned something from the persistent treachery of Germany and Soviet Russia. As I have just cited, even England has learned something. England made many compacts with Russia and Russia broke them all. England even tried to negotiate a treaty with Russia to encircle and crush Germany, but Russia led England along as though she had a ring in her nose, got all she could get out of her, promised everything, and did absolutely nothing. Russia today is actually the ally of Germany.

Now, Mr. President, in particular reference to the statement which I have just made to the effect that Russia today is actually the ally of Germany, I wish to say that I am opposed to any aid to Germany directly or indirectly. I am confident Russia is aiding Germany indirectly, if not directly, and to the end that Germany may not receive any aid from us indirectly through Russia, I am now submitting an amendment to H. R. 1776 which would prohibit this country providing any aid to Soviet Russia. The amendment reads:

Nothing in this act—

Referring to H. R. 1776—

shall be construed to authorize or permit the authorization or the granting of any aid to the Union of Soviet Socialist Republics.

Mr. President, I send this amendment to the desk and ask that it be printed, and I shall bring it up for consideration at the proper time when amendments are in order.

The PRESIDING OFFICER. The amendment will be received, printed, and lie on the table.

Mr. REYNOLDS. Mr. President, I wonder if there are any people in this country who think that Russia is not engaged in this war. She most certainly is engaged in it—and actively, at that. She may not be fighting on the field just now. She may not even be for the moment engaged in swallowing little nations such as Lithuania, Latvia, Estonia, parts of Finland, and Poland, but she is waiting for big game, bigger fish, and bigger suckers. She is working for universal communism and daily waiting for universal communism. The vulture soars over all Europe. For the present in England and Europe Russia prefers the role of receiver of stolen goods to that of the bold burglar. She is waiting for the time when America goes to war, when all our attention will be turned to Europe. Then when we shall have forgotten our problems at home and shall be busily engaged in conducting a foreign war her agents here will become more active than ever.

Today we are tolerating communistic agitation throughout the entire Nation. There are schools and colleges teaching sedition, and innumerable Moscow organs are preaching dissension and dissatisfaction. There are communistic organs spreading everywhere disloyalty to our Government and our Union. We know this; the Dies committee revealed it; and yet we do nothing about it, submitting ourselves to the danger of being destroyed at home while devoting our time and energy to fighting a war in Europe. The American people are most patient in their sufferance of the activities of Nazis, Fascists, and Communists. Subversive doings have become a menace to the life of this Nation. In proof of this I have but to cite the fact that in addition to innumerable Communist dailies there are published in this country scores of weeklies and semiweekly newspapers, with many monthly and semi-monthly issues, and hundreds of Communist, Nazi, and Fascist publications. With cold realism, unmoved by sentiment, emotion, or sudden impulses, with only the "red" interests in mind, and professing no high purpose of saving civilization, Stalin has won every play since the European and Asiatic wars began. After 16 months of war in Europe and 3½ years in Asia, the "red" dictator has been the sole victor thus far.

While the leaders of warring and would-be-warring countries have their noses flattened against the picture and can see only one narrow segment, Stalin, within the walls of the Kremlin, at peace, looks over the gigantic game as a whole—which simmers down to "Red" against "White." His loot includes a third of Poland, all the Baltic provinces, a fifth of the former state of Finland, and all of Bessarabia.

Working in Stalin's favor are the distressing condition in Spain, the collapse of France, the sinking of the morale of

war-weary Italy due to battles, and semianarchy in Romania.

There are increased Communist and Socialist labor movements in England. They have been marked by the suppression of two Communist publications and the People's Convention. There is a radical socialistic trend in Japan, actually sponsored by Konoye Matsuoka, the foreign minister. The Government is split, and there is fighting between the national forces of China and the Communists. This is spreading chaos and threatening the renewal of civil war. Finally, there is the unrest in India.

Stalin is the only statesman in the world who can truthfully say every day that the prolongation of the war is a day gained for the further undermining and collapse of the tottering capitalistic system. Russia's imperialistic future lies in the ruins and despair of Europe and the chaos of Asia. With Britain's food blockade against millions of hungry people and America's active entrance into the war, Stalin's victory might indeed become complete.

Communistic indoctrination is taking place in our schools and colleges, undreamed of by the average American. Communists have been making determined efforts to arouse in our Negro citizens a spirit of racial hatred, disloyalty, and revolution. For instance, I have before me a letter directed to my secretary, Wesley E. McDonald, by a gentleman on Capitol Hill, advising of anonymous literature which he received through the mail from Albany, N. Y., which is in reference to this very point. I read in part from this anonymous literature:

Miscegenation might produce a hardier race, but individual prejudices may delay it. However, equality is on the march. The South has given the supreme mandate for it and for the first time since Lincoln the Negro vote may be included with the solid South. The day may not be far when a Negro Governor of Virginia will be laying the cornerstone of a monument to Booker T. Washington on the present site of a statue of Jefferson Davis, a day when the vicious ban on Chinese immigration will have been lifted and labor will have replaced the parasitic and snobbish aristocracy that have cursed England and perpetuated to now the race problem of which we are only now finding the solution.

Does anyone think that any Negro in the Nation was a party to circulating such literature? Of course not. It was put out by the Communists. I want to say to the authors of this literature that they will be wasting their time and money in an effort to create trouble with our Negroes of the South, because they are law-abiding, patriotic citizens of America, and are opposed to any such doctrines as those proposed by the Communists.

The circular further makes a very vicious attack upon me, and suggests that I be defeated at the polls because I have persistently attacked the appointments of our President and "criticized our fellow citizens and democratic forces because they did not belong to the political faith of either of the major parties." I submit that I have at every opportunity attacked the objectives of the Communists, the Nazis, and the Fascists in this



country, and shall continue to do so, because I, like every other Member of this body, am desirous of preserving American ideals and institutions. As to the truth of this assertion in the anonymous literature, I want to state that I have never opposed an appointee of the President seeking Senate confirmation.

I desire to read the letter from this gentleman who was kind enough to send my secretary this anonymous literature; and, by the way, I might add that I am informed that many here at the Capitol have also received copies of this vicious, untruthful, and scurrilous matter. The letter reads as follows:

MY DEAR MR. McDONALD: I am not one of those who see a Communist under every bush; but careful examination of this contemptible circular letter shows that it must have been sent out either by the Communist Party or by a combination between it and some organization devoted to stirring up race hatred and dissension in the South. Since its anonymous authors look forward to the day when there will be a "Negro Governor of Virginia," they seem to long for a return of reconstruction days, except that the misguided carpetbagger from the North is to be replaced by a representative from Moscow.

My reason for saying this is that in the paragraph in which Senator REYNOLDS has the honor of being singled out from the other 95 Senators and marked for defeat, his chief offense seems to be that he "persistently attacked the appointments of our President and criticized our fellow citizens \* \* \* because they did not belong to the political faith of either of the major parties." This vague reference, upon reflection, can only mean that he (Senator REYNOLDS) denounced certain Communist employees of the Government and called for their removal. Also, his successful and commendable efforts to have aliens registered and fingerprinted appear to have gotten under the skins of the courageous (?) authors of this circular, who are careful to conceal their identity, have the nerve to call for enforcement of the Constitution, and do not even dare use the word "Communist" when they refer vaguely to "political parties."

You will note that the envelope in which this letter was sent bears a 3-cent stamp, and it is evidently being sent to persons whose names are in the Congressional Directory.

By the way, the junior Senator from Georgia [Mr. RUSSELL] told me that he received a copy of the letter.

If it turns out to have a widespread distribution through the South, the postage alone will be a very large item. It would be interesting to know who is furnishing the money.

In its appeals to race prejudice and hatred, its praise of miscegenation, and its final reference to possible bloodshed, this letter may appeal to some of the worst elements of our population; but it is not likely to influence the respectable colored population of North Carolina or any other State, most of whom must know what a faithful public servant Senator REYNOLDS has been. I congratulate him on the enemies he has made.

That concludes this letter.

Mr. President, as to communism even in the Nation's Capital, permit me to recall that a few days ago a man was found dead in a local hotel, with a pistol by his side. Some said he was murdered, but the official coroner's verdict was that he was a suicide. He was a former member of the OGPU, the dreaded secret police of Russia, who had come to this country

and who had testified before the Dies committee. He disclosed the secrets of the OGPU and certain communistic activities in this country. He told the committee that he was constantly in fear of his life. Whether it was suicide or a murder, it is asserted by those who were close to this unfortunate man that if he did commit suicide he was driven to it by fear of the secret police. Then, just a couple of days after that, there was the murder of another former prominent secret agent of Russia in New York. These deaths show that the foul hand of Stalin even now extends to this country and right into our Capital. So much for the Communists for the present.

With the cooperation of the German-American Bund and its summer youth camps, the Nazis are teaching Hitlerism to the children of German-Americans who, having been born in this country, are American citizens. The boys and girls attending these camps sing hymns to Der Fuehrer and to the foreign land they have never seen. They listen to lectures on ideology, and so forth. By perversion of the Universal Postal Union, totalitarian agencies have distributed thousands of tons of publications through the mails of the United States, at the expense of American taxpayers, calculated to create national disunity. On American soil the German-American Bund has organized military units, wearing uniforms—even though prohibited by law, I am told—suggestive of those worn by German storm troops, and they are trained and drilled in formations according to the regulations of the German Army. American-Italian Black Shirt legions, some 10,000 strong, with thousands of sympathizers, are today marching in America with the same resounding tread as that of the goose-stepping storm troops of the German-American Bund.

I hope an article I observed in the press this afternoon will prove to be true, and I desire to read it into the RECORD at this point. It was called to my attention by one of my colleagues. The article is from the columns of the Washington Daily News, the issue of Monday, March 3, 1941, entitled "German-Americans to Battle Nazi-ism":

#### GERMAN-AMERICANS TO BATTLE NAZI-ISM

NEW YORK, March 3.—German-Americans opposed to the Nazi philosophy were organized today into a Congress for Democracy to combat German propaganda and uncover German agents.

Speakers said the congress would have the double task of "defending democracy from the 'fifth column' and clearing the German-American name." The organization is open to all Americans of German birth or descent.

Wendell L. Willkie, whose ancestry is German, sent a congratulatory telegram.

I hope the Congress for Democracy will be successful. I hope it will be entirely successful in its fight against German propagandists in this country.

There are at present some 200 fascist organizations in the United States that are striving to discredit and destroy American ideals and institutions. They are busily engaged in training and instructing American youth in fascist ideals. Communists, Nazis, and Fascists are spending millions of dollars annually in propaganda and in other attempts to

undermine and destroy our Republic. They have made systematic and continued efforts to sow among the naval and military forces of the Nation the seeds of communism, nazi-ism, and fascism. They have infiltrated into our schools, churches, youth groups, and every other organization into which they could find entrance. They, especially the Communists, have penetrated our labor unions, seizing important positions, spreading the seeds of discontent, and fomenting strikes that have fanned class hatred, resulting in loss of life and the destruction of property valued at hundreds of millions of dollars, and causing much suffering and sorrow.

They have secured employment in our airplane plants, munition factories, and shipyards, thus being in position to secure for their governments valuable information, and to commit acts of sabotage that would interfere with national defense in which we are so greatly interested.

They, especially the Communists, have secured Government positions that have enabled them to do effective propaganda work and secure certain information for their governments. Swarms of Communist, Nazi, and Fascist secret and other agents have come into our midst. They have abused our hospitality and are taking improper advantage of the freedom of speech, freedom of the press, and freedom of assembly permitted in this country. They are conniving and cooperating with spies, saboteurs, fellow-travelers, and fifth-columnists, including some of their country's consular and other accredited representatives in conducting subversive activities designed to discredit and destroy American ideals and institutions; all of this in an endeavor to weaken the confidence of our people in their leaders and kill their faith in the destiny of America, thus dividing the unity of American citizenship in the hope of undermining and finally destroying the foundations on which is established our Republic.

Recently, there was authored by a former United States Regular Army officer, now retired—Col. James A. Moss, president of the United States Flag Association, Washington, D. C.—The Declaration of Independence of Today, the closing paragraph of which reads:

Whereas the time has come when the security of the Nation and the happiness of its people require that these subversive activities be stopped, we, loyal citizens of the Republic, who believe in our democratic form of government and the American way of life, and abhor totalitarianism, voicing the sentiments of all patriotic Americans, do solemnly publish and declare that these United States of America should be free from all foreign "isms"; that there is in America room for only one "ism": Americanism. Therefore we call upon our fellow countrymen to rise and join hands in the great brotherhood of Americanism—with militancy in our hearts and determination in our souls, with vigor in our spirits, and strength in our arms, with the battle cry, "Foreign 'isms' must go"—wage relentless war on Communists, Nazis, and Fascists until they have all been driven from our shores.

This Declaration of Independence of Today was signed by a number of Members of the United States Senate, as well



as by some of our outstanding patriotic American citizens.

The American people today are more interested in perfecting a strong national defense than at any time in the history of the Republic. This is due to the fact that wars of aggression are being waged in Europe and Asia. And I ask you, Mr. President, how can we perfect our defenses while we permit the spies, saboteurs, and labor agitators to carry on their insidious work without interference or apprehension until their dastardly acts have been committed. Then it is too late.

I submit, Mr. President, that our first line of defense at the present hour is to make certain that our vital industrial plants—which are turning out munitions and implements of defense—are protected, and that their uninterrupted operation is assured. This is no time for labor agitators clothed in the garments of Communists. This is no time for Nazi, Fascist, and Communist saboteurs. We must clean house now. We must apprehend and deport alien criminals, undesirable and alien enemies, if we are to prepare ourselves against attack from within and from without.

We have seen what the Communists have done and are trying to do to England. We have seen what the infiltration of Communists from Russia and Spain, and Nazis and "fifth columnists" from Germany, did to France. Let us, therefore, take heed, profit by their experiences, and see to it that America is not destroyed by the same wolves and consumed by the same vultures.

This bill, H. R. 1776, is not, I respectfully submit, a national-defense measure. It is a bill for "other purposes." It has taken our attention from our own problems here and focused it upon Europe and Asia. It would provide "all out" aid for Great Britain, and if its passage should finally get us into the war, then it will mean "all in" for America.

Some say that we are already in the war, if actually we are not physically at war. I say we are, in a sense, in the war now, and at war because the man engaged in Europe in manufacturing implements of war is just as much a part of the fighting machinery as is the man who bears those weapons in the front-line trenches. If we are in and at war, then we are in and at war for the sole reason that by lifting the arms embargo, permitting us to sell arms to nations at war, we entered the war. If the arms embargo had never been lifted, if that part of the neutrality law had never been repealed, in my opinion we would not today be called upon to discuss the lend-lease-give bill, which provides for the manufacture, lending, leasing, and giving of more arms to belligerents across the sea.

The lifting of the arms embargo, has brought us to this critical and dangerous hour.

George Washington well and truly said, in his farewell address:

Excessive partiality for one foreign nation and excessive dislike for another, cause those whom they actuate to see danger only on one side, and serve to veil and even second the arts of influence on the other. \* \* \* Why quit our own to stand upon foreign ground?

As I have previously stated, I am against this bill because I believe it will take us closer to war, that it is just another step in that direction, and that it may lead us to a declaration of war, to which brink I pray God we shall not be carried.

When the war is over, whether we participate or not, we shall pay the price for our own indulgences. We shall pay the cost of lifting the arms embargo. Factories, thousands of them, today engaged in the manufacture of war materials, will close overnight. Millions of American workers will be turned upon the streets looking for employment, and then they will not only find themselves in competition with their fellow Americans seeking new jobs, but millions of aliens already here and thousands upon thousands of refugees seeping into the country will make the unemployment situation more acute. With six to ten million Americans unemployed today, with 6,000,000 aliens already here and many thousands more being permitted to enter, what may we expect when the collapse comes? Some say, revolution.

"It may be a violent change; perhaps even a revolution," editorially say the Washington Times-Herald and the New York Daily News of February 27.

Let us stop immediately the infiltration into this country of all from foreign shores, refugees and immigrants, for 10 years or until such time as every American citizen shall have been employed. Such a bill I shall introduce in the Senate when H. R. 1776 has been disposed of.

Mr. President, France fell. Those who profess to know say that her very vitals were destroyed by Nazi, Fascist, and Communist agents—saboteurs, propagandists, and spies—several years before France entered the war. The Republic of France itself permitted great legions of alien criminals, spies, saboteurs, and propagandists to enter the country. They put in their deadly work at a time when France was preparing for war which she knew was bound to come. These foreign agents did their job so thoroughly that when the fatal hour did strike there were thousands and hundreds of thousands of French people who did not care whether France resisted its aggressor or not; thousands of Frenchmen's love of country had been so weakened by the work of these subversive groups that they lost even the desire to defend their country in its hour of greatest need.

Let us take a leaf from France's book of sad experiences. Let us profit by her unfortunate downfall. Let us apprehend and deport immediately all alien criminals, undesirables, Nazis, Fascists, Communists, who would destroy our Government now as they destroyed France.

In order that those who have not been fully advised as to the activities of these alien enemies and subversive forces may be informed, permit me to call attention to the report of the Dies committee, now engaged in investigating un-American propaganda activities in the United States, filed January 3, 1941, which reads in part as follows:

The work of the committee has been carried on during the past year against a back

drop of war in Europe and Asia on the one hand and a greatly heightened concern over national defense here at home on the other hand. In these circumstances it is almost inevitable that feeling among people of all sorts should be intensified. Many people who were formerly indifferent to the activities of foreign-controlled, antidemocratic, and un-American groups are now fully aroused \* \* \*.

In short, the committee warns against the possibility that a wave of hysteria may supersede an informed public opinion on matters which have to do with the subjects of its investigation. \* \* \*

The evidence before the committee shows clearly that the agents of Moscow have, for the most part, tried to bore from within labor and progressive movements, just as the agents of the Axis Powers have, for the most part, tried to bore from within patriotic, conservative, and business groups. \* \* \*

Certain aspects of the European picture have served to clarify the nature and purpose of the chief totalitarian regimes, i. e., Stalin's and Hitler's. This clarification has now reached a point where no justification can be found for those who persist in remaining attached to the Communist and Nazi movements or their front organizations. The illusion that Stalin's regime was a progressive one and that his leadership was the world's best protection against the spread of nazi-ism has now been exploded by Stalin himself. His government today stands forth as one of naked opportunism, conquest, and power politics. The illusion that Hitler's regime was a conservative barricade against the spread of communism has been effectively dispelled by the fuhrer himself. His government, too, stands forth as one of brute military force aiming at unlimited expansion of the Third Reich, and ready to employ whatever appeals to class hatred as suit his program.

Three aspects of the European picture are worth noting in this connection. The Stalin-Hitler Pact of August 1939 dealt a shattering blow to whatever prestige their respective agents and followers enjoyed in the United States. It remained only for Stalin to attack Finland, and to annex the whole or large portions of five other neighboring countries to show unmistakably that Stalin is no better than Hitler. Finally, we have the spectacle of Hitler's attempt to place himself at the head of the European poorer group as the champion of the "have-nots" against the "haves." Mussolini's and the Mikado's wars of aggression long ago stamped them as second-rate international bandits. Today, the four totalitarian dictators are revealed clearly for what they have been from the beginning. \* \* \*

Those who believe unreservedly in the democratic form of government, whether they look upon themselves as progressive and pro-labor, or as conservatives and pro-business, will not hesitate to separate themselves from the totalitarian movements and their numerous front organizations. America should proceed with a united effort not only to build an impregnable defense, but also to solve our pressing domestic problems. \* \* \*

Both Stalin and Hitler have made it plain that their strategy in achieving their objectives in the United States includes the use of Trojan horses or "fifth columns." \* \* \*

The evidence which the committee has gathered bears abundant testimony to the fact that throughout the years there has been a major purpose of the Communist Party to attempt to bore from within the ranks of American labor in an effort either to turn labor organizations into its political tools or to disrupt and destroy them. The Nazis tactic, on the contrary, has been to have their members gain as many important positions as possible in the industries of America and to gain favor with management rather than work within the ranks of organized labor.



Which bears out the statement I have just made in reference to the Communists, Nazis, and Fascists boring eternally from within, in an earnest effort to destroy our form of government, and impede our national-defense progress.

Mr. President, here I digress to say that the foreign elements, Communists particularly, which have crept into our labor organizations, are largely responsible for the impeding of national-defense developments and labor troubles which are occurring throughout the country today. This is due to Communists, Nazis, and Fascists having gained key positions in many of these labor unions—so, in the near future I shall introduce a bill which I hope will be of benefit to labor itself, which proposed legislation will make it unlawful for any labor union or other labor organization to have as an agent or officer any person who is not a citizen of the United States, who is a Communist, Fascist, or member of any Nazi Bund organization, who has been at any time within the past 2 years a member of or affiliated with any Communist, Fascist, or Nazi Bund organization, who is ineligible to hold public office or who has lost his rights to United States citizenship by reason of conviction of a felony.

I introduced such a bill in the Senate last year, and I believe that if it had been enacted at the last session of the Congress, by today we would have been rid of the Communist, Nazi, and Fascist elements which have wormed their way into labor organizations, and that we would not be harried to death with the difficulties we are experiencing at this hour.

The Dies report continues:

It is of basic importance to understand the exactly opposite purposes of the American labor movement on the one hand and the Communist Party on the other. The aims of the American labor movement are to improve the conditions of the American workers and over a period of time to secure for them a better and fuller life and a place of partnership in the industrial life of the United States. The purposes of the Communists on the other hand are in the words of Stalin to make the unions a school of communism, to increase in every possible way the antagonism between wage earners and other sections of the population and to prostitute the labor movement for the use of the party in carrying out various of its international plans even if in so doing the welfare of the particular group of workers in question may suffer as a consequence. Hence, wherever Communists have gained a foothold in the labor movement they have sought by every means at their command to remove from office any leader however devoted to the welfare of the rank and file workers he might be who has refused to cooperate with the party line \* \* \*.

Wherever the conditions of life of any group of workers are most distressing there is presented the vert sort of opportunity which the Communist desires; for example, the neglect on the part of other sections of the population of the plight of many thousands of migratory agricultural workers, coupled with the fact that many of these people had recently suffered the experience of being driven from their farms, constituted the fertile soil in which it was possible for the Communist Party to become a moving force in the organization of the United Cannery, Agricultural Packing, and Allied Workers' Union, of which Donald Henderson, an avowed member of the Communist Party, is the head.

In the wake of war there follows unemployment, poverty, pestilence, illness, and, in many instances, revolution. These are the seeds from which the trees of communism spring, grow, and thrive. Today in this country we have millions of unemployed. Today in this country we have millions of unfortunate people on relief. Today in this country we have millions of children who are undernourished. Today in this country we have men and women who are improperly housed and improperly clothed and improperly fed. Today in this country we have problems as a result of misfortunes which will prove fertile soil for the Communists unless these conditions are corrected, and unless the conditions of the masses are improved. We must now attack these problems here at home, because, just as the Dies committee recited in the foregoing paragraph of its report, which I have just finished reading, the Communists are striking just where and when our unfortunates are weakest. The Communists are putting in their deadly work now as related by the Dies committee, but their work will be more deadly and more devastating after this war, if we become involved in it, or even if we do not become involved in it, when millions upon millions of God-fearing men and women will be walking the streets in search of employment. Poverty and want and illness and pestilence will stalk the land. Again I warn, we had better solve our problems here before we attempt to solve other people's problems "over there."

The Dies committee concluded with legislative recommendations as follows:

Legislative recommendations: The committee realizes the difficulty of reaching and curbing certain phases of un-American and subversive propaganda and activities through legislative action. In view of our findings and the origin of these activities, we submit the following recommendations as a partial legislative program:

1. The enactment of legislation to bring about the immediate mandatory deportation of alien spies and saboteurs.

Mr. President, last year I introduced a bill providing for the very same objectives, but unfortunately it was not acted upon. I intend to introduce a similar bill during the present session of Congress, and I hope we may secure action in conformity with the recommendations of the Dies committee.

I continue to read the legislative recommendations of the Dies committee:

2. The mandatory deportation of aliens who advocate any basic change in the form of our Government.

I understand that a bill already has been introduced to cover that recommendation.

3. The enactment of legislation requiring that all employees and officials of our Federal Government be American citizens.

Mr. President, the third recommendation of the Dies committee which I have just read, which, if I may be permitted to repeal, is to the effect that legislation should be enacted requiring that all employees and officials of our American Government be American citizens, should most certainly be carried out, but I am

going further than that. Of course, I think every employee of the Federal Government should be an American citizen, and I shall later introduce legislation to that effect, but for the time being I think our Federal Government should not employ any Communist, Nazi, or Fascist, regardless of his citizenship, and to that end I am now submitting an amendment to H. R. 1776 which would bar the employment by our Government of any Communist, Nazi, or Fascist. The amendment reads:

No person who is a Communist, Nazi, or Fascist, and who is employed in any department or agency of the United States on the date of enactment of this act shall, after such date, be permitted to remain in such employment, or be paid any compensation out of funds available to any such department or agency.

In this connection, Senators will probably recall that the Dies committee in a previous report stated that there were some 500 or more Communists in the employ of the United States Government then, and I have no information to the effect that they are not still in the employ of the Government.

Mr. President, I send the amendment which I just read to the desk and ask that it be printed and lie on the table. I shall bring it up at the proper time when amendments are being considered and debated.

The PRESIDING OFFICER. Without objection, the amendment will be received, printed, and lie on the table.

Mr. REYNOLDS. Mr. President, I now read the fourth and fifth legislative recommendations of the Dies committee, as follows:

4. Withhold all Federal financial support from any educational institution which permits members of its faculty to advocate communism, fascism, or nazi-ism as a substitute for our form of government to the student body of these educational institutions.

5. The enactment of legislation to outlaw every political organization which is shown to be under the control of a foreign government. As long as these organizations have a legal status in the United States, it will be difficult for any agency of the Government to deal with them. We now know that they furnish the legal apparatus for the operations of saboteurs and the window dressing for espionage. The committee believes that legislation can be worked out to outlaw such organizations and that this will in no sense constitute a violation of the Bill of Rights, since such legislation would only affect organizations controlled or directed by foreign countries.

In this connection, Mr. President—that is to say, in particular connection with recommendation No. 5 of the Dies committee report to the effect that all alien political parties and organizations be outlawed—last year during the third session of the Seventy-sixth Congress, on June 12, 1940, I introduced in the Senate a bill, S. 4132, to outlaw the Communist Party, the German-American Bund, and all organizations, groups, or individuals associated therewith who seek to overthrow the Government of the United States by force or violence through the advocacy of criminal anarchy, criminal communism, criminal nazi-ism, and criminal fascism.



I foresaw even then, before the Dies committee report was filed, what was taking place in this country, and as a result thereof I introduced the aforementioned bill. Let me add that I propose to reintroduce the same bill to outlaw the German-American Bund, the Communist Party, and all other similar organizations as soon as the pending legislation has been disposed of.

6. The enactment of legislation to stop all immigration from foreign countries that refuse to accept the return of their nationals found under American law to be deportable from this country. This legislation is made necessary by the fact that some foreign governments have refused to accept their own citizens who have been ordered deported by the United States Government.

For more than 5 years I have been vigorously insisting upon the immediate mandatory deportation of alien criminals and undesirables, and to that effect I have from year to year introduced legislation, but, unfortunately, no action was taken upon this legislation. I am glad, however, that the American people now recognize that alien criminals and undesirables should be deported; but, unfortunately, in many instances, it is too late for such legislation as I have proposed in the past 5 years, for the reason that so many of the countries of Europe conquered by Hitler or taken over by Stalin refuse to receive back their criminals and undesirables now in this country. Nevertheless, I shall reintroduce my bill during the present session, and we shall see what becomes of it.

7. As previously stated in the body of the report, the committee recommends the passage of added legislation to place restrictions on the distribution of totalitarian propaganda, when that distribution involves any cost to the American taxpayers, and when such propaganda emanates and is shipped from foreign sources.

8. We recommend that the statutory period during which citizenship papers can be revoked under existing law be extended to at least 10 years.

9. Due to the fact that the committee has discovered that many members of foreign-controlled organizations have traveled on American passports which have been fraudulently obtained, the committee feels that the statute of limitations should be extended from 3 to 7 years. This is made necessary because of the unusual difficulty in apprehending those who resort to the use of fraudulent passports within the period of 3 years.

Mr. President, in reference to the ninth recommendation of the Dies committee as to fraudulent passports, I wish to bring to the attention of this body an editorial from the columns of the Charlotte Daily News, of Charlotte, N. C., entitled "Browder to Prison—What About Bridges?" I am very happy, indeed, to see that at last the Charlotte News, which has always criticized me very severely for expending my time and energy in fighting the Communists, and which from time to time has very severely criticized my stand upon restricted immigration, when we have very few Communists and very few aliens in North Carolina, has been awakened to the fact, as evidenced by its editorial, that the notes have finally been plucked from its eyes.

The editorial reads:

Barring the receipt of Executive clemency—of which there is small chance—Comrade Earl

Browder must begin a 4-year sentence in Federal prison. The Supreme Court of the United States has upheld the Communist leader's conviction, and that, we suppose, is that.

But Browder was neither convicted nor sentenced for leading a party which is directed from Moscow and seeks the overthrow of these United States. Apparently there are no acts outlawing communistic activities. He was convicted and sentenced for a simple passport fraud.

Browder's case brings into bold relief that of bounding Harry Bridges, the stormy petrel of the Pacific coast. Bridges, a radical labor leader and an alien, has created much more trouble than has Browder. One attempt was made to deport him on the grounds that he was an alien Communist. But Madam Secretary of Labor Perkins appointed a Harvard Law School dean to hear the case, and after several months of testimony Bridges was allowed to remain with us. Now the Department of Justice is trying its hand at deporting Bridges, and what manner of success it will have is anybody's guess.

Getting rid of an alien these days is a difficult task. Oh, yes; one Jivatode, a Raleigh alien, was deported several months ago. But Jivatode was a harmless newsboy—not a Communist.

Mr. BREWSTER. Mr. President, will the Senator yield?

Mr. REYNOLDS. I yield.

Mr. BREWSTER. Does the Senator mean to intimate that the change of position of Mr. Bridges with regard to the administration had something to do with the change of attitude of the administration toward his deportation? The Senator may remember that he took a little part in the last campaign.

Mr. REYNOLDS. Yes; I recall that he was somewhat interested then. My recollection of him, of course, dates back to the first difficulties he brought about openly for the attention of the general public, in San Francisco during the ship strike.

Mr. BREWSTER. Does the Senator think that Mr. Bridges' campaign activities explain the change of attitude on the part of the administration?

Mr. REYNOLDS. As a matter of fact, I really could not say what has brought about the change. I might state at this juncture that last fall when we were discussing the selective-training bill, one night about 10:30 I offered an amendment calling for the immediate deportation of Bridges, and some of my colleagues then prevailed upon me to withdraw the amendment. They stated then that it would hold up the bill, and they did not think it was quite germane to the bill. Others stated that the F. B. I. was investigating the activities of Mr. Bridges, and that they were sure he would be out of the country in 30 days. So I withdrew the amendment at that time; but Mr. Bridges is still here. He is still very active.

Mr. President, as for the latter portion of the editorial in reference to "bounding Harry Bridges, the stormy petrel of the Pacific coast," I unhesitatingly assert that probably no single individual in the United States has more thoroughly hampered national-defense progress in this country than has he; and my answer to the inquiry by the Charlotte Daily News, "What about Bridges?" is that to the bill now under

consideration, H. R. 1776, I propose to introduce an amendment which will provide for the immediate and mandatory deportation of alien Harry Bridges.

If this is a national-defense bill, then why not rid ourselves of non-American citizens—alien, communistic agitators—who are interfering with the construction of a national defense which is enthusiastically desired and demanded by the American people?

Therefore, Mr. President, I now present an amendment to H. R. 1776 providing for the immediate and mandatory deportation of alien Harry Bridges. The amendment reads as follows:

Notwithstanding any other provision of law, the Attorney General is hereby authorized and directed to take into custody forthwith and deport forthwith to Australia, the country of which he is a citizen or subject, the alien, Harry Renton Bridges, whose presence in this country the Congress deems hurtful.

I send the amendment to the desk and ask that it be printed. I shall also bring it up at the proper time, when amendments are being considered and debated.

The PRESIDING OFFICER. The amendment will be received, printed, and will lie on the table.

Mr. REYNOLDS. Mr. President, I feel confident that all the Members of this body on both the Democratic and the Republican sides will be extremely happy to learn that I have presented this amendment for the reason that it will provide them with an opportunity of voting as to whether they want Harry Bridges to stay in this country and to continue to interfere with our national defense or whether they want to put him out of this country and send him back to Australia, where he belongs.

Mr. BREWSTER. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from North Carolina yield to the Senator from Maine?

Mr. REYNOLDS. Certainly.

Mr. BREWSTER. Does the Senator think we should stop with the deportation of Harry Bridges when there are several thousand other persons who are in the same category?

Mr. REYNOLDS. I thank the Senator from Maine very much for his remark. I say to the Senator that year after year, for more than 5 years, I have introduced in the Senate bills providing for the deportation of alien criminals and undesirables. I have introduced bills along the lines mentioned in my discourse this afternoon; and I recall that I once discussed upon the floor of the Senate more than 3,000 so-called hardship cases, cases relating to alien criminals who had been apprehended, who had been arrested, who were either in jail or out under bond. I tried my best to have them deported, and the laws under which they were arrested were sufficient for their immediate deportation; but the Secretary of Labor, Madam Perkins, who then had charge of the Immigration Service of the Government, refused to deport them.

At that time I went down to the files and brought to the Senate about 300 of the cases, and read them. Those persons were alien criminals in the country;



and if we had deported them then, they would not be here now.

However, as I stated a moment ago—no doubt before the Senator came in—it is almost too late now.

Mr. BREWSTER. Yes; I heard the Senator's statement.

Mr. REYNOLDS. As I have said, it is almost too late now; because Hitler has conquered many of the countries of Europe, and Russia has taken over the rest of them; and Hitler and Russia—why, even they, those bandits themselves—do not want the scum we have here. Hitler and Stalin say, "No; you keep them. You have them. You housed them, you fed them, you protected them. You said, 'We do not want to send them back, because it may hurt their feelings.' Now we have charge of the country they came from. You people of the United States continue to feed and house and protect them, because we do not want them, and we are not going to take them back."

So it is just about too late to do it.

In regard to what the Senator is now stating—and I thank the Senator very much—a few years ago I introduced a bill providing for the registration and fingerprinting of all aliens in the United States. I was "cussed" from one end of the country to the other for introducing such a bill. Some persons said it would interfere with civil liberty. They said I was un-American. Finally, however, such a bill was passed by the Congress—not my bill, but a bill introduced by Representative HOWARD SMITH. The bill did not even come from the Immigration and Naturalization Committee; it came from the Committee on the Judiciary, and was sponsored on the floor of the Senate by the junior Senator from Texas [Mr. CONNALLY].

If such a registration and fingerprinting bill had been passed several years ago we would not today be having trouble with saboteurs and spies in this country; but every time anyone gets up and says something for the benefit of America and tries to do something for his own country, a number of persons say that he is a "fifth columnist," or that he is un-American, or something else. At times it becomes a little discouraging.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. REYNOLDS. Yes; certainly.

Mr. CLARK of Missouri. In view of the Senator's remarks a moment ago about Harry Bridges, and inasmuch as there has been some discussion in the Senate about the effect of the proviso "Notwithstanding the provisions of any other act," I desire to call the Senator's attention to the fact that I have made some examination—although not so extensive an examination as I would have made if time had permitted—and up to date I have found only one other bill in which was used the expression, "Notwithstanding the provisions of any other act." That was the bill passed in the last session by the House, providing for the deportation of Harry Bridges.

Mr. REYNOLDS. Yes; in the last session such a bill was introduced in the House by Representative ALLEN, according to my recollection.

Mr. CLARK of Missouri. So far as I have been able to determine, that is the only precedent.

Mr. REYNOLDS. I thank the Senator very much for his remarks.

As I say, in the last session of Congress a bill providing for the deportation of Harry Bridges was introduced by Representative ALLEN, a very able and most patriotic Representative from the Commonwealth of Louisiana. That bill was passed by the House with very few votes opposing it; but the bill never came up for a vote before the Senate. I am glad to have the opportunity to present such an amendment to the bill now under consideration, because I am confident the Members of this body will be glad to let the American people know by their record vote that they do not want Harry Bridges in this country, and that they are not going to stand for him.

In conclusion, Mr. President, I desire to ask the Members of the Senate: Shall we profit by the unfortunate experiences of France, Belgium, Holland, Luxembourg, Czechoslovakia, Denmark, Norway, Finland, Poland, Latvia, Lithuania, Estonia, Bessarabia, Austria, Rumania, and now, as a matter of fact, Bulgaria; or shall we prove to be the gullible, easy prey that Stalin and Hitler and his cohorts believe we are?

Instead of depleting our own national defense here at home by continuing to send our arms abroad and by crusading and fighting over there to crush nazi-ism, communism, and fascism, with the idealistic purpose of saving democracy in that part of the world, I respectfully urge that we determine to refocus our attention and devote our time, our energies, and our wealth to the actual defense of this country and to the business of saving democracy here.

Mr. President, I desire to have printed in the RECORD at this point an article which I have before me entitled "Mexico Hears Claim on El Paso," dated Mexico City, February 26. It has been stated that the Latin American countries do not appreciate our unneutral position, nor do they appreciate the fact that we made several pacts and agreements with them in regard to matters of hemispherical defense and also world interests, which some allege may be affected by that position. I ask unanimous consent to have the article printed at this point in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The article is as follows:

#### MEXICO HEARS CLAIM ON EL PASO

MEXICO CITY, February 26.—Commotion was caused in the chamber of deputies Tuesday by a demand that Mexico take advantage of the United States' apparent preoccupation with thoughts of war to demand cession of a section of El Paso, Tex.

Deputy Jose Betancourt Perez, a professor in the University of Mexico, demanded the Government list Mexico's claim to the Chamizal section of El Paso in the agenda of matters to be discussed by Ambassador Castillo Najera with Assistant Secretary of State Sumner Welles.

He noted for the record that 34 years ago a Canadian arbitrator had awarded Chamizal to Mexico and set its value at \$50,000,000, but nothing had ever been done about the transfer.

"This is the moment for Mexico," the deputy argued. "Now that weak countries mean something in the world situation, now when the United States is preparing for war, now when the United States needs the aid and sympathy of all the peoples of America—now is the moment for Mexico. The Government and the people of America may be sure the people of Mexico will not believe in the good-neighbor policy as long as the United States fails to fulfill its obligations to Mexico."

Mr. REYNOLDS. Mr. President, I have before me an article entitled "Bill To Aid British Causes Much Puzzlement for South Americans." This article I clipped from the columns of the Wilmington, N. C., Daily News of March 1, 1941. I submit the article in conjunction with the very able address made the other day by the junior Senator from New Mexico [Mr. CHAVEZ], when he attacked the lend-lease bill from the standpoint of its affecting our friendly relations with South America.

The PRESIDING OFFICER. Without objection, the article will be printed in the RECORD.

The article is as follows:

#### BILL TO AID BRITISH CAUSES MUCH PUZZLEMENT FOR SOUTH AMERICANS

(By Peter Edson, The News, Washington correspondent)

WASHINGTON, February 27.—A few new angles on United States relations with South America have bobbed up as the European and Oriental comets of crises move along their orbits with blazing tails.

Principally, there is puzzlement as to where the lease-lend bill will leave the South Americans. If hemisphere defense is to be the big thing, and a large part of the United States defense effort is intended to prevent the Nazis from taking over South America, then where, the South Americans wonder, will help come from for them.

Argentina, for instance, not so very long ago decided to abandon German, French, and British planes for its air force, and standardize on American aircraft—because the United States would be able to make deliveries. But the Argentine Republic has had an order on file with United States plane makers for months, and hasn't been able to get deliveries.

To the charge that South America is being dominated by the Nazis now, the Sud Americanos reply that they have more fear of what the "fifth column" will do in the United States than they have in Latin-American republics.

#### BRAZILIANS SAY THEY CHECK NAZIS

There has been particular concern about Nazi penetration in Brazil, but the Brazilians claim that they have a much better stranglehold on the German menace than have the people of the United States. German pamphleteering and newspapers in the United States go practically unchecked, but whenever a German language newspaper in Brazil prints foreign news, it is required to print in the next column a literal translation in Portuguese, Brazilian national language.

Similarly, all radio broadcasts in Portuguese or German, to the German people of Brazil, are restricted almost entirely to music and entertainment. News bulletins are limited to simple statements of fact. No comments.

Efforts to improve commercial relations with the South American republics are just about where they always were. Every discussion on this subject sooner or later comes to the stone-wall argument that we can't trade with South America because the raw materials that they formerly sold to Europe—



wheat, meat, cotton, corn, and sugar—are the commodities which the United States already has in abundance.

What has perhaps been overlooked is the possibility that the southern sister republics might try a little more selling of their excess groceries to each other. Travelers who come back drooling about the tenderness and juiciness of Argentine steaks will tell you in the same breath that the best filet mignon in the other South American countries is obtainable by slicing off the sole of your own shoe. Recently, an air-express shipment of steaks was sent over the Andes as a publicity stunt. It was front-page news, and it did result in an effort to drive cattle herds from Argentine into Chile for slaughter.

Spreading Yankee culture is still much on the trial-and-error basis, with emphasis on the error. Grapes of Wrath, which was to educate South America about American life, was a terrible floperoo. The people just wouldn't believe it was a true picture of life in the United States of America. Mistakes in staging, such as putting palm trees in the Andes or Argentine cowboys in Brazil, leave the cousins very disgusted; but with experts on every lot in Hollywood now, that may be overcome.

Best idea so far seems to be to send a string of stars on personal-appearance tours. Dorothy Lamour is dying to go, at Government cultural-relations expense, and should fix everything up dandy.

How much good the Government loans will do remains to be seen. Palms—hands, not trees—are supposed to be out all along the line. One big problem will be to keep the American loans from helping finance foreign competitors, particularly the British, whose trade in South America has always been way out in front of United States commerce.

One plan, which you will hear more of, and which will give you an idea of how some people in Washington are thinking, is to take all the British assets in Latin America and have them pooled under some joint custodianship like the Habana Conference of 21 American republics, already organized to take over administration of British territory in the Western Hemisphere should Britain falter.

Mr. DOWNEY. Mr. President, I should like to read into the RECORD a telegram which I received today from certain of the most noted scientists and educators on the Pacific coast. It is as follows:

PASADENA, CALIF., March 2, 1941.

Hon. SHERIDAN DOWNEY,  
Washington, D. C.:

After thorough objective discussion 89 percent of the joint faculties of the California Institute of Technology, Huntington Library, Mt. Wilson Observatory, have voted endorsement of the lease-lend bill. A radio poll taken Friday as published in Los Angeles Times reveals 95.5 percent of Los Angeles County listeners endorsing that bill. Request these figures be read into the CONGRESSIONAL RECORD.

Walter S. Adams, Max Farrand, Robert A. Milliken, William B. Munro, Edwin F. Gay, Edwin Hubble, Judge Edwin F. Hahn, Rt. Rev. W. Bertrand Stevens, Rev. Leslie E. Learned, Rev. Theodore Soares, and James H. Howard.

Mr. SCHWARTZ obtained the floor.

Mr. CLARK of Missouri. Mr. President, will the Senator from Wyoming yield to me?

Mr. SCHWARTZ. I yield to the Senator from Missouri.

Mr. CLARK of Missouri. I ask unanimous consent that there be inserted in the RECORD an article by Walter Davenport, appearing in Collier's Weekly of

February 15, 1941, entitled "You Can't Say That," describing the operation of a system to be set up in the country under the Hill censorship bill.

Mr. HILL. Mr. President, reserving the right to object—although I am not going to object, I want the article to go in—the Senator from Missouri refers to the Hill censorship bill. I have not read the particular article, although I did glance through the first few paragraphs of it.

There is no Hill censorship bill. There is a bill which I have introduced, and which Representative O'LEARY introduced in the House of Representatives, to authorize appropriations for the Office of Executive Reports in the executive branch of the Government. That office was set up some years ago—as I recall, about 1935—by Executive order of the President. Since that time it has been financed by allocations by the President from lump-sum appropriations which he controls. The idea now is to have the appropriations for that Office come not through lump-sum appropriations but by direct appropriations of the Congress. In order to do that it is necessary to have, as we know, under the rules of both the House and the Senate, authorization legislation. Otherwise, if an appropriation were brought in here in an appropriation bill, the appropriation would be subject to a point of order. What the bill seeks to do is merely to authorize appropriations for this Office without increasing the power of the Office, without increasing the scope of the work or authority of the Office.

It was not my intention in introducing the bill to set up any kind or sort of censorship in any way whatever, and I am sure no one connected with the bill had any such idea or intention. The idea was simply to authorize appropriations, so that the work that this Office has been doing for some years may continue to be carried on with regular authorized appropriations.

Mr. CLARK of Missouri. Mr. President, will the Senator from Wyoming permit just one more sentence?

Mr. SCHWARTZ. I yield.

Mr. CLARK of Missouri. I ask unanimous consent to amend my request calling the measure "the Hill censorship bill" by calling it "the Hill-O'Leary censorship bill." I think the article itself will sufficiently explain the purport of the censorship proposal.

Mr. HILL. Mr. President, of course I shall not object to the request of the Senator to put the article in the RECORD. Again I desire most emphatically to deny that there is any censorship about the bill, or any idea, any thought, or any intention of censorship. As the author of the bill, I think I know more about it than does any magazine writer, no matter whether he be Mr. Davenport or who he may be.

Mr. CLARK of Missouri. Mr. President, anybody who will take the trouble to read the bill can find out that Mr. Davenport is right about it.

Mr. HILL. Mr. President, will the Senator from Wyoming yield?

Mr. SCHWARTZ. I yield.

Mr. HILL. I ask unanimous consent to insert in the RECORD at this point a

copy of the bill, so that the bill may speak for itself.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 887) is as follows:

*Be it enacted, etc.,* That there is hereby authorized to be appropriated annually to the Office of Government Reports in the Executive Office of the President a sum not to exceed \$1,500,000, in order to (a) provide a central clearing house through which individual citizens, organizations of citizens, and State or local governmental bodies may transmit inquiries and complaints and receive advice and information; (b) assist the President in dealing with special problems requiring the clearance of information between the Federal Government and State and local governments and private institutions; (c) collect and distribute information concerning the purposes and activities of executive departments and agencies for the use of the Congress, administrative officials, and the public; and (d) keep the President currently informed of the opinions, desires, and complaints of citizens and groups of citizens and of State and local governments with respect to the work of Federal agencies: *Provided*, That, in the expenditure of such funds, section 3709 of the Revised Statutes shall not be construed to apply to any purchase or service where the aggregate amount involved does not exceed \$50: *Provided further*, That the President may fix the salary of the Director of the Office of Government Reports at a rate of not more than \$10,000 per annum.

The PRESIDING OFFICER. Without objection, the request of the Senator from Missouri to have printed in the RECORD the article referred to by him will be granted.

The article is as follows:

[From Collier's Weekly of February 15, 1941]

YOU CAN'T SAY THAT

(By Walter Davenport)

THE PROPAGANDA MACHINERY IS NOW BEING SET UP IN WASHINGTON AND WILL START GRINDING OUT CHOICE WORDS (MOSTLY ADJECTIVES) WHENEVER THE PRESIDENT DECIDES TO PRESS THE BUTTON. ITS CHIEF ENGINEER IS STANDING BY—LOWELL MELLETT, A SHY, SCHOLARLY, ABLE NEWSPAPERMAN, A FRIEND OF THE PRESIDENT AND, IF THIS JOB GOES THROUGH, OF NO ONE ELSE—HEAD MAN OF AMERICAN CENSORSHIP WILL PROBABLY BE THE PRESIDENT'S CONFIDENTIAL ADVISER, LOWELL MELLETT—ONE OF THE AIMS OF THE PRESENT PLAN IS TO SELL THE WAR TO THE HALF-HEARTED AND THE DOUBTFUL—CONGRESSMEN AREN'T GOING TO RELISH SUBMITTING THEIR OFF-THE-FLOOR STATEMENTS TO THE CENSOR

Amid the clangor of the anvils of defense its birth will be a whisper. Your newspaper will dismiss it with an item. Your radio commentator, tearfully solicitous of your feelings, will assure you that it means really nothing. It will be merely that a few publishers, broadcasting impresarios and movie makers will have been invited to the White House to discuss the only topic anybody discusses—national defense. Afterward, both radio and the press will bid you not to be fearful, that both are still free, that you will get the news, fact upon fact. Rumor will have it that both are to be censored forthwith, the magazines, too. But this will be denied.

When you consider what censorship means in Germany, Italy, Russia, and Japan—and even England—the denial will be proper. They'll assure you that at the White House they merely discussed a possibility—oh, well, a probability if you insist—that will happen if and when we get into this war. And then it will be the patriotic duty of print and vocal broadcasters to see to it that important tidings do not reach unfriendly ears.



Nevertheless, when this happens—this conference and the ensuing reassurances—you will be entitled to arrive at three conclusions, all of which will not be far from exact: First, you may assume with complete safety that the White House is convinced that the likelihood of the United States remaining out of the war is remote. Second, that publishers and broadcasters have been asked to consider and adopt a plan of self-censorship. The third is that it won't be long before dispatches from Washington will carry "Censored at source" warnings.

A number of President Roosevelt's earwarmers have been urging him to call the publishers now. They plead that even now the press, the radio, the mails, and the cables are far too free for the good of our side in this fight. The more eager of them have been urging that a journalistic observation post be established at once to study news outlets with a view to discovering before actual censorship sets in who may be trusted and who may not. But Mr. Roosevelt has not warmed to the idea.

#### *Too many mouthpieces*

Unofficially, the State, War, and Navy Departments, some members of the Defense Commission, and a few important munitions manufacturers would like to see it happen at once. Actually, all of them have clamped down a semisilence on what they regard as facts, activities, successes, failures, and projects. They tell you that they are anxious merely that such tidings should not trickle into unfriendly ears and that their only desire is that America and Americans should be protected. The State Department is thinking of censorship as a matter of self-protection, Mr. Hull among others being convinced that his office has too many mouthpieces sounding off in too many places on too many subjects. And the Army would be happier were it able now—before censorship, voluntary or enforced—to dictate the style and phraseology of articles on military subjects as well as facts.

But these are mere symptoms. Our job is to tell you that when the publishers are called to Washington they will learn that, lacking a plan of their own, they may avail themselves of a plan already beyond the skeleton stage. It will be given to them as a guide rather than as a proposal. They may rewrite it until sick of it. They may be told that they may pick their own censor or nominate their own director of public information—for such will the gentleman be called. But here, too, they will be informed that failing to agree upon a censor, or failing to select a man who can pass the administration's stern requirements, the administration has its own nomination—Mr. Lowell Mellett, at present Director of the Office of Government Reports and administrative assistant to the President of the United States. Whether the publishers can fix upon a better censor than Mr. Mellett we don't know; it is unlikely that anyone could nominate an abler journalist or a man more passionately devoted to the democratic ideal.

However, we'll come to Mr. Mellett later. Before we go further you ought to know what the plan is in its present outlines—and how it will be introduced. It won't be necessary for Congress to bless it with permissive legislation. The National Defense Act of 1916 still exists and therein are the enabling clauses for censorship. That much for the press. The radio is already in the President's hands, the law stipulating that he may take broadcasting over at any time he deems that an emergency warrants it. All he has to do is to speak to the Federal Communications Commission and the Nation's broadcasting stations will be told precisely what not to do.

#### *All ready with the plan*

To begin with, then, the President will call to Washington certain publishers represent-

sociation, publishers of magazines, representatives of radio broadcasting stations and chains, and, so that a delicate job be done as tidily as possible, a few Washington correspondents. The talk will be general, the guests being warned that the problem is all theirs. A few of the bolder ones will pay tribute to the traditions of the American press, to its constitutional guaranties, to the right of the people to know the truth. And they will cite horrible examples of censorship's past. And no one present will applaud this louder than Mr. Roosevelt himself. Presently the conference will dissolve, the participants having agreed to appoint a working committee that will proceed without much delay to evolve a voluntary censorship plan.

As we've told you, a plan already exists. By the time the publishers meet it will be on paper. In its present form it is a compromise between a censorship and a sales campaign—a campaign to sell the war to the half-hearted, the fearful, and the doubtful. Washington is almost unanimous in that never in the memory of the oldest militarist has there been less enthusiasm for war. There is none of the spirit of high adventure that swept the country in 1917. In 1917 America viewed war as a lark. American arms hadn't fired a gun in anger since 1865, the affair in Cuba having been a mere skirmish fought by a few volunteers. There is none of 1917's exhilaration around these days. The ballyhoo has a ban-shee motif.

Therefore, an important part of the present plan is to sell the war to the masses. What can be said in the praise thereof will be mortised neatly into what may not be said that the praise be not tarnished. The sales campaign will glorify ship launchings, military parades, camp festivities, naval displays. But revelations of strikes, sabotage, and laggard production will be discouraged—at best minimized. If the spirit that Washington hopes to see prevail, the radio will ring with soldiers' choruses, workers' glee clubs, and patriotic talks by mothers whose sons are in uniform.

That gives you a hint. And the movies will thrill you with martial glory and doughboy humor. The newspapers and magazines will regale you with the brilliance of victories, safe landings, heroisms, and the misfortunes of the enemy. Our own reverses will be belittled and failures ignored. Hallelujah shouters may be missing from the platforms of 1917, but not because they do not exist. The radio has chased oratory indoors.

In conjunction with Hollywood, the Government proposes to resume producing movies. Films as ambitious (and as impressive, they hope) as the River, the Plow that Broke the Plains, and the Fight for Life, three major pictures produced by Pare Lorenz for the Government under the auspices of Mr. Mellett, will be attempted. The scenarios are not yet written, but unless a better idea is found these major productions will treat of the war in a broad, subjective manner, informing the country what it fights for. Simpler will be the movie shorts, which, they hope, will serve the cause of democracy as the many one reelers were supposed to serve the Agriculture, Interior, and Commerce Departments a couple of years ago—until Congress cut out appropriations for them.

You may or may not have seen some of the shorts—The C. C. C. Down Mobile Way, The C. C. C. in the Blue Ridge Mountains, The C. C. C. in a Crisis, Duck Sickness, How to Handle Foxes, Know Your Coal, The How and Why of Bird Banding, Better Days in Dixie, Fairy Fantasies in Stone, Four Little Mice, and others.

These quickies will endeavor to tell you how well your favorite soldier is doing, looking, eating, sleeping, playing, and working. They will illustrate the physical benefits enjoyed by the long-necked, narrow-shouldered, and pasty-faced lad who is eased out of the

office, shop, or factory into his country's service. Such major films as The River cost the Government \$60,000. The shorts can be ground out for about \$5,000 apiece.

#### *A fast-growing baby*

In addition to these films and the radio, special movies and broadcasts will be prepared for Latin-American consumption, the desire being obvious. Not the least of the censor's jobs will be to light the fire in South America and to keep it going. To this end Latin-American playwrights, actors, and scenarists will be hired and charged with flooding our southern neighbors with cementing propaganda against totalitarianism. The whole project will be a huge one; the censor's office might very well become one of the largest of all Government agencies. The present idea is to have it all administered from one central office in Washington, by one man—probably Mr. Mellett. But there will be several hundred field officers who will devote themselves more to straight censorship and observation than to selling.

Details will be left to the publishers, film producers, and the broadcasters—the working committee. But the details will represent a vast amount of labor, to say nothing of much suspicion and discontent. For example, it must be decided whether the central office of the censor will have command over all the publicity agencies and public-information sections of all the existing departments, bureaus, and other agencies of the Government, whether they are directly or indirectly related to the active prosecution of the war. The tendency is in that direction, giving rise to a fear that disturbs the sleep of a number of those Members of Congress who do not love Mr. Roosevelt.

Such a consolidation of press sections might, they contend, give Mr. Roosevelt's own director of public information an exclusive authority over all Government news, propaganda, information, and general ballyhoo. And if private industry, fearful of displeasing the Government, and incidentally of being slighted in Government broadcasts and releases, should prefer to make the censor's office the outlet for their facts, the anti-Roosevelt forces think that the situation might develop into something that even Mr. Hitler's Goebbels and Mr. Mussolini's Gayda might respect.

Quite frankly, there is nothing in the current plan which lends substance to the ghost these resentful gentlemen appear to be seeing. And the completely rational Mr. Mellett merely looks just a little wearier whenever such fears are spoken in his hearing. Were his own inclinations to be served, Mr. Mellett would be just as pleased if he were to have nothing whatever to do with censorship. However, he is the one man in Mr. Roosevelt's confidence best fitted for the job.

#### *Friction is bound to come*

Nevertheless, the publishers, movie producers, and broadcasters will have to consider censorship from a number of angles, some of which may curtail their peacetime freedom. They may agree to a central information dispensary system, thus saving time and speeding up news publication. But they are not going to be willing to go along with the Government in the censorship of what they regard as exclusive information—facts and semifacts—dredged up by individual newspapers.

For example, if a reporter by dint of a bit of extra and intelligent leg work digs up a nice, jarring sensation, neither his editors nor his publishers are going to be happy if required to submit the "beat" to the censor. And they are going to be even less happy if the censor, deciding that it would not be in the best interests of the public to publish the piece, should kill it. But we have no room for details. Please take our word for it that the business of setting up a censorship is not going to be a joyous one for anybody.



Among Mr. Roosevelt's private information are a number of reports on censorship as it is operated in England. Among them is one telling of England's chowderhead set-up in the early days of the current war. England's censorship woes were traceable then to the record-threatening stupidity of the men she entrusted with censorship's functions—most of them dullards whose experience in journalism had not extended beyond writing windy mumbles to the Times. If Mr. Roosevelt's wishes are respected—and it shouldn't be surprising if they are—none but experienced newspapermen and radiomen will fill any important position in the office of the Director of Public Information. Moreover, it is upon these reports that much of the idea of a comprehensive and all-inclusive office is based.

There is considerable argument as to whether the central office of public information should have authority over the Army intelligence and the Navy intelligence services insofar as news releases, broadcasts, and pictures—still and movie—are concerned. The central office won't, if the Army and Navy have anything to say about it. Not that they are not sympathetic to censorship, but neither does publicity of the more flattering variety nauseate them. Each will continue to maintain its own intelligence service, set up its own listening posts within its own organization, and apply the reports of its intelligence officers to the military problem immediately at hand. But it is yet to be decided whether the Army, Navy, and air force will announce results of their operations independently to the press or through the office of the director of public information—the censor.

These are merely a few of the aspects of censorship that are now being considered. Others will present themselves. It is our private suspicion that nothing quite as comprehensive or anything so closely related to efficiency will happen—certainly not at first. Or if such hard-boiled centralization is attempted at the beginning, it is not unlikely that it will either buckle under its own weight or that Congress, nagged into action by an outraged press, interdepartmental resentments, and lack of cooperation, will say it's Nazi and the hell with it.

Both the Army and the Navy have efficient intelligence sections. Both have and will assign to these sections officers who have either made a specialty of intelligence work or reserve officers who have had newspaper, publicity, advertising, or kindred training. If censorship becomes as tough as some of its current enthusiasts hope, a number of these officers may be assigned to field offices to keep their wise eyes on the publications within the region of the field offices.

Advocates of this idea do not put it that bluntly; they'll tell you that such officers will be there merely to "advise" editors. What would happen if the editor, perplexed though he may be, rejects the deputy censor's "advice" we don't know. It is likely that most of such regional work will consist of observing the pages of foreign-language publications and standing by with lid in hand lest the more radical press let go with a few unpatriotic remarks.

#### *Housecleaning begins at home*

In the beginning—perhaps at the preliminary conference at the White House—the press and radio will be asked to be sure their own houses are clean. The Federal Bureau of Investigation is reported to have made a rather wide inspection of the American press and to have compiled an interesting mass of dossiers on editors and writers. The F. B. I. denies that such members of the community have been given any particularly searching going over—no more, that is, than any other group nor half as much as such chronic nuisances as the German-American Bund and the various malcontent mobs and "shirt" racketeers.

Nevertheless, we have it on authority that we trust that journalism has had quite an inspection by the F. B. I. lads, with particular attention being lavished upon editors and writers who do not always regard the status quo as holy. Anyway, the publishers and broadcasters who will be asked to set up a censorship of their own devising will be asked to make sure that their staffs do not include men and women who have un-American affiliations or who are not wholeheartedly opposed to the German, Italian, and Russian ways of life.

American information services maintained in this country by foreign governments will be closed as a matter of course. This will not apply to offices financed by England or any other ally we may pick up. It is expected that the British Intelligence Service, which has been exceedingly active here for years, will cooperate with our Bureau of Public Information.

At the offices of the Defense Commission they'll tell you that as far as they know there are few men in the United States who aren't convinced that they could do a better job of rearming the country and simultaneously aiding Britain. But as far as we've found out, the country is populated exclusively by men and women who know precisely what to do about censoring the newspapers. Moreover, there's not one of them who isn't sure that, at the lift of a finger, he or she could run a newspaper and magazine far better than the beef-witted rabble who are doing it now.

But Washington is going to do its best to keep the office of the Public Information Service out of the rodeo class. At the moment there are those who would set up a censorship that would make Mr. Stalin's seem democratic and Mr. Hitler's a liberty-loving thing, the only aim of which was to furnish the masses with the ultimate syllable of truth. The job of making censorship in America airtight would be just a little more than democracy could bear. For example, there's Congress itself.

Since the creation of the Defense Commission, several Members of Congress have introduced resolutions demanding that the whole truth of munitions production be made public, or at least given to Congress where such reports are regarded as a constitutional right.

Probably the resolution that has won the most publicity is the one introduced by Senator HARRY FLOOD BYRD, of Virginia. Senator BYRD's demand is for periodic reports in complete detail. The resolution was still languishing in committee when we inquired into it—and had an excellent chance of staying there. Ordinarily the various departments of government and special agencies, too, are scarcely bold enough to deny information to Congress however loath they may be to reveal their secrets. In ordinary circumstances they give in because Congress, to whom they must go for money, is likely to get economical with those who oppose its demands.

But these are not ordinary days and Congress is in no position to deny appropriations for defense building. And the Defense Commission, having appealed to the President to sustain its reluctance, is much less than willing to tell Congress all. The Commission's position is that there are a number of things, statistical and otherwise, that the enemies of democracy would enjoy knowing. To reveal all of its secrets to Congress would be tantamount to giving the story to the public, too many reporters having friends in Congress eager to tell them everything they know.

The total censorship set in Washington is in complete accord with the Commission. They would go so far, in an emergency, as to make Congressmen, too, submit off-the-floor statements to and through the censor. They refer you also to the legal advisers of Con-

gress. And there you discover that while there is no law compelling agencies of the Government to comply with congressional demands for information, neither are there statutes protecting the departments who don't want to tell.

#### *The mysterious Mr. Mellett*

There are precedents, however. Several of them are in the form of riders to resolutions demanding facts, the riders stipulating that the President may specify that publication of the information (from the State Department in particular) would not be in the best interests of the public.

But there you have the censorship outlook as it exists before it starts. It is rather generally conceded that when it comes the censor will be Mr. Mellett, who is probably as deeply embedded in the President's confidence just now as any man in Washington. Mr. Mellett is middle aged, gray, scholarly, shy, spare, of medium height, and, in the estimation of a number of competent judges, handsome. He is one of the President's idolaters. On Capitol Hill he is regarded by the opposition as the most mysterious of all of Mr. Roosevelt's mystery men, past and present. By these men he is feared as well as disliked.

In politics and journalism he has been a fearless and uncompromising liberal. He absorbed his first lessons in independent thinking and political liberalism from his father, Jesse Mellett, who was editor of the Free Press in Elwood, Ind., the birthplace of Mr. Lowell Mellett, and a town which came to the surface in the latter half of 1940. Jesse Mellett's Free Press was a Democratic newspaper but not blindly so, its editor being of the opinion that his conscience was a more reliable guide than the Democratic National Committee. In those days it didn't take much to make a sensation. Therefore, when Jesse Mellett refused in 1892 to support Grover Cleveland, because Mr. Cleveland didn't measure up to his ideals, he became a marked man, a renegade, a villainous apostate. If they had been calling them "reds" in those days, Jesse Mellett would have been called a "red."

Lowell Mellett's brother, Don, was murdered by gangsters in Canton, Ohio, in 1926. He was editor of the Canton News. In spite of repeated threats and warnings, he persisted in exposing the tie-up between mobsters and the city government, in particular the police force. He was fatally successful. Don Mellett defied the official and non-official hoodlums to their faces and in his news and editorial columns. One evening as he got out of his car in front of his home, gunmen killed him from ambush.

Lowell Mellett was managing editor of Collier's for 1 year. He served in various editorial capacities on several Scripps-Howard newspapers, the latest being the Washington (D. C.) News. Twice he resigned the editorship of that paper, the second time because he could not agree with the ownership's opposition to President Roosevelt's Supreme Court fight—the furor popularly known as the President's court-packing bill. Flattering inducements to return to his post were rejected by him.

Mr. Roosevelt appointed him head of the National Emergency Council—a misnamed agency which furnished New Deal information (and some propaganda) to the newspapers, radio, the movies, and the magazines. Furthermore, it was a newspaper- and magazine-clipping bureau which was supposed to keep the New Deal informed of how it was doing with the public—for better or worse. As a propaganda agency it was furiously active. For example, it produced or distributed 2,847 Government movies and therefore got itself denounced by Republican Congressmen—Representative DIRKSEN, of Illinois, for one—as "the biggest piece of fakery in the Government Establishment." Nevertheless, even the bitter Mr. DIRKSEN described Mr. Mellett as "a man of ability, a man of capacity."



Mr. Mellett got \$10,000 a year, and his N. E. C. received upward of a million dollars annually from Congress until it asked for a million and a half for 1940 and got itself hamstrung by a fed-up Senate. But Mr. Mellett had done a rather large job in his quiet way. He had set up machinery to coordinate relief and recovery agencies throughout the country, although the machine never quite got going. He organized State lobbies to promote New Deal legislation in legislatures and guide the same to adoption. He did a lot of wire pulling in congressional committee rooms for the White House and was a painstaking researcher for Members of Congress. That gives you an idea, but only an idea.

Not a minor part of his job was to whoop it up for new New Deal projects and enterprises—the Wage and Hour Act, the Home Owners' Loan, and the like. His "confidential reports" to Mr. Roosevelt are still confidential, in spite of many vigorous and frequently angry demands by Congressmen that they be made public. As a propaganda-film producer, Mr. Mellett was unable to finish what would have been his masterpiece and which Mr. Roosevelt wanted more than any other. It was to be called *Ecce Homo*, to cost \$165,000, and, in Mr. Mellett's own words, to be a "documentary film designed to dramatize certain aspects of the unemployed problem—man in the machine age." Congress refused to appropriate the money.

When the National Emergency Council withered for the want of appropriation, it reappeared, considerably abbreviated, as the Office of Government Reports with somewhat similar but less expensive duties to discharge. And to keep Mr. Mellett busy at his work on Capitol Hill, he was made Administrative Assistant to the President—one of those jobs for men with a passion for anonymity.

Thus Mr. Mellett, the very capable gentleman who will very likely be the American censor should the United States slip into this war. Sometime ago Mr. Roosevelt assigned Mr. Mellett to work up a plan. He is still working on it. He says that drafting such a plan is simple enough.

"But the administrator," he adds, "is going to win no popularity contests."

Mr. TAFT. Mr. President, will the Senator yield?

Mr. SCHWARTZ. I yield to the Senator from Ohio.

Mr. TAFT. While we are on the subject of press censorship, I should like to read to the Senate a telegram I have received from Carl W. Ackerman, dean of the Graduate School of Journalism at Columbia University, the leading school of journalism in the country. He says:

NEW YORK, N. Y.

Hon. ROBERT F. TAFT,  
Senate Office Building,  
Washington, D. C.:

May I respectfully request your consideration of an amendment to H. R. 1776 specifically prohibiting the establishment of a governmental censorship of the press, radio, forum, pulpit, classroom, or any other facility or instrumentality of communication which will interfere with the free discussion of the issues of war or peace. As the wars in Europe and Asia are characterized by extensive propaganda by all belligerents throughout the world, the term "defense information" in section 2B and the definition of a defense article as any "facility" combined with broad Presidential powers in section 9 would grant the Chief Executive authority to mobilize and direct the facilities of the press, radio, forum, pulpit, and classroom for propaganda purposes at home and abroad. In every country now at war the governments have established censorship or control and direction of public information. Where I

recognize that our Government, in time of war, should establish and maintain censorship at the source of all military and naval information that is of advantage to an enemy for military purposes, we have the experience of all belligerent countries to prove that the centralization of power is followed by censorships or restrictions and official intimidations which suppress freedom of public expression or compel uniformity of public opinion. Unless H. R. 1776 is amended the Congress of the United States, for all practical purposes, will confer upon the President the authority to establish a censorship of news and opinion that exceeds any defense need. In this extreme national emergency when our Government is preparing to defend democracy by aiding or participating in war, it is time for Congress to be vigilant and safeguard specifically the privilege and duty of all citizens of exercising the right of freedom of expression. We need a positive assurance, not a negative assumption, that there will be no censorship. The American people are entitled to this reassurance as are the peoples of Latin America, who may know by our example, that we are not destroying our political, intellectual, and cultural liberties in advance of a war to save them.

CARL W. ACKERMAN,  
Dean, Graduate School of Journalism,  
Columbia University.

Mr. AUSTIN. Mr. President, will the Senator yield?

Mr. SCHWARTZ. I yield to the Senator from Vermont.

Mr. AUSTIN. While we are in the atmosphere of higher learning, it occurs to me that I should read into the RECORD a telegram I have received today from an institution of higher learning. It relates to the same subject, although it is more or less confined to the Senate. Let me read it.

This telegram has a date line of Champaign, Ill., March 3, 1941, 2:32 p. m. I have not counted the signatures, but I estimate that there are at least 100 signatures:

We, the undersigned members of the faculty of the University of Illinois and of the State Geological Survey, speaking in our private capacity as citizens, earnestly urge all possible expedition in passing lend-lease bill. Every delay supports impression in totalitarian countries that our Nation is disunited and lacks instinct of self-preservation. Minority has right to be heard, but no right to obstruct or prevent legislation demanded by majority as vital to safety of whole Nation.

I also received in the same delivery, or near it, another telegram from Champaign, Ill.—I do not know what stirred this up—evidently having the same objective, because it reads:

Please use your influence for immediate passage lease-lend bill.

That telegram is signed by a great many persons, evidently not belonging to the faculty.

Mr. CLARK of Missouri. Mr. President, let me ask the Senator from Vermont, who has quoted a long telegram from a number of faculty officials, how many telegrams he has received from students at the University of Illinois who might be of military age.

Mr. AUSTIN. I thank the Senator for his observation. I do not care whether he objects or not.

Mr. WHEELER. Mr. President, will the Senator from Wyoming yield?

Mr. SCHWARTZ. I yield.

Mr. WHEELER. I would agree that in many of the universities the presidents, who are too old and too decrepit to go to war, are anxious to send the students of their colleges to war. But I submit that the vast majority of the student bodies of all the universities in the United States are opposed to the lend-lease bill, and are opposed to our getting into the war.

Mr. AUSTIN. Mr. President—

Mr. WHEELER. Let me say, further, that while the Senator has read this telegram, since the inception of this bill I have received over 100,000 letters, from every State in the Union, including the State of Vermont, and the letters coming to my office at first were approximately 10 to 1, against the proposed legislation, but today the letters coming to my office will run 50 to 1 against it. As I have already stated on the floor of the Senate, the letters and telegrams coming in today are to the effect that the writers would even like to see us filibuster the bill. I have said to the correspondents that so far as I was concerned, I did not intend to conduct a filibuster. But for a lot of college professors, many of whom do not know what is in the bill, and do not know anything about legislation or how to legislate, and who could not be elected to the position of dog catcher in the communities in which they live—for them to send word to us as to when we should stop debate in the Senate of the United States, is ridiculous.

Mr. President, many college professors have come to Washington during the last 8 or 10 years and taken positions in various departments of the Government, and if ever there has been a group who have been total failures in the conduct of public affairs, it has been some of the high-priced professors who have come here. We all know who they are, and no one has pointed to them more than has the Senator from Vermont for their lack of—I will not say what I was about to say [laughter]—for their lack of judgment, let me put it, in the handling of public affairs from a practical standpoint. From the standpoint of teaching, from the standpoint of explaining textbooks, they may be entirely competent, but from the standpoint of the practical handling of public affairs, while I do not know any of them, there are very few of them who have not made a failure of it.

I am amazed to see the propaganda. I expect to see from now on much propaganda coming in through the columnists, and through the editorials of some of the large newspapers. I expect to see it come in from college professors. I expect to see it started by the White committee saying that Congress should vote, that they should vote now, that they should do it now, "And if you don't do it now, it will be too late tomorrow." We heard the same story when the conscription bill was before us, and we will hear it again. But the vast majority of the people of this country want to know, and they have a right to know, what is in the bill.

I admit that when the bill was first introduced, through the motion-picture houses of the country and through the columnists and over the radio by paid propagandists, the country was sold on



the idea that this was a defense measure, and it was sold on the idea that this was only a measure to give some limited aid to Great Britain. These propagandists deceived the people of this country as to what the real purposes of the bill are, in my judgment; they did not know what was in the bill, and most of them do not know what is in the bill today. They merely want to see it passed, because many of them want to see the United States get into the war, and after the bill is passed, if the President does not move fast enough to suit them, they will be propagandizing the President in an effort to push him into the war, as they have been doing all the time for the last year.

Mr. AUSTIN. Mr. President, will the Senator from Wyoming yield?

Mr. SCHWARTZ. I yield.

Mr. AUSTIN. I merely wish to observe that it is the hit bird that flutters. It is not a prophecy which has just been declared; our mail already has changed color. It is not devoted to the question of whether one is for or against the bill; it is devoted to the question of whether we shall continue to waste time, threshing over the old chaff again and again. That is what the mail represents today, and the writers call on the Congress to act. I have an idea that the Congress will have to respond to that public opinion.

Mr. BARKLEY. Mr. President, will the Senator from Wyoming yield?

Mr. SCHWARTZ. I yield.

Mr. BARKLEY. The Senator from Montana has belabored men who happen to be college professors, and has spoken of them sarcastically and ironically as total failures. Most of us have been to college. I think the Senator from Montana is a college graduate.

Mr. WHEELER. But never a professor.

Mr. BARKLEY. I think the Senator started out teaching school.

Mr. WHEELER. Oh, no.

Mr. BARKLEY. The Senator missed a very valuable experience in human life if he never taught school. But what I was about to say was that most of us who have gone to college respect and admire the men who have devoted themselves to trying to lift us out of the mire of ignorance and put us on the solid foundation of some kind of education. Whatever may be said of college professors, they have as much right to express their opinion as has anyone else in this country. They have expressed their opinion in the telegram read by the Senator from Vermont, and because they have expressed their opinion, because they have exercised the right of free speech about which there is so much talk in the Senate, they are subjected to a castigation because they are college professors, and because, as college professors, they have expressed their opinion.

It seems to me to be a poor rule which does not work both ways. It seems to me to be a poor rule which provides that we shall have freedom of speech in the Senate to an unlimited degree, but that certain classes of people in the United States who happen to be college professors, or who happen to disagree with our views

here, should be denounced and criticized and castigated and referred to sarcastically and ironically, or in a derogatory way, because they exercise the same right we claim for everyone else.

No Member of the Senate has to be governed by the opinions of anyone else. I am glad to have the opinions of people, not only of my State, but of the entire United States. I do not agree with many opinions I receive. I do not even agree with many opinions people have of me, according to what they say in letters they write me, and things they say to me when they meet me in the Senate Office Building. I do not even agree with all the things which are said about me by the newspaper fraternity, who exercise the right of a free press, too. Nevertheless, I admit their right to say these things so long as they stick within the reasonable bounds of truth and integrity and good faith.

It seems to me to be unfair for a Member of this body, who insists that he and everyone else shall exercise the right of free speech, to criticize a group because they happen to be engaged in the worthy occupation of trying to teach the youth of our country, if they happen to send a telegram to a Senator expressing their views upon proposed legislation.

Mr. CLARK of Missouri. Mr. President, will the Senator from Wyoming yield?

Mr. SCHWARTZ. I yield, but I hope the Senator from Missouri will not call on the Senator from Montana for reinforcements.

Mr. CLARK of Missouri. I should merely like to say, apropos what the Senator from Kentucky has said, that so far as I know, no one on our side has any objection to any citizen of the United States expressing his opinion, and I assure the Senator from Kentucky that no Senator in opposition to the bill, so far as I know, will ask the F. B. I. to investigate any of the petitioners who send in petitions on either side of the pending question.

Mr. BARKLEY. Mr. President, if the Senator from Missouri gets any satisfaction in referring to the senior Senator from Virginia, to whom he has referred, and whom he has in mind now, he is welcome to all the satisfaction he gets out of such criticism.

Mr. CLARK of Missouri. I thank the Senator for that privilege.

Mr. WHEELER. Mr. President, will the Senator from Wyoming yield?

Mr. SCHWARTZ. I yield.

Mr. WHEELER. I should like to say to the Senator from Kentucky and other Senators that I have no objection to college professors writing Senators, telling us what we should do. I merely wished to point out that when attention is called to what the college professors are saying, we should also have information as to what the students are saying, because the vast majority of the students of the United States are opposed to the bill.

Mr. President, mothers have written letters to me saying that when they wrote to certain persons they received letters from the F. B. I. saying that their letters had been turned over to that organization. If that constitutes free speech in the United States I do not know what

free speech is. I think it is a shameful thing that when persons write to their Senators, or to the President of the United States, or to departments of government, they should receive letters saying, "Your letter has been turned over to this Department," meaning the F. B. I. That is a sort of intimidation that takes place only in totalitarian governments, and it ought to be stopped.

With respect to the mothers who have come here to protest the passage of the bill now before us, I say frankly that I do not know them; I do not know anything about them; but I deplore the treatment they have received. I can understand the feelings of mothers of this country who have boys who they feel are going to be taken to war, and perhaps maimed or killed. I can understand how those mothers can actually be worked up to the point where they may do things which we may not all condone. I know how other mothers feel, for I have boys of my own, and I know how my wife feels at times. I think it is deplorable how some of these mothers have been treated when they have come here to petition and protest against the passage of the pending legislation. They should not be subject to the treatment they have received. Today we have policemen scattered all about the Capitol. I do not know what for. One would think we were living in Russia, one would think we were living under war conditions when we see many policemen scattered about this building for the purpose of keeping women from calling on their Senators. In my judgment, they have in some instances been treated shamefully.

Mr. SCHWARTZ. Mr. President, I will say to the Senator from Montana that, so far as I am concerned, I have treated very respectfully those who have called upon me. They have tried to convince me, and in the end they have said, "Will you not please go and talk to Senator WHEELER?"

Mr. WHEELER. Well, they are intelligent women. [Laughter.]

Mr. BARKLEY. Mr. President, has the Senator from Wyoming heard of the Senator from Montana protesting against the suggestion of any woman that she talk with the Senator from Wyoming instead of the Senator from Montana?

Mr. SCHWARTZ. Oh, no; the Senator from Montana has them all "Wheelerized," and there is no use trying to change that situation.

Mr. President, I wish to ask the Senator from Kentucky if I may have the floor when the Senate reconvenes tomorrow morning, and not be obliged to proceed tonight. The hour is now late.

Mr. BARKLEY. I realize it is getting late, and, so far as I am concerned, the Senator from Wyoming may have the floor tomorrow morning.

#### EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER (Mr. BUNKER in the chair), as in executive session, laid before the Senate messages from the President of the United States submitting several nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)



## RECESS

Mr. BARKLEY. Mr. President, we have no executive calendar. I now move that the Senate take a recess until tomorrow at 11 o'clock a. m.

The motion was agreed to; and (at 6 o'clock and 15 minutes p. m.) the Senate took a recess until tomorrow, Tuesday, March 4, 1941, at 11 o'clock a. m.

## NOMINATIONS

Executive nominations received by the Senate March 3 (legislative day of February 13), 1941:

PUBLIC UTILITIES COMMISSIONER OF THE DISTRICT OF COLUMBIA

Gregory Hankin, of the District of Columbia, to be a member of the Public Utilities Commission of the District of Columbia for the remainder of the term of 3 years expiring June 30, 1941, vice Richmond B. Keech, resigned.

APPOINTMENTS IN THE NATIONAL GUARD OF THE UNITED STATES OF THE ARMY OF THE UNITED STATES

## GENERAL OFFICERS

To be brigadier generals, National Guard of the United States

Brig. Gen. Stewart Garfield Collins, Minnesota National Guard.

Brig. Gen. William Allen March, Pennsylvania National Guard.

Brig. Gen. Thomas Edison Troland, Connecticut National Guard.

Brig. Gen. Eric Fisher Wood, Pennsylvania National Guard.

## HOUSE OF REPRESENTATIVES

MONDAY, MARCH 3, 1941

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

O Thou Christ of God, Thou who hast been the friend of lonely suffering man down through the ages, come Thou to our waiting hearts and minds as we pray; inspire us with the skyward look that gives hope and faith to our earthly steps. We pray Thee to give us a most hopeful courage for the coming days and a faith that will beat a pathway through all the tides of fear. Thou God of stainless right, of compassion, and of the appealing hosts, cross the red seas of affliction, the forbidding wastes of discouragement, and the dusty deserts of human woe and give food to hunger-bitten lips and to weary-stricken bodies. Almighty God, despite the heart-aching confusion of life, there is a profound, active, shaping power that runs from everlasting to everlasting. We praise Thee that there is a beacon light that still shines on the highways of our world which the crimson years of the nations cannot destroy. Dear Lord, regard in divine favor our Speaker and the Congress, and grant that there may be essential unity of purpose in all deliberations. In our Redeemer's name. Amen.

The Journal of the proceedings of Friday, February 28, 1941, was read and approved.

AGRICULTURE APPROPRIATION BILL 1942

Mr. CANNON of Missouri, from the Committee on Appropriations, reported

the bill (H. R. 3735) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1942, and for other purposes (Rept. No. 176), which was read a first and second time, and, with the accompanying papers, referred to the Committee of the Whole House on the state of the Union and ordered to be printed.

Mr. TABER. Mr. Speaker, I reserve all points of order against the bill.

Mr. CANNON of Missouri. Mr. Speaker, will the gentleman yield?

Mr. TABER. I yield.

Mr. CANNON of Missouri. Will not the gentleman withdraw his reservation of the points of order in view of the fact there are no items in this bill not carried in the current law?

Mr. TABER. I have been over the bill pretty carefully. I feel that if this bill is to be considered without the reservation of points of order it should be done by rule.

## EXTENSION OF REMARKS

Mr. LANHAM. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include therein an article written by Mr. Cecil B. Dickson, a very able veteran Washington correspondent of the International News Service, which article appeared in Town and Country magazine.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. D'ALESSANDRO. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an article relating to the Baltimore city government.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

(Mr. BURDICK and Mr. TENEROWICZ asked and were given permission to extend their own remarks in the RECORD.)

Mr. CULKIN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD by inserting in the Appendix two articles and to include therein certain brief editorials and excerpts.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. TRAYNOR. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include a speech delivered on February 27.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. PITTENGER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD in regard to a proposed reduction of the W. P. A. appropriation.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. PITTENGER. Mr. Speaker, I also ask unanimous consent to extend my own remarks in connection with aid for small countries and to include therein a short press dispatch and quotations from an editorial.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. RIZLEY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a short editorial.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. MANSFIELD. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a newspaper quotation from the Galveston News in regard to the shipping of cotton.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

(By unanimous consent, Mr. RABAUT was given permission to extend his own remarks in the RECORD.)

Mr. STEFAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include excerpts and letters written by farmers in my district on the question of shelter-belts.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. WIGGLESWORTH. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include certain excerpts from the New York Times regarding the O'Leary bill.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. COFFEE of Nebraska. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a radio speech I made on February 15th last.

The SPEAKER. Without objection it is so ordered.

There was no objection.

Mr. LEAVY. Mr. Speaker, I ask unanimous consent to extend my own remarks in two particulars, including an opinion by the Federal Power Commission released on last Friday and a concurring opinion.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. LELAND M. FORD. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include an editorial from the Orange Daily News, Orange, Calif., on the subject of Rural America—Hope of the World.

The SPEAKER. Is there objection to the request of the gentleman from California [Mr. LELAND M. FORD]?

There was no objection.

RURAL AMERICA—HOPE OF THE WORLD

Mr. LELAND M. FORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from California [Mr. LELAND M. FORD]?

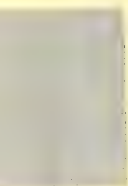
There was no objection.

Mr. LELAND M. FORD. Mr. Speaker, I would like to call attention to an article I am going to insert in the RECORD today, entitled "Rural America—Hope of the World." It calls attention to a conversation that was held in London, England, on November 12, 1918, at the time the last war ceased. The hope was expressed at that time that civilization



Mar. 1







# H. R. 1776

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## IN THE SENATE OF THE UNITED STATES

MARCH 4 (legislative day, FEBRUARY 13), 1941

Ordered to lie on the table and to be printed

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## AMENDMENT

Intended to be proposed by Mr. O'MAHONEY to the bill (H. R. 1776) further to promote the defense of the United States, and for other purposes, viz: At the end of the bill insert the following new section:

- 1        SEC. . Without the consent of the Congress, no defense  
2 article of which the President shall make disposition under  
3 section 3 of this Act shall hereafter be delivered by the land  
4 or naval forces of the United States, and no part of such  
5 forces shall be used in connection with any delivery of such  
6 defense articles, to any foreign government unless such  
7 delivery takes place within the Western Hemisphere or at  
8 a place subject to the jurisdiction of the United States.



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## AMENDMENT

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Intended to be proposed by Mr. O'MAHONEY to the bill (H. R. 1776) further to promote the defense of the United States, and for other purposes.

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MARCH 4 (legislative day, FEBRUARY 13), 1941  
Ordered to lie on the table and to be printed



There being no objection, the statement and article were ordered to be printed in the RECORD, as follows:

OFFICE OF PRODUCTION MANAGEMENT,  
DIVISION OF PURCHASES,  
February 26, 1941.

A wider range of meat products, particularly fresh meats, will be bought by the Army as a result of agreements reached in a recent conference of leaders in the livestock industry with officials of the Army Quartermaster Corps and the Division of Purchases, Office of Production Management.

This conference, held in the office of Donald M. Nelson, Director of the Division of Purchases, brought about extension of weight ranges and a liberalization of the grades of meat which can be bought for the Army ration.

Agreements reached included the following:

1. The Army will buy spiced pork products, commonly known to the trade as spiced ham, in 12-ounce cans.

2. Heifer meat of proper quality will hereafter be included in all tenders of Army style boneless frozen beef, which will be used in large quantities in maneuvers.

3. Subject to further study and perfection of a grading system, the Army will consider the inclusion of heifers of proper grade in all beef purchases.

4. Federal specifications are being revised in conformance with A. M. S. standards and as production conditions warrant full consideration will be given to the use of other grades whose quality is satisfactory to the Army and which are in surplus.

5. The Army has ordered that lambs up to 60 pounds in weight may be purchased until April 30. This is an increase from the previous limit of 45 pounds.

6. Beef weights have been lowered in Army specifications to 450 pounds. Further lowering of this weight limit to 400 pounds will be given consideration.

7. The Army will buy large quantities of (reserve) C ration, each can of which contains about 6 ounces of domestic meat.

In this connection, it is pointed out that the American soldier is getting in his regular ration substantially more fresh meat than the per capita average of consumption by the entire country.

As a general rule, the soldier gets meat or protein foods at 13 of his 21 weekly meals.

His breakfast, for example, includes bacon or eggs, or the two together, or meat in some other form—ground beef, for instance, creamed and served on toast.

Five days in every week find meat—roast, steak, chops, or what not—on the noonday menu. On an average, each man is allowed one-half pound of meat at this meal, the exact allowance varying with different kinds of meat. If steak is served, for instance, the allowance is 50 to 55 pounds for 100 men. Ground steak for meat loaf is figured at 35 pounds for 100 men, chuck meat for pot roast at 65 pounds for 100 men, and so on. On Friday noon, fresh fish is served.

Every Saturday noon, by army tradition of long standing, the soldier gets baked beans in place of his meat ration—the beans being flavored with salt pork or bacon.

The soldier usually gets two meatless suppers per week, the meat ration being replaced at those two meals by some such dish as spaghetti and cheese.

The soldier gets a carefully balanced meal and fruits, vegetables, and starches are served, of course, in proper proportion to balance the meat which is consumed.

At the conference were Lt. Col. Paul P. Logan, chief of subsistence of the Quartermaster Corps; Mr. Douglas C. MacKeachie, deputy director, Division of Purchases, Office of Production Management; Mr. J. Elmer

Brock, president of American National Livestock Association, Kaycee, Wyo.; Mr. F. E. Mollin, secretary of American National Livestock Association, Denver, Colo.; Mr. Frank S. Boice, chairman legislative committee of American National Livestock Association, Sonoita, Ariz.; and the following members of the legislative committee of the American National Livestock Association: Mr. A. D. Brownfield, Deming, N. Mex.; Mr. J. H. Mason, Spearfish, S. Dak.; Mr. William M. Wright, Deeth, Nev.; Mr. George Jones, Marfa, Tex.

[From the Cheyenne (Wyo.) Tribune of February 28, 1941]

STOCKMEN APPROVE IMPORTS

DENVER.—The American National Live Stock Association, which has vigorously opposed importation of canned beef from Argentina, announced Thursday it had approved limited imports of South American canned beef to supply immediate United States Army field-ration needs.

The approval was given, explained F. E. Mollin, association secretary, after important concessions were obtained on grades and specifications for national-defense purchases of domestic meat.

The domestic grade concessions and the South American import approval, Mollin reported were agreed upon at a conference of association officers in Washington with Douglas MacKeachie, assistant to the coordinator of national-defense purchases, and Col. Paul Logan, of the Army's quartermaster's division.

"Because of the difficulty already experienced in filling domestic orders for canned beef, and in order to cooperate fully with the defense program, it was conceded," Mollin said, "that imported canned beef in the present emergency might be purchased for defense purposes, but that such purchases were not to exceed 20,000,000 pounds for the fiscal year 1941.

"It was stressed," Mollin continued, "that at the conclusion of the emergency the domestic industry would again expect the support in the domestic market of these contracts for the Army and the Navy."

He pointed out also that canned-beef imports in 1940 had declined 25,000,000 pounds below 1939.

Among Army concessions on domestic purchases, Mollin reported, were:

The Army will purchase heifer beef "in all tenders of Army style boneless, frozen beef, which will be used in large quantities in maneuvers." Previously only steer beef was bought.

The beef weight limit will be reduced to 450 pounds, and consideration will be given to a further lowering to 400 pounds.

Lambs weighing up to 60 pounds will be purchased until April 30. The previous lamb weight limit was 45 pounds.

Spiced-pork products will be added to the canned-meat field ration, previously limited to canned beef.

"By spreading defense purchases over a wide range of meat products, instead of centering them on a comparatively narrow range of the higher grades alone, we should avoid unwarranted peaks that might do our industry a tremendous amount of damage," Mollin observed.

"The last thing the industry wants under present conditions is a runaway market."

PROMOTION OF NATIONAL DEFENSE

The Senate resumed the consideration of the bill (H. R. 1776) further to promote the defense of the United States, and for other purposes.

Mr. DAVIS. Mr. President, today I received from members of the faculty and staff of Bryn Mawr College a telegram vigorously protesting any attempt

to block the will of the majority by filibuster and urging prompt passage of the lease-lend bill. I believe in freedom of debate as it is made possible in the Senate. I also believe in the right of citizens to petition their Government. I ask that this telegram be printed in the RECORD as a part of my remarks, together with a similar telegram received by me January 23 from members of the faculties of Bryn Mawr College, Swarthmore College, Haverford College, and the University of Pennsylvania.

There being no objection, the telegrams were ordered to be printed in the RECORD, as follows:

BRYN MAWR, PA., March 3, 1941.

Senator J. J. DAVIS,

The Capitol, Washington, D. C.:

We, the undersigned, members of the faculty and staff of Bryn Mawr College, vigorously protest any attempt to block the will of the majority by filibuster. We urge prompt passage of the lease-lend bill. We further ask that this message be read into the CONGRESSIONAL RECORD.

Richmond Lattimore, Anne G. Hawks,

Edith H. Lanman, Susan Kings-

bury, Grace De LaGuna, Mildred

Fairchild, Richard Bernheimer,

Donald W. MacKinnon, Harry

Helson, Marianna Jenkins, Annie

Leigh Broughton, Mildred B.

Northrop, Lucy E. Chew, Marian C.

Anderson, C. Burquin Hatch,

Mable G. Thomas, Ruby Hansell,

Ellen W. F. Riesner, Marion Ed-

wards Park, Alistair Cameron,

Elizabeth R. Cameron, Stephen J.

Herben, Lily Ross Taylor, Emma L.

Keator, Charlotte B. Howe, Mary

H. Swindler, Marjorie S. Jones, Isa-

belle Gonon, Harriet Ferguson,

Elizabeth Ash, Elizabeth Wyckoff,

Alice Gore King, Mary Jane Kames,

Martha Nash Turner, Josephine F.

McCucker, Margaret M. Quinn,

Marie Daley, Maynard Riggs, Grace

Falcone, Dorothy Wyckoff, E. H.

Watson, M. C. Nahm, Joseph E.

Gillet, Max Diez, Martha M. Diez,

Arthur Colky Sprague, Samuel C.

Chew, Elinor A. Nahm, K. L.

Stapleton, Agnes K. Lake, Freder-

ica De LaGuna, Anne Coogan,

Cornelia Meigs, T. Robert S.

Broughton, Roger H. Welles, Mary

Louise Terrien, Bettina Linn, Lois

A. Reed, Kay Claffey, Helen C.

Geddes, Louise F. H. Crenshaw,

Charles W. David, Margaret S.

David, Mary Woodworth, J. C.

Sloane, Jr., Caroline Robbins, J. L.

Crenshaw, Hertha Kraus, Mary R.

Meigs, Mary Gardiner, L. Joe

Berry, Wm. L. Doyle, Jane M.

Oppenheimer, Lincoln Dryden,

Martha Cox, Anita E. Dunlevy, Ida

Mae Hait, Mary L. Overholser, Rus-

sel Bornemeier.

BRYN MAWR, PA.

Senator JAMES J. DAVIS,

Senate Building, Washington, D. C.:

We, the undersigned members of the faculties of Bryn Mawr College, Swarthmore College, Haverford College, and the University of Pennsylvania, urge prompt passage without substantial modification of the bill known as the lend-lease bill.

James Charlesworth, Frank Williams,

Roland Kent, W. Norman Brown,

W. Wallace Weaver, Jeremiah R.

Shaloo, William Maddox, John La-

mont, Joseph Rose, Conway Zirkle,

Calvin Rankin, John Lockwood,

Arthur H. Jones, James Young,



Conyers Read, John P. Horlacher, Leonidas Dodson, Arthur P. Watts, Edgar A. Singer, Revis Cox, J. Weldonhoote, William P. Harbeson, Ralph A. Young, William O. Abbot, I. S. Ravdin, Norman E. Freeman, William N. Loucks, L. K. Ferguson, T. Grier Miller, Thomas Fitzhugh, John Mason Brand Blanshard, Robert MacLeod, Troyer Anderson, Laurence Irving, Herbert Fraser, Walter J. Scott, John Pittman, Peter Vas E. Kamp, Howard Jenkins, Scott Lilly, Helen Campbell, Heinrich Brinckmann, Robert Spiller, Milan W. Garrett, Frances Reinhold Fussell, Duncan Foster, Richard G. Crutchfield, Frederick S. Klees, Samuel R. Aspinwall, Stewart Grinnell, L. A. Livingston, Edith Philips, Ethel Brewster, Arnold Dresden, Charles B. Shaw, Frances Blanshard, L. R. Shero, Edward N. Cook, Mary Albertson, Robert Enders, Maurice Mandelbaum, Richard Brandt, Everett Hunt, Frederic J. Manning, Marion Edwards Park, Grace de Laguna, Samuel C. Chew, Lucy M. Donnelly, Lincoln Dryden, A. C. Soper, Susan Kingsbury, Mary Gardiner, Stephen J. Herben, Arthur C. Sprague, Jane Oppenheimer, Richmond Lattimore, Donald W. MacKinnon, Hertha Kraus, Susanne Wright, Caroline Robbins, William L. Doyle, Bettina Linn, Elizabeth Wyckoff, Elizabeth Fehrer, Mary Woodworth, Dorothy Wyckoff, Mildred Fairchild, Laurence Stapleton, Milton Hahm, T. R. S. Broughton, Lily Ross Taylor, Mildred Northrop, Mary H. Swindler, Alister Cameron, Frederica de Laguna, Elizabeth Cameron, Richard Bernheimer, Roger Wells, Harry Helson, Carl Allendoerfer, Robert Atterbury, James A. Babbitt, Henry Tatnall Brown, Emmett Dunn, Arlington Evans, Benjamin Gerig, Thomas Gibb, Henry Gunmere, A. W. Haddeston, H. K. Henry, John C. Herndon, Clayton Homes, Leslie Hotson, John A. Kelly, H. J. Kolb, Dean Lockwood, Montford Melchior, William Meldrum, George Montgomery, Frederic Palmer, Arnold Post, William Reitzel, Leon Rittenhouse, Edward Snyder, Herbert Taylor, Frank Watson, Alexander Williamson, Albert Wilson.

Mr. SCHWARTZ. Mr. President, it will be difficult to add to what has already been said by witnesses, by the press, on the air, and here in the Senate for and against the pending lease-lend bill. We are now killing time while the Germans are killing English women and children, and the aged and infirm. While Britain calls for help in battles that mean so much for the ultimate preservation of our own liberty, freedom, and democracy, we try to reach an agreement on when we will be permitted to vote.

I support and shall vote for this bill for the reasons I now give.

#### DICTATORS AND THEIR AMBITIONS

But, first let me say something about Hitler. I am convinced that paranoic believes what he says—except when he is deliberately deceiving for propaganda purposes. He says and believes that democracy and totalitarianism cannot both survive in this world. To that extent I agree with him. He says and believes that the German people are

destined to rule the world. To that end he has appointed his own successors to carry on should death overtake him. He is reputed to have said that it is the duty of his foreign agents and dupes to confuse by propaganda, to divide by corruption, and to paralyze by intimidation. At least such is his program. To Japan's recent offer of mediation Hitler replied that only total defeat of Britain would satisfy him. He is committed to back up Japan now and when that power resorts to force in seeking control over Oceania—which includes the Philippines, Guam, the Dutch East Indies, New Zealand, Australia, and other islands. The Japanese Army and Navy doubtless would include Hawaii if they thought they could get away with it.

Mussolini blusters and declares that "democracies are decadent and must give way." Mr. President, I shall not take time to comment on that suggestion about "giving way," but I would advise him to read the twentieth chapter of First Kings, and discover what happened to another boaster who said that everyone should give way to him.

To the extent of their respective abilities, Hitler, Mussolini, and the Japanese are making good on their advice, threats, and predictions. Even the whirling dervishes in opposition to the pending bill must realize all this is true. But, Mr. President, it does not seem to mean anything to them.

#### THE LEASE-LEND BILL WARRANTS SUPPORT

My own reasons for supporting the pending bill may be stated in a few words:

The American public is thoroughly informed on world conditions, and well informed as to the provisions of the pending lease-lend bill. I have a profound respect for the intelligence of the American people. I believe that the American public, in the mass, is capable of forming correct conclusions and reaching correct decisions on any public question. I believe the people of these United States feel that we should, and demand that we do, speedily double the size of our Navy, that we build up a vast military-defense armament by increasing the size of our Army, by multiplying the number of our airplanes, our tanks, guns, ammunition, and other implements of war. They have indicated a willingness to tax themselves and raise billions to that end, and to add to our national debt for additional billions to the full extent of American credit. All this the people are willing to do to meet a great threat and emergency.

What is it that threatens our way of life, our liberties, our democracy, and the lives of many of us?

Mr. President, need I name the great emergency and threat the people are determined to prepare against? It is the defeat of Britain by Hitler, and the thence onward sweep of totalitarianism under the military and economic machines of Germany, Italy, and Japan. Not even the most rabid Anglophobe in America imagines we need increase our Military Establishment for use in defense against Britain.

Mr. President, I know that by reason of our defense program, called for by the American public only because they know

Hitler, we are taking from homes and from civil life, a million and a quarter of our young men and putting them into training camps and into the Army, that we are doubling the capacity of our industrial plants in order to manufacture instruments of destruction, that we are spending and will continue to spend many billions of dollars on implements of war, and that we will spend several billions of dollars annually to maintain these armed forces in the future as long as Hitler and the totalitarian philosophy of government are potent powers in this world.

#### WORLD PEACE DEPENDENT ON DICTATORS' DEFEAT

Mr. President, I know that when Hitler is defeated we can reduce our Army and return a million or more of our sons back to their homes and to useful civil life. If Hitler is defeated we need not double the size of our Navy at its staggering costs. If Hitler is defeated we can resume the building of more airships for civil aviation and more automobiles for private use. If Hitler is defeated we can reestablish foreign markets for our agricultural products, and return to the development of Western Hemisphere natural resources by Western Hemisphere nations, by mutual accord and cooperation with and among those nations. If Hitler is defeated we can the more rapidly proceed to our needed social reforms and justices—to put our house in order—as some demand be done right now. What is more important, if Hitler is defeated we will still be assured of a democratic house to put in order.

Mr. President, I know, and everyone who hears my voice or reads what I say knows, that the only way to defeat Hitler and his world-domination program is to see to it that Hitler does not defeat Great Britain; and that the way to assure victory for Great Britain is for America to place Britain in possession of needed boats, airships, guns, other implements of war, farm produce, and other assistance. To do this promptly, and to continue to do it until the German paranoiac is shackled and rendered harmless in the future, is our supreme task for America's safety and defense. I believe it would be folly for Great Britain to suggest terms of peace at this time. Anyway, just now the English are too busy caring for their wounded and burying their dead children, women, and aged citizens nightly maimed and murdered by orders of the maniac who heads the German Government. Hitler would like to know what England would be willing to give to stop his mass murders. It would be base of us to urge England to propose some negotiated peace right now. Certainly we will do nothing to distract the English from the immediate task in hand. Neither will we aid Hitler in his effort to shake the morale of the British people. Hitler has said he will never sit at another conference table unless he has his gun with him. When peace comes I hope Hitler will not be at the conference table; I hope he will not have a gun. I trust a liberated German people will sit at that conference.

#### TOTALITARIANISM

Mr. President, what is this Nazi totalitarianism Hitler promises to impose upon all nations who may fall under the iron



heel of his armed forces? It is a system of government in which the nation or empire is everything, and the individual nothing. It permits no free speech. It permits no free press. It denies the free choice of religion. Its subjects have no voice in matters of taxation. There is no right of assembly, no right of petition. It operates without a legislative body, or at best it maintains an illusory one devoid of power.

If this Senate debate had started in the German Reichstag, before now a majority of the Senate would be in concentration camps or graves and the remaining Senators in hiding. There are no elections by the people of executive officers, of President, Governors, and other public officers. Courts are created by the conqueror or his proconsul. Judges serve only so long as they are amenable to the immediate rulers of the nation. There is no right to a jury trial; no right to counsel; no right to a writ of habeas corpus. In a totalitarian state the ruler may issue his *carte blanche* upon which a henchman or sycophant can write the doom of his own enemy. In such a government hates are deliberately engendered so that the people will consent to and even participate in the most cruel barbarities and robberies. Usually the Jewish race is made the victim. The wealthy are denounced as usurers and enemies of the state. The poor Jews are characterized as Communists. The middle-class Jews, merchants, manufacturers, lawyers, doctors, and other professional men are forbidden to carry on, or circumscribed in carrying on, their business or practicing their professions. I shall not recite the indignities suffered by Jewish women.

The real reasons why these class hatreds are engendered are to lay a foundation for confiscating private property, and because the Jew believes in a democratic form of government. Men and women are intimidated by the secret police, and rowdy soldiers beat and assault civilians with impunity. Young women of the nation are required to work 2 years as housemaids before permitted to undertake any professional or business career. Hitler frowns on any woman engaged in any activity other than "kinder und kuchen."

#### LABOR UNDER DICTATORSHIP

In a totalitarian government the laboring man is practically a slave, although he is taught that he is being protected from rapacious employers. He works when and where he is told to work, at wages fixed by the government. There is no right of collective bargaining. There are no anti-injunction laws; no strikes are permitted. The employer's lot is not much better. He is told what and how much he may manufacture, to whom he may sell, and the price he may charge. Should he happen to accumulate a cash surplus in his business, he is required to invest it in government bonds or buy fiat money. Directly and indirectly the German is taxed for half his income.

Mr. President, if Hitler wins, American labor will inevitably have to meet Germany's low labor standards. "Business as usual" businessmen will have to compete with German low-cost goods in every market in the world.

Mr. President, it is sufficient to say that a democracy permits and does all that totalitarianism denies and refuses to do; that a democracy neither does nor countenances any of the things that the totalitarians do or of which they approve.

Because the success of Hitler in this war would bring totalitarian rulers into control of more now democratic nations—ultimately certainly in control of some of our neighbors, possibly also of the United States; and because victory for Great Britain would put an end to Hitler and his ideas, would revive the crushed democracies, and insure the continuance of a representative democracy in America, I support and will vote for the lease-lend bill, which will make simple, speedy, and certain the extension of every material help to Britain and other democracies fighting by her side without jeopardizing our own defense in case of an immediate attack.

Mr. President, arguments to prejudice are being used to the limit to stir up opposition to the bill. Old wounds are being chafed. Past differences between the President and eminent Members of this body are being exploited to confuse and distract.

The "just-fee griefs" of the Irish are being played upon. The principal attack is on England, because it is the purpose of the bill to help England in order to help ourselves.

#### ENGLAND AND GROWTH OF DEMOCRACY

It is not necessary for me to present a brief for the English in discussing what America should do in order to protect American interests. History says much to the credit of the English people, and I am willing to let history speak. What former English Kings or administrations have done in establishing the British Empire is one thing; what the people of England have done or sought to do is something else. The English people are not chargeable with all the acts of her politicians and statesmen. The English people have had troubles of their own with kings, lords, and their retainers. It is a long way back to the 1215 Battle of Runnymede, when the English lords and bishops forced the signature of King John to the Great Charter. That was the beginning of the end of the divine right of kings. It was the genesis of human liberty and individual rights, although probably neither the lords nor the King had the least conception of liberty as we know it today. Since the signing of Magna Carta the English people have traveled a long and sometimes bloody road toward liberty and democracy. Gradually they secured recognition of the Bill of Rights, which King George III later denied the American colonists, thus bringing on the Revolutionary War and the independence of the colonies. The English established the principle of no taxation without representation. They were probably the first nation to abolish slavery, boasting that when a slave set his foot on English soil he thereby became a free man. They abolished the secret, corrupt, and political court of the star chamber, established trial by jury, and made the writ of habeas corpus a writ of right not to be denied. They established Parliament as we know it today.

In the eighteenth century William Pitt, Earl of Chatham, could say in his speech on the excise tax:

The poorest man may in his cottage bid defiance to all the force of the Crown. It may be frail; its roof may shake; the wind may blow through it; the storms may enter, the rain may enter—but the King of England cannot enter; all his forces dare not cross the threshold of that ruined tenement.

The British freely permit all sorts of party organizations. Successively the Liberals, the Labor Party, and the Conservatives have controlled their Government. In the present struggle with Germany all parties are represented in the Government. Gradually Britain has given dominion status to outlying parts of the British Empire, and a gradually increasing self-government to other regions under her control. It required hundreds of years for Englishmen and Scotsmen to establish and make secure freedom and liberty in the British Islands. Possibly they may soon come to amicable agreement with Mahatma Gandhi and the Indian Parliament. It is my opinion, and the hope of all of us, that in the near future they will reach complete accord with the Irish, and a free Irish nation will result.

However, all this is not material to the issue now before the Senate. We must help Britain, whether or not we like her. At least, we know she is making a life-and-death struggle to survive. Her fight inures to our benefit. Our help may insure her victory. As long as Britain holds Hitler, we have time to complete our own defense and be prepared, if ever we should be compelled to fight alone the combined military and economic forces of Germany, her allies, and the slave populations of her subjugated nations.

#### GERMAN PEOPLE AND OUR GERMAN CITIZENS

Mr. President, I cannot refrain from saying something about the people of Germany. They are a home-loving people, a religious, church-going people—except as denied free religion under Hitler—good agriculturists, leaders in the fields of science and art. If they are a warlike people, as my good friend the Senator from Washington [Mr. Bone] says, it is because their arrogant kings and emperors have forced them into many wars; and, conversely, the rulers of other nations have many times in the past invaded, or attempted to invade, Germany. Today, in my judgment, a great majority of the citizens or subjects of Germany would welcome opportunity to make peace; but they are helpless, powerless, and must remain silent in order to avoid the concentration camps and the firing squads.

Why did so many Germans come to America during the past three generations? Why did Carl Schurz and others come? To escape oppression, to strengthen the cause of liberty; and such were the reasons for the coming to our shores of the millions of other Germans who became American citizens. They and their sons and daughters and their grandchildren were and are industrious, thrifty, law-abiding, God-fearing, and successful Americans. The puny and malicious efforts of a relatively few bundists and unbalanced individuals who seek



to shake the loyalty to America of these citizens with German blood will come to naught. In the family histories of these men and women with German blood in their veins there is knowledge—often tragic—of the difference between caste-bound and Army-controlled Germany and free America.

#### WHY HELP BRITAIN?

Believing that present help to Britain and those who fight by her side will help to keep America at peace, believing that defeat of England would be followed sooner or later by a war to the death between America standing alone and a Germany aided by the unwilling slave soldiers of dead and destroyed European, and possibly American, democracies, I must vote for this bill.

Mr. President, some may not admire Britain, but we will never give up what of liberty and freedom the British people have wrested from kings and conquerors through past centuries. We will never give up that which by war we wrung from the unwilling hands of the detestable George, his courtiers, proud lords, generals, and admirals. We will never be party to any peace or plan which would entomb democracy and bring civilization under the brutal control of dictators.

#### AMERICAN MOTHERS

Mr. President, I am not unmindful of the fears in the hearts of many American mothers lest this bill shall bring us into war. I sympathize with them in their fears, I sympathize with them because every art of excitement and oratory has been used for months to excite their fears and arouse the mother instinct for protection of its own. Fletcher said no one can entertain fear-thought and forethought at the same time. It is evident that in many cases the combined forces of mother love and fear-inspired emotion prevent these good and worthy women from realizing just where lies the greater danger to their sons.

Mr. President, if Hitler succeeds, if Hitler wins, if England falls, inevitably sooner or later—and I hope it will be somewhat later—we alone will have to fight all the combined powers of the world except the lone British democracy. If that unhappy time comes, Mr. President, the mothers who are now concerned will then, indeed, mourn and weep for sons who were, and are not.

Mr. President, I never quite agreed with the statesman quoted by Emerson in his Essay on Eloquence who said:

Eloquent men are the curse of this country.

Another cynic has said:

The essence of religion is faith and good works; the essence of politics is doubt and many words.

#### METHODS OF OPPOSITION

I should make some reference to the intolerant attitude some of our isolationist opponents assume toward those who support the pending measure. Because we sympathize with the British people, it is insinuated that we are British colonists. Only a man with a mechanical heart could be unmoved by the suffering of the British people. If we disagree with our critics on the legal effect of language, we are not reputable lawyers;

when they state an opinion on a technical matter, we are solemnly advised that no self-respecting military officer would think otherwise; when they make a charge unfavorable to the bill, they tell us such is the opinion of a highly placed officer or influential New Dealer, who remains anonymous. If named, he probably would be someone unknown to fame who speaks only for himself. If a Senator not a Democrat sincerely believes this bill is in the interest of our country, he is regarded with cold disapproval by those who seem never able to distinguish between politics and statesmanship.

Only last evening one of the Senators in favor of the bill introduced a telegram signed by some college professors; and immediately one of the opponents of the bill rose and read the riot act about college professors. They were not competent to do anything; they had no idea how matters should be carried on; and he went on at great length. That is a sample of the opposition attitude I have in my mind; and as I listened to him I could not think whom he could possibly mean. I wondered whether he meant Thurman Arnold, or the eminent senior Senator from Utah [Mr. THOMAS], or Woodrow Wilson, all of whom came within the category of men he was denouncing.

In short, Mr. President, when an eloquent or near-eloquent isolationist gets steamed up and properly lathered, he does not seem to care about or to realize what he says. The evil is that some of his more emotional listeners are made hysterical by this plethoric flux of eloquent denunciation. They want to mob somebody. Some of our more excitable and caustic opponents imagine their feeble arms are holding America back from some awful abyss. The attack will wear off, and soon they will be sane again and will cease to look at us with baleful glare and suspicious eyes.

#### THE PRESIDENT OF THE UNITED STATES

The President of the United States is at this time the object of venomous attack by a few critics. Nothing the Executive does pleases them. To them, whatever he says is false. They respect neither the high office nor the man. They charge the President with designing to bring this country into war. They may believe the charge. If so, it is a belief engendered by their spleenly malice, with no foundation in reason. The general public knows the President is earnestly and sincerely striving to keep this Nation at peace and at the same time preserve our democracy. The American people trust the President. They know he is eminently qualified by experience and information to do what is best to protect our interests in the present crisis in world affairs. The people also know the President is surrounded by informed men of true patriotism and good will with whom he is in daily consultation. The great majority of the American public rightly ignores the clamorous vociferants who bark at the President from day to day.

Mr. President, those who attempted to build the Tower of Babel failed because of a confusion of tongues. Let us not

fail democracy here by a babble of words and a confusion of ideas. A caustic citizen from the short-grass country in Wyoming wrote me this advice:

If you Senators can't vote down there, why don't you buy fiddles? Nero's little effort was a small bonfire compared to what is going on in the world today.

Mr. President, I hope we shall have an opportunity to vote upon this bill before it is too late.

Mr. WILEY obtained the floor.

Mr. AUSTIN. Mr. President, will the Senator yield for a quorum call?

Mr. WILEY. I yield.

Mr. AUSTIN. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	George	Norris
Andrews	Gerry	Nye
Austin	Gillette	O'Mahoney
Bailey	Glass	Overton
Ball	Green	Pepper
Bankhead	Guffey	Radcliffe
Barbour	Gurney	Reed
Barkley	Harrison	Reynolds
Bilbo	Hatch	Russell
Bone	Hayden	Schwartz
Brewster	Herring	Sheppard
Bridges	Hill	Shipstead
Brooks	Holman	Smathers
Brown	Hughes	Smith
Bulow	Johnson, Calif.	Stewart
Bunker	Johnson, Colo.	Taft
Burton	Kilgore	Thomas, Idaho
Butler	La Follette	Thomas, Utah
Byrd	Langer	Tobey
Byrnes	Lee	Truman
Capper	Lodge	Tunnell
Caraway	Lucas	Tydings
Chandler	McCarran	Vandenberg
Chavez	McFarland	Van Nuys
Clark, Idaho	McKellar	Wallgren
Clark, Mo.	McNary	Walsh
Connally	Maloney	Wheeler
Danaher	Mead	White
Davis	Miller	Wiley
Downey	Murdock	Willis
Ellender	Murray	

The VICE PRESIDENT. Ninety-two Senators having answered to their names, a quorum is present.

Mr. BARBOUR. Mr. President, will the Senator from Wisconsin yield to me for a moment to submit a request?

The VICE PRESIDENT. Does the Senator from Wisconsin yield to the Senator from New Jersey?

Mr. WILEY. I yield.

Mr. BARBOUR. Mr. President, I ask unanimous consent to have printed at this point in the RECORD a short but timely editorial which appeared in this morning's Herald Tribune, entitled "The Administration's Duty."

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the New York Herald Tribune of March 4, 1941]

#### THE ADMINISTRATION'S DUTY

There are abundant signs that the Nation is keeping its head despite the barrage of angry words with which the lend-lease debate in the Senate is sprinkling it. It is doing this without much real help from the proponents of the bill, either. An intelligent leadership would long ago have cooperated with the reasonable doubters of the Senate in framing a set of legitimate and desirable amendments. Had it done so, the tall words about filibustering would never have been uttered, and the bill would already be law.



Take the Ellender amendment as an example. It is a simple declaration that the proposed bill does not enlarge the power of the President to send American troops out of the Western Hemisphere, except in the case of American possessions. It announces no policy other than that Congress prefers to keep whatever power of control it now possesses to restrain overseas expeditions. There may be reason for excluding the Far East from this amendment, since defending the Philippines might call for swift action elsewhere. But to the main purpose of the amendment we can see no possible objection.

Congress is in session and will almost certainly remain in session while the present crisis continues. If so momentous a question as sending our troops overseas to other than American soil should ever arise, why should it not be referred to Congress for approval? The President has repeatedly denied having any intention of sending troops abroad. Why not say as much in the lend-lease bill?

There are other amendments equally sensible. An able and candid leadership in the Senate would have chosen to advocate the bill on its merits rather than fight straw men and fill the air with embittered words.

Since this newspaper believes strongly in the major purpose of the bill and has as strongly urged its passage, it feels doubly obligated to point out this failing in the administration leadership. National unity is needed above all else at the present time. Everyone in the Senate concedes that the bill will ultimately pass. But the important points are that it be passed by as overwhelming a vote as possible and at the earliest moment possible.

It is not too late for the administration to approach the opposition leaders in both parties and seek agreement upon as many amendments as possible. Too many angry words have already been spoken on both sides. Whether peace or war is to be the fate of the Nation as a result of the present world crisis no man can say. But that the threat is the gravest that has ever confronted the Republic can hardly be contested. Facing such a crisis, the motto for all is unmistakably the old American one, "United we stand." It is surely not asking too much of the Democratic leaders of the Senate to urge that they turn statesmen for an hour, abandon partisan and personal feuds, and seek to reach an amended bill upon which all patriotic Americans can unite.

Mr. WILEY. Mr. President, looking at the clock, I notice it is 5 minutes after 12 noon. Perhaps that does not mean anything in itself, and yet it is significant of an event that has never occurred before in the history of America. A President of the United States has now held office for over 8 years, and is entering upon the ninth year in the Presidential chair. Probably this circumstance exemplifies the fact that we are living in a changed and changing world.

Mr. President, I recognize that it is a great privilege to exchange ideas with my colleagues in the Senate of the United States. I recognize also that such a privilege carries with it an obligation to speak as becomes a Member of the greatest deliberative body in the world. What I purpose doing today is simply to exchange ideas. I have not arranged a logical talk, where sequence follows sequence; and, parenthetically, let me say we are not living in a logical world; we are living in an age that calls for action. I shall briefly state my conclusions in relation to the bill and then discuss more freely related matters. In what I have to say I shall express my own convictions.

The other night I heard a speech over the radio in which the speaker accused everyone who is against the bill H. R. 1776 as being a Hitler man. A night or so before I heard another talk, in which the speaker said that those in and out of the Senate who were for the bill were warmongers and Anglophiles. I shall have something to say about these statements later on.

At this time, there comes to my mind an incident that is worthy of the consideration of America. A great citizen of the world, Goethe, of Germany, was about to die. It will be remembered that he lived in an age when the heart of Germany sent forth a golden stream of great music, great ideas, the philosophy, and great literature to lighten the conscience and the heart and the mind of the world. When Goethe came to die those gathered around his cot heard him say, "More light." The attendants brought him more candles, but Goethe did not refer to candlelight. He was one of those great souls of whom it may be said that when it passes through the vestibule between this life and the next such a soul can see both ways. Goethe saw both ways as he was passing on. He saw the need of the world then; it is the need of the world now; and so he threw back to the world the significant statement, "More light; more light," indicating thereby that the world's greatest need could be met by more light, more sanity, more intellectuality. By this direction this great German philosopher corroborated the statement of Him whom we call Master and Teacher when he said, "I am the light of the world." What did He mean? He meant, "My life, my teachings, my acts, my words constitute a light by which tired, befuddled humanity can find a way to the solution of its problems." Thus, the bearer of light became what we know as the way-shower.

It was another great soul who said, "Give the people light and they will find the way." When I was home at Christmas time I remember meeting an old gentleman and asking how he was. He said, "I am dizzy—oh, I am dizzy." I said to him, "Brother, come to Washington and you will find a number of your counterparts." He laughed and laughed and said, "I feel better." He felt better for knowing that there were dizzy people elsewhere.

It reminds me of the story of a little boy in geography class. When the teacher said, "Johnny, is the world round or flat?" He said, "It is neither. My father says it is crooked." [Laughter.]

Mr. President, if there are no objections, I desire to follow the customary procedure which has prevailed during most of this debate. Therefore, I request that I be permitted to proceed to the conclusion of my remarks without interruption.

The lease-lend bill has been before the Nation for nearly 2 months and seemingly little can now be added to what has been said both for and against the measure. One thing, however, is apparent—most of us desire to do what is for the best interest of America, but differ as to how this can best be accomplished.

Is not what I am about to call to the attention of the Senate significant? Four well-known and great Americans were among those who testified before the Senate Foreign Relations Committee. On one side were Lindbergh, the Lone Eagle, and Norman Thomas; on the other side were Wendell Willkie and Mayor LaGuardia; Americans all, filled with a desire to serve America, but differing in the conclusions they reached.

When has it been un-American to differ? Is it not significant that Willkie, an American of pure German descent, and LaGuardia, an American of Italian descent, should be in favor of this bill, and see in this bill greater safety for America? These two men—and I analyzed what they said—seemed to fear the power of Hitler and the totalitarians acting from without America, whereas Lindbergh and Thomas were against the bill, and they feared the possibility of a totalitarian government arising from within America. The latter two, those who were against the bill, stemmed from Scandinavia and England. Those who were for the bill stemmed from Germany and Italy.

Mr. President, all four of these gentlemen, and every witness I have heard and every Senator I have heard speak on the subject—all are in favor of aid to Britain, all despise Hitler and his methods, but there are two points of difference. First, the nature and extent of that aid; and second, the question as to what power at this period should be delegated to the President to effectuate that aid.

Mr. President, because of what I have heard in the Senate during the past few days, I ask at this time that there be inserted in the RECORD at the conclusion of my remarks a very good statement showing the aid that has been going to Britain during the past 2 years. Let me say that among other things the statement shows that Britain has acquired 132 ships, and Canada has acquired 43 ships. It shows that Britain has received 2,450 planes. I interject this matter here because it has been generally said on one side in the debate—or, at least, we could draw that conclusion—that if this bill should not pass, Britain would not receive aid. Without this bill she is receiving, and in my humble opinion if this bill should not pass she would continue to receive, more and more aid.

THE VICE PRESIDENT. Without objection, the statement referred to by the Senator from Wisconsin will be printed in the RECORD at the conclusion of his remarks.

(See exhibit A.)

Mr. WILEY. Now let me restate the issue:

First, the nature and extent of the aid; second, the question as to what power at this period should be delegated to the President.

That sounds very simple; in fact, some may say that is an over-simplification.

A related question that has arisen in this debate and on which there is a diversity of opinion is this: Is America defending herself in giving aid to Britain?

Is America's security being threatened in any way by this war; in other words, is



America in jeopardy? Are Nazi methods jeopardizing our interests in South America? Will the Western Hemisphere be attacked if the totalitarian States are victorious and Britain falls?

Apparently these questions suggest the "nubbins" of the aid-to-Britain issue. Apparently, a large percentage of the people are in favor of aid—and I underscore the word "aid"—to Britain, because they feel that there is a potential threat to our rights; that world events constitute a threat to the American way of life—a possibility that we may be called upon in the future to stand alone in the defense of this hemisphere. In that connection then, logic demands that we give only such aid as will not precipitate us into war or jeopardize our national defense on this continent. I believe these are the points Americans feel this bill involves.

I have listened to practically all the debate and have attended the sessions of the Foreign Relations Committee. I entered this debate in a frame of mind different from that of many of my brother Senators, who had already chosen sides, who had already picked the side they were to take, and then tried to assemble the evidence and the facts to sustain their position. I entered upon the consideration of this question with an open mind, seeking to determine what, in my judgment, would be the best course to take for America.

Some of us are of the opinion that this bill goes much further than aid to Britain. The distinguished junior Senator from Connecticut [Mr. DANAHY] demonstrated beyond the question of a doubt that the bill violates international law and that the majority report of the Foreign Relations Committee of the Senate was founded upon an inaccurate concept of the Kellogg-Briand Pact and international law.

But in view of the fact that the totalitarian powers have nullified international law, I would not go so far as to say this bill, just because it violates international law, amounts to involvement in the war, but—and I say this after consideration—if we pursue the provisions outlined we will, if and when the opportune time comes, give added reason for reprisals. That brings us to the all-important question, Should we abrogate the constitutional provision which provides that the power to declare war rests with Congress?

#### CONGRESS MUST STAND AS FIRST LINE OF DEFENSE

The power to involve us in war, in the present case, is the power to declare war. In my opinion, I should answer the question "No." Congress should stand as the first line of defense. Under the Constitution, the Congress should determine when, and against whom, to initiate acts of war.

It is certain that the American people do not want to be taken into war. I again call attention to that fact. Although at present they are confused—they are like the chap I met who was dizzy—I am sure they do not want the Congress to give the President power which may force the Nation into war.

We have seen such bodies in other nations—when parliaments abrogated their power—transformed into yes-men no longer functioning as the guardian of the people's rights.

Congress, Mr. President, now stands as the first line of defense against a possible involvement in war. A great congressional leadership—a leadership which wishes its judgment to be vindicated by history—would lead this Nation toward peace.

No one can tell what the future holds. Without a question a dominant Hitler would be dangerous to our way of life in this country.

But that fact, in my judgment, does not justify America going "all out" for Britain, as contemplated by this bill. I believe with those who have said that this is no time to sell the American people the idea that our destiny is totally dependent upon another nation. I wish the importance of that statement could be appreciated. If we shall cause our own people to believe that we have to sustain ourselves by depending on another nation, we will have created a psychological weakness, and no one can know where it may carry us. If Britain should fall, we do not want to face a collapse of morale in this country.

That our yesterdays are gone with their smugness, and snugness, and complacency, is all too true.

The old way is dead. We are entering upon a new era in world affairs.

We have to use the best judgment we have under the present circumstances, and do that which we think is right. It is generally conceded that the Old World is entering upon a new sphere of political action. We no longer live in a world where the pledged word of nations can be trusted. Are we to make the keeping of the pledged word among all nations a certainty in international conduct? I wish we could. Is that what the President meant by his four points? He truly expressed the wish of every idealist, that those conditions could be made possible. But we have to be realists. We cannot impose upon other nations a way of life they do not want. We have a big enough job to preserve our way of life here in America.

As I have already stated, I believe a large percentage of the people want to aid Britain, but I question very much whether at this time the American people want this country to become an out-and-out ally of the British Empire or to tie our destiny to its far-flung apron strings. Of course, there is a lot of agitation to that end. This idea of "union now" is being talked by prominent Americans, and even by Members of this Senate, to the people of the country, but we should not attempt by this bill to effectuate that purpose. That is a subject that has to have separate consideration.

#### CONGRESS WOULD REPUDIATE A BILL CALLING FOR WAR INVOLVEMENT

Let us suppose that the President of the United States had asked the Congress to vote upon this question: Shall we dedicate all our resources, our manpower, labor, and wealth, and launch ourselves into a war, as an ally of Great Britain and her colonies? Such a question would

have to include fighting on all the seas of the earth, spreading our land forces in distant lands, continuing this conflict perhaps for years.

I am satisfied, Mr. President, that Congress would vote such a suggestion down. Yet there is the grave possibility that in this bill we are deciding that very issue.

Let us suppose the President had given for his reason in his favoring an affirmative vote on such a question that he thought there was danger of the British Empire going down and Hitler invading America. Would that change the answer of Congress, if the facts were as they are now?

We know the world never remains put. There are always disintegrating forces in operation. According to history, there are always marauders abroad, but there are also, thank God, constructive forces. Now, we can engage in contemplating the destructive forces to such an extent, that we lose our perspective; we fail to see where we are going. It is perfectly all right for an individual to do that, because he can dedicate his life and his wealth to correct a cause he thinks is unjust even if such cause exists outside his own homeland. But it is a different matter for a nation to elect itself as an international policeman.

And it is a very different matter for a Senator of the United States, who is a trustee of the people's values—material, political, social, and economic. He is bound to look ahead. He is bound to act in a trust capacity with caution. He cannot recklessly, or on the ground of sentimentality, or emotion, spend the resources of his country.

Policing the world—that is an intriguing question which we cannot discuss and decide here. If it becomes an issue later on it will undoubtedly be explored from every angle.

The future is pregnant with problems. Europe, it is said, must federate or perish. A democratic federation instead of a Nazi-dominated Europe is the hope of that continent—and the only peace term worthy of consideration. But Europe will have to get hold of that idea herself. We cannot thrust it down her throat. We may, in the days that are up ahead, collaborate to bring about an effectuation thereof.

Mr. President, we are in a world revolution, with changes taking place that no one can foresee, changes in the political, economic, and social structure of nations. Every fiber of my being calls out for caution and circumspection. We are the guardians of this house we call America.

I know that in what I have to say I may be accused, as have many of my brethren, of being anti-British. This is not true. All my sympathies are with the people of Britain. And what is more, Mr. President, my immediate forebears stem from that gallant little people who dwell in the "Land of the Midnight Sun." I was over there in 1939 when the war broke. What Hitler did to the land of the Vikings and what he is still doing would cause me to hate him if I permitted myself to do so, but I know in doing that I would not help Norway, I would not help Britain, and I would not help my own



beloved country, and I would unbalance my judgment. I am an American. I am trying to see my way through the mists of prejudice, hate, and blind sentimentality and world chaos, in order that I can assist by my vote in steering the ship of state through the dangerous waters of the present and the future.

I have said that the world is in a chaotic condition. I know that Hitler has come to the top like froth. Attempting to evaluate the various causes of his appearance will do no good now. He missed his chance even with his own people when, after he had gotten lebensraum, he set out upon a world conquest; but I know also that even when Hitler goes down there will be chaos, there will be confusion, and misery, and disorder.

Then, to my mind, Mr. President, America will have her chance, but only if she remains sane, cool, and collected, if she has not dissipated her own values—material, financial, and spiritual.

I am not going to attempt to answer all the various statements, prophecies, and what not, that have been raised and discussed so frequently in this debate. We have heard the pros and cons thereof. But I do want to bring up one matter. It has been said on one hand that it is not our war, and on the other, because of what may happen to our country, that it is our war. Of course, no one in Europe, before the war was precipitated, asked our advice about going into this war. However, perhaps in extenuation of those who claim it is our war, no nation, of course, can live unto itself. We even may have had something to do with the war.

Let me relate a little incident which I believe may be enlightening, if I may be pardoned a personal reference.

#### NEED FOR DEFENSE PREPARATIONS

I stated I was in Europe when the war began. I was in Britain in August 1939, and I had the privilege of meeting Mr. Churchill and Lloyd George, and several other distinguished citizens. The incident I am about to relate brings out clearly how we, perhaps unknowingly, influence, and have influenced in the last quarter of a century, the life of Europe.

I was talking to a member of the British Parliament, a supporter of Mr. Chamberlain, and he said to me substantially as follows:

Pray God we can have at least another year in which to prepare. We know war is coming, but the British people have not been aware of that. It took two men to awaken our people to the need of being prepared. But we are not prepared even now. We need at least another year.

I said to him:

Who were those two men?

He replied:

Hitler and Chamberlain.

You know, the common people of Europe in all the small democracies, and also the people of France and Britain were lulled asleep by the great ideals of your great President, Woodrow Wilson.

I emphasize that statement. It shows how American thought and ideals affected the peoples of the small nations in Europe and even of England and France.

They thought that the League of Nations, the Locarno Pact, the Kellogg-Briand Treaty, eliminated war. And behind this smoke screen of ideals Hitler, Mussolini, and Stalin have educated and built their races for war, and, what is more, those people are equipped.

I then said:

But how do you credit Hitler and Chamberlain?

Well—

He said—

Hitler's constant breach of faith, his breaking of every promise, his repeated violation of the Versailles Treaty, his march into the Ruhr, his march into Austria, the Sudetenland, Czechoslovakia, have finally awakened our people to a realization of the dangers, but I am fearful that we have slept too long. We are unprepared. Give us another year and we shall be able to meet him on more nearly equal terms. Had Hitler struck 2 years before, he would have found an undefended England, our people unbelieving that war could be possible. Chamberlain's appeasement policy with Hitler's constant breach of faith has given us this breathing spell and this awakening. Pray God the breathing spell will be long enough for us to be prepared to meet the onslaught.

Mr. President, I believe we have to admit that this Nation, too, was lulled asleep by these ideals. This is a practical lesson for all of us to learn. Some nations of Europe were lulled to sleep by the dreams which we all wanted to become realities, while other nations which were preparing for war were not permitted to indulge in those dreams or ideals. Their people were not permitted to think in terms of what the world should be, and they were regimented into war, with the result that we have the world as it is today. The fact that we were lulled to sleep was graphically demonstrated before the Foreign Relations Committee by Mayor LaGuardia. I ask Senators to read his testimony. He told how the Congress of the United States, when he was a Member of the House, held to those ideals for peace, and how we dissipated our strength, our Army, and our Navy. He blamed no one. He said it was in the air.

We are here to watch the ramparts. There are two ways that we can endanger this country.

One way is to lose our sense of perspective, so that we become soft, more concerned with our rights than our duties, and permit "fifth columnists," gangsters and racketeers in our midst to ruin our values and dissipate our liberties.

Mr. President, you will remember that Goebbels, speaking of America, said, "America will be the easiest, an inside job." Well, Mr. Goebbels and his kind are going to be mistaken. Nevertheless, his warning and what was accomplished in every other land in Europe except England calls for action. We have no place in America for anyone who is not 100-percent American. We want no Quislings, Henleins, or Laval's here. Let that go into the fiber of the being of every individual in this country.

The other way is the way to war. War, nowadays, requires the united effort and resources of the whole people; it dissipates accumulated values—material, social, and spiritual—wrecking and maiming bodies and the souls of men

not merely by shot and shell and gas but by soul-searing hatred and the false gods of propagandized ideologies.

However, we are not at war, and with the help of God and the clear common sense of this Congress, we can back away from the brink of war. The surest way out of the dilemma we are in is to not surrender, but rather to retain our constitutional power. We can write and pass a bill, based upon the theory of defense, and we can still aid Britain increasingly as production gets under way, but always bearing in mind that we are Americans and we have a job to do here, to work out our economic order of justice, to rebuild our inner strength, morally and spiritually, and to arm the Nation for any emergency that may arise.

A great American thinker once said:

The purpose of education is not to accumulate facts, but to equip men to be competent—to meet problems as they arise.

Would to God that education in America would give us men and leaders with intellectual sanity to meet these problems.

The immediate present demands thinkers—straight thinkers—men who are truly educated, not folks who are living on their intellectual fat, not men of snap judgment.

#### FACING A WORLD ARMAGEDDON

We are facing a world Armageddon—there are those who say that America cannot avoid participation in that Armageddon. I do not agree with this conclusion.

What America's duty is, in this difficult hour, I am sure will become clearer as time goes on. God grant our Nation's leaders and our people perspective, vision, and calmness to meet the obligations of this day.

In this hour of the world's travail we will not shy away, we will not compromise with wrong, we will not forget our heritage, nor neglect our responsibilities to our country.

While we love peace and hate war, we do not love peace so much that we would relinquish our liberties, our homes, or our national honor. No; we would not, under any circumstances, capitulate to tyranny.

We will not forget that bigotry, hate, and intolerance accentuate division—that brotherhood, tolerance, and true Americanism make for national unity, vitality, perspective, and progress.

Let me illustrate by an experience what I mean by the word "perspective."

On February 13, 1940, at 2 o'clock in the morning, I took a plane from Dallas, Tex., and at 9:30 I was in Washington.

During the night a storm arose. The pilot, instead of attempting to sail through the storm, went above it. We were flying at 16,000 feet when I awoke in the morning and saw the sun streaming out of the east over the milky whiteness of the clouds. Down below I could see, through the breaks in the clouds, the lightning flash—the storm was on, but we were above it. We had risen physically above the warring elements below.

Today, as we are called upon to meet the responsibilities of the present, we must rise mentally and get perspective.



## WORLD SITUATION AS I SEE IT

As we ride above the clouds of this war conflict we see below us:

A. Germany, Italy, and Japan having unleashed the dogs of war, out for world loot, out to divide the world among them.

Britain alone withstanding the onslaught.

France, Holland, Belgium, Norway, Czechoslovakia, Poland, Austria, Rumania, Bulgaria, are no more. China and the isles of the East with Australia, are likewise to be devoured if the Axis nations have their way. This is also true of Greece and Turkey and the lands in the Near East and Africa. South America is also included in the prospective loot.

I said that Britain stands alone, but that is not correct. Her whelps are with her. Australia, New Zealand, South Africa, Canada, the isles of the sea, and what whelps they are—the same breed that sent forth Drake and Nelson, Wellington, and Wavell, Burke, Pitt, and Churchill. No; Britain is not alone. The spirit of free men, everywhere, is back of her—and, incidentally, 1,500 Americans are voluntarily training in the flying corps in Canada.

We once were one of her whelps but we seceded; but the ties of language and law, the ties of religion and ethics, the ties of commerce and international good will still exist; and so America wants to do that which she can to help, providing it is consistent with her obligation to herself and her future.

Looking down again we see:

B. International brigandage on a scale never known to mankind. This is the order of the day.

As we watch this process of international looting going on, the question is bound to arise: What part shall we play on the international stage? It is not an easy question to answer. If America remains aloof she can play a good Samaritan role in rebuilding a post-war world, her resources then intact, her spirit unslung, and herself ready to go places.

Mr. President, I often think that the parable of the prodigal is applicable to nations as well as to individuals. You will remember that the young man who had gone forth and wasted his substance in riotous living, finally came to himself. He awoke from the mesmeric spell in which he lived, and then he said, "I will go unto my father." Having taken this step he found, after a long and painful journey back, that his father was waiting for him with outstretched arms of welcome.

The nations are indeed prodigals wasting their substance in this terrible conflict. They will want to return to their father's house. The way to peace will be hard, beset by hunger, disease, bankruptcy, and destruction.

As I stated before, it is my hope that America will be ready and able to help, to guide, to succor. If we are wise, we here in Congress will not make it necessary for our people to join in that pilgrimage also—that pilgrimage from war to penitence. As with individuals, so with nations, each will have to work out its own salvation; but, oh, the glory of aiding and leading bleeding, tired humanity out of the chaos caused by war, toward peace

and world reconstruction, toward the day when nations will beat their swords into plowshares so that there will be war no more.

## REASON FOR RESOLUTION DEMANDING INFORMATION ON FAR EAST

Mr. President, on the 14th day of February 1941 I introduced a resolution providing that—

the Senate proceed to the consideration of executive business with closed doors, and that the Secretary of State and his Under Secretaries be requested to attend to discuss the eastern situation and other related matters with the Senate.

I did this because I wanted to get information on certain matters. Our Supreme Court, it will be remembered, has said that the President has plenary and exclusive power in the field of international relations.

I wanted to find out something about our situation in the world. What did I want to find out?

A. What are our commitments in the Far East? Putting it bluntly, are we going to step in if Japan continues to rape the east as Adolf Hitler has raped Europe? She has let it be known now that she wants all of Oceania.

B. What is the condition of our fleet, especially its coordinating air arm? Is it like the Russian Fleet was in the Japanese war? I wanted to know whether or not our fleet had a coordinating air arm, such as the world has recently demonstrated every fleet must have.

C. What is our military position and our condition in the Philippines? Have we sufficient airplanes there? Are we ready for any eventuality?

D. If a commitment exists, what about the Dutch ability, the ability of Britain to cooperate, and what about the French in the Far East?

E. Where do we stand in relation to Europe? How much are we expected to contribute in ships, planes, and material when Hitler shoots his major effort?

I received encouragement from only one Senator. Apparently few thought this information was needed in the consideration of the bill. To me this information was all important—important to have in arriving at our decision on the bill we are considering.

This bill, 1776, to me is clearly phrased. Interpreted in the light of the world situation, it means what it says. If it becomes law, it will be interpreted as a legislative mandate conferring on the President the discretionary power to do the following:

A. To open the arsenals, factories, and shipyards of America to any combatant nation.

B. To transmit or dispose of to any combatant nation, on such terms as the President may deem satisfactory, any or all of our weapons, aircraft, ships, machinery. We are now \$1,200,000 over our present appropriation.

C. To repair, outfit, or recondition any ship, airplane, and so forth, of any other combatant nation.

D. To give any combatant nation any defense information relating to any defense article furnished by this Government.

Mr. President, when I read that language I said to myself, Why does the President of the United States ask for this power? Immediately I thought that the fact that the President asked for this legislation means he has weighed the situation and believes America should be ready, if the occasion demands it, to intervene, as already indicated. This is intervention; yes, close to involvement. Under ordinary circumstances it would mean war. If it suits the Axis Powers to consider it war, it will mean war with all our resources in it and our men also. However, I rather think Hitler would prefer to have us 50 percent in than 100 percent in; and, if the bill passes war will not come until Hitler wants war.

Nevertheless, if we put our fleet into the Atlantic breach for Britain, Hitler may goad Japan into attacking us, or Japan, on her own initiative, may seize the opportunity to attack our unguarded flank.

CONGRESS IS STILL A BRANCH OF THE GOVERNMENT, AND IT SHOULD KNOW, NOT GUESS AT, THE SITUATION—ADMINISTRATION SHOULD TAKE THE PEOPLE INTO ITS CONFIDENCE AS TO PROBABLE CONSEQUENCES OF BILL

Mr. President, with the possible exception of Britain, ours is the only land in the world where there is still a parliamentary body, a coordinate branch of government. Congress is still a branch of government; and Congress should know, not guess at, our commitments in the east, in the Atlantic, and in the Orient. If he who to a large extent determines our foreign policy has made such commitments we should know what they are.

After hearing several of the recent speeches, I am satisfied that commitments have been made. It was even stated today on the floor of the Senate that the aid should be what this language says; to wit, ships and the Navy of this Government.

All of us and all the world are cognizant of the fact that we are—if we pass this bill—not only saying this is our affair, we are in it. As I have said, war then may come any day. My contention is that America should be told what the true situation is. America is entitled to be told by her chief servants what the situation is, what our commitments are in the Orient and in Europe—a very simple matter. We should not have a repetition of the days and the years that followed from 1935 to 1939. I ask all Members of the Senate please to bear in mind those days. The leaders of this country should take the Congress and the people into their confidence.

There is no need of camouflaging the situation. I am satisfied that if the President had told the country in 1935, 1936, 1937, 1938, and 1939, as it was his duty to do, the true picture of what was going on in Europe—and he had the information from the records of Ambassador Dodd—they can be read in Liberty now—and other sources, including his Intelligence Division and that farsighted Wisconsinite, Billy Mitchell, who told him a few things—if the President had told us that, we would have had in this country a condition of preparedness on land and sea and in the air that



might even have been the determining factor for peace.

America did not become awake to the situation until after war broke out. Our deplorable condition at that time from the angle of defense—without powder, anti-aircraft guns, tanks, planes, and a coordinating air arm for our Navy—bordered on the tragic.

That is past history now. The war is on in Europe and Asia. We are a part of the globe. The Axis Powers on the east and on the west are in motion.

We have stationed our fleet in the Far East. Japan is creeping toward Singapore and the East Indies. We are shipping more and more airplanes to the Far East for ourselves and for Britain. We are appropriating money to fortify Guam and Samoa.

Apparently we are already in the international poker game. I should like to know definitely, Are we to tell Japan she may go so far and no farther? If we are, why should not Congress and the public be informed?

We remember in the Battle of Manila Bay, when Dewey won his great victory, how the English Fleet stopped the intervention of the German Fleet. Are we to reciprocate? As a Senator of the United States, I want to know.

The Commander in Chief has the power to order the fleet into position. Is this bill to be construed as a mandate to do that? We should also know whether, if and when the zero hour strikes in Hitler's attack on Britain, we are to keep the lanes of the sea open between America and Britain.

If Hitler enters Spain and attacks Gibraltar, is there any commitment to act in that direction?

ADMINISTRATION HAS NOT INDICATED HOW IT WILL USE ITS POWERS IF THIS PROPOSED LEGISLATION IS PASSED

On all these matters this people of ours is entitled to have information. Throughout this debate there have been many statements on what the Chief Executive will not do, what he does not contemplate, what powers he will not use—but almost nothing has been said on what he will do, what he does contemplate, and which powers he will use and put into action.

Yet the bill speaks quite clearly on the subject, though the people have been given to believe that the proposed legislation simply gives an opportunity to Britain to get aid in America.

Does "aid" mean what the President thinks it should be or what Congress determines the "aid" shall be?

SOME CLARIFICATION OF ISSUES MUST RESULT FROM THIS DEBATE

Mr. President, I was talking the other day with the distinguished senior Senator from California, our own beloved HIRAM JOHNSON, and he told me an incident about the great earthquake in San Francisco. I think what he said should be told to the people of the country. He said that after the quake he and his wife were obliged to sit up one night in a park before they got quarters at Berkeley. He said the ruins of San Francisco were quite similar to the ruins of Coventry; that the pictures he had seen

thereof reminded him of the ruins of San Francisco.

The Senator from California stated that after a few days, during which time the people were bewildered, panic-stricken, discouraged, fearful—after several days had elapsed—a chap by the name of Harris composed a song which was soon on the lips of everyone. Everybody sang it, and soon fear and discouragement, doubt, and indecision had disappeared.

Now, what was this song? It started out like this: "The damndest, bestest ruins the world has ever seen."

As they sang this song—"the damndest, bestest ruins the world has ever seen"—the something which has been called the American spirit took charge of the situation. The result was a bigger, finer, cleaner, grander Frisco. The people gave an example to the world. They lifted a standard that all people might see. They became builders—that is it, builders—and Frisco arose from her ruins strong and mighty.

Well, what has that got to do with bill 1776, or with the situation to which that bill relates?

Well, Mr. President, an earthquake of debate has been going on in this country, over the radio, through the columns of the press, in Congress, and out of Congress. One man says if you pass this bill it will lead us to war. Another man says if you do not pass it we will be in war. The situation has created strange bedfellows. Men with different ideas on economics, politics, social science, religion, have cliqued together on the issues involved. Great churchmen belonging to the same church are on different sides of this proposition. Great lawyers, doctors, businessmen, statesmen have split over this measure. Democrats are mingling with Republicans, and Republicans have gone over to the Democrats on this measure.

And why has this happened? Is there anything basically wrong about this? Decidedly no. It is a healthy sign—if we just let the American spirit that rebuilt San Francisco take charge of the situation, if we just cast out fear and doubt.

#### NECESSITY FOR A HEALTHY AMERICAN SPIRIT

Mr. President, preceding the debate the earthquake of Hitler took place. In San Francisco they saw beautiful buildings go down. In this age you and I have seen law and order dissipated. We have seen free men enslaved. We have witnessed the cracking up of commerce and industry among nations. We have seen international law nullified. We have seen the beauty of living in peace and harmony submerged for the time being. We have seen international treaties torn to shreds. We have seen faith bulwarked upon the pledged word go down. We have seen the rights of man ridden down and trampled on, and the old concepts of force and might come into being. We have seen nations dissipated by systematic methods and millions of men enslaved.

Yes, Mr. President, there has been quite an earthquake in the world, and just as after the quake in San Francisco, people wandered around not knowing what the morrow would bring, fearful and not

knowing what direction to go—so now, in the days since the advent of Hitler, we have been wandering around and around.

Mr. President, we need a national Harris—someone who can tell this people that "this is the damdest, bestest land the world has ever seen," and it is worth preserving. We need a singer who will do for us what this bit of song and humor did to the people of San Francisco. It caused them to sing; it caused them to release the pent-up fears and worries and doubts. It provided a safety valve for them. It united them. It got rid of the looters, the "fifth columnists" of that day. It gave them direction, and conviction, and faith. Those are magic words—"direction," "conviction," and "faith."

Mr. President, the whole country is much exercised over this bill. It has precipitated a real battle in Congress and in the Nation. The ether waves ring with bitter partisanship, which leads to confused thinking and unreason in many instances. What America needs now, I repeat, is straight thinking. We cannot think straight if we become creatures of fear or learn to hate those who disagree with us.

I do not impugn anyone's motive. I know that if someone agrees with me all the time, part of the time that someone will be wrong.

The important thing is that we do not, as a people, become hysterical or mentally stamped.

Mr. President, yes, the country is exercised about this bill.

NEED FOR GETTING IN STRIDE IN PRODUCTION AND NEED FOR REALISTICALLY FACING DOMESTIC FOES

But I am more exercised about this matter of America's hitting her stride in production. I am more exercised about America's getting her machinery in motion in relation to putting "fifth columnists" in concentration camps and eliminating saboteurs.

I am considerably exercised about our inability to put to work millions of men who should be put to work and the terrific cost of our so-called preparedness program. We are wasters and wastrels. This is no time to permit a new group of defense racketeers to come into being. This is no time for this Government to dissipate its power internally or externally.

Mr. President, there are different kinds of saboteurs. There is the saboteur who would blow up a factory, damage a railroad, airplane, or a ship. There is another group of less obvious saboteurs about whom we do not think so much. They cause friction in the channels of production so that labor and capital are put at odds and production stops.

There is still another group of saboteurs. They are the ones who are making the cost of preparedness so expensive that we do not know whether the load will break our national back.

WE DO NOT HAVE TO ADOPT A TOTALITARIAN ECONOMY OR A TOTALITARIAN GOVERNMENT—TOTALITARIAN EFFICIENCY NO MATCH FOR OUR SYSTEM

There is another group—those who weaken our morale and our faith. They talk about the efficiency of Hitler. Totalitarian efficiency has never at any time in history surpassed the efficiency



of the American free-enterprise system. During the last World War, the French experts came to this country to tell us how to make hand-tooled cannon and they said we could not do it, and at the end of 2 months we were doing it. We sent to France production cannon that matched the finest that they could produce under European craftsmanship, and in the first World War we launched a ship a day, and there is not a totalitarian economy on earth that can surpass that record.

We do not have to go totalitarian. We do not need a dictator at the top. The plain facts are that American free enterprise has put more bread on the tables in more homes, more cars per capita, and more cold cash in the bank per capita, and has created a higher standard of living, than any other system on earth.

#### STOP INTERNAL APEASEMENT

It is time to stop internal appeasement.

This Government of ours, as evidenced by the recent act of the House in appropriating money for the fortification of Guam and Samoa, has quit pussyfooting. It has quit being the target for appeasement. That is fine. The people, I think, are becoming immune to the "war of nerves." Now, my point which I want to make right here is—let this Government get some iron in its spine and stop appeasing the saboteurs within. I have outlined with forthrightness who those saboteurs are.

Mr. President, many people do not realize that we are a Republic. There are a lot of folks out through the land who head certain influential pressure groups, and these folks have the idea that they are sort of a sublegislative body or a subexecutive, and they—some of them at least—in the past 7 years have been pretty successful in telling the Executive, and sometimes Congress, where to head in.

I say, we should be through with that situation in America. The voice of the people is the ultimate voice, but pseudo leadership and pseudo groups of lobbyists do not constitute the voice of the people. Let us have done with internal appeasement—let it be finished.

Mr. President, according to one of the fundamental rules of debate in this distinguished body, we never question the honesty or integrity of a Member's motives. I wish that rule were implanted firmly in the minds of all our people in the larger forum of America.

Mr. President, here we sit, Senators of the United States—Americans all. But we are from different sections of this great country. We stem from different blood streams. We have our differences in education, in religious convictions, in social and political viewpoints. In matters of finance, agriculture, and business we may view things differently. We cannot in this body find two who view all matters alike—therefore, the wisdom of our predecessors in the Senate who established the rule that in debate we never question the honesty or integrity of a Member's motives.

**MUST BE GUIDED BY CONSTITUTIONAL YARDSTICK—RETAIN DOMESTIC BALANCE OF POWER**

Mr. President, in a lawsuit the facts are available and the verdict is written on

the basis of those facts. In writing this legislation we have some facts available, but most of the information which we need to make a decision is unavailable. That information is bound up in future events and future trends. Consequently, when we base our decision on these imponderables, we are partially basing our conclusion on conjecture and speculation. We are, in reality, writing legislation not so much on the basis of the known past as the unknown future, and that is a difficult thing to do with any certainty. That is why it is so imperative that we give as much consideration as possible to the known facts of the past—to the established yardsticks—and the Constitution is certainly such a yardstick.

I am sure that most, if not all, of the Members of this body are free in considering this matter—free from the political disease of opportunism. We are seeking to find the answer to these questions: Which course would be the better one to take? Pass the bill or defeat it? Which course would be the better one to take for America? Which course would provide the greater safety, the greater security, the greater happiness, the greater prosperity for this 131,000,000 people?

Mr. President, this may seem to some to be a narrow approach, but it is more than that—it is thinking in terms of a preservation of the American values, of the American way of life. It is thinking in terms of self-preservation which is the first law of life.

Paul said:

If any provide not for his own and especially for those of his own house, he hath denied the faith and is worse than an infidel.

America is our home and 131,000,000 are our own. It is for us, their servants, to look after their welfare.

I have listened to many prophets who have spoken, and they have manifested a degree of certainty and conviction that would seem to indicate that they have contact with omniscience. Of course, we know they are not omniscient. We know that they are under that mesmeric spell which is so common nowadays—taking one's self too seriously. When I hear their intonations, many times with passion and supplemented with dramatics, I am reminded of the ancient cautionary word:

Beware of false prophets.

When those words were first cast before humanity, they simply meant, "Beware of the careless thinker, the man who reaches out without his feet on the ground and prophesies as if he knows what is going to happen."

These characters have developed in a lesser degree the same technique that Hitler, Mussolini, and Stalin have. They place themselves in the category of master men. They forget they are here but for a few days and then their voices are stilled. They forget also "that the battle is not theirs, but the Lord's. The man who remembers that phraseology does not get himself to the point where he thinks he alone should be a master man.

In making these statements I have reference to none of my brethren here in the Senate. My only object in bringing

forth this idea is to call attention again to the signal fact that there is nothing to the idea of crystal grazing—and nothing to the idea that any mortal man can, with any degree of certainty, foresee or foretell the future. There are too many hidden equations—imponderables—too many unknown factors for any man to sense what the future holds.

It is man's job, and one that is big enough, to try to reason his way through the maze of the present—to use the yardsticks and the landmarks that have been proved worthy of consideration in the past, and with the guidance and direction that comes from living and thinking above the miasma of hate and bigotry and petty living—to forge his conclusions and act thereon.

Our Constitution is such a yardstick. Congress alone should determine war, and that is a basic issue in this debate. There must be no legislative abdication—no usurping tide of executive power rolling over the duties of the legislative branch in a further destruction of our tripartite system.

Today those who were present in the Senate heard the question of balance of power mentioned by the majority leader. I say that the balance of power on the Continent may be important, but it is more important that we retain a domestic balance of power in this twilight period of free government. I wish to discuss that subject.

#### WHY WE MUST DEMAND A COLLATERALIZATION OF BRITISH LOANS

Some time ago I spoke in the Senate on the need of collateralization of the British loans. Mr. President, I believe there has been some confusion in interpreting the mandate of the recent election. In my judgment, it should be interpreted as follows:

First. There should be aid to Britain with limitations which I will discuss later.

Second. America should be kept out of this war.

Third. Congress should not dissipate or endanger the national resources.

In other words, this mandate was an order, which might be phrased as follows: "Watch your step, our public servants; you are handling precious values which belong not to you but to the Nation."

It is my privilege to belong to the minority party. One of the constructive functions of a minority is to urge caution and circumspection on the majority, especially when the majority has an overwhelming control.

A false step now, when most of the world has slipped over the brink into war, may prove very disastrous.

To me, the difference in our approach accounts for the differences of opinion on this bill.

Men look at the present world situation from different angles. They have different perspectives. We had a similar situation once before in our history. It was during the time of the fight for our Constitution. Some of my friends who are for this bill may find in this analogy some hope for their position.

Washington, Hamilton, and others saw the need for national unity. Patrick Henry and others feared that national unity would mean the loss of freedom,



and therefore they fought the Constitution.

So today there is a group of our people who are for the bill; they honestly believe in the doctrine of union of all democracies. To effectuate this union they are willing to take the hazards and responsibilities necessary to insure, as they say, England's survival. They believe if England stands with our aid war will not approach our shores. They are willing to go the limit in armaments, ships, material. They are willing thus to intervene in this manner to defeat Hitler, and they are willing to fight if necessary. They believe that the rights of men and nations, justice and order, will thus be preserved. I respect their position. We find in this position the thought of the "union now" movement. They believe we can serve freedom best by arming England, even at the risk of having insufficient arms ourselves, for the time being. They are entitled to that conviction.

The second group is not willing to take the hazard which may mean war—war in the Far East and in Europe for America. The second group is in favor of aid or help to Britain, but not of giving power to the President which might weaken our own defense and precipitate us into the conflict. They believe Britain should pay as long as she can pay. She has over \$12,000,000,000 in collateral and island possessions which America should own. They believe that the attitude of group one, to which the President belongs, might well jeopardize the national interest.

I have constantly stressed the need of getting collateral from the British. Mr. President, this is not simply selfishness. This is fire insurance, if you please, simple horse sense for the protection of the interests of America.

I wish I could get just one Democrat to listen to what I am saying.

In the collateral I include the \$4,000,000,000 worth of securities that Britain has in South America. I refer also to the islands of the Caribbean. Nor do I ask for this collateral simply as a business precaution to secure the loan. No; I am looking into the future. If Britain should go down, if there should be a stalemate peace, if there should be a negotiated peace, this collateral might go to Hitler; and if it does, he will have won the war in the Western Hemisphere without firing a shot over here. This is also true in relation to the islands of the Caribbean.

Let me repeat that I believe this bill should contain a provision requiring collateralization. England today has \$4,000,000,000 in South American collateral. The world today is guessing what the outcome of the war will be. We who are to look after American interests, not simply from the standpoint of selfishness, should get that collateral back of our loans for the money we advance, in order that if the war should go against Britain, if Hitler should get hold of that collateral, if there should be a stalemate peace and a negotiation of those securities in a settlement, Hitler would not have control of all the great industries of South America.

I am trying by this process to shut off any possibility of our becoming involved with Hitler over South American affairs. I think insisting on this collateral would be in line with our good-neighbor policy in South America.

Mr. President, you and I, just before we came to this Chamber, sat down with and you addressed some hundred South American visitors. You, sir, are an advocate of the good-neighbor policy. South America does not like Hitler. South America does not want her industries dominated by Hitler. So I say that what we need above everything else is the use of some common horse sense and caution, as I shall show later. There are \$4,000,000,000 of collateral in the hands of the British, who are fighting for their lives, and if they should be defeated, \$4,000,000,000 of collateral would go down with them. I believe it would be in line with the obligation that we owe the people of our country to secure this collateral. A little foresight now might nip in the bud a lot of very serious problems which might confront us in the future.

#### PANAMA CANAL AN UNUSED ECONOMIC WEAPON

Again, Mr. President, I call your attention particularly, because you are giving me the honor of listening to me, to something I brought up in the Senate before on the subject of the Panama Canal. When we entered into the Hay-Pauncefote Treaty with Great Britain, the issues and conditions were altogether different from those now obtaining. Then there was no Hitler or Mussolini or Stalin. Then America, with her great ideals, said to all the world, "Here is the Panama Canal. We have built it, and you can come in and use it, and use it on the same basis we enjoy." So a few years ago we reduced the rate per ton for shipping, and now we let the shipping of all the world go through the Panama Canal on the same basis with our own shipping.

The point I am making is that we should be practical and should realize that we are living in a different era from the day when we built the Canal. Let us realize that it is our business to control that Canal, just as Turkey has control of the Dardanelles. Today she is mining the Straits and closing them. We should have control of the Panama Canal as Britain has control, practically, of the Suez Canal and of Gibraltar.

In the days which lie ahead we want to be fair to the American laboring man, the American manufacturer, and the American farmer. We will not so arrange matters that slave labor from the Orient and the regimented slaves of Europe can compete with our labor in this country. How will we do that? We will be fair. We can secure cancellation of this treaty. We can do it now, because we are bargaining with Great Britain. We will merely say, "We will fix the rates of all commerce of the world, and the nations that want to barter and trade on an equitable basis shall have the same rates the United States enjoys. But if you make your materials with slave labor, if you engage in unfair methods, there will be a differential in the rates."

I believe that the Panama Canal might constitute a future problem. We know

that modern warfare frequently takes the form of an economic war.

The Panama Canal is a great potential economic weapon. As I have previously stated before this body, our present Panama Canal policy, under the Hay-Pauncefote Treaty, literally subsidizes our potential enemies in the great trade wars which are to come.

We should at this time, while we are dealing with Britain, ask that she cooperate with us in canceling this treaty so that we could use the Canal as an economic weapon, if it becomes necessary.

#### QUESTIONS INVOLVED IN OUR FOREIGN RELATIONS

As I stated in the beginning of my remarks, as Americans we are agreed on the fundamental objective of preserving America and American values.

Every thinking person knows that great changes are taking place—a revolution, if you please—in the world's economics and the world's politics.

The law of self-preservation—preservation of our Nation—is uppermost in the minds of every thinking man. We differ only in the application.

Questions like these come to our mind—if Hitler should subjugate Britain, what effect would it have upon our life as a Nation in the world of tomorrow? If the Atlantic and the Pacific should be dominated by the totalitarian powers—Germany, Italy, and Japan—would our way of life be menaced?

If we transmit materials and aid to Britain and she survives with her fleet, will it lessen the economic load for war upon our people? If Britain goes down, what would Japan's reward be? Would we see sections of the white race dominated and ruled by the yellow? I refer to Australia, the East Indies, New Zealand, and so forth. What effect would this have upon the commercial life of the Nation and upon our commercial relations in the Orient?

If Britain goes down will the Nazi form of life be impressed upon her people and the people of Scandinavia, the Netherlands, Poland, Czechoslovakia, France, and so forth? What effect would that have upon our standard of living, our way of thinking religiously and politically?

If Britain goes down, what about the Monroe Doctrine and our neighbor nations in Central and South America? Would they also become planet nations in the Nazi regime? If this happened, what effect would it have upon our economic life or our standard of living?

If Britain goes down, how long would it be before we were challenged on the East and the West by this new order of Hitler's? Would it mean that we would have to remain an armed camp and become a nation of goose-stepping regimentalists, devoting our total wealth and energy to defending ourselves against the world lust for dominion of the conquerors?

As thinking Americans, we must consider these and other questions to determine what course we shall take.

Perhaps, Mr. President, out of this Gethsemane that the race is going through, man's hunger for peace—the



peace that passeth all understanding—may become so strong, so vital, and dynamic that the race will find a way, out of this holocaust of war.

I realize that I have digressed from the main issue involved in this bill, yet all that I have said is pertinent to the matter under discussion.

If we could definitely answer the questions I have propounded so we could know definitely what the future held in store for us, we could probably then shape our course decisively. Let me exemplify what I mean—we hear the question: "Is this our fight?" Some say "Yes," and some say "No," and yet some of the most ardent isolationists I have heard, say: "I am in favor of reasonable aid to Britain," and these same people say they hope that Hitler will be whipped. On the other hand, I have heard some of the most ardent anti-isolationists say: "We want to keep out of this. We don't want to send our sons." Time and time again we hear the statement "Britain is fighting our war." I believe that the thinking person does not go that far. As someone has said, if this is our war we should be in there fighting it. We should not ask—we liberty-loving Americans—someone to help to preserve our liberty for us.

We know that primarily Britain is fighting for her own life and the preservation of her Empire because the Hitler way of life threatens her way of life economically, politically, and even in religion. She is not fighting for our sake, she is fighting for her own sake. That is the cold fact. Nevertheless, I believe it is apparent that if she remains standing, our way of life will be more secure.

The situation in Europe which brought about the rise of Hitler, making it possible for him to train a nation fit and filled with a crusading spirit—that situation was the result of many factors. We may, as I have said, have had something to do with it, but primarily we did not create that situation.

I believe the reason that a large proportion of the American people want to aid Britain is that they feel that with Britain standing, the world is safer, a more pleasant place in which to live, a finer world.

With the situation in the East with Japan telling us to remove our fleet from Hawaii, we know that Japan and Germany and Mussolini, and possibly Stalin, are playing a pretty "foxy" game.

The world is indeed a tremble but we in this country will stand firm, creating a bulwark against any hurricane. Should we be called upon to enter this war it will not be to save any other nation, but it will be to save our own. We are facing difficulties, Mr. President. Man, in his judgment, is fallible. God alone is infallible.

#### SHIFTS IN THE FOREIGN POLICY OF THIS ADMINISTRATION

It was only a brief time ago—1935—when the President of the United States was insistent on the enactment of the neutrality law. That law provided that the nationals of this country could not sell to combatant nations. That provision was contrary to the law of nations.

Then in 1939 we were called into special

session to revoke the President's neutrality law, and we did. By this step we were back to the international law that obtained before the war broke out, but we changed our domestic law to the advantage of one of the combatants while war was on. This was a distinctly unneutral step.

But in this revocation we also gave the President the additional power, which he subsequently exercised, of establishing war zones through which none of the ships of our nationals could travel. This latter step, at the instance of the President, threw out the window the great American doctrine of freedom of the seas. I well remember those days. I then hoped to see the great Borah again aroused to action for the defense of that great idea—freedom of the seas.

Mr. President, by this bill, at the instance of the President, we are taking another step. We are again—if this bill becomes law—passing a domestic law which runs directly contra to international law, to wit: We are now authorizing this Nation—not the nationals of the Nation—to sell, lend, lease, or otherwise dispose of to the belligerents, not only the property of the nationals, but the property belonging to the state, authorizing one combatant the use of our arsenals and ports.

Before the advent of Hitler we have been the strongest advocate of international law. In other words, we have always talked about ourselves as being a nation of law. Now, once more, we are, at the instance of the President, about to take a step—claiming that necessity requires it—which has consequences of such a nature that no man can foretell their extent. Yes, we are facing difficult times.

I am thinking about the world of tomorrow when we will try to rebuild an international order. Can we justify our position? Maybe we can—I do not know. If we can justify it, it will be on the theory that there is a higher law, or on the theory that there is a law known to all nations, and men, and that is the law of self-preservation.

#### CONGRESS AS TRUSTEE OF NATION MUST PROCEED CAUTIOUSLY

I know that what I say will not be noted or long remembered, but like many lawyers here I believe in reiterating the idea of caution, especially when I am handling the affairs of a client, or a cestui que trust. We are all trustees here of the Nation's welfare.

From an emotional basis, it would be easy to arrive at a conclusion. We all feel the appeal of those small but great nations who have gone down under the conqueror's heel. We hear the cry of countless millions asking for succor. We see much of the races' accomplishments stamped out ruthlessly by the conqueror.

Those who would want war could well demonstrate the sincerity of their purpose by dedicating their lives to the cause they would fight for and actually fight, and also give of their substance to demonstrate the integrity of their convictions. Mr. President, I have already stated that there are fifteen hundred young men of the best blood of America in Canada who do not simply talk, but who are there

training for service in the Canadian air force.

The President of the United States has said, "I hate war." These words are not too strong. We all know something about war, and we know what its effect will be upon the nation that engages in it. I do not want to see this country thrown again into a holocaust which not only cripples the bodies of men but dwarfs their spiritual nature, sings their souls with the hate and the cruelty of war.

That is not all—when war takes possession, economic values are crucified, homes are broken up, and a general social mutilation takes place.

I repeat, however, let despotism everywhere know that America will be ready to defend her national honor, her territory, and her rights. Someone has said that peace, purchased by slavery, is worse than war.

#### WESTERN HEMISPHERE CAN BE INDEPENDENT OF EUROPE

Looking out upon the world today the statesmen and taxpayers are confronted with the complexities of the situation that faces a nation like our own. Can we live unto ourselves alone?; and the answer is, "No." Can the Western Hemisphere live unto itself alone?; and the answer must be, "Yes, it can"; and it is decidedly better for it to live unto itself alone if Europe and the Orient are going to engage interminably in war.

We have in this country two types of minds. One type we might characterize as the international mind which constantly looks afield for problems there to solve—the mind that always feels that it has not enough to do in looking after its own business—it must put its fingers, meddler-like, in other people's affairs.

Mr. President, this is no mere superficial statement. Of course, I realize that there are many factors which contribute to that outlook. The blood ties may have much to do with it. Business angles may have something to do with it. And so this type of mind says that we cannot live at peace in this country or in the Western Hemisphere unless there is peace in the rest of the world.

To me this is close to a dangerous half-truth. Anyone knows that war in Europe, in the Far East, has its repercussions in America. But I pose this question: Are not those repercussions subject to being minimized and maximized depending upon the way we handle the situation? I believe that the answer to that question is, "Yes."

Perhaps it is beside the point to say that Europe for a thousand years has had these quarrels. Perhaps, as one of the great people, we have a function to perform in seeking to bring about peace; that is, a harmonious existence among the combatant nations of Europe. Perhaps our blood contacts and our financial contacts require that we do not shut our eyes and creep behind a modern Chinese wall.

But, on the other hand, Mr. President, if we have some such obligation, that obligation is to be determined by the people of this country. It is something that merits deep, prayerful consideration.



It is not something that calls for snap judgment and a hurried back-door approach through the pending bill.

#### TERM "ISOLATIONIST" MUCH ABUSED

On the other hand, Mr. President, there is another group. They have been called many names, and in this latter period columnists and superficial thinkers have plastered the name "isolationist" and "noninterventionist" with many connotations which do not belong there. The President of the United States once defined an isolationist as one who does not want to engage in Europe's wars. In that definition he is correct. And if recent polls are correct, over 90 percent of the people of this country still belong to that class.

Now, this group has another viewpoint, another perspective, from the internationalist. First, I believe those who belong to it are more realistic. They are not unmindful of the suffering of their European brothers, but they have a deep-rooted sense of trusteeship. They do not want to have repeated on this continent the holocaust of war which every generation has known in Europe. This group, consciously or unconsciously, knows that their forbears came over here to escape not only war such as they knew it in Europe but to escape from the conditions and the environment and the thinking of Europe. They also wanted to escape from the hatreds and the prejudices and the poisoned mental virus which characterizes the physical make-up of Europe. They found here—my parents found here—not only a refuge but a wonderful land where they grew in stature physically, mentally, and spiritually, and they have a conviction that war does not pay.

This class, nevertheless, hates cruelty, deception, treaty breaking, international brigandage, and slavery. But they somehow feel that American participation in this war would probably make no constructive contribution to the solution of conditions that exist and have existed for a thousand years in Europe. On the other hand, many of them feel that if Europe in a reconstruction era needs help, they would be willing to clothe her, feed her, and help rebuild her, but they want Europe to see if it cannot develop some plan, some method, that will stop war.

Let me repeat what I said a few moments ago. There is something to that point. The only way Europe can be cleansed is for her to cleanse herself. She must awaken to the necessities of the situation. I believe that Europe will awaken. She may have to suffer. She may have to go through a thousand Gethsemanes. I know not; but she must see the need of some cooperative state in Europe, some kind of society such as we have worked out on this continent.

As I have said, the class to which I have referred hates these things. Somehow it feels that America's participation in this war would make no constructive contribution.

Mr. President, this debate has gone far afield.

It does not add to clarity of comprehension, or to the solution of the issue to

argue that some of the supporters of the bill are pro-British, or that some who are against it are pro-German. Shame on such misstatements. Shame on a statement that because some persons believe differently from others, they are unpatriotic! Those who make such statements, though they are citizens of this great country and have received its benefits, have not had the first lesson in the elementary grade of Americanism.

I believe that at least 99 percent of the people of the United States are pro-American, and nothing else. I live in a State 30 percent of whose people are probably of German descent. I know that 99 percent of that group are the finest Americans on American soil. Why? Because they and their fathers decided to leave Europe. They became Americans because they decided they wanted to be. They came here and developed great businesses, created magnificent farms, reared fine families, and established peaceful homes; and they educated their children and sent them out to become constructive citizens of a great land. There may be a small fraction among them whom Americans—you and I—have permitted, because of laxity or indifference, to become inoculated by some of the Nazi agents or "fifth columnists." But we do not have to worry about that group in Wisconsin. The 99 percent will take care of them the minute they show their heads. If I were as sure that the same thing would happen in other sections of the country, I should not dwell so much on that subject in this debate. I am seriously concerned about our laxity, and I have heretofore stressed that point when I said that I hoped to God that in America we were through with internal appeasement.

It does no good to call all those who oppose this measure "isolationists," and those who favor the measure "warmongers" or "interventionists." Mr. President, neither side in this debate has reason to be proud of some of its adherents. I need not go into detail. There used to be an old saying in my section of the country, where every farmer had a woodlot and a chicken coop, that "Every farm has its skunk." That bit of homely wisdom can be applied to our present situation; and it can be seen that it applies to both sides in this controversy. But we are not concerned with skunks. We are concerned with trying to determine what is the course for us as Americans to follow.

I am convinced that 99 percent of the people want to do whatever will insulate America from the horrors and the consequences of war, but all of us recognize that we are living in a world community. We know that every nation is vulnerable to attack from the airways. We read in our newspapers of modern inventions which have contracted the globe; we know there is no such thing as physical or mental isolation.

The other night I heard a radio announcer, speaking of one of the prominent meetings taking place in Washington, use this phraseology: "Looking at this crowd, I would say there is not a 'noninterventionist' at the meeting."

Then he went ahead and mentioned some of the prominent names of this Nation.

Mr. President, this was equivalent to saying that this group was for war, for intervention.

That is not the wish of this great people. While probably 90 percent of the people want Britain to be given the opportunity to get all the aid we can spare, 90 percent of the people also want to keep this country out of war.

From the names which came over the radio, not one of them would go to war, not one of them would be called upon to shed his blood. These folks belong to the class who, if war came, would not have to pay in blood and sacrifice and suffering.

#### CONGRESS HAS POWER OVER FOREIGN RELATIONS

There are those who say that under the Constitution the President has full control of our foreign relations. I dispute that statement. I would put the statement this way: If a spineless Congress should surrender its legislative functions, then the Executive probably would have full control of our foreign policy, but the legislature of the Nation can only temporarily abdicate its obligations. If and when a strong body were again to represent the people, it would reclaim its rights and perform its obligations.

I say that this will be true even if the judiciary should combine with the Executive to usurp the legislative function.

The President has the power—the constitutional power—with the advice and consent of the Senate to make treaties providing two-thirds of the Senators present concur.

The Supreme Court in the *Curtiss-Wright* case used language that has been quoted many times of late. It is as follows:

In the realm of foreign affairs the President already possesses a delicate, plenary, an exclusive power as the sole organ of the Federal Government in the field of international relations, a power which does not require as a basis for its exercise an act of Congress.

The Supreme Court at the time of using this language also said:

The President rather than Congress has the better opportunity of knowing the conditions which prevail in foreign countries. These considerations disclose the unwisdom of requiring Congress to lay down narrowly defined standards by which the President is to be governed in the field of international relations. Broad discretion may be vested in the President.

There we have the latest pronouncement.

Mr. President, a little history will not hurt us at all. In this period a recognition by this body of its greatness, and a recognition by this body of its obligations, will not do any harm.

Let me give another situation.

The House of Representatives in 1864 passed a resolution, as follows:

*Resolved*, That Congress has a constitutional right to an authoritative voice in declaring and prescribing the foreign policy of the United States as well in the recognition of new powers as in other matters, and it is the constitutional duty of the President to respect that policy no less in diplomatic negotiations than in the use of the national force when authorized by law.



The other day the distinguished Senator from Alabama [Mr. HILL] spoke of the power which President Polk used to send troops in peacetime to a foreign country, committing an act of war.

The able Senator did not state that this act was condemned as unconstitutional by the great constitutional lawyers of the country. Abraham Lincoln, when a Member of Congress, supported the Ashmun amendment, which declared that the Mexican War had been unnecessarily and unconstitutionally begun by the President of the United States.

The Constitution of this country vests in the Congress the supreme power to declare war. It should not attempt to avoid its responsibility by making it possible for the Congress of the United States to involve the Nation in war, which is a back-door entry into war, which is an abdication of our power.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. CHANDLER in the chair). Does the Senator from Wisconsin yield to the Senator from Missouri?

Mr. WILEY. I have only a few remarks yet to make, and I shall be very happy to have the Senator question me afterward.

Mr. CLARK of Missouri. Of course, I do not wish to interrupt the Senator if he does not care to be interrupted.

Mr. WILEY. The highest duty of Congress is to exercise the functions conferred upon it by the Constitution. In that we should not attempt to "pass the buck." It is our duty—and I emphasize this statement—to guide the foreign policy of the Nation in the present crisis, because it may be a war crisis. That has always been the law of the land.

Because I have already spoken too long, I shall not extemporize and speak further in that connection.

If we are to have war, then we should discuss that matter instead of telling the people of the country that this is a lend-lease bill. Let me remind the Members of the Senate that I have sat here day after day, I have listened to the reading of the committee's report, I have tried to analyze the situation and to determine the proper way to deal with it; and I have reached the decision, based on my best judgment, that this country is entitled to have before it the question of a declaration of war rather than the question of enactment of a bill that violates every principle of international law.

I have already pointed out that I do not believe that if we violate international law such violation necessarily means war. The people have the right to know. Somehow or other, Senators gather on the floor of the Senate and talk to the occupants of the galleries and to the country when they ought to be talking among themselves. It is their vote that must decide this question. We are not a democracy, we are a republic; but we consider a proposition for 2 months, and there are probably not half a dozen Senators who started out with the idea that they were here to learn what it is all about. Most Senators reached a conclusion, and then proceeded to bolster up their conclusion and to give the facts to the people of the country.

I repeat, as the matter now stands, the people have been informed that this is an aid-to-Britain bill short of war.

#### OUR FIRST CONCERN IN A FOREIGN POLICY

The first point which I believe needs clarifying is simply, what must be our first concern in our foreign policy? The answer to that question should be obvious. Our first concern in any foreign policy must be to keep America at peace.

I should like to have that conviction fixed in the consciousness of the Senate. We cannot "pass the buck" and say that the President has control of foreign policy when it is a question of war. We must keep America at peace. If we can do that, everyone will agree that our foreign policy is a success. If in the new world order up ahead it becomes impossible to keep America permanently at peace, then our concern should be with keeping the United States at peace as long as possible. There are two very obvious reasons why this is desirable:

First. The longer we keep at peace, the stronger defense we can organize. If we organize a strong enough defense, aggressor nations will be less likely to tackle us, and we shall have a better chance for continued peace.

Second. If, however, we should ever be drawn into conflict, the longer the interval of peace in which we have been able to prepare, the better equipped we shall be to emerge successfully from that conflict.

I submit that these are extremely obvious but basic issues now. These are basic objectives. If aid to Britain is an objective, it must be solely because it advances these primary objectives.

Our approach must be realistic. If we are to aid Britain, we do it not primarily because of any idealistic reason. Whether we detest the Nazis and love the English will not answer the immediate question. Our love must be for the United States, and any policy we adopt must be planned primarily with a realistic self-interest, though that self-interest may coincide with ideals. This must be clear to each of us.

If our first concern is with keeping the United States at peace, our first job must be to identify our greatest potential enemy—the greatest potential threat to our peace. Everyone agrees that this potential enemy is the combination of totalitarian powers, particularly Hitler and Japan. I do not think it necessary to make an emotional speech on this fact. Too many emotional speeches have been made already. Everyone agrees, I believe, on this point. There is no need to make emotional and inflammatory speeches designed to scare people into agreement.

I wish someone would take that statement to heart. Over the radio I have heard some whose utterances, I have thought, indicated not intellectual sanity but intellectual insanity.

#### LIMITATION ON AID TO BRITAIN

Similarly, there is no need for emotional appeals to demonstrate that we have a strong community of interest with England in this conflict. These things, I be-

lieve, Mr. President, we may take for granted. I repeat that I believe it is the judgment of the American people that aid should be rendered to Britain, but with two limitations:

First. That such aid shall not impair our own defense by utilizing defense material essential to our own protection.

Second. That the extent of the aid, the character of the aid, and the method in which it is given, shall not involve us in the European conflict as a cobelligerent. In other words, if we are ever to be drawn into the European holocaust by the overt act of America, it should be only upon the determination of the American people that such is their desire. All Members of the Senate know it is not the desire of the people of the Nation.

We should not embrace any policy which will later rob us of the right of this determination and draw us into the conflict, not because we have determined that we want to become a party to the conflict, but because we have gone so far that withdrawal is impossible.

#### GRAVE DEFECTS AND DANGERS OF BILL LEAD ME TO OPPOSE MEASURE

Therefore, Mr. President, in conclusion, it seems to me, first, that there is a grave possibility that this bill, if it becomes law, may empower the Executive to impair our defenses instead of strengthen them.

Second, if this bill should become law, there is a serious possibility that its operation would lead to involvement in war. I wish to emphasize the word "operation."

Third, I believe that the bill would place an unwarranted amount of power in the President's hands. I do not now discuss the issue of dictatorship. The issue is simply a question of putting unwarranted power in the President's hands, amounting almost to legislative surrender, or congressional abdication, in that it gives the President the power to take us into war and gives him the power to give away the Nation's assets, if he sees fit. It lacks positive legislative direction to get security. It gives him the power to make international commitments—virtually treaties—and it gives him the power to make commitments entailing expenditures without limit; and with all this power joined to what he has as Commander in Chief of the Army and Navy, he may consider that he has the authority and mandate, if the situation becomes critical in Britain, to throw the fleet into the conflict.

I believe, Mr. President, we could effectuate the will of this great people by passing a simple bill, providing definitely the aid we are willing to render. We could thereby fulfill the mandate of the people in the last election, and in so doing we would make our peace more certain.

This aid, in my humble opinion, would be simply to arrange credit in this country up to such an amount as Britain should require, providing her collateral, which we are told amounts to about \$11,000,000,000, were put up to secure that credit. In this connection, as I have stated, I believe we should also now, without any delay, acquire the islands in the Caribbean and title to Bermuda, and title in fee to the bases we have already acquired. This might operate to extend



the amount of the credit that Britain would obtain.

Mr. President, just a few words in conclusion. It seems to me that it is very unlikely that the pending bill can be amended so as to conform with my thoughts as I have expressed them. Unless the bill can be so amended I shall vote against it.

I do not want to see Congress abdicate. I do not want to see this land sold into involuntary servitude, economically and political. I do not want to see our way of life caught in a world-wide ebbing tide.

Mr. President, I love the American way of life. I am just one generation removed from Europe. I know something of how my parents felt about it. I repeat, I do not want to see our way of life caught in a world-wide ebbing tide.

Free governments elsewhere are living in the shadows. I do not want to see free government here headed for self-destruction, nor do I want to see our system of free enterprise commit economic suicide.

In a world which has reverted to barbarism, I believe national interest must be the pole star for our national policies. I do not want to see the issue of Executive domination in domestic affairs and arbitrary authority in foreign affairs lost in an emotional haze. We have seen the same resurgence of appeasement which swept over Europe eroding our own system. I want to stop internal appeasement so that our domestic front is bomb-proof.

Mr. President, a few short days ago we celebrated the birth of George Washington. In these hours of decision, which call for prayerful consideration, we would do well to remember Washington's words in 1789 when he said, "No people can be bound to acknowledge and adore the Invisible Hand, which conducts the affairs of men, more than those of the United States."

Mr. President, let us of America have faith that in this valley of decision we will tear up only the false landmarks.

Let us know, as our fathers knew, that God is with this people. Let us not only glory in our heritage, but hold firm to the thought that we will preserve it. We will not sell our birthright for a mess of pottage.

Let us feel within our vitals the great truth that we as a people have a great destiny to fulfill. Let us walk humbly before the Lord, teaching tired and war-sick humanity the very opposite of worldly conquest, of lust for world power.

What the future holds for our beloved America will in a great degree depend upon ourselves.

No matter how things may develop and conditions change, ours is the victory if we manifest courage, patience, understanding, and greatness of soul. Even though we have to pass through the crucible of difficulties, with these virtues we shall conquer.

Our soldier boys have to submit to military discipline. Let us likewise discipline ourselves to meet the changed conditions fearlessly, with endurance and calm—mold the man heroically, then the victory will be ours.

Nothing is impossible to the men and women who derive their power and faith from God.

So, in the hope that we shall stand firm and refuse to become unpoised and bewildered, Mr. President, I close.

#### EXHIBIT A

Between the beginning of September 1939 and the end of June 1940, 940 aircraft were exported to France, while only 292 were shipped to Britain, 95 to Canada, and 123 to other British territories. After June 1940 deliveries to Britain rapidly increased, rising to a peak of 278 in August. In the 14 months ending in October 1940, exports to all countries totaled 3,334 airplanes, of which 1,056 went to Britain, 427 to Canada, and 142 to other British areas. In October alone 177 planes were shipped to Britain, 102 to Canada, and 8 to other British territories, out of a total of 335 aircraft exported.

Information regarding the proportions in which the various types of planes are being exported is not available, but press reports have referred to orders for all the principal combat types—pursuit ships; attack, dive, medium, and heavy bombers; and observation and patrol craft—in addition to new and used transport planes and trainers. Except for the vaunted Lockheed Hudsons employed by the British Coastal Command and in the Mediterranean for reconnaissance, and the North American Harvard advanced trainers, little is known of the utilization of American military planes. The British have received at depots in this country quantities of the most modern American planes, notably Curtiss P-40 (Tomahawk) pursuit ships, Douglas DB-7 (Boston) attack bombers, Consolidated B-24 heavy bombers, and Boeing B-17-C flying fortresses. Unspecified numbers of the first two models have reached Britain, but they have not yet been reported in action. There is some foundation for the statement that many of our planes lack protective armor and self-sealing gasoline tanks, and are too lightly armed for combat against German units. It must be remembered, however, that a high proportion of the American planes already delivered are not of the latest model, and that some were designed for use under conditions other than those encountered in Britain's air war.

Cargo vessels, too, have been sold to the British. With the approval of the United States Maritime Commission, the following transfers of ships to belligerents took place between September 1, 1939, and December 23, 1940:

To Britain:	
Number of ships.....	132
Gross tonnage.....	470, 908
To Canada:	
Number of ships.....	43
Gross tonnage.....	61, 617
To France:	
Number of ships.....	19
Gross tonnage.....	49, 229
To Belgium:	
Number of ships.....	9
Gross tonnage.....	68, 677
To Italy: <sup>1</sup>	
Number of ships.....	3
Gross tonnage.....	9, 275
To Greece: <sup>1</sup>	
Number of ships.....	10
Gross tonnage.....	42, 112

<sup>1</sup> Vessels transferred before country became a belligerent.

In accordance with American maritime policy, the vessels sold to foreign interests were, in general, old ships, many of which had been replaced by more modern tonnage. Also, the 50 destroyers turned over to Britain in return for leases on naval and air base sites in the Western Hemisphere were over-age, World War type craft. This transaction was concluded on September 2, 1940, and com-

plete delivery was effected in the course of the succeeding weeks.

Mr. LA FOLLETTE and Mr. THOMAS of Utah suggested the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	George	Norris
Andrews	Gerry	Nye
Austin	Gillette	O'Mahoney
Bailey	Glass	Overton
Ball	Green	Pepper
Bankhead	Guffey	Radcliffe
Barbour	Gurney	Reed
Barkley	Harrison	Reynolds
Bilbo	Hatch	Russell
Bone	Hayden	Schwartz
Brewster	Herring	Sheppard
Bridges	Hill	Shipstead
Brooks	Holman	Smathers
Brown	Hughes	Smith
Bulow	Johnson, Calif.	Stewart
Bunker	Johnson, Colo.	Taft
Burton	Kilgore	Thomas, Idaho
Butler	La Follette	Thomas, Utah
Byrd	Langer	Tobey
Byrnes	Lee	Truman
Capper	Lodge	Tunnell
Caraway	Lucas	Tydings
Chandler	McCarran	Vandenberg
Chavez	McFarland	Van Nuys
Clark, Idaho	McKellar	Walgren
Clark, Mo.	McNary	Walsh
Connally	Maione	Wheeler
Danaher	Mead	White
Davis	Miller	Wiley
Downey	Murdock	Willis
Ellender	Murray	

The PRESIDING OFFICER. Ninety-two Senators have answered to their names. A quorum is present.

Mr. LANGER. Mr. President, I ask unanimous consent to have printed in the RECORD an editorial from the Bismarck (N. Dak.) Tribune of March 1, 1941. This newspaper won the national Pulitzer prize for "the most disinterested and meritorious public service rendered by an American newspaper during the year 1937."

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

#### UNCLE SAM'S "BENDER"

Advocates of the lease-lend bill in the Senate fear its opponents will conduct a filibuster against the measure. And rightly so.

For if the Nation ever comes to have an understanding of this measure—if the people penetrate to its core and understand the only purpose it possibly can have—they will demand that their Senators vote against it and it will be beaten.

That was the case with the League of Nations proposal in 1919. That started out with all the strength a national administration could put behind it. But it was delayed in the Senate until the people could get the proposition straight in their minds. When that happened they made their opinion felt and the scheme was rejected.

That is unlikely to happen in this case.

America is like an ordinarily good citizen out on and old-fashioned bender. His quieter friends want him to quit raising hell and go home and his common sense—whatever may be left of it—tells him they are right. But his playboy companions keep insisting that he have just one more drink. And they usually have their way.

When the neutrality bill was broached a year ago it was a case of "Let's take just one. It won't hurt us."

We now are invited to have another—and a much bigger one.

Those who oppose the lease-lend bill are like the forlorn little daughter in the melodrama who sang Father, Dear Father, Come



Home With Me Now. They have just as much reason to sing the song and to tug at Uncle Sam's coattail as does any forlorn little girl who finds her father in his cups. And they will have just about as much luck.

In view of that fact, the only purpose of a filibuster is to delay the time between drinks in the hope that the Nation will sober up a little and note where it is going. Maybe, if the act of gulping this dose of poison into the Nation's stomach is delayed long enough, the police will arrive in the form of popular opinion and break up the performance. It is a slim chance, but it is about the only one left.

This lend-lease bill will mean the second of two powerful drinks, taken close together. And once Uncle Sam gets it down he is going to be pretty well tanked.

There have been several little nips on the side—quick ones—to aid in the build-up. Among them are the various defense moves. No one objects to them and they are admittedly necessary, but the way in which they have been carried out has increased the stimulating effect.

There have been speeches and statements—made against the sounding board of high official position—all designed to keep Uncle Sam standing at the bar with the glass in his hand. And the barkeep has always been ready to pour another dollop into the glass on the slightest provocation.

A third "quickie" has been the economic effect of defense expenditures. Easy money is back again in many parts of the Nation. And how the people love it.

But the real "boilermaker" is the lease-lend bill. Once Uncle Sam tucks that under his belt he'll be roaring drunk.

He'll kick the little girl in the face to make her quit singing that loathsome song and he'll reach for the bottle, disdaining the glass. He'll be off on a hell-roaring time which will make all his past escapades seem like pink-tea affairs.

Both the plot and the prospect are plain.

When Uncle Sam wakes up—as he eventually will—he'll be sorry he kicked his daughter into the gutter. He'll be sorry he sent his sons over to fight the neighbors and got a lot of them killed or crippled for life. And he'll have an awful headache to remind him of his lack of restraint.

But by then it will be too late.

Mr. NYE. Mr. President, I have no desire to enter a contest to find out who can hate Hitler most, or love Britain most; but I believe that before we move to further consideration of House bill 1776 we owe it to ourselves to afford a little better balanced perspective of those whom we would make our allies for certain alleged purposes and causes.

On one day last week I set out to argue against the fears and hates which propaganda has planted in our midst—fears and hates intended to ease the way for such forces as would have us playing again with those dangerous European matches.

One fear to which I referred was the one to the effect that if Britain and her Navy fell, we should be an easy mark for the invading forces and Hitler and Company, their successors and assigns. On February 27, I directed my energy to the demonstration of real absence of cause for fear of any such invasion.

#### GUNS OF PROPAGANDA THUNDER

It is not easy to overcome fear, especially when powerful guns of propaganda, shooting all the arts of propaganda, are loosed among us. When the White committee and others, including the White House, let flow the statements of danger,

when newspaper columnists plant and fan fear day after day, there is always danger of a stampede that can accomplish and permit things which ordinarily have no proper place in our being and life as a Nation.

Another fear to which I desire to address myself today is perhaps better described as a hate—the hatred which is ours of aggressors, a hatred so blinding that many of our people are quite ready to have others of our people, the sons of others, engage in a mighty world crusade to stop and destroy these aggressors. Some of us, conceiving the aggressor to be the only force standing in the way of freedom of speech, freedom of worship, freedom from want, and freedom from fear, would choose allies, go forth and destroy the aggressors, and thus make these freedoms available to all the people upon the earth, all the people everywhere, and make these freedoms available in our time and generation.

#### WHAT SORT OF ALLIES ARE OURS?

The allies we would choose in this gigantic undertaking to stop and destroy the aggressors are a sight to behold. We are constantly reminded by those in leadership who pour hate upon the three present most aggressive aggressors, Hitler, Mussolini, and the Japanese, that the way to stop these aggressors is to aid Great Britain. Like the United States, some would have us see, Great Britain, too, detests aggression.

How easily hysteria blinds us to preponderant fact. How quickly and completely we can be made to see that black is really not black at all, but white. If only our present mad pace continues, how simple may be the final task of our accepting the offer of Prime Minister Churchill, an offer to his own countrymen originally, an offer of "blood and tears and toil and sweat."

Shall we ally our country with Great Britain in the name of ending aggression upon this earth? That, it seems to me, is a rather immediate challenge growing out of our hatred of the aggressors and out of this pending lend-lease or throw-it-away bill.

#### BRITAIN THE ACE AGGRESSOR

If such an alliance for such a cause is to be our lot, then let it be acknowledged that our ally is the ace aggressor of all time. Britain's aggressions have filled the pages of history for centuries. Aggression has given Great Britain a third of the globe and brought into British subjugation hundreds of millions of peoples. Step by step through the centuries, and right down to the present time, British imperialism has extended British sovereignty over peoples until now the Empire numbers nearly if not all of a half billion souls. And these have been won by conquest, by invasion, by the very kind of aggression we deplore and want to stop today. Be honest; if we join Britain in the cause of stopping aggressors we join the power that has practiced more aggression than any power recorded in history. Honesty to ourselves and to those we represent requires us to review British aggression of the last 3 centuries.

Fear and hatred of aggressors has us about to do the very thing that will leave

historians of another day bewildered when they come to account for our actions in these hours.

#### WE ARE ASKED TO STEM ALL AGGRESSION

We are told, even by as high an authority as our Secretary of State, that there is no more law in the world, that we have all gone back to the jungle stage, and that all that matters is self-preservation. We are told that a terrible aggressor, a mad-dog nation, is loose in the world, running amuck over the earth, out to grab every bit of territory on which it can lay its hands, and that this nation is going to attack us next—and so, it is argued, we must vote for "intervention with all its implications," in order to put an end to the brigandage of this aggressor nation before it puts an end to us.

Mr. President, I do not wish at this time to discuss the whole question of aggression and aggressor nations. I hold no brief for the policy which Germany is following, and I believe that it may rightfully be accused of aggression in many of the actions which led it to this war, and in some of the things it has done since the war started. But there are one or two observations that need to be made in this connection if we are to even undertake to keep our heads.

First, it needs to be said that Germany is not the only nation with an empire in the world today. As a matter of fact, Germany had a comparatively small empire before 1914, and now has no empire whatever. Undoubtedly one of the motives which is behind Germany's entrance into this war is to get back among the empire-owning nations.

#### EMPIRES DO NOT JUST HAPPEN

Second, it also needs to be said that empires do not just happen. They are all products of aggression. They have all been taken by force, kept in subjugation by force, and they are all held down by force. Whenever and wherever you see an empire, there, Mr. President, you see evidence of aggression. And if the United States ever gets into the empire business, that will be just as true of us as of any of the others.

In the third place, if we are looking for a history of aggression in grabbing territory and subjugating unwilling peoples, then I suggest that we cannot be indifferent to the fact that the biggest empire of all, and so the biggest aggressor of all, is the empire which is today beseeching us to come to her help in the name of democracy. The biggest aggressor in history, Mr. President, absolutely unapproached by any other nation in the number of her aggressions and the extent of the territory which has been seized, is none other than our would-be ally, the British Empire.

Mr. President, this Nation is faced today by a call for help from the British Empire. It is a call which comes over the airways, voiced by the Prime Minister of Great Britain; which comes from returning travelers to that Nation; and which finds its echo in our press, from organizations devoted to the support of the British cause, and from persons high in authority in this Government. The American people hear that call daily, and they respond to it sympathetically.



There are two great reasons for this sympathy.

#### WE HOPE FOR BRITISH VICTORY

First, the American people realize that in this war there is every reason for them to hope for British victory. They realize that the Fascist system which totalitarian powers are seeking to extend over Europe and other portions of the earth is in total opposition to the American system. They realize that Germany and Italy represent nothing but a vile lust for world domination, nothing but brutal tyranny, and such an exploitation of peoples as is now to be found nowhere else on earth.

The American people are suspicious of imperialism wherever it is to be found. They know that there is imperialism outside the German and Italian and Japanese Empires. They know, to be quite frank, that Great Britain heads the greatest empire the world has ever seen. They hear imperialistic boasts that the sun never sets on the British flag. But they also know that Great Britain herself cherishes democratic principles, at least, in the homeland, as well as in her self-governing dominions; and because this is true, they know that her political system at least contains the possibilities and the seeds of social progress. But this is not true of the German and Italian and Japanese Empires, and the same people know it, and because they know it they hope almost to the last man and woman for British success.

#### TIES BIND US TO BRITAIN

In the second place, Mr. President, we must all admit that America responds sympathetically to Britain's call for help because of the intangible but none the less powerful ties which bind us to the British Isles. No one can deny this. No one, I am confident, will try seriously to deny it. We speak the same language. We read the same book. We recognize the same cultural values. We acknowledge the same religious loyalties.

I noticed the other day, Mr. President, that in a message bidding farewell to the new Ambassador to the Court of St. James's the Governor of New Hampshire referred to him as "our Ambassador to the Fatherland." Of course, he made a grave mistake in using any such expression. And I was not surprised to see that members of the Legislature of New Hampshire promptly took vigorous exception to his use of such a term. Nevertheless, Mr. President, although the Governor was wrong, seriously wrong, I am sure that we can all understand why he fell into that error. There is for all of us something about "England's green and pleasant land" which stirs our hearts and warms our emotions; and when we hear of the destruction of English cities and the slaughter of her people, we are moved to the very depths of our beings.

#### SYMPATHY FOR BRITAIN INTENSE

So, for these two reasons, the political reason which makes us believe British victory is far to be preferred to German victory in this war, and the emotional reason which clutches at our hearts when we hear of the dire straits in which England finds herself, we respond sym-

pathetically, as I have said, to this British call for aid. And I may add, Mr. President, that no one responds more quickly, more truly, than do I.

At the same time, Mr. President, we must all realize that this call for aid raises an issue for the United States which must be decided upon other than emotional grounds, and I am sure that nowhere else should this be so clear as in this Congress. We have a responsibility which cannot be discharged unless we bring to the consideration of the legislation introduced into this body all our resources of mind and reason. We know that when we are called on to go to the help of a foreign power, any foreign power, there are vast issues at stake.

#### SOLVENCY OF AMERICA AT STAKE

In the present instance, Mr. President, the solvency of the United States Government is at stake, and no one knows, no one will even pretend to forecast what the costs will be of the aid for Britain under the blank-check program of financing contained in the pending bill. We know that the Congress has just been compelled to raise the debt limit of the United States Government to \$65,000,000,000 and that it is forecast that this limit will again have to be raised by the beginning of the next fiscal year. We know that the latest estimate of national income for the United States places it at about \$80,000,000,000 for the present year. It therefore looks very much as though not more than 2 years of financing of Britain on the scale which the proponents of the bill have in mind, war or no war, would push the debt of the United States Government past the total income of the people of the United States, and that, Mr. President, means national bankruptcy. In this hour are we to deal with the prospect of national bankruptcy on the basis of our emotions?

#### LIVES OF AMERICAN YOUTH ALSO AT STAKE

We know that another issue which is at stake in the pending bill is the lives of American boys. I do not care to develop that thought at this time, Mr. President. It comes too close home to all of us, and I am sure we are all too deeply conscious that the lives of our boys are at stake to need any emphasis upon that fact. But I will say that I would consider myself recreant to my oath if I should ever bring myself to vote for a measure that would open the way to send the sons of American mothers and fathers to their deaths on a European battlefield merely because one belligerent in the war filled my soul with loathing and the other aroused my warmest sympathy.

But we must also remember, Mr. President, that this call for aid to Britain presents to us the vital issue of the future of our form of government. It will not do for us to try to play the ostrich about this. We must not close our eyes to the possibility—the terrible possibility—that if we get into this war in an effort to afford aid to Britain we may become involved in a war spread all the way around the world—in a war that may take years to fight to a decision, if ever a decision is possible; and if we get involved in any such war as that, Mr. President, we will hardly come out of it without the loss of

our Bill of Rights, without the loss of the freedom of our institutions from military and dictatorial control, without the loss, that is to say, of our American democratic form of government.

These, Mr. President, are the things which we are being asked to risk in order to render aid to Great Britain—the solvency of our National Treasury, the lives of our young men, and even our democratic form of government.

#### WE WENT THROUGH IT ALL BEFORE

Of course, this is not the first time we have been called on to lend aid in this fashion. One of the appalling things about the choice which confronts us in Congress today is the fact that it is less than 25 years since we went through the same thing before. In other words, it is less than a generation since we were last promised that if we would enter a crusade as the ally of Great Britain in the sacred cause of democracy we would put an end to the menace of the dictators and establish free government and liberty for all the peoples of the earth. It will be only 24 years ago next April 6 since we last voted in this Chamber to do that. The very fact, Mr. President, that we are again facing the same call is in itself sufficient evidence of the failure of our last excursion into European power politics to accomplish what we were assured it would accomplish.

#### WE WERE NOT THEN AS EXPERIENCED

Mind you, Mr. President, I am not now criticizing the men who voted for our entrance into Britain's war in 1917. The American people were a less experienced people in those days. They had been subjected for 3 years to the most terrific bombardment of interventionist propaganda up to that time in history. They were not sufficiently sophisticated to see that most of it was purely propaganda—that behind the high-sounding slogans and the almost religious appeals to come to the aid of the democratic forces there was the selfish interest of great empires fighting for self-preservation. After it was all over, to be sure, some of the more candid or honest Englishmen took an almost savage delight in telling how that propaganda had been put over on the American people. Sir Gilbert Parker, for example, who was the head of the British Propaganda Ministry for the United States, wrote an entire book to tell how Americans had been taken to England and wine and dined with the nobility and the members of the British Government, and then sent home to spread word that we must go into the war. In that same book he told how a systematic campaign had been mapped out in London whereby every college in the United States was inundated, not only with reams of printed propaganda but with visiting British lecturers, until the faculties of American universities had become almost another branch of the British Propaganda Ministry.

Of late we have seen the beginning of a flood of messages and telegrams from university faculties all over the country finding their way into the RECORD, causing one to wonder if we are being played upon now as we were played upon then by British propaganda.



## BRITISH CALLED US NAIVE, SILLY

But there were some Englishmen who, after the war was all over and Britain had safely won, and the threat to the Empire had been safely repulsed by the use of American money, and American troops, were honest enough to confess that they did not understand how in the name of sound political judgment the United States had ever been rushed off its feet sufficiently to carry it into that war. These Englishmen were even inclined to poke fun a little at the United States for having been so naive, so silly, as to fall for the British propaganda. For example, Mr. President, I would like to read a few sentences from a book by that great British publicist and historian, Mr. Hilaire Belloc. In his book called *The Cruise of the Nona* in describing what went on when Britain was subjecting the United States to her propaganda pressure, in 1914-17, Mr. Belloc writes (p. 323):

We dared not insult America, for we were naturally as keen on getting American help as is a drowning man on catching a deck chair (and, by the way, if by any chance, you of the rich want to save a drowning man from shipboard, don't throw a life buoy, throw a deck chair; it is always loose and always handy, and very apparent, and if it hits it stuns). In their ignorance many people came to believe that it was the duty of the Americans to come over and help, and, what was more astonishing still, it was represented to them as a matter of life and death, not to us, but to themselves. The Americans were told (Heaven knows whether any of them believed it) that if the Germans, Austrians, Bohemians, Slovenes, Croats, Bulgarians, Turks, etc., won in their push against the English, French, and Italians, that if the half-baked won against the baked, the next thing would be a sailing of the conquerors over the sea for the rude domination of Scranton, Pa. Fiddlesticks-ends.

Fiddlesticks-ends. That is what an outstanding British historian now calls the propaganda which his own country used to take the United States into the first World War; and, Mr. President, you will notice from what Mr. Belloc has said that that propaganda was not essentially different from the propaganda that is being used to take the United States into the second World War. If it was fiddlesticks-ends then, it is fiddlesticks-ends now; and I am sure that, if we fall for this propaganda, if we go into this war and waste our money and our people's lives, and even endanger our own form of government, then when it is all over and the peace has been written, and the British Empire has once again been saved, there will be other Englishmen who will smile at our childlike simplicity and write other books to tell how they had induced us to swallow arguments which when subjected to the cold analysis of reason are nothing more than "fiddlesticks-ends."

## ESSENTIALLY IT IS THE SAME PROPAGANDA

For, as I have said, Mr. President, the propaganda we are hearing today is not in its essentials much different from the propaganda to which we were subjected 24 years ago. We are again being told that it is our duty to come to the aid of Britain. We are again being told that Great Britain is fighting our war. We are again being assured that it is our in-

terests that Great Britain is defending. We are again being indoctrinated with the idea that Britain is actually giving the lives of her heroic people—and no one recognizes their heroism more freely and profoundly than I—in order to save our lives. Since these things are claimed to be true we are asked, How dare we hold back? How dare we even take time in this body carefully to consider such a measure as H. R. 1776, which would overturn the whole constitutional principle upon which our Government has been founded and built up? How dare we, this propaganda asks, hold back?

For it is very clear, Mr. President, that we are holding back. The White House may not be holding back. The gentlemen at the heads of the various departments of the executive branch of our Government who are dependent upon the White House for their political lives may not be holding back. Some Members of the Congress may not be holding back. They may be clearly envisaging the prospect of war and proclaiming their readiness to enter. But, Mr. President, the people of the United States are holding back. Despite all the pressure from the White House, despite all the pressure from international banking interests, despite all the pressure of a press which day by day is hastening to surrender to war hysteria, despite all the pressure of the wealthy and privileged groups that make up such propaganda agencies as the Committee to Defend America by Aiding the Allies, despite all the society women who organize bazaars and bridge parties and form pressure groups of all sorts to take us into this war—despite them all, Mr. President, the American people are holding back.

## THE AMERICAN PEOPLE ARE NOT READY FOR WAR

The American people are ready to help Great Britain, but they are not ready to go into this war. The Gallup poll has made that as clear as daylight. According to the Gallup poll, 90 percent of the American people are against our entrance into this war. To be sure, when Mr. Gallup frames a question in such a way as to ask whether America should help Great Britain even though a risk of war be involved, 65 percent of the answers are recorded in the affirmative. But the difference, Mr. President, between the 90 percent who say outright, "No; we must not go into this war" and the 65 percent who say, "Let us help Britain even if there is a danger of war involved"—that difference only represents the confusion that has been created in the American mind.

What has created this confusion? I realize that several answers might be given to that question. But at present I desire only to deal with one. But this one, I believe, is a very important one.

Mr. President, the more I study the confusion in American minds, the more I am convinced that it grows to a large degree out of the fact that there are really two Britains, and that while we Americans might possibly under certain circumstances be persuaded to intervene on behalf of one of these Britains, we have no interest in intervening on behalf of the other. There is a Britain whose defense might be made to seem a moral

duty for the people of the United States, but there is another Britain in whose fate the people of the United States are not at all involved. In fact, Mr. President, the other Britain is totally out of accord with the spirit and philosophy and even with the interests of the United States. I am convinced that the people of the United States know instinctively that we have no business linking the fate of our country and of our people with the fate of the other Britain.

## THERE ARE REALLY TWO BRITAINS

I have said, Mr. President, that there is a Britain in whose behalf our feelings can be aroused. This is the Britain which the propagandist constantly holds before our eyes. It is Britain, the mother of parliaments; it is Britain, the capital in Europe of democracy. It is the Britain of Oliver Cromwell and John Milton and that great philosopher, John Locke, whose ideas impregnated the mind of Thomas Jefferson and found their immortal expression in the Declaration of Independence. This is one Britain; and this is almost the only Britain that we hear anything about in these days, when we are being asked to come to her help. This is a great Britain and if we could aid this Britain alone, I will not attempt to say, Mr. President, what the course of the American people might be in offering her help.

## WE MUST NOT FORGET THE "OTHER BRITAIN"

But there is the other Britain about which nothing is being said; and this is the Britain that we are expected to forget while we debate such a bill as this. There is the Britain, Mr. President, that covers 27 percent of the habitable surface of the globe and embraces within its power a quarter of all the population of the earth. Do we realize, as we consider this bill, that in this vast empire fewer than one-seventh of all its inhabitants live under democratic forms of self-government? Perhaps nothing is so ominous in the present situation as the romantic view of this empire which so many Americans are now permitting themselves to take under the emotional stress of the war.

Until the outbreak of the war these Americans could look at the British Empire coolly, calmly, and see it for what it is. It represented then the very acme of reaction, imperialism, and exploitation of subject peoples. Yet somehow today these same Americans talk of this empire as though it has become over night, by virtue of the mere fact that it has become involved in the war, miraculously transfigured into a guardian of liberty and democratic rights. This rear guard of world reaction has by some inexplicable magic become the vanguard of liberal democracy.

What has happened? Has the leopard really changed its spots? Has the British imperial policy undergone a transformation or fallen into the control of men with new ideas? Of course nothing of the sort has happened. Broadly speaking, the class which shaped British imperial policy during the last fatal decade and which proved unable to avoid the present catastrophe, is still at the helm of the British Empire. All that has happened, Mr. President, is that



we have lost our mental balance. Hysteria has enslaved our judgment and warped our perspective.

#### HAS BRITAIN'S POLICY CHANGED?

Is there any reason to believe that British imperial policy is any different today than it was before the outbreak of the war? On the contrary, Mr. President, one of the most remarkable facts about this war is that despite the ferment and the cries for freedom in so many of Britain's colonies, the British Government has not given an inch, even under war pressure, to these demands. I dare to prophesy that the British Government will not give an inch unless it is forced to do so.

The other day I was reading a statement by Albert Viton, whose articles in magazines like *Foreign Affairs*, *Harper's*, *Asia*, and *The Nation*, and whose book, *Great Britain, an Empire in Transition*, have made him the recognized American authority on the British Empire. In that statement Mr. Viton said:

Every indication points to the conclusion that the British rulers are thinking in terms of the old order, that they have not risen above the European mental quagmire and that they are bent on preserving their imperial system. In fact, Britain has followed a reactionary imperialist policy in India, Palestine, and the colonial empire generally throughout this war even while making appeals to American democracy.

But someone may say that the Empire has changed. They may claim that it is in fact no longer an empire but a British commonwealth of nations, and that that very change in name indicates a change in the reality. Mr. President, I hate to say it, but that is absolute nonsense. An empire it has been and an empire it remains, title it or name it what they will.

#### LET US EXAMINE THE EMPIRE

What is this Empire? Let us stop talking in vague, general terms, Mr. President, and let us look at the actuality.

The British Empire is, first of all, a comparatively small group of genuinely self-governing monarchies and dominions, and even one republic—the United Kingdom, Canada, Australia, New Zealand, Newfoundland, the Union of South Africa, and the Irish Free State. Then it is British India, with its more than 350,000,000 souls and its more than 500 puppet native rulers—rulers maintained in unimaginable luxury, at the cost of the common people, by the bayonets of the British Army. Then it is a whole long series of colonies and protectorates. Let me simply call the roll:

In Europe: Gibraltar, Cyprus, Malta. In Asia: Ceylon, Aden, Bahrein Islands, Straits Settlements, Malay States, British North Borneo, Brunei, Sarawak, Hong Kong.

In Africa: Basutoland, Bechuanaland, Northern and Southern Rhodesia, Swaziland, Kenya, Uganda, Zanzibar, Somaliland, Nigeria, Gambia, the Gold Coast, Sierra Leone, the Anglo-Egyptian Sudan, St. Helena, Seychelles.

In the Americas: British Honduras, Bermuda, the Bahamas, Barbados, Jamaica, the Leeward Islands, Trinidad, the Windward and Cayman Islands, To-

bago, British Guiana, the Falkland Islands.

In Oceania: Papua, Fiji, Tonga, the Gilbert and Ellice Islands, the British Solomon Islands, the New Hebrides.

There is also a series of "mandates" which have become in actual practice scarcely distinguishable from outright Crown colonies, and among these must be listed:

Palestine, Tanganyika, Southwest Africa, the Cameroons, Togoland, New Guinea, Western Samoa, and Nauru.

In addition to all these, we all know that the independence granted Egypt in 1922 and Iraq in 1932 were mere gestures, since now it has been proved that the territory of these countries is still available for British use as bases for war.

#### UNION NOW CANNOT BE CAMOUFLAGED

Mr. President, it is high time we take a good look at this Empire before we enter it—and entering it, Mr. President, is exactly what some Americans are now proposing. Behind all the glib talk, that is exactly what is involved in this propaganda for what is called "Union now"—a union of the United States with the British Empire which would give us, I presume, the status of a self-governing dominion under the Statute of Westminster. Camouflage it as you will, try to disguise it as you will, that is what "Union now" amounts to: A grand alliance between the United States and the British Empire, in which the two unite.

There was a time, Mr. President, when we did take a good look at this Empire. That happened just at the time when it was really being formed, right after the capture of Canada, and while Clive—perhaps the most romantic freebooter in history—was conquering India. At that time we took a good look at this Empire which was coming into being; we found ourselves in it, and we cried "Taxation without representation is tyranny"; we cried "Give us liberty or give us death." Mr. President, we got out of that Empire. Now it is time for us to look at it again.

#### EMPIRE IS PRODUCT OF CONQUEST

What is this British Empire? Lord Morley once said that it was something that had come into existence "in a fit of absent-mindedness." Is that the way the British Empire was formed? No; that is not the way it was formed. Honest Englishmen know that the true story was very different. For example, Mr. President, if you will turn to the book "Men of Destiny," written by one who is perhaps the greatest living British man of letters, George Bernard Shaw, you will find a description of the way in which the British Empire was conquered, made, created. I quote this Englishman:

Every Englishman is born with a certain miraculous power that makes him master of the world. When he wants a certain thing, he never tells himself that he wants it. He waits patiently till there comes into his head—no one knows how—the burning conviction that it is his moral and religious duty to conquer those who have the thing he wants. Then he becomes irresistible. \* \* \* He pursues his purpose with the industry and steadfastness that come from strong religious conviction and deep sense of moral responsibility. He is never at a loss for an effective moral attitude. When he wants a new market \* \* \* he sends a missionary

to teach the natives the gospel of peace. The natives kill the missionary; he flies to arms in defense of Christianity, fights for it, conquers for it, and takes the market as a reward from heaven. \* \* \* There is nothing so bad or so good that you will not find an Englishman doing it, but you will never find an Englishman in the wrong. He does everything on principle.

Mr. President, the British Empire is a product of conquest, aggression, and almost nothing else. It was built up by the ruthless invasion of peaceful lands and by the suppression of native peoples who wanted nothing so much as to be left alone. Lest there be any doubt about this matter, I invite the Members of the Senate to look with me at the record of the growth of the British Empire. Where did it come from, and how did it get here?

#### INDIA ACQUIRED BY FORCE

The British Empire dates from the early years of the seventeenth century; that is to say, it is only 300 years old. On the last day of the year 1600, Queen Elizabeth granted a charter to what was to be known as the Governors and Company of Merchants of London Trading into the East Indies. That name sounds just like a peaceful commercial operation, does it not? However, before the East India Co. had concluded its commercial operations, it had invaded the vast subcontinent of India. It began, of course, by planting just a few commercial posts at such places as Madras and Bombay. Then it asked the native Mogul Emperor to grant it freedom from all duties and taxes; and when the Viceroy of Bengal refused to recognize the special privilege thus extorted from the Mogul Emperor, the East India Co., using British troops, went to war. It fought on the one hand the native India rulers, and on the other the French and Portuguese, who had established themselves. Finally it produced in Robert Clive one of the greatest military adventurers in all history, who at the Battle of Plassey in 1757—not so long, you will notice Mr. President, before 1776—laid the foundations of the British Empire in India. Clive finally gave way to Warren Hastings, and Warren Hastings remained as Governor General of India until after the United States of America had secured its independence.

It was Warren Hastings, it should be remembered, who, when he was finally brought to trial for having robbed India right and left for his own personal pocket, said to his judges:

Sirs, when I consider my opportunities, I marvel at my moderation.

From the time of Hastings and thereafter the British continued by military force to extend their conquest over India, until at last the native soldiers themselves, who had been incorporated into the British Army, rose in the maddened rebellion we know as the Sepoy Mutiny of 1857. Then the last pretense that this was merely a trading adventure was thrown aside, the East India Co. formally surrendered all its rights to the British Crown, and India was legally made a part of the Empire in 1858, and the Queen of England was proclaimed as Empress of India in 1877. That, Mr. President, is



the story of how the British Empire got its real start in what remains its greatest colony.

Now, let us look at some of the other ways in which the empire was extended. We will take them in chronological order.

#### AGAIN A STORY OF CONQUEST

In 1613 British adventurers, most of them from Virginia, expelled the French from Nova Scotia. A later treaty gave that country back to the French in 1632. So generals sent out by Oliver Cromwell reconquered it in 1654. But Cromwell was succeeded by Charles II, who was in pay of France, and he returned what was then called Acadia to France. So the British had to capture it again, and they did that in 1710, and by the Treaty of Utrecht in 1713 forced France to cede all rights.

Honduras was captured from the Spanish in 1613 and then was fought over back and forth, in a series of wars that lasted all the way down to 1798, in the course of which, it may be said in passing, the natives were ruthlessly slaughtered.

Consider the little island of St. Lucia, in the West Indies. England first invaded that island in 1638 and for its possession fought a series of wars with France which were not ended until the downfall of Napoleon in 1814. At least 8 wars were fought over that tiny little island, and, Mr. President, there are today in the British Army 11 regiments that have the right to inscribe the words "St. Lucia" on their regimental flags in recognition of gallantry in wars fought for that one little island.

#### AFRICAN EXPANSION WAS FORCEFUL

Now let us turn to the Gold Coast in Africa. Here we have a typical example of imperialistic expansion. It was first settled by the Portuguese, who were ousted by the Dutch, but the Dutch made the mistake of allowing some gold from that part of Africa to reach London; and it was not long after that before a number of trading companies were chartered. They were supposed to go out there and merely carry on British trade. The trading companies established trading posts. When the Dutch began to protest against their high-handed methods, they turned on the Dutch and drove them out. These local wars between the British and the Dutch lasted for more than a century. But they did not give the British all the territory they wanted in that part of Africa. There was part of the hinterlands still coveted. So in the nineteenth century the British stirred up native tribes to make war on each other, and then, of course, they found it necessary to step in to restore peace. The final result of that process was the bloody Ashanti war of 1873-74, which led to the establishment of the Gold Coast as a Crown colony in 1874.

St. Helena was captured from the Dutch in 1651. This also was done ostensibly as a commercial venture by the British East India Co. But it will be noted that St. Helena also wound up as a colony of the British Crown.

Jamaica was conquered from the Spanish in 1655. Incidentally, most of

the fighting was done by British naval forces under the command of Admiral Penn, who was the father of William Penn, and it was largely because of his father's services in the capture of Jamaica that William Penn was granted Pennsylvania by the British Crown.

The 32 Virgin Islands that are under the British flag were captured from the Spanish during the period from 1666 to 1672. The large islands of St. Thomas and St. Johns, which the United States purchased not many years ago, were also captured from the Danes in 1801, but were returned to Denmark in the general shuffle that followed the downfall of Napoleon at Waterloo.

#### WE ALL KNOW THE STORY OF CANADA

Mr. President, I shall not recite the long history of the conquest of Canada because that is familiar to Americans. It culminated, as we all know, in the capture of Quebec from the French by General Wolfe in 1763, and that conquest was marked by the Acadian atrocities of 1755, when 3,000 innocent people were deported from their homes, sent on long years of wandering, from which only 600 finally returned. That story, as you know, Mr. President, Henry Wadsworth Longfellow told in his immortal and heartbreaking poem *Evangeline*.

Now we come to the expansion of the British Empire in the eighteenth century.

Gibraltar was conquered from Spain in 1704. Prince Edward Island was conquered from France in 1758, and its inhabitants were expelled just as the Acadians had been. Unfortunately they never had a Longfellow to tell their story, so it is not so well known to Americans.

The struggle for Dominica began in 1761 and lasted until 1805—50 years of incessant warfare for this little island only 291 square miles in extent, in the West Indies.

The first British invasion of St. Vincent came in 1762, and that island also was fought over with France for years and not finally conquered until 1783—21 years of war to capture another little island only 150 square miles in extent.

The 114 square miles of Tobago involved war with the Dutch and French that began in 1763 and lasted until 1814.

#### FALKLAND ISLANDS TAKEN FROM SPAIN

The Falkland Islands were captured from Spain in 1771 after a series of maneuvers that almost brought on a general European war.

The conquest of the Straits Settlements began in 1786 and lasted intermittently until 1824. This territory was taken by conquest from the Dutch and the Siamese and by putting forms of military pressure on the native rulers who were generally "induced" to accept British "advisors" and then woke up later to find themselves under British rule. Here also, Mr. President, it was apparently just a commercial venture—just the British East India Company that went in to take Singapore and the surrounding territory. But when the East India Company had this all in its hands, the old familiar process reap-

peared and it was turned over to the British Crown in 1867.

Now, let us go back to Africa and the colony of Sierra Leone. Here again it was simply a trading post that was established in 1787 and the world was told that all that was in contemplation was perhaps the establishment of a refuge for emancipated slaves. But in 1807 what happened? I scarcely need to tell you, Mr. President, that the Sierra Leone Company transferred its rights to the Crown, and Sierra Leone blossomed out as a full fledged colony of the British Empire.

#### CEYLON CAPTURED FROM THE DUTCH

Ceylon was captured from the Dutch in 1795, but again there were parts of Ceylon that could not be obtained from the Dutch. So, in 1815, the British "assisted" one group of natives to overthrow the rule of the native king of the remaining independent kingdom of Kandya, and, I scarcely need add that when the native king had been overthrown, the British stepped in and took over his kingdom.

Trinidad, the largest of the British West Indies, was captured from the Spanish in 1795.

Malta was captured by Nelson following the defeat of Napoleon in Egypt in 1800. But then Lord Nelson, who had had some curious dealings on his own part in Italy, recognized Sicily as the rightful owner of Malta. Of course, that would never do in London; but after a terrific row, in which in some manner even the Czar of Russia managed to get himself involved, the French and British resumed war over the island, and kept up that war until the Treaty of Paris in 1814, after the first abdication of Napoleon, handed over Malta to Great Britain, where the British Admiralty all the time had been determined it should go.

#### NATIVES OF AUSTRALIA OVERRUN

Something, I suppose, should also be said about the acquisition of Australia, where the native Maoris and other peoples were ruthlessly suppressed in order to found a penal colony. But this has developed into the remarkable commonwealth which no British statesman of the seventeenth century could foresee.

Let us turn now, Mr. President, to the record of the expansion of the British Empire during the nineteenth century. This history really began in the year 1801, when the British drove the French out of Egypt after the French had previously dispossessed the Turks. The British were in and out of Egypt many times from 1801 until 1882 when a British Fleet bombarded Alexandria, and Lord Cromer was set up as consul general in name, but in fact the real ruler of Egypt. Later, his title and that of his successors was changed to that of High Commissioner. At the outbreak of the first World War, Egypt was made an outright protectorate of the British Empire, and the Khedive, a nominal ruler, was completely deposed. It is true that in 1922, when British high commissioners had been assassinated and the Egyptian nationalist movement had assumed dangerous proportions, Egypt was again given her independence; but,



Mr. President, if you will notice what has happened in the present war, when Egypt has been used as the base for General Wavell's army, you will realize how much reality there is to that independence for Egypt that is talked about.

#### BRITAIN'S RECORD IS UNSAVORY

At its very best, the record of Great Britain in Egypt can only be called unsavory. The tragic history of Egypt—a birthplace of civilization, if you please—has found it a vassal state of many other states; but the British domination, which comes at the last, comes in comparatively enlightened times, and by comparison is far from attractive.

From the pages of Egypt's Past, Present, and Future, a book written by Dr. J. Morton Howell, the first American Minister to Egypt, copyrighted in 1929, some of the darker pages of the relations of Egypt and England are unfolded.

There is the matter of the Suez Canal. The neutrality of the Suez Canal was guaranteed by treaty. Howell points out that while neither Egypt nor any other power had the right of maintaining armed forces of embarking or unloading troops or munitions of war in the Suez Canal zone, this covenant was violated in the World War.

Of course—

Writes Minister Howell—

all readers of history understand that it was England who violated this obligation. A violation of a solemn treaty, as was done in the case of Germany entering Belgium with her troops, was alleged to be an act of perfidy and dishonor. But for England to have violated the international treaty of unloading troops in the Suez Canal zone, I suppose we are to condone as a military necessity.

In this connection it is of interest to recall that the territory through which passes this international waterway, the Suez Canal, is Egyptian territory, never purchased by any one of the powers or combination of them, as was done by the United States of America in the case of the Panama Canal Zone. A concession only was given to the Canal company by the Egyptian Government for a period of 99 years, and therefore, this territory will revert to the Egyptian Government at the expiration of this period, which will be in 1969.

One thing which impresses me in Howell's work is his insistence on the fact that Britain first entered Egypt with a professed desire to be "helpful." The British claimed they desired to help, with a view of quitting the country when their task was done.

#### HITLER EMPLOYS SAME APPROACH

This strikes a strangely reminiscent note. I believe it is Mr. Hitler who claims that he enters other countries only with the desire to be helpful, and that he has not any really aggressive thoughts in mind.

Now, this is not said to discredit England or to apologize for Hitler. It is not said to show the one in the greater light than the other. It is said in order to show that we are faced with two aggressive powers, suddenly at each other's throats, neither one motivated by any sense of saving democracy or preserving

the torch of freedom. In such a war, America can have no cause.

But again to Egypt, and a chapter in Egyptian history which is shrouded with the romantic story of Lawrence in Arabia, familiar to almost everyone.

Howell devotes an entire chapter of his book to false hopes aroused in the Egyptians by British promises—promises so well known to Lawrence, who felt personally responsible for having given them, and was personally heart-broken when they went unfulfilled.

He had given promises—and so he advised King George—to the Arabs which had been authorized by his government; and with the coming of peace after the World War these promises had been ignored. Instead of being established as an independent State, the Arabs found themselves parceled out under various mandates, mostly as British property, but partly as French property. Howell says no one in official position can deny the truth of that fact. Of Lawrence, he says that he never ceased to feel that his own honor, as well as that of his country, had been smirched.

Let me quote from Lawrence at page 176 of Howell's book:

I often thought while in Egypt, and have since as well, of the marked difference in conduct which the United States Government has all along manifested toward the Cuban and Philippine people over that shown by the British toward the Egyptian nation and people. And not alone toward them, but toward Spain as well, with whom we had the war which lost to them the islands mentioned.

It will be recalled that we stated, after the defeat of Spain by us, that these people in due course of time should have their independence, and we immediately started in to make this very thing possible.

We found the Cuban people in desperate financial straits, their buildings had been burned, their crops of every kind destroyed, and starvation, sickness, and insanitation prevailed everywhere. We provided them with places of habitation; we furnished them with food, clothes, agricultural implements, seed for their crops—indeed, everything was furnished by us to rehabilitate their homes and farms. We continued to occupy their country with the late Maj. Gen. Leonard Wood in command, until we could establish order and set them on the road to prosperity and independence. This we did, and then, true to our promise, or declaration made to them after the war we left them, clothed and protected as a sovereign and independent state. I have here used the word "protected"; how we have thrown around them our mighty arm of protection has been fully told in a previous chapter. The work accomplished by this mighty man of valor for these Cuban people, who had for years been under both the civil and military heel of tyrants, when placed alongside of the accomplishments of other men who have been selected for like posts, is so far in advance of the latter as to hardly admit of comparison. How, for instance, do improved sanitation, eradication of diseases, provision for those in physical distress, the construction of good highways, educational advantages provided for the children of this then-destitute people, compare with the work of Cromer in Egypt, or the work of the little recently made Lord Lloyd, who is the present High Commissioner of the independent sovereign state of Egypt?

This imperialist and autocrat, who has for his criterion Lord Cromer, but who is universally admitted, I think, in every way inferior to him except in the matter of egotism, does not consider it in keeping with his dig-

nity to even present a letter of credence to the Egyptian sovereign, but conducts himself in a manner like that of a ruler in his own country. I shall have more to say of his presence in Egypt and his administration later on. Before I leave the subject of Cuba, which subject I have brought forward as one of comparison, I wish to state that after the Spanish-American War was closed, and it was found that Spain had lost the possessions mentioned heretofore, we not alone rehabilitated these waste lands, clothed and fed the people of them, but gave to Spain a present of \$20,000,000, that she might with this sum stabilize her own tottering financial situation. Let us see how this act of clemency toward a weak nation upon the part of a strong one compares with the ultimatum issued to the Egyptian Government by the British after the assassination of Sir Lee Stack, in November 1924, when, upon the assumption that the Government of Egypt "was either directly or indirectly" connected with the murder of this British and Egyptian official (for he was sirdar of the Egyptian Army, as well as the Governor General of the Sudan) she (Britain) demanded and received of the Egyptian Government £500,000 sterling (\$2,500,000) in cash and a complete surrender (for that in reality is what it amounts to) of all her interests in the Sudan. (See the full text of the ultimatum with all the correspondence relating thereto, in another chapter.) It is very important, however, in this connection, to observe that while the most superlative efforts were put forth by the British to so connect the government with this crime during the trial of the criminals, not a single spot or stain was to be found upon their official escutcheons. The criminals were all, seven in number, brought to bay, tried, convicted, and hanged.

And it is further important, and of interest, to state that the government charged with this crime was responsible for the offering and the payment of \$50,000 for the arrest of these villains. Since the Government of Egypt has proved, beyond a question of doubt, that it was neither directly, indirectly, or in any other way, form, or manner connected with this crime, has the \$2,500,000 that was taken from them by the British Government, upon this false hypothesis, been returned to Egypt? Not a dollar of it has been returned, and, in my judgment, never will be. Have, then, the British, since their charge against the Government of Egypt has been found to be without truth, made amends for their usurping, at the time of the ultimatum, all authority over the government and general interest in the Sudan? They have not, and, in my judgment, never intend to.

Compare the British action over the assassination of Sir Lee Stack, if you please, with the action of our Government over the brutal killing of our vice consul, Imbrie, in Persia. Shall we briefly review our demands made upon the Government of Persia in this case: (1) A suitable apology to our Government; (2) the arrest, trial, and conviction of the assassins; (3) their execution; (4) payment to Mrs. Imbrie, the widow, the sum of \$60,000; (5) payment of the expense of sending a warship to Persia to convey the remains of the vice consul to America. All this was agreed to and complied with by the Persian Government. When the Persian authorities notified us that the last requirement made by us had been fulfilled, and that the \$100,000, the cost of the warship, was in a bank subject to our order, we in turn notified the Persian Government that we desired that this sum be invested by it, and the proceeds resulting therefrom be used to teach the young men of Persia that murder is wrong.

The war for the Allies was won, the armistice was signed, the division of land and peoples was made at Versailles by the powers, and Egypt was still left under British domination. This situation thus created was, as



indicated, most critical. The British Government and her Parliament were by no means a unit in maintaining the view that Egypt's rights should be longer trespassed upon by them, and out of all this agitation came the Milner Commission, which the Sultan, in spite of his Egyptian advisers, turned to good account. Hussein Rushdi Pasha was, during this period and at the time the armistice was signed, president of the Council of Ministers; and when it came to his notice that the British, in spite of their pre-war promises in the matter of Egyptian independence, were going to hold Egypt under their continued authority, demanded at once from the British Foreign Office, through the High Commissioner, Sir Reginald Wingate, that he be received in London, with his colleague, Adly Yeghen Pasha, to negotiate with the British Government with a view to obtaining for his country that which had been promised by the British officials at the outset of the war in event of the success of the Allies—independence. Under the seeming pretext of being unable to agree among themselves as to the means practicable for a solution, or even a discussion of this question, the British Cabinet refused the request.

Mr. President, I submit that that is a rather moderate experience with this ally with whom we would choose to go forth to the end that aggressions might be stopped upon this earth. The story that is told by the author whom I have been quoting is one of absolute domination following aggression, and we, who love democracy, are asked to go forth and defend that sort of order in the name of democracy.

#### THE RECORD OF AGGRESSIONS IS LENGTHY

In 1803 British Guinea in South America was captured from the Dutch. In 1806 the Cape Colony in South Africa was taken away from the Dutch on the ground that as Holland had been overrun by the armies of Napoleon, with whom England was at war, this vast territory, with its gold and diamond mines, was really a French possession. And this process continued for years in South Africa, sometimes by conquest of Dutch colonies and sometimes by conquest of native tribes, until, as we all know, it culminated in the terrible Boer war of 1899.

The island of Seychelles was captured from the French as a part of the Napoleonic wars in 1810. The island of Mauritius was also captured from the French in 1810, and has been held as a colony of the British Crown to the present day, although no one disputes that its population is still French in language, in habits, and in its interests.

Ascension Island and Tristan da Cunha were taken by military occupation in 1815 in order to keep American ships from using them as a base from which to raid British commerce during our War of 1812.

#### OPIUM WARS MUST NOT BE OVERLOOKED

As a result of the awful opium wars which were fought from 1839 to 1842 to ram opium down the throats of China's protesting people, China was forced in 1841 and 1842 to cede Hongkong as a British colony.

Then, in 1861, the Royal Niger Co. was chartered to open up the territory of the Niger River in Africa, ostensibly again for purposes of commerce only, but the commercial explorers were quick-

ly succeeded by military expeditions, and in 1900 all the rights of the trading company were transferred to the British Crown, and the two Nigerias, North and South, were united as a colony in 1904.

The Encyclopedia Britannica, by the way, Mr. President, boasts that this conquest of Nigeria was achieved by the use of only 500 native troops commanded by British officers. And what did it add to the British Empire? Three hundred thirty-eight thousand five hundred and ninety-three square miles.

In 1868 we again see the British intervening to protect the native ruler of the Basuto tribes in Central Africa from the "encroachments" of the Boers in the Orange Free State. And what was the result? The result, as might have been predicted, was the annexation of Basutoland, followed by years of intermittent warfare with the natives who believed they had been tricked.

#### AMERICA PLAYED UNFORTUNATE ROLE

In 1874 we find the culmination of another type of penetration in the annexation of the Fiji Islands. Here it was largely missionary penetration that gained a British foothold. But when the native rulers found themselves in financial difficulties growing out of their unaccustomed contacts with western civilization—and I am sorry to have to say, Mr. President, that the United States played its part in this sordid drama by putting in a claim for \$45,000 damages for an alleged attack on an American consul—they turned in desperation to Great Britain for help and were induced to cede the islands as a control point on the sea route between Australia and Panama. All the western Pacific islands, including the Gilberts, Union, Ellice, the Southern Solomons, and other groups were gained by a process of military and naval landings, frequently prepared by missionary penetration and finally leading to a complete chain of protectorates, which had been established by 1900.

The Federated Malay States were taken over by the same process of driving out the Dutch and by military pressure on Siam and the native rulers that we have already seen in the case of the Straits Settlements. This was carried out between the years 1874 and 1895—not so long ago, Mr. President.

North Borneo was gained from the Dutch in 1881 and from native rulers by the conquests of Sir James Brooke, a romantic figure who was a retired officer of the Indian Army and who became the Sultan of Sarawak, a throne which the Brooke family holds to the present day.

#### GERMANS TRIED SAME TACTICS

In 1883 the Government of Queensland became engaged in a race with the German Government for Papua. The Germans used the British technique in trying to seize Papua. They chartered the German New Guinea Co., which in 1889 turned over its charter on the islands, which they had named the "Bismarck Archipelago," to the German Government. So in 1914 when the opportunity presented itself, Papua was captured by Australia and is now, as the territory of New Guinea, held by Australia under a mandate from the

League of Nations. This, however, only applies to a part of the region, that part formerly known as Kaiser Wilhelmsland. British New Guinea is a territory under the Governor General of Australia and a full part of the British Empire.

Early in the nineteenth century our old friend, the British East India Co., obtained a foothold for its ships on the eastern coast of Africa, because it said it needed that to repair and replenish them on the long journey to India. That foothold was held until 1884 when, as a result of an uprising in the Egyptian Sudan, British troops occupied what is now British Somaliland. Treaties guaranteeing protection were given the Somali tribes, and borders were established with the French and Italians, as well as with Ethiopia. But the British found it necessary to go to war for this territory well into the present century against the so-called Mad Mullah, and the final war was fought as late as 1920, when the Mullah was finally defeated and took refuge in Italian Somaliland.

#### FOOTBALL CREATED IN STRATEGIC AREA

Bechuanaland was first opened up to Europeans by another British missionary, the famous David Livingstone. It then became a football for years between the Boers and the British. The British occupied it in 1878 but were forced to withdraw only 3 years later, and the Boers began to move in. Then Cecil Rhodes rose in the Cape Parliament and said:

Bechuanaland is the neck of the bottle, to the control of Central Africa, and we must secure it.

When the Boers proclaimed a protectorate, Great Britain sent an army to drive them out. But before this army reached Africa a curious thing happened. The Premier of Cape Colony arranged a settlement with the Boers which would have left the Boers in possession of this territory. However, London refused to recognize this agreement, made by the head of one of its own colonies, the colony nearest to the scene of hostilities, and the British Army pressed on to break up the republics which the Boers had established, and on September 30, 1885, Bechuanaland was finally annexed as a British Crown colony. Incidentally, Mr. President, it was from this colony that the Jameson raid was later launched against what was supposed to be the friendly Government of the Transvaal Republic.

#### ZULULAND STORY SIMILAR

The story of the annexation of Zululand in 1887 is simply more of the same.

The story of the way in which Sarawak was obtained by Sir James Brooke in 1888 has already been told in connection with the annexation of North Borneo.

The very names of Northern Rhodesia and Southern Rhodesia are enough to tell the story of what happened in that part of Africa. Those great adventures in British imperialism were born in the brain of Cecil Rhodes. He used the old familiar technique of obtaining a charter for the British South Africa Co., a sup-



posedly commercial venture only, in 1889. But in some way this commercial company became involved in war, first with the native King Matabela in 1893, then as a result of the Jameson raid and the subsequent native insurrection in 1896, and finally with the Boers in 1899. And so this vast territory of 290,000 square miles in Northern Rhodesia and 152,000 square miles in Southern Rhodesia was annexed.

Zanzibar was dismembered by Great Britain, Germany, and Italy in 1890. Italy took the northern part, Great Britain took the central part, which is now the Kenya Protectorate, and Germany took the southern part, and that is now Tanganyika, which, as we know, has also fallen into British hands.

The British protectorate was proclaimed in 1890, and when a new native sultan ascended the throne whom Great Britain, for some reason, did not like, the British Fleet bombarded the capital, drove the sultan into taking refuge in German East Africa, and set up a British puppet in 1896. And you will not be surprised to be told that in 1913 the "protectorate" was formally transferred to the British Crown.

#### A MURDER GAVE EXCUSE FOR CONQUEST

The 94,000 square miles of Uganda in Equatorial Africa were taken during the years between 1890 and 1896. They were opened up first by missionaries and then by the eminent explorer Henry M. Stanley. The murder of a British missionary, Bishop Hannington, gave the Empire the opportunity it was looking for. For a time there was some stiff competition with the Germans, but they were finally induced to drop their claims, and then a series of military expeditions, the most important led by Captain Lugard, who became the famous British-African pro-consul Lord Lugard, brought this great territory under the British Crown.

Nyasaland was obtained in 1891 by much the same process. First the country was opened up by missionaries, apparently acting only as servants of the gospel of the Prince of Peace. But they had not been there long before they were followed by the British South Africa Co. The British South Africa Co. was followed by British troops, and the native tribes were put down, and Nyasaland was annexed.

#### ANY EXCUSE FOR USE OF FORCE WOULD DO

The territory that is called Ashanti was not annexed until 1901, but it was fought for from 1873 on. There is an interesting story, Mr. President, of the way in which the British Empire finally obtained Ashanti. In 1900 the British Governor of the Gold Coast asked the native tribesmen of this region to come to a palaver with him. After they had come he accused them of having insulted him by failing to provide a gold stool for him to sit on. He then sent his soldiers into the Ashanti country to search for and find this gold stool and, naturally, war broke out between the natives and the soldiers, a bloody war which reached its culmination in the famous siege and relief of Kumasi. The Ashanti territory was then finally annexed to the British Empire in the next year, 1901.

Now let us shift to China. Great Britain obtained Wei-Hai-Wei as a naval station from China in 1898. How did she get it? That, too, Mr. President, is a curious and a revealing story. There had been a war, as will be remembered, between China and Japan, which closed in 1896. Japan won that war. But when she tried to cash in by taking Chinese territory, great European powers moved in and told her that she must be satisfied with the island of Formosa, which none of them wanted, while they would take the richest prizes. Among those was the great port of Port Arthur, which was to become the Gibraltar of the Far East. That was taken by Russia. Immediately Great Britain, which had professed the utmost sympathy for China during the war, put in her claim for Wei-Hai-Wei, and in the treaty which was forced on helpless China Wei-Hai-Wei was given to the British Empire "for so long a period as Port Arthur shall remain in the possession of Russia." It was immediately after this, Mr. President, that Germany got into the game by grabbing a slice of the Chinese Province of Shantung around the port of Tsingtao; and we all know how much misery that seizure has caused the world, both in the peace conference of 1919 and ever since.

#### SUDAN EPISODE, SAVAGE, BRUTAL

In 1899 a soldier, then known as Sir Herbert Kitchener, made his reputation by conquering the Anglo-Egyptian Sudan, mowing down tribesmen armed only with spears, with the machine guns of his British Army. By the way, Mr. President, I read an article in the magazine *Look* for last week, written by a Washington correspondent, Mr. Edgar Ansel Mowrer, who speaks as an old friend of Mr. Winston Churchill, on the career of the British Prime Minister. In that article Mr. Mowrer reminds us that Mr. Churchill served as a cavalry officer in the battle of Omduran, in which Kitchener finally conquered the natives of the Sudan; and it seems, according to Mr. Mowrer's story, that when in that battle Mr. Churchill ordered a cavalry charge he carefully gave orders to one trooper to remain behind so that if the rest of the command had been wiped out, there would have been one man left alive to send the story to the newspapers. In am not sure, Mr. President, what this indicates in regard to the character of the British Prime Minister, but it rather interested me as showing that even at the beginning of his career he was not insensible to the uses of publicity and propaganda.

#### WAR INFLICTED ON THE BOERS

I need hardly remind the Senate that in 1900 the war ruthlessly inflicted on the Boers of South Africa led to the extinction and annexation of the Republics of the Transvaal and the Orange Free State. Now, Mr. President, 1900 is not so long ago. This is not ancient history that I have been reciting. This process did not stop with the close of the nineteenth century. Early in this century, the twentieth century—1909 to be exact—Great Britain by military pressure forced Siam to cede great stretches of what are now the Unfederated Malay States. To be sure, France was doing the same thing to Siam

at the same time. France had taken the lead in this particular piece of imperialistic brigandage, and Great Britain merely followed along to seize a part of the loot which seemed to be so easily obtainable from a helpless Siam. That was only 32 years ago, Mr. President; and already today, in the Far East along the borders of French Indochina and Burma, those chickens are coming home to roost. We are being told that Siam, which now calls herself Thailand—a name which I am informed means "the land of free men"—is merely a Japanese puppet. I do not doubt that Japanese influence is playing a part in what is happening out there at present, but I know that the Siamese have not forgotten in 32 years the way in which their territory was ravished from them when they seemed helpless. They cannot be blamed if now, when the roles are reversed and the European empires are so weak, they are trying to get back what was their own.

#### BRITAIN GAINED BY WORLD WAR

Then came the first World War, the war that was fought to protect the rights of weak nations, the war that was fought to make the world safe for democracy. What happened in the first World War? At the end of that war, in the Treaty of Versailles, in the face of the assurances which had been given us throughout the war that England was not interested in making annexations, the British Empire actually added to its territory a new empire with an area of 1,195,807 square miles and a population of more than 16,000,000 people. In other words, Mr. President, the British Empire, as a result of the first World War, increased its area by the addition of territory more than one-third as large as that of the United States, and by a territory more than 12 times the size of the United Kingdom—this other England that I spoke of at the beginning—this England which is the mother of parliaments and the home of democracy.

To make perfectly clear what the British Empire gained in territory taken at the conclusion of the first World War let me simply call the roll: Cyprus, Palestine, and Iraq were taken from Turkey; and Germany was denied of Togoland, the Cameroons, Tanganyika, Western Samoa, Southwest Africa, German New Guinea, and Nauru. It may be objected that these were not outright annexations, but in most cases were so-called mandates granted by the League of Nations. However, from the viewpoint of practical political administration, there has been no difference between the British control of these mandates and all the other parts of the Empire.

#### GERMAN EMPIRE CARVED OUT OF EXISTENCE

It is interesting to note in this same connection that when the Peace Conference met in Paris in 1919 and the German Empire was carved up, a new technique for the enlargement of the British Empire was unveiled. At Paris some of the delegates from Great Britain proper expressed their misgivings at the idea of adding new territory to



the Empire. But it was explained that most of the new territories had been conquered by the dominions. In Africa, for example, the conquests had technically been made by the Union of South Africa. In the case of the German islands in the South Pacific, the conquests had been technically made by Australia and New Zealand; and it was explained to the Peace Conference that it was these dominions which demanded that the new territory be not given up but be incorporated into the Empire. Therefore, with proper expressions of reluctance, the delegates to the Peace Conference from London gave way to the wishes of the delegates from Cape-town and Brisbane, and the Empire received its huge acquisitions anyway. This is a process that can be repeated indefinitely. It should be kept in mind at present when it is Australian troops that are now conquering Italian territory in northern Africa, and South African troops that are invading Italian Somaliland and Ethiopia.

However, those who take another view of this problem will say that the things I have been talking about all happened either long ago or under the stress of the excitement that followed the first World War, while British statesmen were still moved by the passions of that war and were thirsting for revenge against the Germans. They may say that Britain has changed since then, that it is now a pacific nonaggressive power, and that it is no longer out to grab territory that seems to have wealth in it. Unfortunately, that is not true.

#### BRITAIN STILL TAKING TERRITORY

The British Empire is still taking territory when it wants it, whenever it gets the chance. It has grabbed territory so recently that even the encyclopedias have not been able to keep up with its latest aggression.

Mr. President, to prove the truth of this charge let me recite a little very recent history.

In 1937—that, as will be noticed, is only 4 years ago—at a time when the President of the United States and his followers were heatedly denouncing the “aggressor” nations, though I do not remember hearing them say anything about the British Empire, one of the most high-handed and unlawful pieces of international brigandage in recent history was taking place in southern Arabia. Who was the aggressor? Hitler? No one else, Mr. President, than the British Empire.

#### ENGLISH TELL THEIR OWN STORY

Do not take my word for this. Take the word of Englishmen themselves. Let me read what was said in the *New Leader*, a British weekly publication which is the organ of the Independent Labor Party. Commenting on this grab of territory, this British paper said:

How many readers are aware that only a little more than a year ago the British Government annexed, by order in council, 100,000 square miles to the British Empire? This was done in February 1937 in south Arabia. It was done against the wishes of the people. It was done in defiance of treaties of long standing. It was done contrary to pledges solemnly given in the House of Commons. It was sheer imperialistic aggression.

That aggression occurred in 1937, Mr. President.

The story of this seizure of territory in South Arabia has been told in radical and conservative publications alike. It was told in even greater detail by a conservative agent of the British Empire—a British agent who knows the Near East so well and has worked so long for the Imperialists there that he has become known as “the successor to Colonel Lawrence.” His name is St. John Philby. In *The World Review*, a British publication somewhat like our *Readers' Digest*, Mr. Philby told the story of the rape of this Arabian territory. He told why it was seized and explained that the desire to acquire new oil fields led the British to commit this act of aggression; and he described the technique by which the job was done—a technique that differs little from the Nazi technique in Europe. He related how the Royal Air Force “pacified” this area by sending bombing expeditions against native towns, in one case bombing a peaceful Arab village in which a wedding was being celebrated. He said:

That aerial bombing is freely used by the Aden administration (Aden is a colony of Great Britain) is not denied by the Government. It is actually defended by those responsible for it, as a rapid and humane method of keeping peace in the outposts of the Empire.

I might also add that the same method of keeping peace has been used by the Royal Air Force on many occasions along the northern border of India.

This case was not only reported by the British; it was reported by two distinguished American journalists—Paul Ward, of the *Baltimore Sun*; and William H. Stoneman, of the *Chicago Daily News*, the newspaper of which the Secretary of the Navy has been the publisher.

#### THE STORY IS A CONTINUING ONE

So it is seen, Mr. President, that this sort of aggression on the part of the British Empire is not something dragged up out of the past, but it is something that is going on to this very day. It is something that was going on as recently as 4 years ago. It is something that has happened on a scale sufficient to add more than 1,200,000 square miles of territory to the British Empire since we intervened to save that Empire on a plea that it represented democracy and the rights of weak peoples. Now, Mr. President, we have to ask whether there is any promise that the same sort of thing is not going to happen at the end of this war. Have we any guaranty that after we have again leaped in to rescue the British Empire, the Empire will not itself turn right around and grab all the territory of other peoples on which it can lay its hands?

Mr. President, I do not desire to appear cynical, but there are certain facts that ought to be borne in mind. In the first place, it is necessary to bear in mind that Mr. Churchill, who is now the head of the British Government, is and always has been one of the most pronounced imperialists in British public life.

#### CHURCHILL FOUGHT INDIAN CONCESSIONS

He has fought every grant of self-government, however small, to India. In a

speech only a few weeks ago he went out of his way to deplore the fact that Irish ports are not now in the hands of the British Empire. He has given no pledge whatever that this war is not to be followed by further annexations of territory for the British Empire, just as the last World War was. On the contrary, Mr. President, today we see British troops occupying Iceland, Crete, Libya, pressing into Eritrea, into Italian Somaliland, into Ethiopia. We see those in control of vast portions of what has been the great French Empire announcing their adherence to General De Gaulle, who is financed by England, is supported by England, and is completely in the hands of England. General De Gaulle's so-called free French movement now claims to hold French Equatorial Africa, with more than 950,000 square miles of territory; the French Cameroons, with 166,000 square miles of territory; French possessions in India, Tahiti, New Caledonia, and the New Hebrides. Will these lands be given back to France after the war is over? No promises have been made, and no one can predict that these lands will be given back if France remains under the same government which is now in power in that country. As a matter of fact, Mr. President, in all these occupations of territory which Great Britain has made since the outbreak of the present war, there is only one case in which she has given specific promise that after the war is over she will give up the territory. That is the case of Iceland. For some reason, no one seems very anxious to grab the desolate stretches of that island washed by Arctic waves.

#### THIS IS THE BRITISH EMPIRE IN FACT

Mr. President, I repeat that this is the British Empire—the British Empire not as seen by romanticists, not as presented by propagandists and by those who think with their emotions, but this is the British Empire as it actually is. Thus has the Empire been formed—by force, by conquest, by aggression, by men going in apparently as representatives of a peaceful trading company, or as peaceful missionaries, and then suddenly turning into an invading army; by fighting terrific wars, not for any high ideals but for outright and undisguised conquest.

Not only has this Empire been built by force, it is today being held together by force. It is being held together by force in India and in Africa, and over a large part of its extent. There is in fact, Mr. President, nothing more striking about the present war situation than the contrast between the support which Britain is receiving from that comparatively small part of her Empire which does have freedom, and does have democracy, and does have self-government, and the absolute lack of support which she is receiving from that vast part of her Empire which she holds under the rule of her bayonets.

#### BOTH BRITAINS MUST BE CONSIDERED

When we, the people of the United States, are called upon to come to the help of England, or even are asked to unite with her, in some new political entity that is to overshadow the world, Mr. President, we must remember that there is more than one England; that beyond



the England that is the mother of democracy, and that sent forth the children who fought the American Revolution, there is the England that is the mother of empires, and that that Empire is as real a fact today, and as ominous a fact to the future peace of mankind, as it has been at any time since Clive began to build it with his first conquests on the plains of India.

But it may be objected, Mr. President, and I suppose it is objected, that no matter by what high-handed methods of aggression the British Empire has been formed, it has been administered on a high plane of unselfish service to mankind, and that its colonies have been centers of good administration and of thoughtful care for the welfare of weak and backward peoples. Let us take a look at this proposition. Is it so or is it not so? It is not so.

I cannot now go into a study of the manner in which all the imperial domains have been administered. But certain samples can at least be examined. Let us begin with the administration of Palestine, that "mandate" which Capt. Sidney Rogerson, the British propagandist, in his book from which I quoted a few days ago, admits was used as a means of tricking the Jews of the world into support of the British cause in the first World War, and disregarding later the pledges which were given during the war. What about the British administration of Palestine?

For testimony on this subject I prefer to go to a completely neutral source, in this case the world-famous author, Pierre van Paassen, a Dutchman, in his book which many of you have read, *Days of Our Years*. Mr. van Paassen says:

England is in Palestine neither to bring fulfillment of the age-old aspirations of the Jewish people, nor to speed the second coming of Christ, an eventuality for which, in Christian fundamentalist mileaus, a return of the Jews to those sacred landmarks is deemed to be preessential. Imperialism is moved by more realistic considerations. Great Britain is in Palestine for weighty reasons of empire (p. 403).

Further on in its book Mr. van Paassen writes:

In fact, since the Ethiopian debacle and the Spanish civil war, Palestine is the key to British world power. Haifa is not only the terminus of the pipe line from the Moslem oil fields, the most important fueling station for the Navy, the air force, and the modern mechanized armies, but at Haifa starts the route, aerial and terrestrial, to India (p. 405).

And still later this Dutch observer adds this summarized judgment of what the British administration of Palestine has been like:

The history of the 17 years of mandatory regime in Palestine reveals an unbroken succession of restrictive measures, acts of pettifoggery chicanery, niggardliness, and outright opposition on the part of the administration to the Jewish national enterprise (p. 408).

From Palestine, Mr. President, let us turn to India. There may be other Members of the Senate who have studied British rule in India at first hand, as I have never had a chance to do. But I am much impressed by the judgment of the famous British political scientist, a man

with whom even our own American President is reported to have consulted, Harold Laski, whose standing as a scholar and a student of government is acknowledged in every university in the world. Professor Laski has recently written a book entitled, "Where Do We Go From Here?" This book is less than a year old; it is just about the freshest, most up-to-date study of British imperial problems written by an Englishman now available. What does it have to say about the British administration of India? Turning to pages 170 and 171 of Professor Laski's book we will find this:

The character of our rule in India, maintained in defiance of Indian demands, has all over the world long stained our reputation for plain dealing; until the advent of Hitler and Mussolini it was the classic example of imperialist exploitation. We are squarely faced from India with a demand, insistently maintained, for self-government, and we know within ourselves that sooner or later we must yield to it, even though the risk to our interests of so yielding is a formidable one. But we cling to the maintenance of that interest by every pretext and device we can discover. The very statesmen who manipulate these pretexts and devices are most prolific in the announcement of their yearning for the fulfillment of India's ambition; Sir Samuel Hoare was even shameless enough to represent the act of 1935, which ingeniously multiplied every protective device discoverable of reaction, as a long step on the road to fulfillment. We announce that we shall put no obstacle in the way of Indian freedom; we ask only that all Indians of every sort shall first agree upon its pattern. And since that agreement is not forthcoming, we continue to govern India for our own purposes. Meanwhile, in the name of the Indian people, we ourselves take this and that decision on its behalf and then proudly thank India for its generosity to us, or we accept this gift or that from one or other of the Indian princes—their method of insuring their further protection from us—which we know is a gift wrung from the misery of their unhappy subjects, and then exhibit these gifts as the proof of Indian "loyalty." I do not know how far we deceive ourselves by this technique; empire possesses a large capacity for self-deception. I do know that we deceive no people beyond the boundaries of our Empire—least of all the Indian people themselves.

Mind you, Mr. President, it is not I that am saying this about British rule in India, and not some enemy of Great Britain, but Prof. Harold J. Laski, who is on the faculty of a British university, and is one of the outstanding British authorities in the field of political science.

Look for a moment at another indication of what the rule of India must have been like, this time by examining the cold vital statistics. These are bald figures, but they tell a dreadful story. In both cases, as you will note, I am quoting from British sources.

#### INDIAN CONDITIONS NEED STUDY

What about the death rate in India? In their book, *Health Problems of the Empire*, Andrew Balfour and Henry Scott write:

By infant mortality is denoted the number of children out of every thousand born who die within the first 12 months of life, \* \* \* what are we to think of the following records relative to British posses-

sions? Bombay, 436.37 in 1918; Madras, 360.7 in the same year; Mandalay, 443.3 in 1916 (p. 323).

That sounds bad enough, does it not? But try to think of the actual human degradation and privation that lie behind this simple statement, to be found on page 41 of the volume, *Social Service in India*, edited by Sir Edward Blunt:

The life expectancy of an Indian male was 26.9 years in 1931, in contrast to 55.6 years for an English male.

But I am not willing to leave this subject until we have heard from the Indian people themselves. Who can speak for the Indian people? Well, the Indian National Congress, which guides the Indian Nationalist movement, can speak for more of them than can any other body. In the recent biography of the great Nationalist leader, Mr. Nehru, who has recently been sent to prison for 4 years at hard labor for having dared to speak against the policy which Great Britain has followed in India since the outbreak of the present war, I find this excerpt from the declaration which the Indian National Congress drew up in its session at Lahore in 1930:

We believe that it is the inalienable right of the Indian people, as of any other people, to have freedom and to enjoy the fruits of their toil and have the necessities of life so that they may have full opportunities of growth. We believe also that if any government deprives a people of these rights and oppresses them, the people have the further right to alter it or abolish it. The British Government in India has not only deprived the Indian people of their freedom but has based itself on the exploitation of the masses, and has ruined India economically, politically, culturally, and spiritually. We believe, therefore, that India must sever the British connection and attain Purna Swaraj, or complete independence.

India has been ruined economically. The revenue derived from our people is out of all proportion to our income.

This is language rather similar to that which accomplished freedom and independence for the greatest nation of people upon earth today.

Our average income is 7 pice (less than 5 cents) per day, and of the heavy taxes we pay, 20 percent are raised from the land revenue derived from the peasantry, and 3 percent from the salt tax, which falls most heavily on the poor.

Village industries, such as hand spinning, have been destroyed, leaving the peasantry idle for at least 4 months in the year. \* \* \*

Politically, India's status has never been so reduced as under the British regime. No reforms have given real political power to the people. The tallest of us have to bend before foreign authority. The rights of free expression of opinion and free association have been denied to us, and many of our countrymen are compelled to live in exile abroad and cannot return to their homes.

We hold it to be a crime against man and God to submit any longer to a rule that has caused this fourfold disaster to our country. (Quotations from Nehru, the *Rising Star of India*, by Anup Singh, pp. 161, 162.)

So much for the "enlightened" rule of this empire in India, whose 350,000,000 people are naturally crying aloud for freedom, with thousands of their Nationalist leaders in jail today for no other crime than having said that this is an



imperialist war, and, as such, is not a war that India should enter. As a matter of fact, Mr. President, thousands of these political prisoners in India have not even been guilty of saying that. They have not been guilty of saying anything or doing anything; but the British Government's agents have arrested them anyway, on the suspicion that they might at some future date speak in favor of peace; and they are being kept in jail in this fashion lest in the future they do something which the Imperial Government may not like. That is how much freedom, that is how much civil rights, that is how much free speech and free conscience there is in India under the British flag.

#### PRESIDENT MIGHT BEGIN IN INDIA

If President Roosevelt is looking for a place to begin his campaign to establish his four great democratic freedoms in our generation, he may well begin in India, where the British imprison innocent people on the mere suspicion that sometime in the future they may say something, or write something, or think something that some British imperialist bureaucrat may not like.

Now, Mr. President, let us turn to British rule in Africa. What is that like? Will we find that that is noble and high-minded, and always conducted to protect the interests of the native people? Well, let me read what another famous English publicist, Mr. H. N. Brailsford, whose name will be instantly recognized by every man in the Press Gallery, says on page 213 of his book, *Property or Peace*. Perhaps I ought to digress long enough to remark, Mr. President, that Mr. Brailsford is a British propagandist who has written a book to induce the United States to enter this war.

#### BRITAIN WANTS ANOTHER A. E. F.

It is a book that may be read with profit by every Member of the Senate, for in the book Mr. Brailsford is honest enough to say that Britain will not be satisfied until the United States sends over another A. E. F. large enough to land on the Continent of Europe and drive Hitler out of all the European territory which he has occupied. In this country that book is called *England to America*; but it is interesting and significant to note that the British edition, which, of course, circulates only in England, is titled "*America, Our Ally*."

Mr. President, what does Mr. Brailsford have to say about the character of British imperial rule in the great African colony of Kenya? Let me read:

In 1930, Lord Passfield, acting for the Labor government, pledged to the natives of Kenya that their tribal lands would be "reserved for the use and benefit of the natives forever." Exception was made that land could be taken for schools, hospitals, post offices, water works, or electric-lighting plants; but land should never be taken for the "personal profit of any individual." Moreover, any land could be secured only on the consent of the native council. This was the binding contract with Great Britain until gold was discovered. Since the native council would never give its consent to have the land taken away for the private profit of individuals, all the guarantees of the Labor government were abrogated, and it was stipulated that land would be taken provided only some money were

offered. The native is helpless and without a vote. What could he do if his lands are taken away, except become a virtual slave of the white man? That is one example of British imperialism in the 1930's.

Having quoted from Mr. Brailsford's book, let us look for a moment into another recent book on Kenya, this one written by another Englishman, Norman Leys, entitled "*A Last Chance in Kenya*." Mr. Leys gives us a glimpse of the way in which taxation is used to keep the native population in hopeless poverty, and often even in prison, in this imperial colony that is often spoken of as the prize exhibit of the Empire in Africa:

Most African families in Kenya have incomes of less than 5 pounds a year, out of which they have to pay, on an average, 28 shillings in cash to the government and other taxes in addition. The chief tax is the hut and poll tax of 12 shillings. Every male of 16 and over has to pay 12 shillings on his own behalf, and if he has dependents who live in huts of their own, such, for example, as an aged mother, he has also to pay a separate tax of 12 shillings on every hut. Hence, although there are not more than half a million adult African males in the country, including the old and otherwise unfit, more than a million taxes are actually paid.

Think of it, Mr. President. In that African colony, dealing with those helpless natives, the British Imperial Government actually manages to extract twice as many tax returns as the total number of adult males in the entire country. The officials of our Internal Revenue Bureau, who have never been able to turn up as many as 5,000,000 payers of income tax in this Nation of 130,000,000 people, should send an investigator over to Kenya to ask the colonial administrators of the British Empire how they do it.

But that is not all the story. Mr. Leys adds some more, this time on page 84 of the same book:

In the employment of natives ordinance for Kenya in 1926 we learn that offenses for which a man may be thrown in prison for 1 month are failure to begin work at the stipulated time, leaving work without the consent of the employer, and refusing to obey any command of his master. The fine is 7 pounds 10 shillings, or 6 months in jail for a herdsman if he does not report the death of an animal in his charge.

Mr. President, I will not say anything more about the sort of administrative blessings which the British Empire has bestowed upon the natives of Africa. Instead, I will skip to the British West Indies and will look briefly at the state of government in the island of Trinidad. We know something about that, because the people of that island have become so restless, so almost rebellious under the kind of government they have been subjected to, that the British Parliament has been forced to send out royal commissions to make investigations. One of those commissions, the latest, reported at just about the time of the outbreak of the war.

#### CERTAIN BAD REPORTS CONCEALED

Its findings were said to be so sensational and to disclose such a state of rottenness in the government of the islands, that its report has been pigpenholed and will probably never be permitted to see the light.

But the report of the royal commission which investigated the disturbances in Trinidad and Tobago in 1937 has been published. Let me read just a few sentences from that report:

Wages were cut in the depression, and until this last week the rate has been only 56 cents a day—6 cents a day more than in 1913 (p. 114). Here (referring to housing) as in other directions to which reference will be made hereafter, the policy of those responsible appears to have been influenced by bad traditions, and a system of what are called "barrack" dwellings, which dates back to the early days of indentured labor, is prevalent. \* \* \* These dwellings for the most part consisted of a long wooden building roofed with galvanized iron, divided from end to end by a partition and subdivided on both sides into a series of single rooms, each of which would be occupied by an indentured immigrant and his wife and family (pp. 35, 36).

Nor is the type of dwelling referred to confined to the agricultural districts. We visited "barrack" dwellings in Port-of-Spain which are indescribable in their lack of elementary needs of decency and for which, we learned, monthly rents varying from 12 to 15 shillings a room were paid (p. 36).

Should there be any wonder, Mr. President, that there have been disturbances in Trinidad?

#### THE CASE OF IRELAND IS CLASSIC

And now, we turn to Ireland, that land of continual revolt against British domination. I shall not retell the familiar story of bloodshed in Ireland. What effects did British domination have on Ireland? For the answer to that question let me read a few sentences from the Address presented to the Congress of the United States by the Irish people, and now preserved in the documents of the first session of the Sixty-seventh Congress. I quote:

In the period 1801 to 1911 the population of Scotland trebled, the population of Ireland was reduced one-fifth. In the period 1845 to 1911 whilst the population of England and Wales was more than doubled, and that of Scotland almost doubled, the population of Ireland was reduced by one-half (p. 9).

Now, what was the nature of British rule that could bring forth these words?

Had Ireland fared as well as the Austrian Poland under the Hapsburgs, for example, her population in 1913 would have been not 4,379,076 but 15,257,888.

The destruction of Ireland's population is even greater than the above would show, for, with the exception of Holland, the birthrate in Ireland is the highest in Europe (p. 10).

John Stuart Mill, an Englishman, in his *Principles of Political Economy* says: "The land of Ireland, like the land of every other country, belongs to the people who inhabit it \* \* \* and when the inhabitants of a country leave it en masse because a government does not leave them room to live, that government is already judged and condemned" (67th Cong., 1st sess., Doc. 8, p. 11).

Lest it be thought, Mr. President, that I am quoting only from prejudiced Irish sources, let me simply read the summary of what British rule meant to Ireland as it is given in that noted book of reference, *Economic History of Europe*, by Dr. Herbert Heaton, professor of economic history at the University of Minnesota:

In 1846, 100,000 persons left for North America, and the tide ran high for decades. Not till the nineties did the exodus fall below 50,000 a year. By 1911 the island housed only



4,400,000 people—a drop by 47 percent in 70 years. There had been nothing like it before, certainly not in modern times. The Irish took their place second to the Jews as a dispersed people (p. 477).

I have not told this story, Mr. President, simply because I wanted to drag skeletons out of the multitudinous closets of the British Empire. I do not doubt that, as empires go, the British Empire has been one of the best—perhaps, on the whole, the best—administered in the whole long and bloody record of empire grabbing and empire ruling. But I have told this story for two main reasons, both of which I believe the Members of the Senate and the people of the United States should take into account before they make up their minds to support H. R. 1776 and go into this war across the Atlantic.

#### BRITAIN THE GREATEST AGGRESSOR

My first reason for telling this story is that when it is said that the United States should join with Britain to put down the "aggressors," I believe that in common honesty we should recognize that the greatest aggressor in all modern history has been the British Empire, and that it has continued its program of aggression—as was shown in its grabbing of 100,000 square miles of oil-producing territory in South Arabia in 1937—right down to the outbreak of the present war. My second reason for trying to bring out this record is that when we are being called on to enter this war to help the British Empire we are told that this Empire is a great bulwark of democracy, a great champion of democracy, a great exemplar of democracy. Mr. President, it is nothing of the sort, as is amply proved by these illustrations of what the government of the Empire is actually like, which I have drawn from many scattered parts of the different continents. The Empire is not the self-governing Dominions; the Empire is the despotic, arbitrary, and sometimes tyrannical rule over almost half a billion people, who are ruled as a colonial office in London and a ruling caste recruited from the British aristocracy order them to be ruled. As for that Empire, there is simply no democracy about it. Yet when we are called on to send our battleships to Singapore and Dakar and Freetown, all in the sacred name of democracy, it is this Empire that is at stake. It is this Empire that is calling us. And this Empire does not even know the meaning of the word democracy.

#### WHAT SORT OF ALLIES ARE THESE?

Mr. President, if we review all this sordid picture of the lot of human kind in the British Empire, and if we review what we are being asked now to do to aid that Empire, in the interest of stopping aggressions upon this earth, we are bound to confront the question finally, "So these would be our allies in that program to put an end to aggression upon the earth?"

Mr. President, those who would attempt to put us into the contest in the name of ending aggression, who would have us in the contest to aid Britain in that kind of a cause, are perpetrating a rotten fraud on the people of the United States. Yet we see each day that larger evidence of what it is anticipated we may do, and we

feel every hour this pressure, this pushing and this pulling to get us into the contest so as to serve the lofty purposes of saving democracy, saving civilization, stopping aggression—all of it afforded by a leadership in our own land that talks about what we owe the world, that says:

In the future days, which we seek to make secure, we look forward to a world founded upon four essential human freedoms.

The first is freedom of speech and expression—everywhere in the world.

The second is freedom of every person to worship God in his own way—everywhere in the world.

The third is freedom from want \* \* \* everywhere in the world.

The fourth is freedom from fear \* \* \* everywhere in the world.

Then that leadership continues:

That is no vision of a distant millenium. It is a definite basis for a kind of world attainable in our time and generation.

What damnable folly, Mr. President, that we should now be besieged to become the allies of Great Britain to the end that these freedoms can be accomplished in our time and our generation.

Mr. HOLMAN obtained the floor.

Mr. NYE. Mr. President, will the Senator yield to me that I may suggest the absence of a quorum?

Mr. HOLMAN. Mr. President, I do not wish to put Senators to considerable trouble. I should rather not yield for a quorum call.

Mr. President, I seldom address the Senate and I always aim to be brief. If not interrupted, I should conclude within 30 minutes at the most. I request that I not be interrupted. For the sake of brevity and as a concession to those intolerant propagandists and their victims who charge unpatriotism to those who do not comply instantly and fully with their demands, I wish to impose upon the time of the Senate to state, as other Senators have stated, that my sympathy is with England in the present European war. I desire to give Britain all the aid that it is possible to give her without becoming ourselves involved in the war, or of robbing our own military forces of the means of defending themselves and protecting the lives and homes of the American people. I am opposed to the ruthless ambitions of Hitler to impose his government upon peoples other than the Germans, and shall continue to oppose them. I have no official interest in the government of the German people. My present concern about Hitler and the ambitions of his fellow dictators is confined to the effect they may have upon the peace, welfare, and security of the American people.

Mr. President, before a Senator can assume his duties and take his place in this body he is required to take a solemn and binding oath which obligates him to "support and defend the Constitution of the United States against all enemies, foreign and domestic." It is in compliance with my interpretation of this oath that I address the Senate upon H. R. 1776. "No man can serve two masters." I cannot have a divided allegiance. I cannot at the same time serve the American interests and the interests of any foreign nation on the face of the earth,

regardless of what my personal sentiments may be regarding the issues involved in wars between foreign governments.

My interests are solely the American interests, and my aid or hostility to any foreign government is merely incidental to what I believe to be the imperative interests of America and now must be effected within the limits of American neutrality.

Mr. President, it seems to me there are two principal ideas in this bill, to both of which I am opposed.

First. In order that the President may do certain extraordinary things the bill authorizes the Executive to perform functions which the Constitution, in my opinion, has imposed upon the Congress. A proposal to undermine the Constitution, which I believe this bill as presented to the Congress will do, demands the support and defense of the Constitution on the part of all those who have taken the oath of a Senator. It is my purpose to respond to that demand, regardless of what effect it may have upon my personal popularity with voters who have been led astray by foreign and domestic propaganda.

What is it which presumes to justify the extraordinary powers conferred upon the President by this bill? It is my understanding that the theory of the bill is that the United States has a vital stake in the critical situation in which Great Britain now finds itself in the European war, and therefore the President is to be authorized now, on his own judgment alone, to go to the rescue of Great Britain by transferring to that Government any weapon, munition, aircraft, vessel, or boat, besides making available to the British Government any American machinery, facility, and numerous other things, including defense information. To exercise these powers to the limit of the authorization would involve this country, in my judgment, in war, strip our own home defense, bankrupt the Nation, and result in irretrievable disasters to the American people themselves.

No responsible American military authority approves the implications incident to the propagandized slogan "All-Out Aid to Britain." I understand that "all out" means "total"; that regardless of our own last-ditch defense it is intended that we shall serve Britain's needs first and completely, and shall continue to do so.

Because most of us are sprung from English ancestry our natural sympathies in any war in which England may be engaged, justly or unjustly, are likely to be with England; yet no student of English history will maintain, or can successfully maintain, that England's wars have always been waged for the purpose of promoting the welfare of all mankind everywhere in the world.

The war in which England is now engaged is not an exceptional war. Back of this war, which is costing and will cost the lives of countless thousands of young men and the destruction of many homes everywhere in the world, and is causing, and will continue to cause, untold grief to countless mothers, wives, children, and loved-ones everywhere in the world, is the effect of relentless commercial greed.



I doubt if the right is all on one side among the present belligerents. At least Hitler, whose ambitions as a conqueror I have opposed and shall continue to oppose to the utmost, has broken the control of the international bankers and traders over the rewards for the labor of the common people of Germany. In my opinion it would be advantageous if the control of the international bankers and traders over the wages and savings and manner of living of the people of England could be broken by the English people, and if the control of the international bankers and traders over the wages and savings and manner of living of the people of the United States could be broken by the people of the United States.

In this debate, in my opinion, there has not been sufficient discussion of the fundamental causes of many modern European wars. The intrigues of the international bankers and traders and others who look to the control of money as well as to international trade as a means of profit and investment are frequently the fundamental cause of armed strife amongst modern European nations. Out of these fundamental strifes for material profit evolve conflicting commercial rivalries for world markets, disputed national boundaries, the control of money, and the limitless ambitions of selfish men. These internationalists, who have only a secondary patriotism for any government, keep the peoples of the world in continuous strife, and sometimes finance the resultant wars for both sides at the same time. During the intervals of peace the international bankers and traders practice their unfair methods and thereby adversely affect the lives, manner of living, wages, and resources of people almost everywhere in the modern world.

The common people of the warring nations and of our own country do not know that the Bank of England is not a government institution, but a privately owned institution, and that its profits go to private persons. The same is, or was, true of the Bank of France, the Bank of Italy, and the Reichsbank. In our own country the Federal Reserve bank is a private institution, and its profits go in part to private banks.

I voted for Mr. Roosevelt in 1932 because I thought Mr. Roosevelt would drive the "money changers from the temple" and accomplish other reforms which I favor. I would join the President in such a crusade today if he would but undertake it.

This reference to the commercial aspect of modern war may seem a digression from the theme of the current debate, but I assure the Senate that it is not. I have attempted to call attention to the fact that the basic causes of this war, like many modern wars, spring from sordid and not noble motives. For that reason we should be reluctant and not eager to sacrifice the lives of American youth in such a war.

English financiers, together with some in our own country, financed the rearmament of Germany for the present war. The ironmasters and merchants of

France supplied Germany with essential mineral elements and needed materials for the rearmament of Germany for the present war. Ironmongers and merchants in our own country have supplied Japan, and now are supplying Russia, with essential war materials and supplies. The result of this inconsistent national policy is that American taxpayers must now be made bankrupt, and possibly American youth slaughtered, because commercial greed provided a madman with the destructive weapons which already have annihilated many of the governments of peaceful peoples in Europe and threaten the destruction of modern civilization there, if not in the world.

However, I shall not pursue this phase of the subject further at this time, but refer those interested to a volume entitled "Money Creators," by Gertrude M. Coogan, with an introduction by former United States Senator Robert L. Owen.

I understand that justification for the pending bill, or something like it, rests upon the fact that confusion and avoidable delay would be obviated if the authority to determine priorities of manufacture and distribution of defense materials of all kinds were vested in one person. There have been times when France, England, our Army, our Navy, and commercial interests have competed for the facilities and products of American industrial plants. Moreover, strikes retard production of defense materials, and contracts are negotiated privately by questionable methods and with questionable results.

With the necessity of procurement of defense materials confronting the Executive, the administration, with its urge for power, more power, and ever more power, rushes forward with this bill to make the President dictator of the resources, labor, and destinies of the American people. Let the camel but get his head in the tent and soon the entire beast is inside.

With the same authority with which the President created the Advisory Commission to the Council of National Defense—for which he has failed to name a chairman—it seems to me he could appoint Mr. Knudsen chairman of the Commission, with authority to determine and decide all questions of priorities and to adjust production problems.

In the political campaign of 1938 I repeatedly proclaimed the idea that we Americans should make our country so strong in a military way that no nation, or group of nations, would dare attack us, and then we should mind our own business. After more than 2 years of intimate association with American military authorities and all the advantages for close study of the American situation which membership in this body has given me, I am still of the opinion that that is the wisest policy designed to protect the homes and lives, and promote the welfare of the American people in America. I have been cooperative and to some extent, at least, effective in promoting the national defense. I shall continue on this course. I have voted for and aided in effecting every recommendation of our army, air, and naval authorities. I now

feel that I must fulfill the second clause of my declaration in my campaign for election as a Senator. I must align myself with those who would observe the admonitions in Washington's Farewell Address.

Should we not determine now an irreducible minimum of military equipment and supplies for our own defense, below which we should not rob our own forces and impair the defenses of our own people in America? Then could we not release for sale any excess over this irreducible minimum, any excess supply on hand from time to time, as such sale may be approved by the Chief of Staff of the United States Army or by the Chief of Naval Operations? It seems to me the amendment to be offered by the Senator from Ohio [Mr. TART] makes ample provision to do this.

From pages 96 and 97 of *While England Slept*, written by Winston Churchill, I learn that he gave the following sound and patriotic advice to his British people in 1934:

We must be safe from undue foreign pressure. \* \* \*

We cannot afford to confide the safety of our country to the passions or to the panic of any foreign nation which may be facing some desperate crisis. \* \* \*

All history has proved the peril of being dependent upon a foreign state for home defense instead of upon one's own right arm.

I subscribe to these statements. That was good advice for Britain. It is good advice for the United States today.

If it is credit that Great Britain must have to continue to obtain in this country war supplies of all kinds, the adoption of the amendment intended to be proposed by the Senator from Ohio will obviate that difficulty.

While I am profoundly distressed by the plight of the civilian population in England—the wives, mothers, little children, and defenseless men who are the victims of bombing raids—and by the terror which must possess the defenseless and unoffensive men, women, and children of China, I cannot exult and cheer when the defenseless men, women, and children of Genoa are likewise bombed, as I am informed they recently were.

I am satisfied that the common people of Italy do not have their hearts in this war, or else their armies would make a better showing on the battle front. It is not the common people of any of the warring nations, or of our own Nation, who yearn for human slaughter.

The junior Senator from Illinois [Mr. Brooks] in his recent very able address gave us expert testimony derived from personal contacts in the first World War, to the effect that German boys, even as soldiers in the German Army, were not the monsters that propaganda in this country had pictured them to be, but on the contrary, were the same kind of boys as American boys, English boys, French boys, and other boys throughout the world. The common people in all the belligerent countries of the world are not clamoring for war. They, who must bear the brunt of battle and the shock of the cannon's shell, dread and abhor war. It is only the Hitlers, the Mussolinis, the Stalins, and, I regret to say,



the ambitious leaders in our own country, who clamor for war and for the steps leading to war.

In war the boys of the families of the common people must become cannon fodder, while the sons of dictators and near-dictators often get officers' commissions and are assigned to desk jobs far, far removed from any likelihood of personal hazard. It is the dictators, the political leaders, the authorities who reject all avenues for peace and insist on resorting to arms, conquest, and victory, who make wars.

What I object to most strenuously in the pending bill is the surrender of constitutional powers by the Congress to the President.

Caesar would rather have been first in a little Iberian village than second in Rome. Alexander wept because there were no more worlds to conquer. In our own times and in our own country Roosevelt has been elected for a third term; and now we have before us House bill 1776. Ambition for personal aggrandizement may become a dreadful thing in the hands of genius.

Throughout the history of the world such ambitions have left in their wake destruction, want, and misery among the common people of the earth. So often ambitious persons have seized leadership and have waded through slaughter to a throne. I am now more alarmed by the encroachments upon our constitutional status, and the impairment of the regular processes of our Government by forces within the Government itself, than about possible aggressions against us by potential, but not necessarily probable, foreign foes. The wholesome and patriotic example of Cincinnatus is lost on modern dictators. What we need in America today are more Nathan Hales and fewer Caesars.

This bill contemplates granting extraordinary powers to be used by the President while we are still at peace with all the world. In the national campaign last fall my opposition to a third term for the President was not mere political rhetoric. My apprehension of the establishment of a dictatorship in this country was real, genuine, and sincere. The demand for increased powers for the President which this bill provides is in line with what I feared would ensue, but it has come sooner than I anticipated. Apparently, it is believed that the move for increased Executive powers should be made "while the iron is hot." The demand for more power has come while the echoes of the President's successful campaign for a third term are still reverberating in the ears of the American people. The demand for the passage of this bill is the logical result of the disgraceful scenes enacted last July at the Chicago convention.

The bill (H. R. 1776) is of a piece with House bill 2788, which is now on the calendar of the Senate, and which grants "all out" authority to the President to disburse \$100,000,000 of Congressional appropriation. I do not approve bills granting to the Executive or to any other one fallible man "all out"

authority of such great moment or of vital national importance.

"Forewarned is forearmed," and America is at peace. No nation in all the world has committed an unfriendly or warlike act upon us. "An ounce of prevention is worth a pound of cure." Why not continue to train our able-bodied men to become efficient soldiers so that they can defend our homeland if it is attacked? Let us not now go afield, inviting it to be attacked. Let us continue to manufacture the largest quantities of the most efficient munitions of war for the use of our own military forces, and permit Britain and any other nations which the Congress may designate to continue to obtain in this country that which is necessary for their defense. We have been following this policy without this proposed extension of Presidential power and authority. Let us continue that policy as long as it may be necessary in the judgment of the Congress to do so.

I have given the subject of my action and vote on this bill long, diligent, thoughtful, and prayerful attention. Any necessity for additional legislation on this subject should be presented in a very much modified bill. I see no necessity now for the passage of this bill with its unlimited powers and authorizations; and as it now stands I shall vote against it.

Mr. AUSTIN. Mr. President, I desire to refer to the colloquy which occurred last night between the distinguished Senator from Montana [Mr. WHEELER] and myself.

Mr. NYE. Mr. President, will the Senator yield?

Mr. AUSTIN. Yes.

Mr. NYE. The Senator from Montana requested that in the event of any undertaking to bring about a unanimous-consent agreement tonight, or in the event that any issue arose in which he might be interested, I should suggest the absence of a quorum. I shall feel under immediate obligation to do if the Senator from Vermont insists upon proceeding with this matter.

Mr. AUSTIN. I certainly do; and I yield to the Senator from North Dakota for that purpose.

The PRESIDING OFFICER. Does the Senator from Vermont yield to the Senator from North Dakota?

Mr. AUSTIN. Yes; I am glad to yield for that purpose.

Mr. NYE. I suggest the absence of a quorum.

Mr. GEORGE. Mr. President, may I ask the Senator from Vermont what occasioned the call for a quorum?

Mr. AUSTIN. I was about to read a telegram to me from students which is a direct reaction to the charge indirectly made last night that the students of America are not for H. R. 1776, or that they have not been heard from.

Mr. GEORGE. The point of my inquiry is to ascertain the necessity for a quorum. Did the Senator from Vermont desire a quorum?

Mr. AUSTIN. No.

Mr. NYE. I suggested the absence of a quorum. I had assured the Senator from Montana [Mr. WHEELER] that if

any matter arose in which he was interested, I would see to it that he was called and had a chance to be present.

Mr. AUSTIN. Mr. President, if I may, I suggest that if we may suspend for a moment the distinguished Senator from Montana will come into the Chamber and we can avoid a quorum call.

The PRESIDING OFFICER. Does the Senator from North Dakota withdraw the request?

Mr. NYE. I withdraw the request, with the expectation that the Senator from Vermont will not proceed until the Senator from Montana is present.

The PRESIDING OFFICER. The suggestion of the absence of a quorum is withdrawn. The Senator from Vermont has the floor.

Mr. VANDENBERG. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Michigan will state it.

Mr. VANDENBERG. Is this a filibuster? [Laughter.]

The PRESIDING OFFICER. The Senator from Vermont has the floor. The Chair is not advised how he expects to use it.

Mr. AUSTIN. Mr. President, my response is, God forbid!

Mr. WHEELER entered the Chamber.

Mr. AUSTIN. Mr. President, I am about to read a telegram, of which, I believe, the Senator from Montana has a copy.

Mr. WHEELER. I have not seen a copy of it, but perhaps I have it.

Mr. AUSTIN. It relates to a colloquy which occurred late last night between the distinguished Senator from Montana and myself, in which the question was raised whether I had heard anything from college students. It was raised in respect to a telegram which I read which was signed by a large number of professors and other educators in the University of Illinois.

I desire to read this telegram in order to have it a matter of record. It reflects the alertness of the people of the country to what takes place in the United States Senate, and, I think, reflects the importance of what we do and say. I quote:

NEW YORK, N. Y.

Senator WARREN R. AUSTIN.

Senate Office Building, Washington, D. C.:

Note Senator WHEELER's query whether you have "any wires from college students who would be sent to war under the bill." Call to your attention telegram sent Senator GEORGE February 11 signed by student chairmen of 24 college chapters and affiliates of the Committee to Defend America by Aiding the Allies.

Text of telegram and list of signers follow:  
"Senator GEORGE.

"The United States Senate,

"Washington, D. C.:

"We, the student chairmen of 24 college chapters and affiliates of the Committee to Defend America by Aiding the Allies, call upon the Senate to pass the President's lease-lend bill, H. R. 1776, with all possible speed.

"We realize that minor amendments, such as the proposed time limit, may be advisable. What we are concerned with is the real heart and purpose of this bill, to defend America by aiding the Allies—enough and soon enough.

"We know that future world history now hangs in the balance.



"We know that democratic safety throughout the world depends on the vision and energy of our country. We urge our Congress to take this step which democratic safety demands. Pass H. R. 1776.

"Helen Baker, Columbia University; Ted Bolstein, St. John's University; Carol M. Blumenthal, New York University; George T. Bogert, Cornell University; William Bradley, Oberlin College; Richard A. Charles, University of Wisconsin; Kathleen Cheney, Florida State College for Women; Mimi Dayton, University of Chicago; Lenore Ferber, Hunter College; Judith Friedberg, Radcliffe College; Helen Hammarberg, University of California; Fred J. Khouri, Columbia University; William L. Klinkenstein, University of Pittsburgh; Stanley Nehmer, College of the City of New York; W. John Niven, Jr., University of Connecticut; Catherine Paris, Woman's College, University of North Carolina; Mark Rainsford, Trinity College; Edgar Alsop Riley, Yale University; Carl L. Sackett, Jr., University of Wyoming; Olga Skala, Queens College; Zeno Stalnaker, University of Tampa; J. Richard Usher, Washington University (Missouri); Lois Vanderbilt, Connecticut College for Women; Hugh Wilson, University of North Carolina."

Am informing Senator WHEELER of above by telegram today.

GILMORE STOTT,  
*In charge of the college division,  
Committee to Defend America by  
Aiding the Allies.*

Mr. BROOKS rose.

Mr. WHEELER. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Vermont yield to the Senator from Montana?

Mr. AUSTIN. Yes.

Mr. WHEELER. Let me say to the Senator from Illinois [Mr. Brooks] that I hope he will read, after this discussion is through, the editorial from the college paper of Illinois which he called to my attention this morning.

I am wondering whether the proponents of the bill would be willing to suspend further debate upon it and take a vote of the college students of all the colleges in the United States, and let the vote of the college students determine whether or not we should pass the bill. I am perfectly willing to suspend debate on the bill for 2 weeks and take a vote of those who are in attendance in college throughout the United States, and if a majority of them are in favor of it, I would say that we should pass it right away. Is the Senator willing to have it submitted to a vote of the college students, or take a referendum of them? I should be perfectly willing to suspend the debate and take a referendum on the bill in any way, shape, or form the Senator would like, among the people of the United States, and see whether or not they want it.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. AUSTIN. I shall answer the Senators one at a time. What the Senator from Montana suggests would be a very effective way of filibustering the bill. Of course, it is a proposal which denies itself.

I do not have to deny it at all. We do not enact legislation on that basis.

This particular issue arose from a sudden access of contributions from universities. I had no idea when I came to the Senate yesterday of introducing into the Record the telegrams which came to me after I arrived here, but two Senators brought to the attention of the Senate sentiments expressed by other universities, and by accident I had the one from the University of Illinois, which I regarded as important, and I therefore put it into the Record.

Mr. DAVIS and Mr. CLARK of Missouri, addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Vermont yield, and, if so, to whom?

Mr. AUSTIN. I yield to the Senator from Pennsylvania.

Mr. DAVIS. I put one of those telegrams into the Record, a telegram which came to me from a college in Pennsylvania. I did so at the express wish of those who signed the telegram. They requested in the telegram that it be made a part of the CONGRESSIONAL RECORD, and I complied with their request. I had theretofore had a similar joint telegram from three of the large universities in Pennsylvania put into the Record because I was requested by them so to do.

Mr. AUSTIN. Mr. President, I take entire responsibility for what I did. I desire to say in passing that I think the members of these colleges, those who signed these telegrams, are entitled to think and to express their views, and that as Senators we should have respect for their views, even though they happen to be counter to our own.

Mr. BROOKS rose.

Mr. AUSTIN. I yield to the Senator from Missouri; then I will yield to the Senator from Illinois.

Mr. CLARK of Missouri. Mr. President, I agree, of course, with the Senator from Vermont, that anyone in this country is entitled to be heard, even the mothers of America, or any other citizen of America, under the constitutional guaranty of the right of petition.

If the Senator from Vermont wishes to read into the Record the names of all the students who are in favor of the pending bill, I have several hundred, possibly several thousand, letters and postal cards in my office, from individual students, who say they are opposed to the bill. If the Senator wishes to start on that, I should be glad to bring my correspondence over to the Senate tomorrow and stack the letters and postals on the desk in front of me. I hope the Senator will not then accuse me of filibustering.

I was impressed by this fact: The Senator from Vermont was challenged last night, on reading a telegram, or letter, or whatever it was, from a few college professors of the University of Illinois; he was asked what the students at the University of Illinois had to say about it, and he now says he wishes to answer that.

Mr. AUSTIN. No, Mr. President; I will not allow that to pass without answer. That is not what the Record shows. The Senator from Missouri has inadvertently departed from the Record.

Mr. CLARK of Missouri. Mr. President, I shall be very glad to have the Senator tell us in what way I have departed from the Record.

Mr. AUSTIN. I believe the Record will show that the question was—and this purports to be a quotation from the Record—"any wires from college students who would be sent to war under the bill." That purports to be the Record.

Mr. CLARK of Missouri. Mr. President, the Senator from Vermont, in reading into the Record the last telegram which he offers, said he was answering the challenge about the telegram from the professors of the University of Illinois. Of course, I have never seen the telegram. The Senator says he has, and that a copy was sent to the Senator from Montana. As I heard the Senator read this very eloquent telegram I was impressed by the fact that probably half, or more than half, of the signers of the telegram were noncombatants, at least until such time as the United States begins to draft its woman power as well as its manpower, and to put women in the front line. In other words, some of these ladies are perfectly willing to have boys sent to fight. I am interested in finding out, not so much the views of those who are able to send telegrams as of those who send me postal cards and have written letters protesting against the bill.

Mr. AUSTIN. Mr. President, all I have to say about that is that it shows how futile, how utterly irrelevant, the question was that was asked me last night.

Mr. CLARK of Missouri. Mr. President, before the Senator—

Mr. AUSTIN. I do not yield until I conclude. Nearly all the college boys of this country are deferred and are not in the class of those who would be called for combat service if combat should ensue. The question itself was irrelevant. These young people are speaking for themselves. I am merely their voice in the Senate of the United States. They have a right to be heard.

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. AUSTIN. I yield.

Mr. WHEELER. The Senator said they were deferred. My recollection is that they were not deferred under the law. Were they? By some understanding they were deferred until they finished their last year, if they were in their last year; but there is nothing in the draft law, as I recall, which actually defers them.

Mr. AUSTIN. Oh, yes; there is. The age-limit provision defers most of them, and a special provision for college students enables those within that class who wish to be deferred to obtain deferment.

Mr. BROOKS. Mr. President, will the Senator from Vermont yield?

Mr. AUSTIN. I yield.

Mr. BROOKS. I am interested in this question today because there was inserted in the Record by the senior Senator from Vermont a telegram received by him urging all possible expedition in passing the lease-lend bill. It was a telegram from Urbana, Ill.—



Mr. AUSTIN. No, Mr. President; it was from Champaign.

Mr. BROOKS. The two towns are divided by a street, and, if I remember correctly, the university is located in Urbana. The two towns are really one, merely being divided by a street.

If I remember correctly, the senior Senator from Missouri asked the Senator from Vermont how many telegrams he had received from students at the University of Illinois who might be of military age.

Mr. AUSTIN. I have no recollection of such an inquiry.

Mr. BROOKS. I will read it from the RECORD, if I may:

Mr. CLARK of Missouri. Mr. President, let me ask the Senator from Vermont, who has quoted a long telegram from a number of faculty officials, how many telegrams he has received from students at the University of Illinois who might be of military age?

I would not have been interested if the University of Illinois had not been mentioned.

Some days ago during this debate I received an editorial which appeared in the January 18 issue of the Daily Illini, which is the official paper of the student body of the University of Illinois, and is edited by the students. The particular editorial was written by a boy who has to report for duty as a conscript on the first of July this year. The editorial, which is entitled "A Very Frank Answer to Admiral Stirling," is as follows:

"Secretary of State Hull has said we are not neutral, so why not be belligerent? What are we afraid of?" Admiral Yates Stirling, Jr., asked Thursday in an interview with a reporter from the Daily Illini.

What are we afraid of, Admiral Stirling?

Well, frankly, plenty.

But let's get it straight at the outset that we're not afraid to die. Youngsters our age aren't, you know. We haven't lived long enough to be afraid of death for ourselves or to fear for the consequences of our death on others. We've nobody dependent upon us yet. No wives. No children. Just parents, and most of them have kids younger than we are to console them, if this war you're drumming up does for us.

So let's get that straight, Admiral. It's not death of which we are afraid. Most of us don't know enough about death to be afraid of it yet. If we did, we'd probably want to have everyone lynched who's trying to promote a slug in the belly for us. Like the men who really know about death. The men who saw death at close range in the 1914-18 murdering match. The men who came back to write books and poems exposing the old lies about the beauty of dying on the field of battle. The men who came back and lie in veterans' hospitals learning to be philosophical about life because it won't let them die.

#### DANGER OF MASS-MINDEDNESS

After all, Admiral, death really isn't so much more terrifying than life, when you really think about it. Didn't some Greek or other claim that death is better than life, but that best of all is not to have been born? What we're afraid of, Admiral, is that the Greek who thought that one up would have been pretty close to right if you fellows who are eager to fight a war have your way. Not that we don't think you're sincere in advocating what you think is best for the country, but we think life would be rather rotten for a long, long time if this country got into war.

Admiral, we think that the real danger to America lies no more in the chance of inva-

sion than in the possibility that men who think like you do should have the determining of her destiny. Men who've thought in terms of battleships and firepower and squadrons and flotillas and fleets and regiments and battalions and divisions and army corps and armies for so long that they've forgotten how to think of the individual man who composes those mass units. If we get into a war, just as sure as we're writing this, you fellows with mass minds are going to be the bosses.

#### SAME OLD STORY

And if that happens, it'll be the same old story.

Individuals and individual rights will be sacrificed to the efficiency of the mass units with which modern wars are fought. It will set our civilization back a lot, Admiral. Intolerance, coercion, work or fight, "red" baiting, mass hysteria, hatred, violence, injustice, negation of all the things this country's idealized.

Remember what happened at home during and just after the last war? People smashed the windows of good Americans who came over from Germany looking for a little liberty, people who believed that stuff Fourth of July orators spout about America being the land of the free and the home of the brave. The Ku Klux Klan put on dirty white night-shirts, burned fiery crosses in the hills, preached that all Negroes, Jews, and Catholics were enemies of America—and enforced its preaching with lengths of rubber hose. The Post Office Department put the clamps on anything that had the taint of liberalism about it, and Attorney General Palmer hunted for witches.

#### WE BELIEVE IN PEACE

Well, Admiral, we're just young enough to believe that stuff the Fourth of July orators spout about liberty and freedom and democracy. We know what a beating that stuff took during and after the first World War, and we've heard about the downright rotten intellectual and moral letdown that ushered in the twenties. We're convinced that no good came of American participation in the 1914-18 slaughter, and we don't want to get into the same kind of mess again.

You see, Admiral, the thing we're afraid of is that American participation in another war would result in permanent impairment of all the values and ideals of American civilization. That civilization's not perfect by a long shot, of course, but we think it's a lot better than anything that would come out of this war.

We're so sure that peace is the best thing for America that we're willing to pay a pretty high price for it. We're willing to arm Great Britain so that the English can keep the war in Europe and Africa where it belongs. We're willing to pay defense taxes on practically everything we buy. We're willing to accept conscription and learn to fight in case we do get in a jam.

We're willing to do just about anything short of war, Admiral, because we think that only in the preservation of peace is there a chance for the preservation of the ideals and values that make America worth living for.

(Signed) FRED A. POPE, Jr.,

Editorial Editor, *The Daily Illini*.

I am very glad to put that editorial in the CONGRESSIONAL RECORD because I attended that school as a freshman 24 years ago, when this body was deliberating upon the question of granting unusual power to an Executive who had promised, and did then, no doubt, intend, to keep the Nation out of the war. I am glad to be the voice of this student now. Apparently there was no voice representing me here at that time.

Mr. AUSTIN. Mr. President, I thank the Senator from Illinois for reading

that very excellent editorial into the RECORD. The boy who wrote it ought to be for H. R. 1776. The arguments he uses in the editorial are the very foundation for my vigorous support of H. R. 1776, for I claim that H. R. 1776 is well designed to preserve freedom, and to preserve the peace that he so much advocates.

Mr. BARKLEY. Mr. President, I wish to read the provision of the law regarding students referred to a moment ago by the Senator. I read subsection (f):

(f) Any person who, during the year 1940, enters upon attendance for the academic year 1940-41—

(1) At any college or university which grants a degree in arts or science, to pursue a course of instruction satisfactory completion of which is prescribed by such college or university as a prerequisite to either of such degrees; or

(2) At any university described in paragraph (1), to pursue a course of instruction to the pursuit of which a degree in arts or science is prescribed by such university as a prerequisite;

And who, while pursuing such course of instruction at such college or university, is selected for training and service under this act prior to the end of such academic year, or prior to July 1, 1941, whichever occurs first, shall, upon his request, be deferred from induction into the land or naval forces for such training and service until the end of such academic year, but in no event later than July 1, 1941.

Mr. CLARK of Idaho. Mr. President, in the first place that provision applies only to those who entered in 1940. In the second place it says "upon his request." Does the Senator from Kentucky suppose for one moment that these youngsters would request deferment when they are of military age? I know many such boys, and I am sure the Senator from Kentucky likewise knows many, and there is not an outside chance of getting these young fellows who are taking a college course, to claim deferment, and if they did they would be called precisely what those who did so were called during the World War—slackers.

Mr. CLARK of Missouri. Mr. President, the extract from the law read by the Senator from Kentucky is extremely interesting, of course, and all the Senator from Idaho has said is very true.

What about the boys who have not had a chance to go to college, who are trying to advance themselves, and who may be attending night school? Are they not entitled as much as anyone else to be considered on the proposition of getting the United States into the war, even though they do not have a deferred status?

Mr. BARKLEY. Mr. President, if the Senator is directing that inquiry to me, I think if he will look at the RECORD he will find that I argued against giving any preference or any preferential status to college boys over any other students in this country.

Mr. CLARK of Missouri. And the RECORD will show that I voted with the Senator on that proposition.

Mr. BARKLEY. I was merely reading the law as it is.

Mr. CLARK of Missouri. But the essential proposition which is presented by



the remarks of the Senator from Vermont is whether boys who would have to fight should be heard to the same extent as college professors and commentators and columnists, who are very willing to give other people's boys to the maelstrom of war—though one columnist went to the extent of saying she was willing to give her own 12-year-old boy. The boys themselves are entitled to be considered, whether they be college boys or boys who have not had the advantages of going to college. A great many boys in this country have entered night school or started to work as machinists, or to learn a trade, or to work on the farm. In my opinion they are as much entitled to be considered in connection with the right of petition as are college professors who are willing to sacrifice somebody else's boys.

Mr. BARKLEY. As a matter of fact, the right of exemption or deferment—assuming that any registrant is militarily qualified physically—is a matter which the Government does not force upon any citizen, but which is granted at his request. A student who is within the military age and physically qualified is not compelled to be deferred. If he wants to be deferred he may make his request known. The same thing applies to every other citizen. During the World War, as I recall, men were registered up to the age of 45. They had the privilege of requesting deferment or exemption under certain conditions, but deferment or exemption was not forced upon them. It was a matter with respect to which they had to indicate their own desires.

Mr. AUSTIN. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. AUSTIN. All I wish to say is that if the distinguished Senator from Missouri gained the impression from what I said that I was opposing giving the boys a chance to be heard, or giving the girls a chance to be heard, he misunderstood me. Indeed, I am lending my voice to them to be heard.

Mr. TAFT and Mr. CLARK of Missouri addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Kentucky yield, and if so to whom?

Mr. BARKLEY. I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio is recognized.

Mr. TAFT. The exemption or deferment of college students was of some importance when we debated it, because at that time 800,000 men were to be called by the 1st of January. The camps are not ready for anything like that number of men, and the first 800,000 will not be called until June, because until that time there will not be camps sufficient to take care of them. So the whole question of the deferment of college students—which is only until June—has become of no importance whatever. All college students will be treated exactly as if they were not college students; and they will be in camp, if not quite so soon as was anticipated, certainly within a very few months. My understanding is that up to date fewer than 200,000 men have been inducted into the service under the Selective Service Act.

Mr. CLARK of Idaho. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. CLARK of Idaho. At the time of the debate on the conscription bill we were accused of conducting a filibuster, because time was of the essence.

#### EXECUTIVE SESSION

Mr. BARKLEY. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

#### EXECUTIVE REPORTS OF COMMITTEES

The following favorable committee reports of nominations were submitted:

By Mr. BAILEY, from the Committee on Commerce:

Several officers in the Coast Guard.

By Mr. McKELLAR, from the Committee on Post Offices and Post Roads:

Several postmasters.

The PRESIDING OFFICER (Mr. CHANDLER in the chair). If there be no further reports of committees, the clerk will state the nominations on the calendar.

#### UNITED STATES ATTORNEYS

The legislative clerk read the nomination of George F. Troy to be United States attorney for the district of Rhode Island.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Oscar H. Doyle to be United States attorney for the western district of South Carolina.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

#### POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. BARKLEY. I ask that the nominations of postmasters be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations of postmasters are confirmed en bloc.

That concludes the calendar.

#### RECESS

Mr. BARKLEY. As in legislative session, I move that the Senate take a recess until 11 o'clock a. m. tomorrow.

The motion was agreed to; and (at 5 o'clock and 33 minutes p. m.) the Senate took a recess until tomorrow, Wednesday, March 5, 1941, at 11 o'clock a. m.

#### CONFIRMATIONS

Executive nominations confirmed by the Senate, March 4 (legislative day of February 13), 1941:

#### UNITED STATES ATTORNEYS

George F. Troy to be United States attorney for the district of Rhode Island.

Oscar H. Doyle to be United States attorney for the western district of South Carolina.

#### POSTMASTERS

##### ARKANSAS

Samuel B. McCall, El Dorado.

##### NORTH DAKOTA

Glen E. Mark, Tioga.

Wellington G. Ward, Jr., Tolna.

#### TENNESSEE

John A. Jordan, Franklin.

#### TEXAS

James H. Vallance, Memphis.

Loddie H. Nutt, Monahan.

Everett G. Perry, Sadler.

#### VIRGINIA

Jane S. Clarkson, Millboro.

## HOUSE OF REPRESENTATIVES

TUESDAY, MARCH 4, 1941

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

O Will of God, beneath our life, our faith, and our love, we praise Thee that every breath proclaims Thy true and just way with man. Thine unfailing goodness faileth never; amazingly free is Thine infinitely holy nature. Continue with us that we may arise to the highest plane of life where all lower feelings cease to rule; grant that our courage may blaze into a flaming devotion in which faith receives its overflowing and satisfying confirmation. Keep us undergirded by Thy statutes, opening our eyes that we may behold wondrous things out of Thy law. God bless our country; we are thankful for the things that seem commonplace, yet so essential to our happiness and our national redemption. We thank Thee, dear Lord, for home and church, for food and shelter, for religious liberty and freedom of speech; we praise Thee for those immortal souls who caught these lights. We beseech Thee to so exalt, ennoble, and purify us that we may be altogether worthy of our heritage, determined to do great things for a true and patriotic people. Oh, be Thou in life's way, helping us maintain the true and native values of the individual, ever laboring for a finer, deeper, and more Christian unity. In our Saviour's name. Amen.

The Journal of the proceedings of yesterday was read and approved.

#### PROTECTION OF THE MEXICAN BORDER

Mr. SNYDER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. SNYDER. Mr. Speaker, last year I introduced a bill for the protection of the Mexican border. Today I am reintroducing that bill with more teeth in it. I have had some friends on the Mexican border for the last few months, and I have sufficient evidence to know that undesirables are coming across the Mexican border in large numbers, and also that munitions are being taken across the border without the knowledge of our forces.

Mr. Speaker, the Army should guard the Mexican border, not the civil service. Civil service has its place in our Government set-up, but not as guards on the Mexican border.

Mr. RICH. Mr. Speaker, will the gentleman yield?











## IN THE SENATE OF THE UNITED STATES

MARCH 5 (legislative day, FEBRUARY 13), 1941

Ordered to lie on the table and to be printed

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## AMENDMENT

Intended to be proposed by Mr. WILEY to the bill (H. R. 1776) further to promote the defense of the United States, and for other purposes, viz: At the end of the bill insert the following new section:

1        SEC. 10. No funds shall be made available to any foreign  
2 government under the authority of this Act unless such  
3 foreign government agrees that it will not directly or in-  
4 directly use such funds to procure any agricultural com-  
5 modity other than an agricultural commodity produced in  
6 the United States or its Territories or possessions; and no  
7 agricultural commodity shall be procured for, or disposed of  
8 to, any foreign government under the authority of this Act  
9 unless such agricultural commodity was produced in the  
10 United States or its Territories or possessions.



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## AMENDMENT

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Intended to be proposed by Mr. Wiley to the bill (H. R. 1776) further to promote the defense of the United States, and for other purposes.

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MARCH 5 (legislative day, FEBRUARY 13), 1941  
Ordered to lie on the table and to be printed



# H. R. 1776

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## IN THE SENATE OF THE UNITED STATES

MARCH 5 (legislative day, FEBRUARY 13), 1941

Ordered to lie on the table and to be printed

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## AMENDMENT

Intended to be proposed by Mr. TAFT to the bill (H. R. 1776)  
further to promote the defense of the United States, and for  
other purposes, viz: Add a new section to the bill as follows:

1        SEC.    . Nothing in this Act shall modify the provisions  
2 of sections 23 to 37 of title 18 of the United States Code  
3 (the provisions of the Criminal Code of the United States  
4 relating to offenses against neutrality) or of the proclamation  
5 of the President issued September 5, 1939, insofar as it relates  
6 to said sections 23 to 37 of title 18.



77TH CONGRESS  
1ST SESSION

# H. R. 1776

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## AMENDMENT

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Intended to be proposed by Mr. Tarr to the bill  
(H. R. 1776) further to promote the defense  
of the United States, and for other purposes.

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MARCH 5 (legislative day, FEBRUARY 13), 1941

Ordered to lie on the table and to be printed



# H. R. 1776

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IN THE SENATE OF THE UNITED STATES

MARCH 5 (legislative day, FEBRUARY 13), 1941

Ordered to lie on the table and to be printed

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## AMENDMENT

Intended to be proposed by Mr. TAFT to the bill (H. R. 1776)  
further to promote the defense of the United States, and  
for other purposes, viz:

- 1 On page , in lines 24 and 25, strike out the words
- 2 "of any country whose defense the President deems vital
- 3 to the defense of the United States" and insert in lieu thereof
- 4 "Governments of Great Britain, Canada, and Greece".



77TH CONGRESS  
1ST Session

# H. R. 1776

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## AMENDMENT

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Intended to be proposed by Mr. TART to the bill  
(H. R. 1776) further to promote the defense  
of the United States, and for other purposes.

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MARCH 5 (legislative day, FEBRUARY 13), 1941  
Ordered to lie on the table and to be printed



# H. R. 1776

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## IN THE SENATE OF THE UNITED STATES

MARCH 5 (legislative day, FEBRUARY 13), 1941

Ordered to lie on the table and to be printed

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## AMENDMENT

Intended to be proposed by Mr. RUSSELL (for himself and Mr. LEE) to the bill (H. R. 1776) further to promote the defense of the United States, and for other purposes, viz: On page 3, after line 19, insert the following new subparagraphs:

- 1           (6) To procure for any such foreign government
- 2           any agricultural commodity produced in the United
- 3           States or its Territories or possessions.
- 4           (7) To sell, transfer, exchange, lease, lend, or
- 5           otherwise dispose of, to any such government any agri-
- 6           cultural commodity produced in the United States or
- 7           its Territories or possessions. The authority conferred by
- 8           this paragraph may, in the case of any agricultural com-
- 9           modity owned by the United States or any agency
- 10          thereof, be exercised without regard to any provisions
- 11          of law placing limitations upon the prices at which such
- 12          commodity may be disposed of.



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## AMENDMENT

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Intended to be proposed by Mr. Russell, (for himself and Mr. Lee) to the bill (H. R. 1776) further to promote the defense of the United States, and for other purposes.

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MARCH 5 (legislative day, FEBRUARY 13), 1941  
Ordered to lie on the table and to be printed



# H. R. 1776

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## IN THE SENATE OF THE UNITED STATES

MARCH 5 (legislative day, FEBRUARY 13), 1941

Ordered to lie on the table and to be printed

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## AMENDMENT

Intended to be proposed by Mr. DANAHER to the bill (H. R. 1776) further to promote the defense of the United States, and for other purposes, viz:

1       On page 7, line 19, after the word "direct" insert a  
2 colon and the following new language: "*Provided, That*  
3 nothing in this Act shall be construed to confer upon the  
4 President or any such department, agency, or officer the  
5 power or the authority to establish control or censorship in  
6 any manner not now provided by law, over the use of the  
7 radio, the press, or other instrumentality engaged in the  
8 publication or dissemination of news, opinion, or information;  
9 and no rule or regulation shall be promulgated or fixed which  
10 shall abridge or interfere with the freedom of speech or of  
11 the press".



77TH CONGRESS  
1ST SESSION

# H. R. 1776

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## AMENDMENT

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Intended to be proposed by Mr. DANAHY to the bill (H. R. 1776) further to promote the defense of the United States, and for other purposes.

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MARCH 5 (legislative day, FEBRUARY 13), 1941

Ordered to lie on the table and to be printed



77TH CONGRESS  
1ST SESSION

# H. R. 1776

---

## IN THE SENATE OF THE UNITED STATES

MARCH 5 (legislative day, FEBRUARY 13), 1941

Ordered to lie on the table and to be printed

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## AMENDMENT

Intended to be proposed by Mr. BUTLER (for himself and Mr. LANGER) to the bill (H. R. 1776) further to promote the defense of the United States, and for other purposes, viz: On page 5, between lines 4 and 5, add the following new subsection:

- 1 (f) Nothing in this Act shall be construed to authorize
- 2 the President or any department or agency of the Govern-
- 3 ment (1) to receive or accept any agricultural commodities
- 4 which are competitive with any agricultural commodities
- 5 produced within the United States or its Territories or
- 6 possessions, either as a condition to the receipt by a foreign
- 7 government of any aid authorized under subsection (a)
- 8 or otherwise, or (2) to finance, directly or indirectly, the



1 sale or other disposition of any agricultural commodities  
2 heretofore or hereafter received or acquired by the United  
3 States or any department or agency thereof if such agri-  
4 cultural commodities were not produced within the United  
5 States or its Territories or possessions.

77<sup>th</sup> CONGRESS  
1ST SESSION

H. R. 1776

## AMENDMENT

Intended to be proposed by Mr. BUTLER (for himself and Mr. LANGER) to the bill (H. R. 1776) further to promote the defense of the United States, and for other purposes.

MARCH 5 (legislative day, FEBRUARY 13), 1941  
Ordered to lie on the table and to be printed



tion; V. S. Karabasz, associate professor of industry; C. A. Kulp, professor of insurance; W. N. Loucks, professor of economics; Hans P. Neisser, professor of monetary theory; Blake E. Nicholson, associate professor of business law; Ernest M. Patterson, professor of economics; Hobart S. Perry, assistant professor of transportation; J. C. Phillips, assistant professor of political science; Calvin H. Rankin, assistant professor of accounting; Joseph R. Rose, assistant professor of public utilities and transportation; Smith Simpson, assistant professor of business law; Stephen B. Sweeney, associate professor of insurance; C. R. Whittlesey, professor of finance and economics; Alfred H. Williams, dean of Wharton School and professor of industry; Frank E. Williams, professor of geography; Conyers Read, professor of English history.

Attest signatures:

ROLAND G. KENT.

Mr. DAVIS. Mr. President, also believing in the right of citizens to petition their Government, I present for the RECORD and for appropriate reference an additional petition or memorial, which is signed by about 100 citizens of the State of Pennsylvania. These citizens are opposed to the lease-lend bill. I do not ask that all the signatures be published in the RECORD with the memorial, but only those appearing on the first sheet.

There being no objection, the memorial was ordered to lie on the table and to be printed in the RECORD, without all the signatures attached except those appearing on the first page thereof, as follows:

Hon. JAMES J. DAVIS,

Washington, D. C.:

We, the undersigned, respectfully petition you, the Honorable JAMES J. DAVIS, to oppose passage of H. R. 1776, the so-called lease-lend bill. We do not believe that our Nation is dependent on any other nation, and we fear further acts of intervention will involve our Nation in the conflict abroad. Refusal of the bill's supporters to permit amendments banning the use of convoys or American troops abroad indicates they intend such use, which we certainly disapprove. In order to fulfill the aim of those who would aid England, we would recommend the Taft substitute proposal, which would relieve our Government from active participation and yet supply England with the funds to secure necessary goods.

Respectfully,

H. W. English, Ph.D., Ingomar, Pa., March 2, 1941; John Crispens, Jr., Ingomar, Pa., February 27, 1941; Ellsworth D. Crispens, Ingomar, Pa., February 27, 1941; Edna B. Crispens, Ingomar, Pa., February 27, 1941; Edna B. Crispens, Ingomar, Pa., February 27, 1941; Marcella Crispens, Ingomar, Pa., February 27, 1941; John Berton, Ambridge, Pa., February 28, 1941; Lester Langhorst, R. D. 2, Werford, Pa.; A. W. Reed, Ingomar, Pa., February 28, 1941; W. Sullivan, Pittsburgh, Pa., February 28, 1941; Elmer L. Young, Ingomar, Pa., February 28, 1941; Mrs. James A. Stafford, Ingomar, Pa., February 28, 1941; R. W. Miller, Perrysville, Pa., February 28, 1941; Albert F. Hofstetter, Perrysville, February 28, 1941; Lillian Goetz, Ingomar, Pa., February 28, 1941; John W. Crispens, Ingomar, Pa., February 28, 1941.

In getting this petition signed only four persons refused. Ninety-eight signed; four refused.

JOHN CRISPENS, Jr.

#### PROTESTS FROM CALIFORNIA AGAINST THE LEASE-LEND BILL

Mr. JOHNSON of California. Mr. President, I present for the RECORD and appropriate disposition a telegram received by me from Joseph Scott, Charles Paddock, Dr. Albert Day, Roland Maxwell, and D. M. Linnard, all from Pasadena, Calif.; and also a letter received from R. C. Bartow, secretary of the Pasadena No War Committee, with very many names attached thereto, which I ask to have printed in the RECORD.

The VICE PRESIDENT. Without objection, it is so ordered; and the telegram and letter in the nature of a memorial will lie on the table and be printed in the RECORD without the list of names attached to the letter.

The matter referred to is as follows:

PASADENA, CALIF., March 4, 1941.

Senator HIRAM JOHNSON,

Senate Office Building,

Washington, D. C.:

Three thousand attended no-war anti-lease meeting here Thursday night and many were turned away. Believe the vast mass of the people are with you. God bless you in your heroic fight. You have and will continue to have our firm support and that of the Pasadena No War Committee, of which we are members.

JOSEPH SCOTT.  
CHARLES PADDOCK.  
DR. ALBERT DAY.  
ROLAND MAXWELL.  
D. M. LINNARD.

PASADENA NO WAR COMMITTEE,

Pasadena, Calif., March 1, 1941.

Hon. HIRAM W. JOHNSON,

United States Senate, Washington, D. C.

DEAR SIR: The following message via Mackay Radio, with 1,500 signatures, was sent to Senator SHERIDAN DOWNNEY, February 23, 1941: "Because it authorizes undeclared war in the name of peace, and dictatorship in the name of democracy, we, as citizens of southern California, meeting in Pasadena tonight, earnestly urge that you vote against bill 1776 and keep America free."

The meeting was held in the Pasadena Civic Auditorium, February 27, 1941, which was filled to capacity—3,000—and over 400 were turned away.

Our committee is actively engaged in a movement to keep the United States out of foreign wars, and is back of you and your good work along this line 100 percent.

Be assured of our continued support.

Respectfully,

PASADENA NO WAR COMMITTEE,

R. C. BARTOW, Secretary.

#### REPORTS OF COMMITTEES

The following reports of committee were submitted:

By Mr. GREEN, from the Committee on Foreign Relations:

S. J. Res. 31. Joint resolution authorizing the President of the United States to present to Eire on behalf of the people of the United States a statue of Commodore John Barry; with amendments (Rept. No. 79).

By Mr. GEORGE, from the Committee on Foreign Relations:

S. 706. A bill for the relief of Blanche W. Stout; without amendment (Rept. No. 80); and

H. R. 3297. A bill to amend the first paragraph of section 22 of the act of February

23, 1931 (46 Stat. 1210); without amendment (Rept. No. 81).

By Mr. BROWN, from the Committee on Commerce:

S. 478. A bill to authorize the Secretary of the Treasury to permit the construction and maintenance of overhanging walks on the highway bridge, route No. 36, at Highlands, N. J., for public use; without amendment (Rept. No. 82).

#### BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BALL:

S. 1035. A bill for the relief of Howard E. Dickison; to the Committee on Claims.

By Mr. CLARK of Idaho:

S. 1036. A bill to promote a program of water conservation and to facilitate the investigation of means and methods for the prevention or reduction of water losses caused by seepage from irrigation canals, and for related purposes; to the Committee on Irrigation and Reclamation.

By Mr. RUSSELL:

S. 1037. A bill to provide for the establishment of an Industrial Sites Location Board, to define its functions, and for other purposes; to the Committee on Naval Affairs.

By Mr. WALSH:

S. 1038. A bill to increase the authorized enlisted strength of the United States Navy, and for other purposes; and

S. 1039. A bill establishing an Office of Budget and Reports in the Navy Department, and for other purposes; to the Committee on Naval Affairs.

By Mr. OVERTON:

S. 1040. A bill for the relief of Claude W. LaSalle; to the Committee on Claims.

#### PROMOTION OF NATIONAL DEFENSE—AMENDMENTS

Mr. DANAHER, Mr. BUTLER (for himself and Mr. LANGER), and Mr. RUSSELL (for himself and Mr. LEE) severally submitted an amendment, and Mr. TAFT submitted two amendments intended to be proposed by them, respectively, to House bill 1776, the lease-lend bill, which were severally ordered to lie on the table and to be printed.

Mr. WILEY. Mr. President, I submit an amendment to the pending bill, House bill 1776. Since it is very short, I ask that it be printed in the RECORD, together with a letter from Neal Peck, State master of the Wisconsin State Grange.

The VICE PRESIDENT. Is there objection to the request of the Senator from Wisconsin? The Chair hears none. The proposed amendment will lie on the table, be printed, and printed in the RECORD, and the letter referred to also will be printed in the RECORD.

The amendment is as follows:

Amendment intended to be proposed by Mr. WILEY to the bill (H. R. 1776) further to promote the defense of the United States, and for other purposes, viz: At the end of the bill insert the following new section:

"Sec. 10. No funds shall be made available to any foreign government under the authority of this act unless such foreign government agrees that it will not directly or indirectly use such funds to procure any agricultural commodity other than an agricultural commodity produced in the United States or its Territories or possessions; and no agricultural commodity shall be procured for, or disposed of to, any foreign government under the authority of this act unless such agricultural commodity was produced in the United States or its Territories or possessions."



The letter presented by Mr. WILEY in connection with his proposed amendment is as follows:

WISCONSIN STATE GRANGE,  
Peshtigo, Wis., March 1, 1941.

ALEXANDER WILEY,

Senator, Washington, D. C.

HON. SENATOR WILEY: Reports reaching our office indicate during the last few months England has made heavy purchases of farm commodities from South American countries, and new contracts are being arranged for 1941, which will increase these purchases.

It is evident the lend-lease bill will pass Congress. We believe a provision should be written into this bill that any funds loaned to England under this act, which are used for the purchase of farm commodities, such commodities must be purchased in the United States. It would be very unfair to American agriculture to loan funds to England under the lend-lease bill and then have such funds used to the detriment of American agriculture.

In the entire defense and preparedness program ample provision has been made to safeguard the profits of industry and labor has been assured a good wage. Therefore it is only reasonable that American agriculture should have some protection in the expenditure of funds loaned or provided under the lend-lease bill. The large surpluses of agricultural commodities which are in the United States, especially in some of the staple crops, should be given first consideration.

Yours truly,

NEAL PECK, State Master.

#### REFUND OF INVALIDATED HOG PROCESSING TAX (S. DOC. NO. 21)

Mr. GURNEY. Mr. President, during the last Congress the Senate passed, but the House failed to pass a joint resolution seeking to authorize refunds of the processing tax on hogs to the raisers and producers. Therefore at this session I have introduced Senate Joint Resolution 39, a similar measure, which was referred to the Committee on Agriculture and Forestry.

There has been prepared a brief or memorandum setting forth the facts on this question, and I now ask unanimous consent that this brief be printed as a Senate document.

The VICE PRESIDENT. Without objection, it is so ordered.

#### ADDRESS BY SENATOR HERRING ON AMERICA'S ANSWER TO WORLD DICTATORSHIP

[Mr. BROWN asked and obtained leave to have printed in the Appendix a radio address delivered by Senator HERRING on March 4, 1941, entitled "America's Answer to World Dictatorship," which appears in the Appendix.]

#### EDITORIALS FROM BOZEMAN (MONT.) DAILY CHRONICLE ON LEND-LEASE BILL

[Mr. HILL asked and obtained leave to have printed in the Record four editorials from the Bozeman Daily Chronicle, of Bozeman, Mont., relative to the so-called lease-lend bill, and urging its passage, which appear in the Appendix.]

#### ARTICLE BY BLAIR MOODY ON CANADA'S CONTRIBUTION TO THE EMPIRE

[Mr. VANDENBERG asked and obtained leave to have printed in the Record excerpts from an article by Blair Moody, published in the Detroit News, relative to the contribution which Canada is making to empire defense, which appears in the Appendix.]

#### CHEERS FROM BERLIN—EDITORIAL FROM WASHINGTON POST

[Mr. SMATHERS asked and obtained leave to have printed in the Record an editorial from the Washington Post of March 5, 1941, entitled "Cheers from Berlin," and also a telegram from Mrs. Laura Jones Honaker, both relative to the so-called lease-lend bill, which appear in the Appendix.]

#### ADDRESS BY F. E. EDGERTON ON NEBRASKA AND ABRAHAM LINCOLN

[Mr. BUTLER asked and obtained leave to have printed in the Record a radio address entitled "Nebraska and Abraham Lincoln," delivered by F. E. Edgerton, of Aurora, Nebr., which appears in the Appendix.]

#### BRIEF BY LOUIS F. McCABE ON LEASE-LEND BILL

[Mr. WHEELER asked and obtained leave to have printed in the Record a brief on House bill 1776, prepared by Mr. Louis F. McCabe, of Philadelphia, which appears in the Appendix.]

#### ADDRESS BY ORVILLE McPHERSON ON AID TO BRITAIN

[Mr. PEPPER asked and obtained leave to have printed in the Record an address delivered by Hon. Orville McPherson, publisher of the Kansas City Journal, at Topeka, Kans., on February 22, 1941, on aid to Britain, which appears in the Appendix.]

#### RESOLUTION ON LEASE-LEND BILL ADOPTED AT MEETING IN TOPEKA, KANS., FEBRUARY 22, 1941

[Mr. PEPPER asked and obtained leave to have printed in the Record a resolution relating to the lend-lease bill, adopted at a meeting held in Topeka, Kans., on February 22, 1941, which appears in the Appendix.]

#### ADDRESS BY B. B. GROCE TO DALLAS FEDERATION OF WOMEN'S CLUBS

[Mr. CONNALLY asked and obtained leave to have printed in the Record an address delivered by Mr. B. B. Groce, president of the Texas Society for the Hard of Hearing, delivered on December 3, 1940, before the Texas Federation of Women's Clubs, which appears in the Appendix.]

#### THE BITTER QUESTION—EDITORIAL FROM SATURDAY EVENING POST

[Mr. CLARK of Missouri asked and obtained leave to have printed in the Appendix an editorial entitled "The Bitter Question," published in the Saturday Evening Post of March 8, 1941, which appears in the Appendix.]

#### MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting several nominations were communicated to the Senate by Mr. Latta, one of his secretaries.

#### PROMOTION OF NATIONAL DEFENSE

The Senate resumed the consideration of the bill (H. R. 1776) further to promote the defense of the United States, and for other purposes.

Mr. TOBEY. Mr. President, there is one point on which we are all agreed; and that is that on the foreign-policy issues now being considered by the Congress, which hold in balance a life in nearly every American family, partisan thought has no place.

Today, the United States is giving a tremendous amount of aid to Great Britain. Month by month we have gone a long way in our efforts to increase this aid. Still greater aid, short of war, can

be immediately effected by speeding up our production, and by making available to England the dollar exchange to enable her to make increased purchases of war materials here.

There are, however, those who would go even further, by having the Congress enact legislation which would draw this country into the largest-scale war ever experienced by man—a war which would result in economic ruin to this country, and millions of maimed and dead American boys. The latter course I cannot, and will not, follow.

On February 20 I introduced in the Senate a joint resolution to make available to Great Britain up to \$2,000,000,000 in part exchange for certain portions of her islands in the Caribbean, to be used as naval bases by the United States.

These islands are comparatively of negligible value to the defense of the British Empire, but they are vital to the defense of the United States, and especially of the Panama Canal; and the Secretary of the Navy, testifying recently, urged that they be acquired from Great Britain.

With this money Britain could make even greater purchases of aircraft, tanks, ammunition and other war materials, as fast as we could produce them. It is the method of aid to Britain which has long been advocated by leaders in both the House and the Senate. It could be passed by the Congress within 48 hours. It would produce the speediest possible aid to Britain, without risking involvement in the war and without dividing the country on controversial issues. It would retain the war-making power in the Congress, where it was placed by the people. It would not delegate to any one the power to dispose of all or any portion of our Navy to any country in the world. It would not risk our involvement in war by opening the ports of our country to the outfitting and repair of belligerent war vessels. It would give to Great Britain, in the minimum of time, the maximum aid which this country can give without actual involvement in the war. It would be effective aid short of war.

Instead of following this method, however, the administration has brought in a bill filled with unnecessary provisions, and fraught with war danger for this country. I refer to the so-called lease-lend-give bill, now being debated in the Senate. By this bill the Senate would give up its treaty-making power, and the Congress would turn over to one man the power to make war, involving 130,000,000 people in this country. The bill gives to one man the unrestricted power literally to seize anything in the country, whether belonging to the Government or to private citizens, and to give it to any other country in the world, without any limit in law. It gives to one man the power to give away our Navy or any portion of it—the power to give away our aircraft, army equipment, and military secrets to any country he chooses, including Soviet Russia, which country he has recently favored by lifting the moral embargo against shipments of vital war materials.

Shortly after the President lifted the moral embargo on shipments of vital



war materials to Russia, we shipped to Russia and Japan large shipments of tin, machine tools, aircraft equipment, aluminum, rubber, and other materials, all so much needed in the United States. At the same time we are told that our production of war materials for Great Britain and for our own defense is being slowed up by a scarcity of these very products.

Recently the Secretary of the Navy advised the House Foreign Affairs Committee that he is opposed to further transfer of our Navy, and testified that we cannot give away any more naval vessels of any kind without impairing the efficiency of our own Navy; and yet this bill provides that this may be done, without restriction, by one man. It makes one man the unrestricted master of the people's foreign policy anywhere in the world. As Secretary of State Hull once said, "This is too much power for a bad man to have or for a good man to want." The bill provides that at this one man's discretion the shores of the United States shall be turned over for the outfitting and repair of warships of belligerent nations, whether those of Russia, or England, or any other nation he chooses. This alone could get us into war overnight.

Assume, for example, that Mexico were to turn its shores over to Germany for repair and rearmament of German submarines and destroyers. Can it be doubted for a moment that England, after crippling a German war vessel, would follow it into the Mexican port and would not allow the Germans to hold it in a Mexican port, to be repaired by Mexico, outfitted, and rearmed by Mexico, to be used against England again? On the contrary, England, after crippling the German war vessel, would, in all justification, follow its prey into the Mexican port and carry the war to the shores of Mexico, and very probably mine adjacent waters. And yet, the proponents of the measure argue that we can do the same thing, without risk of involvement in the war.

There is not even a limitation on the amount of the people's property that can be given away. In the House an amendment was offered by Representative WADSWORTH to restrict the amount to the great sum of \$7,000,000,000, and, believe it or not, this generous limitation was opposed by the administration and was defeated. The proponents of the bill have sought to lead the people to believe that, inasmuch as the Congress controls appropriations, the Congress will be able to act as a check on the President. This is not true of the bill in its present form, and I shall point out why.

Under the bill the President can give away a large portion of our fleet or two-thirds of our military and naval aircraft; he would, of course, then come to the Congress and say, "Your Nation has a depleted fleet and a fragmentary air force." Congress would have no alternative but to vote the billions to replenish its air and naval forces.

The administration has stated its purpose not only to guarantee victory for England but also to guarantee the defeat

of every aggressor nation on earth. I raise the question: "As a practical matter, can this be done, and where would the long-drawn-out attempt leave us?" It would mean fighting to the end to defeat Japan, to conquer Hitler, to conquer Russia and Italy, and to force them to restore every piece of soil that they have invaded.

England has an army of approximately two and a half million men and Germany an army of six and a half million men. The military experts agree that a physical invasion of Europe would have to be made in an attempt to accomplish the goal of the President. The extra men to support Britain's two and a half million army would have to come from the homes of America. It would require an expeditionary force many times greater than that sent by us to Europe in 1917, and under much greater hazards. The cost of bloodshed—our blood and money—in privation, and years of struggle staggers the imagination.

If the Senate passes H. R. 1776, the die will be cast irrevocably. Conservative estimates place the cost to this country at \$40,000,000,000 a year. It is not an overstatement to say that more than 1,000,000 American boys would be killed or maimed in the long struggle.

Instead of adopting the lend-lease bill, fraught with war dangers, and turning over congressional powers to one man, why not pass legislation to make available the funds to enable Great Britain to increase her purchases of war materials in this country, and why not further our efforts to speed up production in this country? Anything more than this means war.

Shortly before we were drawn into the last World War, President Wilson was re-elected on the slogan, "He Kept Us Out of War." We were first told by England that all she wanted was our materials, but not men. Later we were told they did not need our Army, but only the American flag with a token regiment, to reinforce the morale of the English; but we ended up by sending more than a million American boys to invade Europe.

Someone has well said, "The only lesson we learn from experience is that we learn nothing from experience."

Recently the President was reelected on his statement made 2 days before election, I quote: "The first purpose of our foreign policy is to keep our country out of war." Both party platforms made this same pledge to the American people. Repeatedly in his campaign the President used the phrase "short of war" in his public assurances to the American people. But since the date of his reelection, not once has he referred to a policy "short of war." On the contrary, the utterances of the administration leaders have suddenly become more belligerent.

In his message to the Congress on January 6, the President announced his program to insure freedom of expression everywhere in the world, freedom of worship everywhere in the world, freedom from want everywhere in the world, freedom from fear anywhere in the world. I concur in that abstract statement, but if what is contemplated, as

seems more apparent every day, is that the United States is going to undertake this enormous task by intervention in the foreign war, and the use of our armed forces, then I say that we are trying to cover too much territory.

Freedom of expression, freedom from want, freedom from fear, everywhere in the world? Oh, better first sell that Utopian idea to the Hagues, the Keily-Nashes, the Crumps, and the Pendergasts. Remember the old injunction, "Physician, heal thyself."

Since last fall, when Congress voted in favor of conscription, thousands of American boys have been drafted, and their parents led to believe that they will be kept for only 1 year. The Draft Act contains the following provision:

Persons inducted into the land forces of the United States, under this act, shall not be employed beyond the limits of the Western Hemisphere, except in the Territories and possessions of the United States, including the Philippine Islands.

The President signed that act. We voted for the measure with that provision in it, and took that language at par, and that gave a guarantee to the American people. Yet, only a few days ago the following amendment to the lend-lease bill was offered in the Foreign Relations Committee:

Nothing contained in this act shall be deemed to confer any additional powers to authorize the employment or use of persons in the land or naval forces of the United States beyond the limits of the Western Hemisphere except in the Territories and possessions of the United States, including the Philippines.

The administration opposed this amendment and defeated it in committee. Think that over. Is this deceit? If not, what is it?

Apparently, a page has been taken from the book written by Winston Churchill and published by Charles Scribner Sons, in which Churchill wrote:

Nothing will bring American sympathy along with us so much as American blood shed in the field.

We are following the same path we followed in 1917, even in the face of the statement by Winston Churchill who, after the last war was over, said:

America's entrance into the war was disastrous, not only for your country but for the Allies as well; because, had you stayed home and minded your own business, we would have made peace with the Central Powers in the spring of 1917; then there would have been no collapse in Russia, followed by communism; no break-down in Italy, followed by fascism; and nazi-ism would not at present be enthroned in Germany. If America had stayed out of the war and minded her own business none of these "isms" would today be sweeping the continent of Europe and breaking down her parliamentary government.

People of America, we are much nearer entering a long, costly war, on foreign soil, than you may realize. Administration leaders are letting the true situation slip out now and then. Last week Jesse Jones testified before the House Banking and Currency Committee and said:

We are in the war; at least, we are nearly in the war. We are preparing for it. When



you do that, you have got to throw money away.

After making this statement, Mr. Jones asked that the stenographer strike out the words from the public record, and his request was granted. But Jesse Jones spoke those words from his heart that day, even though they were deleted from the official record.

The New York Times of February 20 reports that Mrs. Roosevelt, in a talk to a girls' school the day before, indicated that it might be better for this country to go to war if it were necessary to save the British from defeat. Shades of 1917.

On February 20 Mrs. Roosevelt introduced Dorothy Thompson to a large audience at Constitution Hall in Washington, who spoke of her vision of a United States of Europe and urged that the United States join such a federation. "We are already in the war," she said.

Various Senators, in urging passage of this lend-lease bill, have taken stands ranging from the statement by the Senator from Florida [Mr. PEPPER] that the bill is a step to war, to the statement by the distinguished Senator from North Carolina [Mr. BAILEY] that if the bill means war he is ready for it.

So again I say we are on the brink of war, although the people have not fully sensed it as yet. We are following the same path that we did in the last World War. This lend-lease bill is the vestibule to war. Even more, it will make the President the war lord of Europe.

Hilaire Belloc, the noted British author, in relating how America was drawn into the war in 1917, wrote:

The most comic part of the affair was the attitude toward America. We dared not insult America, for we were naturally as keen on getting American help as is a drowning man on catching a deck chair. In their ignorance, many people came to believe that it was the duty of the Americans to come over and help, and, what was more astonishing still, it was represented to them as a matter of life and death, not to us but to themselves. The Americans were told (Heaven knows whether any of them believed it) that if the Germans, Austrians, Bulgarians, Turks, and others won in their push against the English, French, and Italians, that after the half-baked won against the baked, the next thing would be a sailing of the conquerors over the sea for the rude dominion of Scranton, Pa. Fiddlesticks; but people would really talk like that. They shook their fingers at the United States and said, "It will be your turn next."

Who are the defeatists in this country?

Those who, knowing that America is 130,000,000 strong, with a favorable geographical position for defense, with an industrial power equal to that of all Europe combined; those, who, having an indomitable will to defend America on American soil, say that we can and will defeat any attempted invasion over here? No; these are not the defeatists.

They, rather, are the defeatists who quiver and quake at the suggestion that Hitler might be able to conquer Europe, conquer Great Britain, overcome the obstacles of famine and disease, economic ruin, and a tremendous "fifth column" against him in all Europe; hold these people down, and, at the same time, leaving a suspicious Russia at his back door, start out on a costly venture to cross 3,000 miles of ocean, in a doubtful at-

tempt to conquer a well defended and equipped and powerful nation of 130,000,000 indomitable Americans. They are the defeatists who say that in the face of this questionable possibility America has no alternative but to send her boys 3,000 miles across the sea, to die on foreign soil as they died in 1917-18.

Yes, we are following the same path over again, and if we do get in the war it will be a long struggle, with millions of American boys sent over to invade Europe. We will come out of it with hundreds of thousands of casualties, a staggering debt, and will have lost democracy on the home front. If this bill is passed it will mean that, contrary to the immortal words of Lincoln, our sacred dead shall have died in vain, and that government of, by, and for the people shall have perished from this land.

It should not be forgotten that the total casualties, in 4 years of the World War, were more than 37,000,000—think that over with a view to the present question of whether we should be drawn into the war today, when machines of destruction are far greater than ever dreamed of 20 years ago.

Let it be remembered that war cannot be repealed, that bankruptcy cannot be repealed, and that the dead cannot return home.

If we go in and, as our military authorities predict, the war continues for a number of years, what will the harvest be? It will be the destruction of the materials of all the belligerent nations, including our own. There will be nothing left but poverty and ruin, famine and disease. Then there will be a movement in all the ruined nations for an enforced program of sharing the poverty equally—some degenerated form of communism to be based on general ruin and general despair. The war-gutted nations will not be able to resist such a movement, after having shot away their very substance. Hold this picture in your minds as you consider the question of whether we should get into the present war. Recall the statement of former French Premier Briand: "In modern warfare, no nation wins"; and he ought to know.

Organized propaganda, which started out by being subtle, so as to draw us in unawares with increasing momentum, has suddenly become more open in an effort to get us into the war. Several weeks ago, William Allen White resigned as chairman of the Committee to Defend America by Aiding the Allies. He wrote a letter giving the reasons for his resignation, and I quote therefrom:

I tried to get out after the election, because I felt the warmongering activities made this a full-time job for a younger man. I certainly do not agree with anyone who wants to make a climate in which the war bug will grow.

In two of our chapters, New York and Washington, we have a bunch of warmongers and, under our organization, we have no way to oust them, and I just can't remain at the head of an organization which is being used by those chapters to ghost dance for war.

Dr. McCracken, president of Vassar College, was also a member of the William Allen White committee, and when he learned what was going on, he resigned.

On January 31, he stated that—

there is a gigantic conspiracy on to get the United States into the war. Not a war of defense, but a war of invasion of Europe.

He said further:

The United States Army and Navy are building for an invasion of Europe, and our diplomacy is designed to afflict the enemies of Britain to bring on a situation for which war is the only way out.

Very recently, President Hutchins of the University of Chicago said that the American Nation is about to commit suicide and plunge into the European war, and he continued:

We have a chance to help humanity if we do not get into this war; if we do get in, we have no chance at all.

In closing I commend to you the thoughtful appeal of William Henry Chamberlin, correspondent in Europe and Asia for the Christian Science Monitor since 1922, who recently said:

Let America's destiny be to keep bright the flame of civilization which was lit in Europe and which is now apparently going out there. Let us keep clear of adventurous crusades which, after wasting our lives and property, will inevitably end in futility and disillusionment. Let us be strong for the preservation of peace in our own hemisphere, in the regions where we can reasonably hope to make our military, naval, and economic strength decisive. Let us shut our ears to the barrage of conscious and unconscious propaganda that will play on us with increasing force as Europe's death gamble becomes more and more desperate. Let us remember that by every Christian, humanist, democratic standard, every individual American life is sacred and precious, to be sacrificed only if our own security is threatened; not to be thrown away in the interest of foreign powers. And let us never forget that the surest road to fascism, to communism, to every other form of the brutalitarian state is through war.

Having in mind the futility of our venture in 1917, with the irreparable loss of life and property which produced the dictator-ridden Europe of today, I now ask you, Mr. President and Senators, are you willing to commit yourselves irrevocably to the proposition that you shall send your sons to certain oblivion now, on the possibility that in the indefinite future your grandsons, yet unborn, may enjoy a problematical peace?

How will the war affect you? Listen to the words of the Senator from Idaho [Mr. CLARK]:

People of America, all of you will love war at first, but when the heartless shells begin to scatter the bodies of your boys amidst the yellow mud of some European or Asiatic battlefield, you will not love it quite so much. When the long streams of coffins, bids for which the War Department has already requested in large numbers, start to roll into your homes, if there is anything left to put in coffins, then you will know something about the love of war. When the crippled and the maimed and the insane begin once more to fill new and hungry hospitals, and you have to close your eyes rather than look upon the horror of the thing, then you will have some idea of war.

And when for the next 100 years you and your children and your children's children begin to toil and sweat and grub to pay back the billions and billions which are being so carelessly tossed away to preserve the financial and the far-flung empires of the world, then you will not like war.



When the democracy which you sought to save abroad has vanished at home, when the freedoms of today are but misty memories, when the Government has taken over the railroads, the radio, the utilities, the newspapers, and other forms of public expression, when labor is conscripted and the farmers regimented, then, people of America, you may, amidst your blood and your tears, have some faint glimpse of modern war. What a ghastly hang-over it will be.

Mr. President, and my colleagues of the Senate, for many years I have hid in my heart the memory of an incident that happened in the World War in 1917. It tells the story of one of our doughboys who had been ordered from the trenches, after a long vigil in the mud and filth of the trenches, to charge the enemy out in no man's land. He obeyed the order as a good soldier, but halfway across no man's land he was brought down by a bullet from a machine gun. His buddies picked him up and brought him behind the lines and sent him to the dressing station in the rear. He had vision in his soul; and when they unbuttoned his uniform they found pinned to his shirt a paper, from which they deciphered these words, scrawled in pencil by the light of a candle the night before in the rottenness of the trenches:

Ye that have faith to look with fearless eyes  
Beyond the tragedy of a world at strife  
And know that out of death and night shall  
rise

The dawn of ampler life:  
Rejoice, whatever anguish fills your heart,  
That God hath given you the priceless dower  
To live in these great times and have some  
part  
In Freedom's crowning hour;  
That ye may tell your sons who see the light  
High in the heavens their heritage to take.  
I saw the powers of darkness put to flight.  
I saw the morning break.

Mr. President, that was a score of years ago. He had a vision and hope for better things; but had he lived until today how disillusioned he would have been.

He had been told he was fighting to make the world safe for democracy, only to find that democracy is today being throttled throughout Europe.

He was told that he was participating in a war to end all war; but today he would find that the law of the jungle is dominating Europe and a greater war is being waged.

He would realize that the dawn of the new day which he yearned for is still far below the horizon and that the powers of darkness, instead of having been put to flight, are stronger than ever.

Mr. President, I shall keep faith with that Unknown Soldier of 1917. I do not propose that our boys shall again fight on foreign soil in a European war; and, believing that the pending bill would lead us down such a road, I shall vote "no" when the time comes.

Mr. President and my colleagues of the Senate, hold in your minds the futility of our costly venture of 1917, a venture to save the world for democracy, a venture of disillusionment and regret, and then reverently and solemnly join with me in the prayer of Kipling:

Lord God of hosts, be with us yet,  
Lest we forget—lest we forget!

Mr. WHEELER. Mr. President, I desire to place in the RECORD two editorials

from Wallace's Farmer and Iowa Homestead.

I desire to quote from one of them:

In all the discussion over the lease-lend bill there has been a natural emphasis on the points that divide the Nation—the exact amount of power to be given the President, the size of the appropriations involved, the effect on the neutrality law, etc. All this has been useful and desirable, but it may be time now to center attention on the things on which we all agree.

Too many supporters of the lease-lend bill have given the impression that they hate isolationists even worse than they hate Hitler. Too many opponents have acted as if they preferred the dictatorship of Hitler to the milder powers given President Roosevelt under the bill.

This kind of nonsense is expected during legislative debates, but let's get over it as quick as we can.

The Nation needs continued discussion over our foreign policy. All of us should take a deep and a lively interest in our relation to the war overseas.

Quoting further:

Whatever policy is adopted in regard to the World War, we cannot get along without tolerance and good will among all groups at home. Let us try to remember that almost everybody agrees on these points:

1. Stay out of war.
2. Build up our own defenses.
3. Make democracy work more efficiently in our own land.
4. Use our power to help secure a just and lasting peace in Europe.

I quoted the last portion of the editorial particularly because of the fact that the moment a Senator suggests that a just and lasting peace should be brought about in Europe many hysterical persons who want the United States to go to war immediately condemn him as being in favor of some form of totalitarian state in Europe or as being pro-Nazi.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. WHEELER. I yield.

Mr. BARKLEY. Purely for information, let me ask who is the editor of Wallace's Farmer at this time?

Mr. WHEELER. I would rather ask the Vice President, because I do not know.

Mr. BARKLEY. Frequent quotations from Wallace's Farmer have been used in regard to the subject under discussion. It is my understanding that nobody by the name of Wallace is at this time editor of the publication. I wonder if the Senator knows.

Mr. SMITH. Mr. President, I suggest that the WALLACE we know is no longer a farmer.

Mr. BARKLEY. That is a matter of opinion. The Senator does not know who the editor is?

Mr. WHEELER. Here is a statement that may answer the Senator's question. It says:

Wallace's Farmer and Iowa Homestead, volume 66, No. 21.

Dante M. Pierce, publisher; Clifford V. Gregory, associate publisher. Published every other Saturday at 1912 Grand Avenue, Des Moines, Iowa. Subscription price, postpaid, \$1 for 2 years, biweekly. Canadian and foreign countries, \$1.25 for 1 year.

HENRY A. WALLACE, editor (on leave of absence as Vice President of the United States). Editors: Donald R. Murphy, Arthur T. Thompson, E. R. McIntyre, Mrs. Lois Johnson

Hurley, home department, F. I. Wood, service bureau.

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Mr. BARKLEY. The reason why I ask the Senator is that numerous quotations from that journal have been placed in the RECORD during the last few months, carrying the implication, because it is Wallace's Farmer, that Mr. WALLACE is the editor. It is my understanding that he is not, certainly not the acting editor, and that he is not responsible for the editorial expressions referred to.

Mr. WHEELER. I do not know whether he is or not. I simply am reading the advertisement carried in the publication:

HENRY A. WALLACE, Editor (on leave of absence as Vice President of the United States).

I assume that that explains the situation.

However, the reason why I am quoting from the editorial is not because the Vice President of the United States is editor of the magazine, but because Wallace's Farmer and the Iowa Homestead are publications which have great influence not only in the State of Iowa but throughout the central section of the United States. Because they carry the name "Wallace," and the people of the country, and especially the farmers of the country, know that Mr. WALLACE, the Vice President of the United States, formerly owned and controlled them, and because he is the editor on leave, according to the announcement in the publication as "editor—on leave of absence as Vice President of the United States"—this publication does carry great weight with a tremendous number of persons in the United States of America. Because the magazine still carries his name, and because he is "editor—on leave of absence as Vice President of the United States"—whether or not he dictates the policy of the publication, the great mass of farmers in this country, particularly those in Iowa and in the other central States, have a right to think and to believe that his connection with the publication carries some weight.

Mr. LEE. Mr. President, will the Senator yield?

Mr. WHEELER. I yield.

Mr. LEE. What is objectionable in the editorial?

Mr. WHEELER. Not a thing is objectionable. On the contrary, I think it is highly pleasing. It is pleasing to me. There is nothing objectionable in it.

Mr. LEE. What particular phrase has the Senator in mind? The Senator repeated one phrase, but I did not quite understand the last part of it.

Mr. WHEELER. I said it was highly pleasing to me.

This is what is said in the editorial, and I think the writer is correct about it:

Let us try to remember that almost everybody agrees on these points:

1. Stay out of war.
2. Build up our own defenses.
3. Make democracy work more efficiently in our land.
4. Use our power to help secure a just and lasting peace in Europe.



Mr. LEE. Does anyone in America object to those points? I certainly do not.

Mr. WHEELER. I certainly do not object to those four points. I agree with them. That is the reason why I was quoting them.

I think the editorial is a very fine one as a whole, because it preaches tolerance in the United States, and advises the people to be tolerant. No matter where some of us go, or what we do, immediately some persons say, "Oh, you must be a Nazi sympathizer; you must be a Quisling; you must be doing this or that," although what we are doing is to try to keep the country out of war. I say that is intolerance.

Mr. LEE. Or we hear it said that a certain policy is cowardly if a man follows it but does not stand for a declaration of war.

Mr. WHEELER. No; what I said, and I repeat it, was that if I felt that this was our war and that England was fighting our battle, I would be in favor of declaring war tomorrow. I said that if England is fighting our war and if this is our war, then I should feel that it would be cowardly on my part not to be standing here asking for a declaration of war. But to those who say that we are buying time, and that England is fighting our war, and that we ought to be treating the English people as our mercenaries, I say—speaking for myself only—that to me it seems cowardly to say that we will let somebody else fight our war. We have never hired Hessian soldiers to fight our wars. Whenever we have been in a war we have had the courage to fight our own war, and we have not hired somebody else to do it. [Manifestations of applause in the galleries.]

I next call attention to another editorial appearing in the same periodical. The editorial to which I first referred is dated January 25, 1941. The other editorial appeared in the issue of February 22, 1941. This editorial is taken from Wallace's Farmer and Iowa Homestead. Certainly no one would accuse Wallace's Farmer and Iowa Homestead of being pro-Nazi, or of being anything but American. I think it is American, and I think it expresses American ideals when it makes this statement:

Before everybody starts yelling instead of thinking, we have two suggestions to make to folks who are inclined to let their blood pressure run away with them when they discuss the present war.

The first suggestion is to those 200 percent Americans who go around cursing Hitler and the Nazis and praying for a catastrophe to wipe out the whole German nation.

These folks should remember that they helped make Hitler. So did all of us. So did France and Great Britain. If the blockade on Germany had been lifted as soon as the World War was over, if the struggling German republic had been helped instead of hampered, it is doubtful if Hitler would ever have been more than a small-town gangster. Desperate folks will try anything. It was the world's fault—and its bad luck—that the Germans got desperate enough to grab at anything, and happened to grab Hitler.

If Senators should go to New York City and express that sentiment they would find every little, petty warmonger and columnist saying, "You must be for

Hitler, because you express those sentiments."

I say to the Members of the Senate that it is time for us to be realistic about these matters. I was in Germany in 1936, and I went to the American consul's office and said to him, "Who was responsible for putting Hitler into power?" Do you know, Mr. President, what his reply was? He said:

Of course, it was the big fellows; it was the Thyssens and the Krupps. It was the people downstairs who helped to finance him.

Mr. President, who do you suppose "the people downstairs" were? They were people, some of whom are now in this country, and saying we ought to go and fight to save democracy over in Europe, who helped to finance Hitler and to put him in power.

I desire to read further from the editorial of January 25, 1941:

We should keep in mind that Americans of German origin and German names have no reason to remember 1917-18 with pleasure. Mob hysteria of that period was cruel and unfair to many good Americans with German names, accents, or ancestry. If some Americans of German origin hang back now from approving the national decision to give full aid to Britain, one reason is that they dread lest the persecuting hysteria of 1917 may come again.

Yet I have seen Senators stand on the floor and express almost the same sentiments of hysteria as were expressed in 1917 and 1918. I have seen them stand on the floor and say, "once a German always a German," and when they did it they looked at a Senator who was of German origin himself and who came from Germany. I say that is intolerance, and I am opposed to intolerance, no matter what form it takes—whether against anybody's race or color or creed or anything else.

I am quoting the editorial, not because I disagree with it but because I think it sets forth very sound American doctrine, and I should say that if the Vice President were the editor and had written the editorial he could be very proud of the truly American doctrine it expresses. The editorial continues:

Our second piece of advice is for those few Americans of German descent who have been goaded or deceived into thinking that they should defend Hitler and his Nazis. Once in a while you find a man who thinks and says that Hitler is the savior of Germany, that the Nazis have a sound plan of government, and that the United States might well imitate both.

I say that anybody who is goaded into that position, or who believes in such things, is not a good American, and I thoroughly agree with that statement of the editorial.

We like to see Americans remember with pride the heroes of their own blood. Any American of English descent has a right to be proud that he comes from the same race as Shakespeare. Any American of German descent has the right to be proud that he comes from the same race as Beethoven and Goethe.

But English pride ought not to include the massacres by Cromwell and by Dyer. And German pride should not include the concentration camps, the end of liberty of speech, the wholesale slaughter of the best of German blood, as registered by Hitler and his men.

The real danger to national unity in the present crisis comes from two groups—the 200-percent Americans who yell without thinking, and the few Americans of German descent who feel that the Austrian paper-hanger should be defended because he speaks the language of their grandfathers.

Of the two, we think the 200-percent Americans are likely to cause by far the most trouble. The pro-Hitler crowd is small. It is only important in that it may wave a red rag in the eyes of those who are already inclined to go war crazy.

So I say to the Senator from Oklahoma I am not introducing these editorials into the Record because I criticize them or because I disagree with them. I am placing them in the Record because, in my judgment, the editorials would do credit to the Vice President of the United States of America. They contain nothing that he should be ashamed of, but that he should be proud of, in my judgment, as they are published in a paper that was established by his father and of which he himself is the "editor on leave as Vice President of the United States." I wish, Mr. President, that more people in the United States would take the same view as does this paper.

I ask that the editorials be printed in the Record in full.

The VICE PRESIDENT. Without objection, it is so ordered.

The editorials in full are as follows:

[From Wallace's Farmer and Iowa Homestead of February 22, 1941]

#### WE DON'T NEED TO FIGHT EACH OTHER

In all the discussion over the lease-lend bill there has been a natural emphasis on the points that divide the Nation—the exact amount of power to be given the President, the size of the appropriations involved, the effect on the neutrality law, etc. All this has been useful and desirable, but it may be time now to center attention on the things on which we all agree.

Too many supporters of the lease-lend bill have given the impression that they hate isolationists even worse than they hate Hitler. Too many opponents have acted as if they preferred the dictatorship of Hitler to the milder powers given President Roosevelt under the bill.

This kind of nonsense is expected during legislative debates, but let's get over it as quickly as we can.

The Nation needs continued discussion over our foreign policy. All of us should take a deep and a lively interest in our relation to the war overseas. But folks on both sides should take special pains to remember that this is not a fight between angels and devils, and not a contrast between black and white.

The policy of all-out aid to Great Britain has advantages and disadvantages. The policy of isolation has advantages and disadvantages. Neither guarantees a sure road to peace and prosperity.

If we give all the aid possible to Great Britain, we run the risk of sliding into actual war. If we act as strict neutrals, we run the risk of having Great Britain beaten and of being forced to build a two-ocean navy and a bigger army than we now have.

Each policy has its possible benefits, and each its dangers. It will do us all good if we spend more time on the dangers of the policy we favor, and less on the dangers of the policy we don't like.

Whatever policy is adopted in regard to the World War, we can not get along without tolerance and good-will among all groups at home. Let us try to remember that almost everybody agrees on these points:

1. Stay out of war.
2. Build up our own defenses.



3. Make democracy work more efficiently in our own land.

4. Use our power to help secure a just and lasting peace in Europe.

There are very few warmongers in the country and very few pro-Hitler isolationists. There are merely two groups who disagree on the best way to secure peace and security for the United States. Let's try to remember that.

[From Wallace's Farmer and Iowa Homestead of January 25, 1941]

#### LET'S NOT REPEAT ERRORS OF 1917

Before everybody starts yelling instead of thinking. We have two suggestions to make to folks who are inclined to let their blood pressure run away with them when they discuss the present war.

The first suggestion is to those 200-percent Americans who go around cursing Hitler and the Nazis and praying for a catastrophe to wipe out the whole German nation.

These folks should remember that they helped make Hitler. So did all of us. So did France and Great Britain. If the blockade on Germany had been lifted as soon as the World War was over, if the struggling German Republic had been helped instead of hampered, it is doubtful if Hitler would ever have been more than a small-town gangster. Desperate folks will try anything. It was the world's fault—and it's bad luck—that the Germans got desperate enough to grab at anything, and happened to grab Hitler.

We should keep in mind that Americans of German origin and German names have no reason to remember 1917-18 with pleasure. Mob hysteria of that period was cruel and unfair to many good Americans with German names, accents, or ancestry. If some Americans of German origin hang back now from approving the national decision to give full aid to Britain, one reason is that they dread lest the persecuting hysteria of 1917 may come again.

Our second piece of advice is for those few Americans of German descent who have been goaded or deceived into thinking that they should defend Hitler and his Nazis. Once in a while you find a man who thinks and says that Hitler is the savior of Germany, that the Nazis have a sound plan of government, and that the United States might well imitate both.

We like to see Americans remember with pride the heroes of their own blood. Any American of English descent has the right to be proud that he comes from the same race as Shakespeare. Any American of German descent has the right to be proud that he comes from the same race as Beethoven and Goethe.

But English pride ought not to include the massacres by Cromwell and by Dyer. And German pride should not include the concentration camps, the end of liberty of speech, the wholesale slaughter of the best of German blood as registered by Hitler and his men.

The real danger to national unity in the present crisis comes from two groups, the 200-percent Americans who yell without thinking, and the few Americans of German descent who feel that the Austrian paper-hanger should be defended because he speaks the language of their grandfathers.

Of the two, we think the 200-percent Americans are likely to cause by far the most trouble. The pro-Hitler crowd is small. It is only important in that it may wave a red rag in the eyes of those who are already inclined to go war-crazy.

[From Wallace's Farmer and Iowa Homestead of January 25, 1941]

WALLACE'S FARMER AND IOWA HOMESTEAD  
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Mr. WHEELER. Mr. President, while I am on my feet, I desire to place in the RECORD a letter from the mayor of the city of Barre, Vt., which is self-explanatory and says, among other things, "keep up the good work" and that he is opposed, in substance, to the pending bill. I also ask to have printed in the RECORD a telegram from the Progressive Democratic Club of Baltimore.

THE VICE PRESIDENT. Without objection, the letter and telegram will be printed in the RECORD.

The letter and telegram are as follows:

THE CITY OF BARRE, VT.,  
March 2, 1941.

Senator BURTON K. WHEELER,  
Washington, D. C.

DEAR SENATOR WHEELER: Keep up that good work; you deserve much credit for your attempt to defeat No. 1776, and thus help this country to keep out of this war that does not concern us.

All the citizens of this country will some day be grateful to you for your efforts if it will be possible to defeat this bill or to see that it is talked to death.

Good luck, Senator WHEELER, with best wishes and kindest regards.

Cordially,

E. F. HEININGER.

BALTIMORE, MD., March 4, 1941.

Hon. BURTON K. WHEELER:

Membership opposed to lease-lend bill in present form. Telegrams sent Maryland Senator. Keep up fight.

THE PROGRESSIVE DEMOCRATIC CLUB, INC.,  
F. GARRISON, President,  
JAMES C. WALMSLEY, Secretary.

Mr. WHEELER. Mr. President, I likewise desire to read into the RECORD, A Letter to the Old Men. I read:

#### A LETTER TO THE OLD MEN

According to the 1940 census figures just released, 39 percent of the people of America are between the ages of 20 and 44; 19 percent are between 45 and 64; and only 6 percent are 65 or older.

We, the 39 percent, speak to you, the 6 percent. We are the ones who are giving up a year of our lives to learn to kill our fellow human beings under a conscription law thought up by you old men. We are the ones who will be sent overseas to be killed in the war which will inevitably follow the passage of the terrible lease-lend bill thought up by you old men.

We want you to know what we believe, we the youth of America. We believe that our America is the youngest, greatest, and strongest nation on earth. Strong because it is a young nation filled with the descendants of the most courageous and energetic of Europe's stock—for it takes courage and energy to tear oneself out of the comfortable old soil of an ancient homeland and seek liberty and advancement in a new land. Because our ancestors fled ancient oppressions in Europe we have inbred in us a fierce love of freedom and the country which to us symbolizes freedom—the United States. We will always fight to defend our America.

We believe our young, strong America has a tremendous destiny. And we will not in-

sult America by believing that this destiny depends upon the navy of any European nation. No, we, the young generation, cannot see eye to eye with you old men of little faith who croak that "America's freedom is dependent on the British Navy." That is the defeatist point of view.

And to carry out this hysterical point of view four of you most powerful men in the Government—

It then refers to certain members of the Cabinet and gives their ages, and says they—

are working feverishly to force through Congress this vicious lease-lend bill which will put into the President's willing hands the absolute control of America, including the power to fling her into war.

I shall omit one paragraph.

For we, the youth of the country, are against the colossal stupidity of war, against making our America a dictator Nation under the complete control of one man—and therefore against the lease-lend bill. Our American Youth Congress has come out strongly against it. Colonel Lindbergh, the world famed, youthful aviation authority, is unqualifiedly against it. Our last Ambassador to Great Britain, Joseph Kennedy, who has been closer to the scene of war for a longer period of time than any living American, is against it, as are most of the nationally prominent younger American Legion men, and the outstanding younger members of Congress.

The latest Gallup poll shows 88 percent of the entire American Nation is dead against our entering any foreign war. To you, aged and defeatist leaders of the 12-percent minority who want war, we say that you are betraying America, the land of youth, hope and opportunity. We the 39 percent who are the young generation, and all of the 88 percent who do not want war, must make you, our leaders, see our point of view. We each must and shall write to our own Senator in Washington, lest we be again eased into a war that is wanted by no one but defeatists.

Mr. GEORGE obtained the floor.

Mr. CLARK of Idaho. Mr. President, will the Senator from Georgia yield briefly?

Mr. GEORGE. Does the Senator wish to put something in the RECORD?

Mr. CLARK of Idaho. Yes.

Mr. GEORGE. I yield to the Senator from Idaho.

Mr. CLARK of Idaho. A few days ago there found its way into the CONGRESSIONAL RECORD an editorial from a Montana newspaper attacking rather vigorously the senior Senator from Montana. In view of that editorial, I ask unanimous consent now to insert in the RECORD a more recent editorial from the Montana Standard, published at Butte, Mont., having reference to the attitude and the speech of the distinguished Senator from Montana.

THE VICE PRESIDENT. Without objection, it is so ordered.

The editorial referred to is as follows:

[From the Montana Standard (Butte, Mont.) of March 2, 1941]

#### A DEBATE VITAL TO THE WHOLE NATION

Nerves grow frayed in the United States Senate, as elsewhere, when there is keen and protracted debate and men hold tenaciously to their viewpoints, insisting that they are right and their opponents are in the wrong.

Montana's Senator WHEELER is a central figure in this fight, as he has been a central figure in other battles when the administration was undertaking to depart from fundamentals of basic American law. As for his



courage and ability as a fighter, whether under the restraints of parliamentary rule on the Senate floor or in the rough-and-tumble tactics of the political arena, Senator WHEELER's opponents had better review the record when they undertake any personal aspersions.

Most of us are anxious and eager to see the United States render effective assistance to Great Britain. We have some idea of the kind of place this would be should the Hitler philosophy be unrestrained in its endeavors to find new fields to implant itself in this sorry world.

But there must be method in our assistance to Great Britain. It must be done in conformity with constitutional law. That the lend-lease bill was not drawn in conformity with our basic law is apparent from the fact that already six vital amendments have been accepted by the administration, fixing a time limit upon the grant of arbitrary power to the Chief Executive, requiring periodic reports to Congress and limiting expenditures for supplies to Britain to specific authorizations by Congress.

It could not have been an American law without those limitations, for it would have conferred upon one man the authority that is expressly reserved to the 533 Members of Congress.

Few could seriously contend that this is technically a defense measure, for it is a measure in aid of foreign countries. Yet the measure by its title undertakes something of a fiction, for it is described as a measure in the national defense.

The lend-lease bill is one of those pieces of must legislation which the administration has been in the habit of sending to Congress with orders. Senator WHEELER's challenge—and at the beginning he spoke almost alone—has brought about an invaluable debate which has served to inform the Nation of the tremendous and dangerous task upon which we are to be launched. The dangers of the measure, including the possibilities of our involvement in the war, should German submarines strike at American ships laden with munitions for Britain—all have come to be understood as a result of the debate in Congress.

It was Senator WHEELER's opposition to the measure which brought all of this about. Had he not stood firm, lashing out against his opponents, insisting upon uncontrolled debate, the Nation-at-large would still be in ignorance of the terms, the implications, and the possible effects of this measure.

At the very least WHEELER's position has made it possible for the Nation to go into this thing with its eyes open, knowing what it is doing and weighing the possible effects.

The debate has not been overlong. The production of munitions has not been affected because industry had been summoned months ago to do its utmost. We hear no more those earlier arguments in support of quick adoption of the measure because Britain had to be saved in 60 or 90 days. That argument was pure poppycock. British statesmen themselves deprecated such talk, saying it placed an entirely wrong construction upon the situation.

Through long and weary years there has been constant complaint of the concentration of legislative power in the hands of the Chief Executive. That has been a principal criticism of the New Deal. Today that concentration of power has progressed to a point involving not only our form of government but our very lives. Congress alone has the power to make war, yet the administration now asks such authorities as may enable it to force war upon the Nation without action or consent of Congress.

Eager to assist Britain, trusting that the little isle with its teeming population may withstand the hurricane of brutal and ruthless attack and praying for the day when Hitlerism and Nazi ideals may be completely

stamped out as a menace to the world, many will still appreciate the extraordinary service of Senator WHEELER and the inestimable value of this debate. The insistence that even the President shall conform to the basic law of America may save our democracy from falling before a new kind of dictatorship, even while we battle to destroy dictatorship elsewhere.

Mr. MALONEY. Mr. President, will the Senator from Georgia yield to me?  
Mr. GEORGE. I yield.

Mr. MALONEY. I ask unanimous consent that I may have printed in the RECORD a telegram which I have received from 100 members of the administration and faculty of Yale University referring to the lease-lend bill, and also a telegram referring to the bill under consideration, which is signed by members of the faculty of Wesleyan University.

There being no objection, the telegrams were ordered to be printed in the RECORD, as follows:

NEW HAVEN, CONN., March 5, 1941.  
Senator FRANCIS T. MALONEY,  
Senate Office Building,  
Washington, D. C.:

One hundred members of the administration and faculty of Yale University, undersigned, urge that the lease-lend bill be brought to an early vote in the Senate. The bill has been thoroughly discussed on both sides, and we believe that no democratic purpose or process is being served by further delay.

Charles Seymour, Gordon Craig, John Chester Adams, Wilbur L. Cross, James Rowland Angell, Joseph Curtiss, Gosta Akerlof, Robert Daniell, Bert Anderson, Barnett Dodge, Henry Barbour, Christopher Dawson, Alan Bateman, Clyde Deming, Robert Bates, Samuel Dudley, Samuel Flagg Bemis, Louise Eisenhardt, Lottie Bishop, Howard Engstrom, John Brubacher, William Fletcher, Tucker Brooke, Richard Flint, Norman Buck, Joseph Fierito, Harold Burr, John Fulton, Beekman Cannon, Edgar Furniss, Francis Coker, William Gardner, James Cooper, William German, George Cowgill, Arnold Gesell, Clair Crampton, Alfred Gilman, Albrecht Goetze, William Milligan, Louis Godman, Helen Moats, Henry Graves, Frank Monahan, Herbert Harned, Andrew Morehouse, Samuel Harvey, Arthur Morse, August Heckscher, Richard Niebuhr, Samuel Hemingway, Filmer Northrop, Frederick Hicks, James Osborn, Frederick Hilles, Oystein Ore, John Hirschfeld, Martin Pond, Ira Hiseock, John Pope, Hebbel Hoff, Grover Powers, Hajo Helborn, Richard Purdy, Alice Howell, Steven Reed, Ellsworth Huntington, Theodore Ruch, Eugene Kahn, Joseph Serende, Margaret Kennard, Edmund Silk, Sydney Sinclair, Sherman Kent, George H. Smith, William Ladd, George M. Smith, Edwin Lawrence, Percy Smith, Philip La Compte, Roscoe Steffen, Averill Liebow, Shepherd Stevens, Gustaf Linskog, Edgar Sturtevant, Harvey Mansfield, Effie Taylor, Ralph Meader, Robert Tennant, Herbert Thoms, Edward Truex, Ruth Truex, Edgar Warren, Arnold Whitridge, Marjorie Wildes, Hugh Wilson, William Willis, Charles Edward Winslow, Milton Winternitz, Karl Young.

MIDDLETOWN, CONN., March 4, 1941.  
FRANCIS MALONEY,  
United States Senate,  
Washington, D. C.:

Undersigned members of Wesleyan University faculty admire portions of your speech on lease-lend bill, but regret introduction of amendments delaying necessary immediate passage. Convinced this is point of view of great majority of Americans. Regard prolongation of debate as contrary to public interest and national safety. Urge your greatest efforts.

J. J. O'Leary, P. B. Taylor, G. T. Moody, S. Neumann, N. M. Pusey, C. Henderson, J. Buel, H. C. F. Bell, D. Keppel, K. S. VanDyke, J. M. Stokes, A. Thomson, G. A. Hill, T. W. Busson, D. R. McKee, J. W. Peoples, W. G. Cady, N. J. Ware, K. M. Williamson, E. E. Schattschneider, B. H. Camp, H. E. Woodbridge.

Mr. GEORGE. Mr. President, I think the time has arrived when we shall now begin to consider the bill and the amendments thereto. I apprehend that certain amendments made by the committee will not be objectionable, but, if any Senator desires that a quorum be called, I will be pleased to have that done at this time.

Mr. JOHNSON of California. Mr. President, will the Senator yield?

Mr. GEORGE. Yes; I will be glad to yield to the Senator from California.

Mr. BROWN. Mr. President, will the Senator yield?

Mr. GEORGE. I yield to the Senator from Michigan.

Mr. BROWN. I was very happy to hear the remarks made by the Senator from Montana [Mr. WHEELER] today. It is a fact that many persons of German extraction in my State and elsewhere are favoring and many others are opposing the pending bill. Very fortunately for this country, we do not divide on those nationalistic lines.

I have received from the former editor of the Detroit Daily Abend Post, a German-language newspaper of the city of Detroit, one of the largest of such papers in the Nation, a most illuminating letter which I desire to read to the Senate. It is very short:

EAST SIDE RECORD,  
Detroit, Mich., March 3, 1941.  
Hon. PRENTISS BROWN,  
United States Senator from Michigan,  
Washington, D. C.

DEAR SENATOR: The people of Detroit's great industrial east side, regardless of political affiliations, congratulate you upon your patriotic utterances before the United States Senate in behalf of the so-called lease-lend bill. As former editor and publisher of the Detroit Daily Abend Post, one of the oldest German-language dailies, and present editor and publisher of the East Side Record, an independent newspaper of a largely German community, I want to add my personal congratulations.

Respectfully,  
ERNEST K. SAHLMANN.

Mr. Sahlmann is one of our finest and most tolerant citizens. He is of German extraction.

Mr. WHEELER. Mr. President, may I interrupt the Senator?

Mr. GEORGE. I yield to the Senator from Montana.

Mr. WHEELER. I desire to say that I am exceedingly glad to see that the



German people are not lined up solidly on one side or the other of this matter; that they are using their judgment with reference to it. As I said, I deplore the fact that everyone who happens to be on one side should be called Nazi or should be called something else.

Mr. BROWN. This letter is strong evidence of the correctness of the Senator's position in that respect. I desire again to congratulate the Senator from Montana on what he said regarding toleration. I shall follow his advice, and I hope he will follow his own advice.

Mr. WHEELER. I will do it.

Mr. HERRING. Mr. President, will the Senator yield?

Mr. GEORGE. I yield to the Senator from Iowa.

Mr. HERRING. I wish to express my appreciation to the Senator from Montana for so accurately estimating the strength and influence of the Wallace name in Iowa and throughout the prairies of the West. It has had such strength and influence through three generations, and the end is not yet. I really think those two editorials are perhaps the finest contribution the Senator from Montana has made to this debate. [Laughter.]

Mr. GEORGE. Mr. President, I desire to commend the editorials; but I fear that the debate may be drifting into politics.

The pending amendment is the amendment to section 3 (a). That is a controversial amendment, and the Senator from South Carolina [Mr. BYRNES] will perhaps desire a brief period in which to consider perfecting the amendment. I therefore ask unanimous consent that the amendment to section 3 (a) be passed over, and that the amendment on page 4, beginning at line 3, be taken up for consideration.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

The clerk will state the amendment.

The LEGISLATIVE CLERK. On page 4, beginning with line 3, it is proposed to strike out:

(c) Neither the President nor the head of any department or agency shall, after June 30, 1943, exercise any of the powers conferred by or pursuant to subsection (a), nor shall such powers be exercised if terminated by a concurrent resolution by both Houses of the Congress, except that until July 1, 1946, such powers may be exercised to the extent necessary to carry out a contract or agreement with such a government made before July 1, 1943.

And insert:

(c) After June 30, 1943, or after the passage of a concurrent resolution by the two Houses before June 30, 1943, which declares that the powers conferred by or pursuant to subsection (a) are no longer necessary to promote the defense of the United States, neither the President nor the head of any department or agency shall exercise any of the powers conferred by or pursuant to subsection (a); except that until July 1, 1946, any of such powers may be exercised to the extent necessary to carry out a contract or agreement with such a foreign government made before July 1, 1943, or before the passage of such concurrent resolution, whichever is the earlier.

Mr. GEORGE. Mr. President, this amendment speaks for itself, and nothing that could be said would add much to it. It is a rewriting of paragraph (c) of section 3 of the bill as it came from the House. The purpose of rewriting it was to undertake to make effective the so-called Dirksen amendment. That is an amendment which calls for the termination of the exercise of the powers conferred upon the President under section 3 of the bill upon the passage of a concurrent resolution of the two Houses of the Congress.

It would be difficult for anyone to say that this particular provision would be held to be valid by the Supreme Court if the matter should go to the Court, although upon very careful consideration the amendment would seem to be good and valid because it is a condition subsequent, but a condition subsequent written into the bill at the time of the passage of the bill by the Congress itself. Undoubtedly conditions precedent have been sustained by the Court from time immemorial, but I think this exact question has not been passed upon by the courts.

However, I take this occasion to say that the amendment is a valid one for another reason: If a majority of the two Houses should, by a concurrent resolution, undertake to exercise the authority here reserved by the Congress in the form of a condition subsequent, and should adopt such a resolution, since the Congress has full power to control all appropriations, since the Congress has full power over the purse, and since the President could not carry forward any of the provisions of this bill or any effort under the bill if the Congress should withdraw that support from the President, the provision could be made effective beyond all doubt.

I feel that no one would dogmatize about what would be held to be the effect of this condition subsequent; but I state in my place that after the best consideration the committee could give to it, the bill itself providing for the termination of the powers conferred under subsection (a) of section 3 upon an event which may be one of either time or condition or place, the committee reached the conclusion that the provision in the amendment is a valid one.

With that word of explanation, Mr. President, I repeat that this paragraph contains nothing that was not in the House bill as it came to the Senate, and this paragraph is a rewriting of that provision. Under the terms of paragraph (c), all the powers given the President under section 3 (a) of the bill are terminable and will terminate on July 1, 1943, or sooner if a concurrent resolution of the two Houses shall be adopted as is contemplated in this paragraph.

There is a saving clause which I think all Senators, whether they favor the bill or oppose it, will recognize as necessary if the bill is to be effective at all; and that is that contracts which are entered into prior to the termination of the act—prior to July 1, 1943—or of the passage of the concurrent resolution, may nevertheless be fulfilled until July 1, 1946. As I have said, that is neces-

sary in order to make the bill effective at all, because, with the bill as it stands, if that provision were not inserted, it would be quite impossible for the administration to make any contract with anybody to produce any defense article. Contractors would not know whether the act would be terminated by a concurrent resolution, and they certainly would not be able to take a contract which could not be fulfilled prior to July 1, 1943, when all of the extraordinary powers given under section 3 (a) will terminate.

Mr. VANDENBERG. Mr. President, will the Senator from Georgia yield?

Mr. GEORGE. I yield.

Mr. VANDENBERG. I have submitted an amendment, which has been printed, which reduces the life of these emergency powers from a 2-year basis to a 1-year basis. In the ordinary process it could be offered, I assume, as an amendment to the committee amendment. I am not clear that I wish to offer the amendment. It will depend a great deal upon the subsequent text of the bill. Therefore I am asking the Senator if it will be agreeable with him if I withhold the amendment at the present time, and subsequently, if I wish to offer it, that we may reconsider for that purpose.

Mr. GEORGE. That is satisfactory, Mr. President, and I ask unanimous consent that that course be now indicated by the Senate so as to preserve all the rights of the Senator from Michigan.

The VICE PRESIDENT. If there is no objection, it is so ordered.

Mr. BARKLEY. Mr. President, will the Senator from Georgia yield to me for a moment?

Mr. GEORGE. I yield.

Mr. BARKLEY. I wish merely to corroborate what the Senator from Georgia has said with reference to the pending amendment. Personally I would not favor a policy which undertook to set the example, and establish it as a precedent, that Congress could by concurrent resolution repeal laws enacted by the Congress and signed by the President. I would not even have been for this proposal if it had not been put into the bill by the House of Representatives, and I think that we all in the committee recognized that as it was written in the House it did not constitute even a condition subsequent, but undertook outright to provide for the termination of the proposed law by concurrent resolution. It seems to me it can be defended both from a legislative standpoint and from the standpoint of constitutionality.

I merely wanted to say that I did not by my support of the proposal in the committee, and do not by my support on the floor, commit myself to the proposition that Congress can adopt the plan of bringing about the future repeal of legislation merely by concurrent resolution, which would leave the Chief Executive out of consideration in regard to the matter. I say that regardless of who might hereafter become Chief Executive of the United States. I think that under the present circumstances it is wise to have this provision. The amendment as redrawn does, it seems to me, give prima facie evidence of constitutionality, and



it should be adopted in that form. So far as I am personally concerned, I do not want it to be regarded as a precedent which commits me to the theory that hereafter Congress may repeal any law which may be enacted by providing for a condition subsequent, that by concurrent resolution it may be terminated.

Mr. WHEELER. Mr. President, will the Senator from Georgia yield?

Mr. GEORGE. I yield.

Mr. WHEELER. I concur in what the Senator from Kentucky has said. I have given some thought to this question since the matter has been before us, and I do not believe that under the Constitution we can repeal laws by concurrent resolution, and thereby take away the right of the President of the United States to veto a measure. I do not believe it is constitutional, although, as I stated before, at the present time no one can say what the Supreme Court of the United States will hold upon this or any other constitutional question.

Secondly, I do not believe it is good policy even if we could do it, and I do not believe the writing in of this amendment amounts to anything at all, or means anything from a practical or political or any other standpoint.

The VICE PRESIDENT. The question is on agreeing to the amendment of the committee on page 4, beginning with line 3.

The amendment was agreed to.

The VICE PRESIDENT. The clerk will state the next amendment of the committee.

The LEGISLATIVE CLERK. On page 6, line 20, after the word "year", it is proposed to insert a semicolon and the words "but in no event shall any funds so received be available for expenditure after June 30, 1946."

Mr. GEORGE. Mr. President, the amendment speaks for itself.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. GEORGE. Mr. President, in view of the provisions in subdivision (c) of section 3, which have been agreed to, on behalf of the committee I desire to offer from the floor the separability clause in the ordinary language, and I ask that the amendment be stated.

The VICE PRESIDENT. The clerk will state the amendment.

The LEGISLATIVE CLERK. It is proposed to insert the following new section:

If any provision of this act or the application of such provision to any circumstance shall be held invalid, the validity of the remainder of the act and the applicability of such provision to other circumstances shall not be affected thereby.

Mr. JOHNSON of California. Mr. President, what does that mean?

Mr. GEORGE. It is the ordinary separability clause, that if any part of the act shall be declared invalid, that shall not affect the remaining portions of the act.

Mr. JOHNSON of California. There is not a possibility of any part of the act being held invalid, is there? [Laughter.]

Mr. GEORGE. I do not think so, but I am not able to answer.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. GEORGE. Mr. President, that completes the committee amendments, except the amendment to section 3 (a). I believe the Senator from South Carolina has now returned to the Chamber.

Mr. WHITE. Mr. President, I speak upon the pending bill with substantial reluctance. I tax the tired ears of Senators only because, as the sole Minority Member of the Foreign Relations Committee voting to report the bill to the Senate, I wish my Republican colleagues of the Senate and the people of my State to know the considerations which convinced me, notwithstanding the contrary views of my party associates upon the committee, that the enactment of this measure is in the national interest and in the interest of the American people. I shall endeavor to state my understanding of the bill and my conclusions concerning it. I shall seek to avoid argument.

Unless I have misjudged their sentiment, the American people have three outstanding desires. I believe that in overwhelming numbers they wish:

First. That we render effective aid to England in her memorable struggle for life.

Second. That we confer upon the President no unnecessary power and that any new power deemed necessary and here conferred shall be limited in extent and time so far as this can be done without impairing its effectiveness and without denying the very reason for its grant.

Third. That the United States avoid active participation in this war.

It must be recognized that no assurance can be given that these three desires can all be achieved. There is risk that in aid to England steps may be taken which will imperil our peace. There is risk that in our determination to avoid conflict we may fail to render that last measure of aid which would assure safety to Britain. There is risk that the withholding of aid may bring England's defeat and disaster to the world of free men. There is risk that powers granted to the President, guard and limit them as we will, may be unwisely used and may be yielded back to the Congress and the people reluctantly. There are risks in any action we take and there is risk in no action at all. I believe, Mr. President, the bill before us meets in the largest possible measure the specifications which the people of my State wish to guide our national conduct and that it does this with less of danger to us and to the world than any other course I can now see.

What is the aid this bill authorizes to England and to others whose defense contributes to our own defense?

The heart of this pending legislation is section 3. This section in its first paragraph authorizes the Secretary of War, the Secretary of the Navy or the heads of other governmental agencies (1) to manufacture in arsenals, factories, and shipyards under their jurisdiction, and I emphasize those three words, "under their jurisdiction," or (2) otherwise to procure defense articles for

any government whose defense the President deems vital to our own defense.

Mr. President, I regard the words "or otherwise procure" as of little practical significance. To "procure" means to buy or in some other way "to get." We are not going to get defense articles from any nation at war or from any nation whose defense is in jeopardy save Canada. We may acquire needed powder from Canada. Such nations will part with no defense article in their possession. In reality then these words "or otherwise procure" authorize us to buy in our own market. We need not concern ourselves much with efforts to buy elsewhere. The important part of this first paragraph is the authority to manufacture in Government plants defense articles for nations whose defense is vital to us. This is not an authorization to manufacture these articles in the private plants of America. It does not assert or give the President plenary power over our private industrial life. It does not contemplate authority over private plants at all. It is an authority limited in time. It is limited in amount through congressional control of future appropriations. It is limited in its purpose. It does have in its provisions, promise of aid to Britain but that aid in time, amount, and character is kept within our own congressional control.

Paragraph (2) of section 3 authorizes the sale, transfer, exchange, lease, lending, or other disposition to England or to any other government whose defense is deemed our own defense of any defense article, subject, however, to the limitations set forth in this section 3. The chief criticism of this paragraph seems to arise from an alleged doubt as to the meaning of the word "transfer." Some see in this word an authorization to "transport" defense articles in American vessels in disregard of the present Neutrality Act. I see no merit in this criticism. It is not the intent of the legislation. Every other word used in enumerating the powers conferred by the paragraph has reference to title and the passing of title. To give to this word "transfer" the meaning of "transport" requires that it be disassociated from its companion words and given a distorted meaning neither required nor intended by the whole text of which it is a part. The powers given by this paragraph are definitely limited. It is not an unrestrained discretion accorded to the President. On the contrary, articles now in existence, or for which appropriations have been heretofore made, may be disposed of only after consultation with the Chief of Staff of our Army or the Chief of Naval Operations, and only to a value not exceeding \$1,300,000,000, and articles to be hereafter manufactured may be disposed of only to the extent hereafter specifically authorized by the Congress. The power of disposition over articles in being and those to be hereafter produced is further limited as to time. Mr. President, I cannot see in this paragraph peril to our way of living. I do not see in it the threat of autocratic power in our America. I do not find in it added danger to our peace. In it is the hope of



more effective aid to Britain, and for that I stand.

The third paragraph of this section gives to the President authority to test, inspect, prove, repair, or recondition any defense article for a government whose defense is vital to us. This paragraph enlarges present Presidential powers. Like all other powers conferred, it is limited in time and is subject to congressional control of the amounts to be expended for this purpose. The powers will not be exercised at all unless the Congress shall hereafter, in its wisdom, make specific appropriation therefor. I do not fear the results of the exercise of this power.

The fourth paragraph of this section authorizes the President to communicate to any government whose defense is deemed vital to us, information concerning the defense articles actually furnished to such governments. It would be an absurdity not to do this if the defense articles are to be furnished at all. I see nothing terrifying in this authority, nothing which would drag us into war.

The fifth paragraph of this section authorizes the President to release any defense articles for export. In this is the purpose to lift the provisions of present law providing a licensing system and the required possession of a license for the exportation of certain articles. It does not otherwise modify the Neutrality Act. It does not confer upon our ships the right to enter belligerent ports or to traverse combat zones. It does, however, affect the requirement of present law for cash payment upon passing of title. There is in my mind a question as to whether this paragraph liberalizes or restricts the cash-and-carry section of our Neutrality Act. It might well be urged that the requirement of resulting benefit to the United States adds a restriction upon exportation not found in the cash-and-carry provision of the present law.

These are the substantial provisions of section 3, the nerve center of this bill. They will assure in increased degree the aid we have through long months been giving to the cause we believe to be our cause and they make available new forms of aid. This, I believe, the American people would have us do.

The second thought in the minds of our people is that we shall confer upon the President no unnecessary powers.

No one could be more sympathetic with this restrictive principle and purpose than I. It has never been absent from my thought as I have studied this legislation. I believe the bill responds to this wish both in its terms and in its implications. It does not surrender our American system. It does not abandon legislative rights and responsibilities. It does not enthrone dictatorial powers. Let us examine with reference to these assertions specific provisions of the bill.

I have already pointed out that paragraph 1 of section 3 gives power only to manufacture defense articles in plants "under the jurisdiction" of the Secretaries of War or Navy or under other agencies of the Government. There are people who regard this paragraph as subjecting our whole industrial activity and

economy to Presidential control. It does nothing of the sort. This authorized activity is limited to that carried on in Government plants; it is limited in time; it is limited by the amount of future appropriations. To whatever extent it goes, it falls far short of powers we have heretofore conferred upon the Executive.

In section 9 of the act of September 16, 1940, the President was authorized to place an order with any person or corporation for any required product which that person or concern was capable of producing. The section then made it obligatory to give precedence to this governmental order over any other order theretofore placed with the person or corporation, and it provided that should the owner of the plant refuse to give such precedence to the governmental order, or refuse to manufacture the articles ordered or refuse to manufacture them at a reasonable price, as determined by the Secretaries of War or Navy, then, in either case, the President might take possession of the plant and manufacture therein the desired product, and the owner who had failed to comply with the demands upon him and upon his plant would be guilty of a felony and subject to imprisonment for 3 years and a fine not exceeding \$50,000. And yet, with this provision of law upon our books, the pending proposal to authorize the manufacture in Government plants is denounced as a peril to democracy. In truth, we strain at a gnat though we have swallowed a camel.

I next note the congressional purpose to retain control of the purse. It is found in the amendment recommended by the Foreign Relations Committee proposing to limit expenditures and contracts to the extent to which funds are made available or contracts are from time to time authorized by the Congress. An even stricter control has been suggested and may be accepted by the Senate.

There is significance and importance in the fact that those in charge of this legislation recognize that control of the purse should always remain in the representatives of the people, and it is the purpose of majority leaders, as I understand, to effectuate this cardinal principle of representative government. I believe this bill in its pending form assures an effective control over the total and over the details of expenditures, a degree of control not to be found in many pieces of legislation enacted in late years. The pending committee amendment, the Byrnes substitute, and the proposed Byrd amendment, if either is adopted, should dispel fear that we have yielded the power of the purse to the Executive.

Congress has, too, limited in time the powers conferred by this bill upon the President. The grant of authority ends in any event on June 30, 1943, or upon the passage at an earlier date of a concurrent resolution by the two Houses of the Congress declaring that the powers are no longer necessary to promote the defense of the United States.

Some see in the right given to the President by section 9 to promulgate rules and regulations an unlimited grant

of authority. This section of the bill only authorizes the President to put into effect such rules and regulations as are necessary to carry out the provisions and purposes of the act. The President may not, in the guise of rules and regulations, extend the powers beyond those specifically given. He may only implement through rules and regulations the authorities given to him in the legislation.

Mr. President, I am persuaded that closer to their hearts than other wishes is the desire of the people of the country that we should avoid active participation in war. That hope I share. I could not vote for this bill if I held the belief that it meant war. I cannot conceive that I would vote for war unless the enemies of the Republic were at our very gates. Mr. President, the future is obscure. One cannot know what it holds. I believe this bill gives greater assurance of peace than is to be found in vacillation and timidity.

Mr. President, there is much misunderstanding as to what the bill authorizes to be done. We are told that under its terms our vessels will be permitted to enter combat zones in violation of section 3 of our Neutrality Act. Nothing in the act authorizes or permits this course of action, and the bill in express terms so states. One must not overlook, however, that wholly apart from any provision of this bill, the President may, under other legislation, change the limits of combat zones as heretofore declared by him, or he may revoke every proclamation issued by him declaring a combat zone, thereby freeing American ships from any inhibition as to their ports of trade except the prohibition that they may not enter belligerent ports. This is a power now lodged in the President. It is not found in the bill before us.

It is charged that the passage of this legislation means that our warships will convoy our merchant vessels. The direct answer to this assertion is that the bill gives no such power. On the contrary, it says in terms that nothing in the act shall be construed to confer this right. There are those who insist that under his constitutional powers the President may do this thing. If they are right in this, if under his constitutional designation as Commander in Chief of our Army and Navy, or if in the powers which inhere under the Constitution in the office of President, Mr. Roosevelt can so use the naval vessels of the United States, certainly we cannot take from him any right conferred by the Constitution. If, on the other hand, such right is not constitutionally his, he does not have it. This bill does not confer it.

The truth is that a President of the United States in his commanding position may at any time through errors in judgment or through indiscretions of act or speech involve his country in situations making conflict almost inevitable. I recognize these possibilities now to exist. The danger is not added to by this legislation. I hold that if Mr. Hitler has not seen fit to make war upon us because of things already said, because of the sale of



our merchant ships by our Maritime Commission to British account, because of the transfer and delivery of our destroyers to British hands, because of the sale or gift of arms, ammunitions, and implements of war to Britain and to France, he is not now likely, with his knowledge of our increased resources of men, of planes, of tanks, of vessels of war, to attack us because of any action under this bill. Had he seen advantage in assault upon us, he would have done so in the hour of our military unpreparedness; but with every passing hour and with every aid we give to England he finds himself more fully occupied upon the other side of the Atlantic, and he must recognize that as we have grown stronger he has in a relative sense grown weaker. I cannot believe that if we face him with boldness and firmness he will attack our country; and we do not propose to attack him.

I have said that there are risks in the powers conferred by this legislation. But, Mr. President, there are other risks. There is the danger of totalitarian victory with all its threats and all its evils. In such victory there would follow methods of production and trade that would rob us of our world markets, tear down our wage scales, take from labor all its gains through the long years, wreck the economy of our country, and lower the living standards of all America. Worse still, in the victory of Hitlerism is a threat to every political and social concept of America, a challenge to our institutions and our fundamental beliefs. In his victory is the loss of those simple virtues which have their birth and development in the home and in the influence of the parent upon growing youth. In Hitler's victory, the church will meet its saddest loss in a thousand years. In a Hitler victory, freedom's cause will suffer crushing disaster.

Mr. President, in my considered judgment, this bill responds to the faith and the conscience of the American people. I believe it will contribute to our national security and so to our peace, to the cause of humankind here and elsewhere, and to the preservation of our institutions and ideals. So believing, Mr. President, I must give my support to it.

The VICE PRESIDENT. The question is on the amendment offered by the Senator from South Carolina [Mr. BYRNES] in the nature of a substitute for the committee amendment on page 2, line 16.

Mr. BYRNES. Mr. President, because the amendment was temporarily withdrawn, as I understood, I again offer it as a substitute for the language on page 2, line 16.

Mr. McCARRAN. Mr. President, may the amendment be read?

The VICE PRESIDENT. The amendment will be stated.

The LEGISLATIVE CLERK. On page 2, lines 16 to 18, inclusive, it is proposed to strike out the language proposed to be inserted by the committee amendment.

On page 2, line 22, after the word "procure," it is proposed to insert "to the extent to which funds are made available therefor, or contracts are authorized from time to time by the Congress, or both."

On page 3, line 12, after the word "order," it is proposed to insert "to the extent to which funds are made available therefor, or contracts are authorized from time to time by the Congress, or both."

Mr. BYRNES. Mr. President, this is the same amendment I discussed some days ago. Its purpose is to make certain that the President will not have the power to incur a deficiency. There was a question as to whether that could be done.

In view of the fact that the language in the beginning of the section, "Notwithstanding the provisions of any other law," did not apply to subsection 2 in the opinion of the subcommittee, the committee adopted the amendment; and the report of the Foreign Relations Committee declared that it was intended to apply to subsection (1) or to subsection (3), but not to goods already on hand.

I think the Senate now understands that is its purpose, and I hope that the amendment may be adopted.

The only purpose the subcommittee had in offering it was to remedy the objection first voiced by the Senator from Missouri [Mr. CLARK] that under the language of the bill as it came from the House it might be possible for the President to make a contract, and, once a contract was made committing the Government to the future payment of money, that money would have to be paid. The amendment is proposed for the purpose of preventing the incurring of a deficiency.

Mr. VANDENBERG. As to the latter aspects of the Senator's explanation, I am sure we can agree that the amendment is an improvement in the language, and that it does reach the purpose he defines; but I cannot escape the feeling that there is still a more fundamental issue involved in the amendment in the form in which the Senator presents it. If I am wrong about it, I wish he would correct me.

I have no doubt it was the intention of the Foreign Relations Committee, and certainly of its majority, as expressed in its report, not to have this limitation apply to subsection (2), that being the subsection which permits the President to sell, transfer, exchange, lease, lend, or otherwise dispose of any existing Government equipment or facilities up to a limit of \$1,300,000,000.

However, as reported and as pending, certainly the committee amendment does apply to subsection (2). Does not the Senator agree to that?

Mr. BYRNES. I am disposed to agree with the Senator. At first blush, the subcommittee was of the opinion that it was inconsistent with the provisions on page 3, limiting to \$1,300,000,000 the amount of property that could be disposed of, and therefore that it could not be held to apply to it.

I am offering the substitute on the theory that as it stands in the bill it would apply, and I offer the amendment in order to make plain the intent. I submit to the Senator from Michigan that if the committee amendment applied to subsection (2), it would restrict the President to the extent to which funds were made available in selling, transfer-

ring, exchanging, leasing, lending, or otherwise disposing of property.

Obviously it would not be the same construction to say "to the extent that appropriations may be hereafter available, the President may sell"; because appropriations would not be needed in order to sell. Appropriations would be needed in order to buy, but not in order to sell; nor would an appropriation be needed to transfer, lease, or lend.

The only result would be that if the other language were written into subsection (2), the subsection then would read:

To the extent to which contracts are from time to time authorized by Congress, to sell, transfer—

And so forth. In order to obtain a contract of sale for anything the President would have to come back to Congress; but if he gave away the materials he would not have to come to Congress, because no contract is involved in giving something away, and it could not be said, "To the extent to which contracts are hereafter authorized by the Congress, the President may give away something," because no contract is involved in giving articles away.

Mr. VANDENBERG. That is correct.

Mr. BYRNES. The Senator and I agree on that, I believe.

Mr. VANDENBERG. That is true.

Mr. BYRNES. If we left the committee amendment in its present position in the bill, as applied to subsection 2, the result would be that if the President wanted to sell a rifle he would have to come to the Congress for authority, but if he wanted to give away all the rifles he would not have to come to Congress. Neither the Senator nor I would want such a provision to remain in the bill.

If the Senator thinks there ought to be a limitation upon the President's authority, requiring him to come to Congress, I submit that the way to accomplish his purpose would be for the Senator to offer an amendment to the subsection to require the President to come to Congress for authority to do any of the things the Senator has in mind, and not leave the provision in such form that the President would have to come to Congress if he wanted to sell anything, but could give away anything on hand up to the \$1,300,000,000 total.

Mr. VANDENBERG. I think that is a very persuasive statement, and I think that is probably the collateral effect.

Mr. BYRNES. That is the effect.

Mr. VANDENBERG. Let me ask the Senator a question which will make plain what is in my mind. If this had been the law, with the pending amendment applying to subsection (2), would not the President have had to bring to Congress for approval his contract for the transfer of destroyers?

Mr. BYRNES. Yes; any contract. He could give away; but if he got anything in the way of an exchange for which he had to contract, he would have to come to Congress for authority to do so. The amendment would so provide.

I would not suggest to the Senator, though I think the issue should be presented to the Senate in such a way as that it could be voted upon, an amendment requiring that the President come



to the Congress for the specific authority, without giving him the power to give away things without coming to the Congress.

Mr. TAFT. Mr. President, will the Senator yield for a moment?

Mr. BYRNES. I yield.

Mr. TAFT. Does the Senator think this gives power to give away? Is that an admission on the part of the Senator? Because as I read the language there must be a benefit, direct or indirect. It may be \$1, but in any event the bill would require a contract before it could be done.

Mr. BYRNES. I must say to the Senator that I have not discussed the bill on the floor of the Senate, but I have been daily on the floor of the Senate, and have not heard a thing discussed but the proposition of giving away—without regard to the controversy that has raged as to whether or not there is reimbursement.

My reason for offering the amendment was to attempt to remedy a situation of which the Senator from Missouri [Mr. CLARK] complained, and which complaint I believe was sound; and I desired to remove any chance that the President, under the bill as it came from the House, could incur a deficiency which the Congress afterward would have to meet.

Under the terms of the amendment I have offered, if adopted, a deficiency could not now be incurred by the President. I believe the wise thing to do is to adopt the amendment; and then Senators who have any other issue to submit may submit it squarely to the Senate, and not confuse it with this amendment. I hope the Senator from Michigan will take that view.

Mr. VANDENBERG. The Senator rather persuades me that that is the appropriate course to follow, because this language obviously does not, let us say, harmonize with the structure of subsection 2. Nevertheless, as the Senator concedes—

Mr. BYRNES. I do.

Mr. VANDENBERG. His substitute raises the fundamental question that with the language remaining as the committee has recommended, there would be a definite congressional control upon contracts for the disposal of any of this \$1,300,000,000 worth of material.

Mr. BYRNES. The Senator has stated the fact that the committee amendment was recommended without any intention that it would apply to subsection 2. As it stands, it would apply to it, and manifestly the thing to do is to carry out the intention of the committee. Then every Senator will have the right to offer any amendment he may desire. I hope the Senator from Michigan will follow that course and broaden the language, if necessary, so that it will be comprehensive and not be unsatisfactory in carrying out his own intention, as he admits.

Mr. VANDENBERG. Being very much a realist in the situation, appreciating the fact that I would be plowed under in respect of either course I might pursue, I am inclined to yield to the Senator's persuasion, and let this amendment be adopted.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from South Carolina [Mr. BYRNES] in the nature of a substitute for the amendment reported by the committee on page 2, beginning in line 16.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. GEORGE. Mr. President, question was raised on the floor and was discussed at some length as to the valuation to be placed upon the articles to be disposed of under subsection (2) of section 3. It has seemed wise to insert an amendment after the figures "\$1,300,000,000," occurring in line 10 on page 3 of the bill. Before the clerk states the amendment, I merely wish to say that the amendment does not undertake to lay down any rule by which defense articles shall be valued, but undertakes to designate the agency or agencies to make the estimates of value or to fix the value so that the intent and purpose will be clear that defense articles disposed of shall not exceed in value the total of \$1,300,000,000.

It would be very difficult, indeed, almost impossible, to lay down any rule by which the value of defense articles could be fixed; that is to say, it would not be representative of true value to confine the value to the cost of production of the article as it was originally constructed or to the cost of reproduction. Necessarily there are many elements that enter into value. Value, as the courts have always held, is a matter of fact, and that is all one can say about it. We may have rules by which we undertake to arrive at it, but basically the question of the value of any article is a question of fact.

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. GEORGE. Yes.

Mr. WHEELER. While that is true, of course, the Senator recognizes the fact that there are different standards of value?

Mr. GEORGE. Exactly; I said that. We might say "fair market value," what the article will bring, or cost of reproduction.

Mr. WHEELER. The junk value and the market value would be different. What I had in mind when I was talking about the matter the other day was that there ought to be in the bill some standard of some kind not only to safeguard the United States but also by which the President himself would know what the Congress meant by the term "value"; there should be some standard to guide him. If we say "the market value," of course, a battleship may not have any market value; if we say "junk value," while that is all a battleship might be good for so far as the United States is concerned, it might be of value to some other country. But I do think there ought to be some standard fixed to help guide the President; otherwise, to me, it is practically meaningless. Why just put in a value of \$1,300,000,000?

Mr. GEORGE. The Senator is right in a sense, of course, in what he has to say, but to the committee it seemed im-

possible to fix a standard. The amendment, however, which will be offered does not undertake to do that; but I will explain to the Senator what it does undertake to do. It is as follows:

The value of such defense articles shall be determined by the head of the department or agency concerned, or such other department, agency, or officer as shall be designated, in the manner provided in the rules and regulations issued hereunder.

It is the view taken by the committee that the head of the Navy and the head of the Army would be able to value, as accurately as can be done, practically, the defense articles that might be transferred; so that the President himself would not be called upon to place a value and would not be authorized directly to do it, but that he would have to get the designated value from the head of the department affected or concerned.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. GEORGE. Yes; I am pleased to yield to the Senator from Michigan.

Mr. VANDENBERG. What is the objection to specifically requiring that the value be the replacement value?

Mr. GEORGE. It would not be humanly possible to fix the replacement value of a second-hand or an obsolescent article of defense. It could be replaced by a new article of defense, but on a replacement basis it would be impossible accurately to arrive at the true value of something that is obsolescent or traveling toward obsolescence.

Then, also, no one can tell whether prices may not rapidly advance, in view of the large expenditures which will be made for our own defense purposes. About the only practical standard the committee is able to suggest—and, very frankly, we are approaching it in a realistic way—is to say that the President is authorized to sell or transfer or lease not exceeding \$1,300,000,000 worth of defense articles, but that he shall get the value as designated by the head of the department from which the article is taken.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. VANDENBERG. If the Senator will excuse me, may I follow by one further question? When the President goes to the Department heads for this valuation, does the Senator know whether it is a fact, as asserted by the Senator from Oklahoma the other day, that the War Department and Navy Department do carry book values for all this equipment?

Mr. GEORGE. I have been so advised, but I have no accurate personal knowledge upon that point.

Mr. LEE. Mr. President, at the time the discussion was going on I left the floor and went to the telephone booth and called General Marshall and asked him, and he told me over the telephone that the War Department kept accurate books on all war orders, and revised its records from time to time, keeping its book value in line with the actual value.

Mr. VANDENBERG. So, if I may ask the Senator from Oklahoma, the Senator's conception of the matter is, then, that there is in the War Department a record of values of equipment which is



currently up to date in respect to usage value?

Mr. LEE. That is the way I understood the matter from General Marshall.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. GEORGE. I yield to the Senator from Texas.

Mr. CONNALLY. Further, if I may, supplementing what has been said about value, let me say that it would be wholly impracticable to set up any particular standard of value in this bill, for the reason that some of these articles probably would have a commercial value, a sale value, while others would be second-hand, like a second-hand destroyer, for instance, one that we do not need any longer, one that is outmoded. Such a vessel probably would have no market value for sale. So, on account of the great diversity of materials and articles, we could not set up any one standard of value that would apply to all of them fairly and justly.

Mr. VANDENBERG. I think probably that is so. That is, we could not arbitrarily set up a value formula which would apply to every one.

Mr. CONNALLY. That is what I mean.

Mr. VANDENBERG. But, if my understanding of the statement of the Senator from Oklahoma is correct regarding the maintenance of this current inventory value in the War Department, I should say that a fair interpretation of the Senator's amendment would be that when the President sought a report on values from the War Department, the values he would get would be those shown on its books. Will not the Senator agree to that statement?

Mr. GEORGE. I think we necessarily should have to have recourse to the values as fixed by the heads of departments who would make the valuation for the President.

Mr. CLARK of Missouri. Mr. President, will the Senator from Georgia yield for a moment?

Mr. GEORGE. Yes.

Mr. CLARK of Missouri. I entirely agree with what the Senator from Texas said as to the difficulty of setting up a definite standard of value. That is precisely the reason why it has always seemed to me that this limitation of \$1,300,000,000 did not mean anything.

The Senator from Oklahoma now says that the War Department has a list of values. It would be very interesting to know the values they put on the various articles. For instance, in the case of the Enfield rifles which we sold to Great Britain after Dunkirk, was the standard of value the fact that we did not actually need the rifles, that we were bringing into production a better rifle, so we thought, or the fact that the British needed the rifles very badly and therefore would be willing to pay a higher price for them? On any defense article, what is the standard that can be set up in such a way as to make this limitation effective?

Mr. GEORGE. Mr. President, I have very frankly said that I know of no better way than to have the value designated by the heads of the departments concerned. At least, it does seem to be a reasonable

safeguard against an arbitrary value, such as may have been feared according to the expressions heard on the floor of the Senate. Therefore, I had offered—not as a formal committee amendment, but after consultation with many members of the committee—this amendment, to follow the figures “\$1,300,000,000.”

Mr. VANDENBERG. Mr. President, will the Senator further yield for a question?

Mr. GEORGE. I yield.

Mr. VANDENBERG. I suppose, in the very nature of the operation of this system under the amendment, this information would be public information.

Mr. GEORGE. I think in the very nature of things it would be, and I was about to call attention to another section of the bill which has received no special notice. I refer to section 5 (a). It reads as follows:

The Secretary of War, the Secretary of the Navy, or the head of any other department or agency of the Government involved shall, when any such defense article or defense information is exported, immediately inform the department or agency designated by the President to administer section 6 of the act of July 2, 1940 (54 Stat. 714)—

That is, the Export Administration—of the quantities, character, value, terms of disposition, and destination of the article and information so exported.

The next paragraph requires reports at least as often as once each 90 days by the President; but it, of course, authorizes him to withhold information which he deems incompatible with the public interest. I need not say that the President has that power anyway. The Congress could not take it away from him. This provision is a mere recognition of his constitutional power; but I apprehend that the Congress would not desire, even if it could, to force the President to disclose to whom articles or information might be furnished, or particularly the kind of weapon or defense article that might be transported or released or furnished to any other nation in the interest of the general welfare.

Mr. VANDENBERG. Mr. President, if I may interrupt the Senator at that point, this particular clause bears precisely on my reason for submitting the inquiry to the Senator. It seems to me that the information involving values under the second subsection must be public property at least to the extent of a full access to the information on the part of Congress.

Mr. GEORGE. I do not think there is any doubt about that, and I do not think the placing of the value is a thing that would ordinarily or generally be considered as incompatible with the public interest.

Mr. VANDENBERG. Let me go a step further at that very point, because it is the reason why I raised the question.

The other day, when some Senator raised on the floor of the Senate a question as to the rifles, and so forth, which were transferred to England, to which the able Senator from Missouri [Mr. CLARK] was referring a moment ago, and the question was asked as to what value attached to that export, the Senator was told that he could get the information

by applying at the War Department. I understand that a Member of the House did apply to the War Department for that precise information, and was advised in reply that since last fall the Secretary of War has ruled that any information of that sort cannot be made public, because it would be incompatible with the public interest. That would seem to collide with the Senator's anticipation that we could find out all we wanted to find out about these values under the second subsection.

Mr. GEORGE. I think the value unquestionably would be a matter of public information, because there is a definite limitation of \$1,300,000,000 on the value of all articles that may be disposed of under the bill, and that necessarily makes the value a matter of public information; but I should think the number of rifles or the number of planes that had been sent to a country that we wished to aid would be information that might not be divulged in keeping with the general welfare, because it would advise the enemy of the nation we were aiding of facts that we certainly would not wish to disclose, particularly, under the theory of this bill, if the defense of that nation were vital to our defense. But I do not think the value would be, or could be, withheld, in view of the amendment that is being offered to section 3 (a) of the bill.

Mr. VANDENBERG. Of what advantage would information regarding the value be if a Senator or a Member of the House did not know the quantities to which the value was assigned, if he was trying to arrive at a conclusion as to whether this section was being administered in the way he thought it ought to be administered?

Mr. GEORGE. I should not be able to answer that question, and I have made no application to the Department for information. I can see how the Department could well say that how many guns of our own, from our own arsenals and armories, we have given away or sold is a matter that we do not care to disclose; but the value we have received for articles that have been sold or transferred seems to me an altogether different question. Here the question is one of value—not quantity, but value.

I call attention to the fact that under section 5 the officer in charge of the export administration offices is required to obtain all such information as to quantities, character of value, terms of disposition, and destination of articles. But what part of that information would be made public I believe would and should be determined in keeping with the public interest involved.

As to the question of value, I think undoubtedly that becomes public information in view of the amendment which is now offered to subsection (2) of section 3.

Mr. VANDENBERG. Mr. President, I am glad to hear the Senator make that statement. It may have some subsequent utility, because I feel very keenly that when a fluid definition of the word “value”—and that is what we still shall have even after the Senator's amendment is adopted—

Mr. GEORGE. That is true.

Mr. VANDENBERG. The limitation of \$1,300,000,000 amounts to no more than



the validity of the rule under which the value is assessed. Therefore it seems to me that we are entitled to all essential information hereafter in connection with any transaction which bears upon the validity of that limitation.

Mr. GEORGE. I agree.

Mr. BREWSTER. Mr. President, will the Senator from Georgia yield?

Mr. GEORGE. I yield.

Mr. BREWSTER. Are we to assume that the Senator from Michigan intends to imply that the determination of what is incompatible with the public interest is exclusively the prerogative of the Executive? While I have read of the incident which he cites, I have also read that a competent committee of the House of Representatives has summoned officials of the War Department to explain fully the situation. Certainly it would not seem wise for any discussion here to imply that this body recognizes as final the authority of the Executive in determining a question of that character.

Mr. VANDENBERG. If the able Senator is addressing himself to me, I completely concur in his analysis of the situation. But I submit to him that under the theory of the bill—and I am not speaking invidiously, I am speaking about the theory of the bill in fact—it creates a supreme, shall we say, defense authority in this country and personifies it in the White House; and I think that after that anything the President says is incompatible with the public interest is calculated to be conclusive, after this bill shall have been enacted.

Mr. BREWSTER. Would that exclude the authority of a competent committee to summon any members of the executive department to disclose information which the committee might request?

Mr. VANDENBERG. It would not affect their authority in the slightest, but it would very gravely affect their information and their disposition and their freedom.

The VICE PRESIDENT. The clerk will state the amendment offered by the Senator from Georgia.

The CHIEF CLERK. After the period in line 10, page 3, it is proposed to insert:

The value of such defense articles shall be determined by the head of the department or agency concerned or such other department, agency or officer as shall be designated in the manner provided in the rules and regulations issued hereunder.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. GEORGE. Mr. President, the committee does not offer further amendments to the bill at this time, but an amendment which is in order to subsection (2) of section 3 has been considered by the committee, and I hope the Senator from Virginia [Mr. BYRD] may be recognized to offer the amendment.

Mr. BYRD. Mr. President, an amendment has been offered by the junior Senator from Virginia for the purpose of making clear that no future defense appropriations for our own defense may be transferred or diverted for the use of any foreign nation unless specifically provided by the authority of the appropriation bills. And that any funds for

Bill 1776 would be made available for that purpose.

I have conferred with respect to the amendment with the distinguished chairman of the Committee on Foreign Relations, the Senator from Georgia [Mr. GEORGE], and I believe an amendment has been worked out which will accomplish the purpose I have in mind without placing restrictions upon the operation of the pending bill which will impair the objectives of the proposed legislation.

Of course, we all know that the value of defense articles to the extent of \$1,300,000,000 already in existence, or produced from appropriations which have heretofore been made, can be transferred under paragraph (2) of section 3 (a), but, under this same section all funds appropriated for our own defense articles, as described in this bill, can be transferred to foreign nations.

Mr. President, I do not believe that the Congress of the United States should enact any law which would give to the President or to anyone else authority to transfer without limit the defense articles provided for in future appropriations. We have pending before us now a budget providing for an appropriation of approximately \$10,000,000,000 for national defense. We will soon be asked for other defense appropriations for our defense. The amendment, which I shall shortly modify, provides that no future appropriations for the defense of our own country shall be diverted unless specifically authorized by the appropriation bills.

I ask, first, the privilege of modifying my amendment as originally offered in order to make a little clearer its purpose.

The VICE PRESIDENT. The clerk will state the amendment as modified.

The CHIEF CLERK. On page 3, line 10, after the period, it is proposed to insert the following:

Defense articles procured from funds hereafter appropriated to any department or agency of the Government, other than from funds authorized to be appropriated under this act, shall not be disposed of in any way under authority of this paragraph except to the extent hereafter authorized by the Congress in the acts appropriating such funds or otherwise.

Mr. GEORGE. Mr. President, if I may, I call attention to the fact that the amendment proposed, according to the author, is to follow the figure "\$1,300,000,000," in line 10. I suggest that it would appropriately follow the amendment which has already been made to that particular section.

Mr. BYRD. I accept that modification.

Mr. VANDENBERG. Mr. President, will the Senator from Virginia yield?

Mr. BYRD. I yield.

Mr. VANDENBERG. I ask the Senator to look at page 3 of the bill, and I inquire of him whether there is any conflict between the limitation of \$1,300,000,000 in subsection (2) and the language of subsection (5). Subsection (2) provides that the President is limited to \$1,300,000,000 in value of existing defense facilities. Subsection (5) authorizes him "to release for export any defense article to any such government."

Is there any conflict between those two provisions?

Mr. BYRD. I should say not, because the value of any defense articles now in existence or heretofore appropriated for, which can be transferred to foreign governments would certainly be limited by the \$1,300,000,000.

Mr. WHEELER. Mr. President, if I may interrupt the Senator, let me say that I am very doubtful with reference to the construction being placed upon that language, for the simple reason that it is a well-known rule of construction that where there is a paragraph limiting certain things, and another paragraph following that which throws the matter practically wide open, paragraph 5, being a subsequent paragraph, in my judgment, would be very apt to modify, or would be correctly construed to modify, the other paragraph. In order to correct that, paragraph 5 should be included in paragraph 2. Otherwise, in one paragraph it would be limited and in another paragraph we would say, "release for export any article to any such government."

It can be said at least that one paragraph conflicts with the other. One paragraph provides that no defense article may be given away unless it is specifically mentioned in an appropriation bill, as I understand, and in the next breath it is provided that any article may be released for export.

Mr. VANDENBERG. In one paragraph it is said it must be limited by \$1,300,000,000, and in the next it is said it can be anything.

Mr. WHEELER. Yes. Let us assume, for the sake of argument, that a court should hold that the first limitation applied. Let us say the Attorney General was called on for advice; the Attorney General, or any other lawyer who was consulted, might say, "Subsection (5) gives you the authority you want." We have a conflict between the two subsections of the bill which certainly ought to be clarified.

Mr. VANDENBERG. Mr. President, may I ask the Senator from South Carolina what he has to say about that?

Mr. BYRNES. Mr. President, I had not heard it suggested until the Senator from Michigan raised the question. I must say that I do not agree with the statement of the Senator from Montana, in view of the specific limitation of \$1,300,000,000. My belief is that that provision controls. But there is no reason for having a discussion about it, because it is the intent of the Senator from Virginia, and certainly the intent of the Senator from Georgia, that it should control. I see no reason why it cannot be inserted at a place in the bill where it would have that effect. If the Senator from Virginia will withdraw his amendment for a minute I believe it may be arranged.

Mr. WHEELER. I do not see why subparagraph (5) should be eliminated. I do not think it takes away or adds anything to the bill, unless it is concluded that subsection (5) is a modification of subsection (2), with the limitation.



Mr. BYRNES. I do not agree with the interpretation of the Senator from Montana. I think it is perfectly plain and that it would be held that the \$1,300,000,000 applies to all goods on hand or goods that may be procured from funds hereafter appropriated, and that as to funds hereafter appropriated, the President must come to the Congress, and the Congress may then specifically determine that no part of the appropriation shall be applied to the particular purpose. If, on the other hand, the Congress hereafter, in the light of conditions then existing, determines to make available 5, 10, or 15 percent of appropriations provided in a certain bill, the Congress would have to do that specifically. The effect of the amendment of the Senator from Virginia is to require the affirmative action of the Congress.

Mr. VANDENBERG. I understand that; but in order to make perfectly clear that the bill says what we all agree it is intended to say, would the Senator from South Carolina object to striking out subsection (5) and amending subsection (2) to read:

to sell, transfer, exchange, lease, lend, release for export, or otherwise dispose of.

Mr. BYRNES. So far as I am concerned, I can see no objection.

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. BYRNES. I do not have the floor. I understand the Senator from Virginia has the floor. I think the Senator from Georgia should answer that question.

Mr. BYRD. I yield to the Senator from Georgia.

Mr. GEORGE. Mr. President, the obvious purpose of subsection (5) is to release for export, because of the provision of the Neutrality Act which requires the passing of title and payment in cash for things sold to a foreign government; and to release for export, it seems to me, can have no possible application or reference to anything except those things which are actually to be exported under the terms of the bill. It does not enlarge the power of the President or anyone else to increase the number of articles or the quantity or the volume of the exports, but it does authorize him to release for export to another country defense articles that may be furnished under the limitation fixed in the bill.

Mr. VANDENBERG. What does the Senator say about the suggestion which I made following the suggestion of the Senator from Montana?

Mr. GEORGE. I have not studied it. There would be no insuperable objection, in my judgment, to combining subsections (1), (2), (3), (4), and (5) all in one paragraph, with one limitation, but I have not sufficiently studied the question to pass upon it at this moment.

Mr. O'MAHONEY. Mr. President, will the Senator from Virginia yield to me?

Mr. BYRD. I yield.

Mr. O'MAHONEY. It occurs to me as I have listened to the question raised by the Senator from Michigan, and as I read the bill, that subsection (5) refers to an altogether different category of goods from that mentioned in either subsection (1) or subsection (2). I understand those first two subsections to refer to materials

manufactured by the United States with funds appropriated by the Congress. Subsection (2), of course, refers to materials already owned by the Government of the United States. I was under the impression that subsection (5), however, referred solely to the authority which was being extended to the President to release for export defense articles which were not within the category of those owned by the Government, for example, airplanes manufactured by an airplane corporation which could not be exported under present rules to a particular area or a particular government. I may be mistaken about that, and my purpose in rising was merely to inquire of the Senator from Georgia or the Senator from South Carolina whether that was a correct interpretation of the meaning of that provision.

Mr. VANDENBERG. May I ask the Senator from Wyoming if he will read the opening words in subsection (2) as they would read if amended as proposed:

To sell, transfer, exchange, lease, lend, release for export, or otherwise dispose of, to any such government any defense articles.

That is a complete and total covering.

Mr. O'MAHONEY. That, of course, would bring it within any limitation that may be added by way of amendment to subsection (2).

Mr. VANDENBERG. That is correct.

Mr. LA FOLLETTE. Mr. President, will the Senator yield to me?

Mr. BYRD. I yield.

Mr. LA FOLLETTE. If the colloquy is concluded on the point raised by the Senator from Michigan I should like to ask the Senator from Virginia with regard to the modification which he has made in his printed amendment. It proposes on line 3, after the word "appropriated", to insert:

To any department or agency of the Government other than from funds authorized to be appropriated under this act.

It seems to me the effect of that is to defeat the purpose which the Senator's amendment has in mind in case any appropriations are made in pursuance of the authorization contained in the pending bill, and in view of the broad, sweeping authorization contained in the pending bill it might very well be that appropriations would be made to carry out the purposes of this proposed act. It seems to me the Senator's original amendment is very much more likely to attain the result which he desires than in the modified form. For example, suppose an appropriation bill should provide that "\$500,000,000 is hereby appropriated" to carry out the purposes of the act, whatever its public number may become. There would then be absolutely no limitation, and the Congress would be absolutely in the dark as to what division of the money thus appropriated was to be made, in relation either to use for our own armed forces, or those of any of the countries which may be the beneficiaries under the bill.

Mr. BYRD. In that event the appropriation would have to be specifically made for the purposes of H. R. 1776. The Senator from Virginia is desirous of preventing appropriations made for

our own national defense being diverted and transferred to other nations. With the modification made, I think the amendment unquestionably would prevent such a result.

Mr. LA FOLLETTE. I am entirely in sympathy with what the Senator from Virginia is trying to do; but it seems to me that he leaves open a method of appropriation whereby the Congress would not know what proportion of the funds was to be used for defense articles for some foreign power, and what proportion was to be used for our own defense, because H. R. 1776 does not separate the articles which may be procured and made available to one country or another from those intended for our own defense. In the first place, the bill is entitled "An act further to promote the defense of the United States, and for other purposes." Then it authorizes the President to do a great number of things.

Mr. BYRD. If the Senator will read the amendment, he will note that it says:

Defense articles procured from funds hereafter appropriated to any department or agency of the Government other than from funds authorized to be appropriated under this act, shall not be disposed of in any way under authority of this paragraph except to the extent hereafter specifically authorized by the Congress in the acts appropriating such funds or otherwise.

Mr. BYRNES. Mr. President, will the Senator yield?

Mr. BYRD. I yield.

Mr. BYRNES. As I read the amendment, it would accomplish just what the Senator from Virginia says it would. I am trying to get clearly in my mind the point the Senator from Wisconsin raises.

It seems to me that when we say—

Defense articles procured from funds hereafter appropriated to any department or agency of the Government other than from funds authorized to be appropriated under this act—

the result the Senator from Virginia has in mind will be accomplished. His objective is that with respect to any appropriation, whether a regular supply bill or any other bill, the Congress must specifically authorize the disposition. Otherwise the last four lines apply. That is, such articles—

shall not be disposed of in any way under authority of this paragraph except to the extent hereafter specifically authorized by the Congress in the acts appropriating such funds or otherwise.

The language would not apply to an appropriation bill to carry out the purposes of H. R. 1776, because manifestly it would have no relevancy to such a bill; but in any bill other than an appropriation bill to carry out the purposes of H. R. 1776, the Congress would be required to provide that 5 percent, 10 percent, or whatever percentage it might determine, should be devoted to the desired purpose. I think that would be the effect. That is the object.

Mr. LA FOLLETTE. I understood that to be the objective of the Senator from Virginia, but I could not understand why he wanted to except a specific appropriation from funds authorized under the terms of the pending bill.



Mr. BYRNES. As I read the language, it makes plain that the provision applies to all appropriation bills other than an appropriation bill to carry out the purposes of the proposed act. Manifestly there would be no purpose in applying it to such a bill. The purpose is that no part of the funds carried in a regular or supplemental appropriation bill shall be diverted for the procurement of materials to be disposed of under the proposed act unless Congress shall specifically so provide, so that Congress may have the opportunity in each case to consider the question. The provision would not apply to an appropriation bill for the purpose of carrying out the provisions of H. R. 1776; but with respect to any other appropriation bill Congress would know that no part of the funds therein appropriated could lawfully be diverted unless the Congress should specifically so provide.

Mr. LA FOLLETTE. The Senator from Virginia has been studying this question. I saw only the penciled change, and I wanted to be certain that in the inclusion of this language he was not really opening the door to the very thing he was trying to prevent.

Mr. BYRD. I appreciate the interest of the Senator. I will say that I have consulted with the drafting experts, and they assure me that my interpretation of the language is correct.

Mr. President, in this connection, I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks a letter which I wrote to Mr. Henry G. Wood, legislative counsel of the Senate, and a memorandum written by Mr. Wood in response thereto.

There being no objection, the letter and memorandum were ordered to be printed in the RECORD, as follows:

FEBRUARY 24, 1941.

Mr. HENRY G. WOOD,  
The Legislative Counsel  
United States Senate,  
Washington, D. C.

MY DEAR MR. WOOD: Can any and all articles of defense, as defined in the pending legislation, hereafter acquired by the Army and Navy with appropriations hereafter made, be diverted to a foreign nation without further legislative action?

I shall appreciate your prompt advice.

With best wishes, I am,

Faithfully yours,

HARRY F. BYRD.

#### MEMORANDUM RELATING TO H. R. 1776

In response to your request by letter dated February 24, 1941, the following is submitted:

The authority contained in section 3 (a) (2) of H. R. 1776 to dispose of defense articles is broad enough to cover any such articles acquired by the Army and Navy from funds appropriated before or after the enactment of H. R. 1776.

Defense articles acquired at any time by the Army or Navy from funds appropriated before the enactment of H. R. 1776 fall within the specific limitation that the value of articles disposed of under section 3 (a) (2) and "procured from funds heretofore appropriated" shall not exceed \$1,300,000,000.

There is no limitation either upon the amount or value of articles disposed of under section 3 (a) (2) which are acquired by the Army or Navy, or any other agency, from funds appropriated after the enactment of H. R. 1776. The Committee on Foreign Rela-

tions also stated in its report that the first committee amendment applied to paragraphs (1) and (3) of section 3 (a) and not to paragraph (2).

It is assumed, however, that the Congress will still have the power to impose limitations with respect to the amount or value of defense articles to be acquired by the Army or Navy from appropriations made after the enactment of H. R. 1776 which may be disposed of under section 3 (a) (2). Such limitations may be imposed either when the appropriations are actually made, or at any other time, and to the extent that they are imposed it will curtail the authority which may be exercised under section 3 (a) (2).

Respectfully submitted,

HENRY G. WOOD,  
Legislative Counsel.

HON. HARRY F. BYRD,  
United States Senate,  
Washington, D. C.

FEBRUARY 24, 1941.

The VICE PRESIDENT. The question is on agreeing to the modified amendment offered by the Senator from Virginia [Mr. BYRD].

The amendment as modified was agreed to.

Mr. GEORGE. Mr. President, on the point which was under discussion a few moments ago, as to whether or not the limitations which precede subparagraph (5) of section 3 (a) might be held to have no application to subparagraph (5), I think the report fairly well covers the situation. Let me read from the report, because I want it to represent my statement. I may not have made my position quite clear.

Paragraph (5) of section 3 (a) empowers the President to authorize the Secretary of War, the Secretary of the Navy, or the head of any other Department or agency of the Government "To release for export any defense article to any such government." That paragraph should be read in connection with subsection (d) of section 3, which states that "Nothing in this act shall be construed to authorize or to permit the authorization of conveying vessels by naval vessels of the United States," and also with subsection (e), providing that "Nothing in this act shall be construed to authorize or to permit the authorization of the entry of any American vessel into a combat area in violation of section 3 of the Neutrality Act of 1939."

It is clear, in the light of these latter two sections, that nothing in the bill contemplates the carrying, in American bottoms, of goods to England or any other place located within a combat area under the 1939 Neutrality Act.

The purpose of paragraph (5) of section 3 (a) is primarily twofold: (a) it temporarily suspends existing laws proscribing the sending out of war vessels built for a belligerent's use and (b) it suspends the requirement, contained in section 6 of the act of July 2, 1940 (Public No. 703, 76th Cong.), that the Secretary of War, for example, obtain a license from the Administrator of Export Control before releasing any defense article for export.

It seems to me that, the limitation being on the thing that may be released for export, and that limitation being as specific as it can be made under the amendments heretofore offered and agreed to, including the one just agreed to, offered by the Senator from Virginia, the question is left free of doubt. The language "to release for export" does not enlarge, by any possible construction, the thing that may be exported.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. GEORGE. I yield.

Mr. VANDENBERG. Nothing which the Senator has read bears upon the direct point which I raised.

Mr. GEORGE. That is true.

Mr. VANDENBERG. My question was whether or not there is a conflict between the limitation of \$1,300,000,000 and what seems to be a general release of all defense articles for export.

Mr. GEORGE. I have just stated why I do not think it is a general release, because there is a specific limitation. However, I merely wanted to call attention to that part of the report, because it has a bearing on the proper construction of subparagraph (5).

Mr. VANDENBERG. As I understand the Senator's statement, his interpretation of the language is that subparagraph (5) is limited by the \$1,300,000,000 insofar as that limitation affects exports.

Mr. GEORGE. I think so, beyond all doubt.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. GEORGE. I yield.

Mr. TYDINGS. I have already discussed with the Senator from Georgia the subject to which the Senator from Michigan refers, namely, the fifth power, "to release for export any defense article to any such government." In order that we may have the benefit of the advice and counsel of the Senator from Georgia, who has given this matter a great deal of study and who is perhaps more familiar with its interplay than is any other Member of the Senate, let me ask him if it would be fair to state that the value of defense articles disposed of in any way—meaning those that may be manufactured as a result of appropriations heretofore made, or which may be already manufactured—may not exceed \$1,300,000,000 in value, to the extent that the President would have the power to transfer, lease, give away, or otherwise dispose of them to any country outside the United States?

Mr. GEORGE. Mr. President, I do not know that I understand the Senator's question.

Mr. TYDINGS. May I put it a little more simply?

Mr. GEORGE. I wish the Senator would do so.

Mr. TYDINGS. It may be said that there are two kinds of articles, those that are already manufactured and now in the possession of the Army and Navy—

Mr. GEORGE. And those that are in process of construction?

Mr. TYDINGS. No; those that are already constructed, such as a battleship or a cannon or a machine gun.

Mr. GEORGE. And those which are already in process of construction?

Mr. TYDINGS. And those for which money has already been appropriated for manufacture. They are all the articles we have or intend to obtain, up to the present time—those that we have and those that we do not have, but which we have appropriated money to obtain.

As I understand, regardless of the things which the Army and Navy will have as a result of appropriations heretofore made, in no sense shall what they have be depleted beyond \$1,300,000,000



in value, insofar as it applies to the giving of them to any other country.

Mr. GEORGE. Or the selling. That is my understanding, I will say. I do not like to use the word "giving," because the bill does not authorize a gift. Everyone has said so. But inasmuch as the President can determine what consideration he is willing to take, I did not think it worth while to argue the point.

Mr. TYDINGS. I think we are agreed.

Mr. GEORGE. If I correctly understand the Senator, my answer is unequivocally in the affirmative.

Mr. TYDINGS. In other words, if the Army and Navy now have articles, or if articles are being manufactured for them, or if they may subsequently secure articles as a result of appropriations heretofore made, under the powers contained in this bill, in no case could such articles be disposed of by the President to any country in excess of the aggregate of \$1,300,000,000, notwithstanding that in the bill the power of export comes subsequently to the limitation heretofore agreed upon.

Mr. GEORGE. Oh, undoubtedly so. I do not think the fact that the power to release for export comes subsequently in the bill has any effect to enlarge the quantity, as fixed by value, of defense articles which may be exported.

Mr. BREWSTER. Mr. President, will the Senator yield?

The PRESIDENT pro tempore. Does the Senator from Maryland yield to the Senator from Maine?

Mr. TYDINGS. First, Mr. President, let me say that I think the Senator has completely answered my question; but, in order to make the record clear, I should like to state that I think it is a well-known rule of judicial interpretation that when various powers are conferred on an executive, and one or more powers are limited, a subsequent power granted which is not directly limited by the legislative limitation provided in the act would not be subject to the limitation.

Mr. GEORGE. I agree with the Senator's general statement, but I do not think that is a proper rule of application when the limitation itself to the prior grant of power goes directly to the thing which may be done pursuant to the subsequent grant of power.

Mr. TYDINGS. I thank the Senator for his comment.

Mr. ADAMS. Mr. President, will the Senator yield to me?

Mr. TYDINGS. Yes; I am glad to yield.

Mr. ADAMS. I wonder if the Senator's problem might not be met by changing, in line 9, page 3, the single word "paragraph" to "section."

Mr. TYDINGS. Mr. President, had I been drafting the bill I should have preferred to have drafted it as follows:

To manufacture in arsenals, factories, and shipyards under their jurisdiction, or otherwise procure, and to sell, transfer, exchange, lease, lend or otherwise dispose of, and to release for export, any defense article for the Government of any country whose defense the President deems vital to the defense of the United States: *Provided*, That no defense article not manufactured or procured under this paragraph shall in any way be disposed of under this paragraph except after consultation with the Chief of Staff of the Army or

the Chief of Naval Operations of the Navy, or both. The value of defense articles disposed of in any way under authority of this paragraph, and procured from funds heretofore appropriated, shall not exceed \$1,300,000,000.

We then would have had export, manufacture, and procurement all together, with the limitation coming thereafter; and there would not have been any question to debate.

However, in view of what the Senator from Georgia has said, so far as the Senate is concerned I think we are all agreed that the power to export is not an extra power over the limitation of \$1,300,000,000.

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield to the Senator from Montana.

Mr. WHEELER. The trouble is, of course, that what the departments go by is the bill, and it is only when there is a conflict in the mind of the court that it goes back and attempts to determine what was the intention of the Congress. However, if the plain language of the bill is contrary to what is stated as the intention of the Congress, as stated by a Senator or as contained in a report, then the court takes the plain meaning of the language regardless of what anyone says, no matter who he may be.

Mr. TYDINGS. The Senator is correct about that. It is not what we think it is; but, as the court says, if the plain intendment is clear, then no other interpretation can be placed upon it.

That is the reason why I have tried to ascertain from those who drafted the bill, or from those who are familiar with the interplay of its sections, just what occurred.

Mr. WHEELER. Does the Senator know who drafted it?

Mr. TYDINGS. No.

Mr. WHEELER. Does anyone else know?

Mr. TYDINGS. No. Let me say that if paragraph (5) of section 3 is subsequent to the limitation, then the entire Navy of the United States could be lent or leased, under the power contained in the bill. However, if the limitation of \$1,300,000,000 carries to paragraph (5), there could not be a lease or a grant beyond that.

I am very sorry that the committee did not put the power to release for export along with the power to manufacture and procure, and the power to sell and transfer, so that there would not have been the slightest question of doubt about it.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. TYDINGS. I did prepare such an amendment, and I tried to show this point to the committee, because I still have the impression that it may be interpreted to mean that, notwithstanding this limitation, goods which are already in being may be released for export, because the power is subsequent to the limitation as set forth in the bill.

Mr. GEORGE. Mr. President, perhaps we can shorten the argument. I never care to argue a point with which I fully agree, I may say to my able friend. Suppose we do it in this way: Limit subsection (5) to release for export of any defense article disposed of in any way

under this subsection to any such government.

Mr. TYDINGS. That would make it beyond the peradventure of doubt.

Mr. GEORGE. Mr. President, I offer that amendment.

Mr. WHEELER. Mr. President, I did not understand the amendment. May we have it stated?

Mr. GEORGE. I will state it. In subparagraph (5), "To release for export any defense article" and here is the amendment:

disposed of in any way under this subsection—

That would precede the present language—

to any such government.

Mr. WHEELER. I think that covers it.

The PRESIDENT pro tempore. The question is on the amendment submitted by the Senator from Georgia.

The amendment was agreed to.

Mr. ELLENDER. Mr. President, I inquire if all the committee amendments have been agreed to?

The PRESIDENT pro tempore. The Chair understands that all committee amendments have been agreed to.

Mr. ELLENDER. Then I offer the amendment which I send to the desk and ask to have stated.

The PRESIDENT pro tempore. The amendment offered by the Senator from Louisiana will be stated.

The CHIEF CLERK. At the end of the bill it is proposed to add the following new section:

SEC. 10. Nothing contained in this act shall be deemed to confer any additional powers to authorize the employment or use of persons in the land or naval forces of the United States at any place beyond the limits of the Western Hemisphere, except in the Territories and possessions of the United States, including the Philippine Islands.

Mr. ELLENDER obtained the floor.

Mr. WHEELER. Mr. President, will the Senator from Louisiana yield to me?

Mr. ELLENDER. I yield.

Mr. WHEELER. There are one or two Senators who wanted to be present when this amendment was under consideration. Would the Senator object if I suggested the absence of a quorum so that they may be present, as they have asked me to do?

Mr. ELLENDER. No, sir. I yield for that purpose.

Mr. WHEELER. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Byrnes	Hatch
Aiken	Capper	Hayden
Andrews	Caraway	Herring
Austin	Chandler	Hill
Bailey	Chavez	Holman
Ball	Clark, Idaho	Hughes
Bankhead	Clark Mo.	Johnson, Calif.
Barbour	Connally	Johnson, Colo.
Barkley	Danaher	Kilgore
Bilbo	Davis	La Follette
Bone	Downey	Langer
Brewster	Ellender	Lee
Bridges	George	Lodge
Brooks	Gerry	Lucas
Brown	Gillette	McCarran
Bulow	Glass	McFarland
Bunker	Green	McKellar
Burton	Guffey	McNary
Butler	Gurney	Maloney
Byrd	Harrison	Mead



Miller	Russell	Truman
Murdoch	Schwartz	Tunnell
Murray	Sheppard	Tydings
Norris	Shipstead	Vandenberg
Nye	Smathers	Van Nuys
O'Mahoney	Smith	Wallgren
Overton	Stewart	Walsh
Pepper	Taft	Wheeler
Radcliffe	Thomas, Idaho	White
Reed	Thomas, Utah	Willis
Reynolds	Tobey	Wiley

The PRESIDENT pro tempore. Nine-ty-three Senators have answered to their names. A quorum is present.

Mr. ELLENDER. Mr. President, it is not my purpose or desired to prolong the debate on the pending bill. The amendment I have submitted is very simple and almost self-explanatory. However, before proceeding to discuss the amendment, I should like to place in the RECORD a few facts and figures in the light of the debate as it has proceeded up to this moment.

Mr. President, under the pending bill, we are giving great powers to the President of the United States, and I for one am willing to grant them to him because I know that he is a good and just man and he has the interest of the American people at heart. It is to be hoped that the President, in the exercise of those powers, will take into consideration the vast resources of the British Empire and other countries now engaged in war on its side before extending them too much credit to carry on their war.

I have made a study of the debts of England and the various British possessions now engaged in war with her. I have before me a statement which is very interesting, and I believe the information it contains should be taken into consideration when the pocketbook of Uncle Sam is being opened, as it were, in order to help the British.

Our country, including its possessions, has an area of 3,733,395 square miles. Its total population is 150,450,560. The public debt of the United States up to September 30, 1940, was \$44,214,604,746.

Great Britain and her possessions as of the same date had an area of 12,880,537 square miles; so that the territorial area of Great Britain and her possessions is almost four times the area of our country. Great Britain and her possessions had a population of 490,738,253. The debt of Great Britain, including all her posses-

sions, and also including the amount which is now due to the United States, which aggregates, as I recall, between \$4,000,000,000 and \$5,000,000,000, amounts to \$52,647,224,369.

To put the matter in another way, the per capita debt of the United States and all of its possessions, as of September 1940, aggregated \$293, while the per capita debt of the British Isles and its possessions is only \$107. I hope that when we make advances to England, those circumstances will be taken into consideration.

Further, Mr. President, I hope all that is now being done by the British possessions will be continued after the passage of this bill, to the same extent, if not greater, than now prevails. In other words, after we pass this bill I do not want the British possessions to assume that Uncle Sam is going to do all the work and furnish all of the materials needed.

Under the pending bill the President has the power to trade, exchange, or barter all kinds and quantities of property. It is to be hoped that he will exercise—and I am confident he will—that power so that we will receive some form of compensation for our property, rather than make outright gifts to those who will benefit.

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield for a question.

Mr. WHEELER. I do not know whether I was in the Chamber when the Senator began his remarks; but, likewise, we hear a great deal about our own country being a rich country, with great natural resources. I hope the Senator will call attention to the fact that the British Empire, as distinguished from the British Isles themselves, has vastly greater natural resources than has the United States of America. When people are talking about subsidizing Great Britain, and what we are doing to help Great Britain, the fact ought to be called to the attention of the American people that, when we are paying something over \$35 an ounce for gold, we are really subsidizing Great Britain to the extent of a great part of the increase of the price of gold above its normal figure.

Mr. ELLENDER. I submitted figures showing the areas of the various countries. The British Empire is almost four times larger than the United States in area. Likewise, we know that our country is entirely dependent on British and Dutch possessions for rubber, tin, and a few other natural resources that are essential to us; and in making these trades I hope the President will bear these facts in mind and obtain for us vast quantities of these natural resources. I may further add in that connection that the President may look into the feasibility of obtaining permanent bases in the Atlantic from the British rather than 99-year leases. I am not advocating the acquisition of any of the islands involved, but complete sovereignty and ownership in perpetuity of those portions of the islands or mainland as may be necessary to properly establish our bases.

Mr. President, this table which I have before me also shows the exports and imports with respect to the United States and Great Britain and their possessions for the period I have just mentioned. Annual exports from the United States and all its possessions amounted to \$3,545,043,000. For Great Britain and possessions they were \$5,226,995,677, or approximately 150 percent of our own.

As to imports, those of the United States and possessions totaled \$2,700,378,000, while the imports of England and its possessions amounted to \$6,754,902,313.

Mr. ADAMS. Mr. President, will the Senator yield for an inquiry as to his figures?

Mr. ELLENDER. Certainly.

Mr. ADAMS. In computing the British imports and exports, do they include the imports and exports between England and her possessions, or are they limited to other countries?

Mr. ELLENDER. They include all imports and exports.

Mr. President, I ask unanimous consent to place in the RECORD at this point the tables from which I have taken certain figures with regard to the area, population, and public debt of the United States and Great Britain and their possessions, and other countries.

There being no objection, the tables were ordered to be printed in the RECORD as follows:

Comparative tables for United States and Great Britain and their possessions

UNITED STATES AND POSSESSIONS

	Area in square miles	Population	Public debt	Exports	Imports
Alaska.....	586,400	73,023	None	\$56,647,000	\$42,851,000
American Samoa.....	76	12,908	None		
Guam.....	206	22,290	None	150,000	635,000
Hawaii.....	6,407	423,330	\$38,258,000	98,086,000	109,479,000
Puerto Rico.....	3,435	1,869,245	28,908,000	82,077,000	93,314,000
Virgin Islands.....	133	24,889	None	1,541,000	3,347,000
Philippine Islands.....	114,400	16,356,000	74,468,500	115,795,000	132,602,000
Total United States possessions.....	711,606	18,781,285	141,664,500	368,165,000	382,228,000
United States.....	3,026,789	131,669,275	44,072,940,246	3,176,878,000	2,318,150,000
Total United States and possessions.....	3,733,395	150,450,560	44,214,604,746	3,545,043,000	2,700,378,000

GREAT BRITAIN AND POSSESSIONS

Western Hemisphere.....	3,853,865	14,256,873	\$3,324,647,612	\$1,036,871,872	\$870,763,592
African possessions.....	3,717,697	52,836,237	1,436,487,152	855,294,680	647,154,800
Asiatic possessions.....	5,213,945	376,169,143	7,462,089,605	1,592,554,917	1,494,933,913
Total British possessions.....	12,785,507	443,253,253	12,223,224,369	3,484,718,469	3,012,852,305
British Isles.....	95,030	47,485,000	40,424,000,000	1,742,277,208	3,742,050,008
Total Great Britain and possessions.....	12,880,537	490,738,253	52,647,224,369	5,226,995,677	6,754,902,313

<sup>1</sup> Sept. 30, 1940.



## Comparative tables for United States and Great Britain and their possessions—Continued

## BRITISH POSSESSIONS IN WESTERN HEMISPHERE (YEAR 1938)

	Area in square miles	Population	Public debt	Exports	Imports
Canada.....	3,694,863	11,315,000	\$3,152,559,314	\$924,925,104	\$751,055,534
Labrador and Newfoundland.....	42,734	294,800	99,868,700	31,987,344	24,450,618
Bahamas.....	4,404	67,720	1,012,000	853,260	4,555,356
Barbados.....	166	193,082	1,798,680	1,397,052	8,251,776
Jamaica.....	4,628	1,173,645	25,212,556	20,130,960	25,540,884
Leeward Islands.....	422	92,725	1,418,000	2,317,544	2,945,580
Trinidad and Tobago.....	1,832	464,889	19,730,304	35,337,764	35,497,121
Windward Islands.....	821	257,077	2,283,804	3,091,152	3,139,869
British Honduras.....	8,867	57,767	3,337,210	3,233,384	4,094,091
British Guiana.....	89,480	337,039	17,427,044	10,882,236	8,850,808
Falkland Islands.....	5,618	3,128	(?)	2,654,472	2,442,964
Total, Western Hemisphere.....	3,853,865	14,256,873	3,324,647,612	1,036,871,872	870,763,592

## AFRICAN POSSESSIONS OF GREAT BRITAIN (1938-39)

South Africa.....	472,559	10,160,000	\$1,083,965,252	\$411,624,000	\$371,576,000
Southern Rhodesia.....	159,354	1,385,569	49,202,072	47,508,060	37,788,000
Somaland.....	63,090	314,760	-----	830,172	2,912,209
Tanganyika.....	369,090	5,240,184	33,031,516	16,202,936	12,987,329
Northern Rhodesia.....	290,320	1,380,754	9,388,000	40,523,794	20,457,712
Nyasaland.....	37,374	1,672,787	21,495,296	4,010,709	3,335,295
Zanzibar.....	640	256,000	Nil	3,379,280	3,974,084
Southwest Africa.....	317,725	238,604	11,091,064	13,953,772	14,514,238
Gold Coast.....	30,483	852,890	45,740,000	61,701,984	41,521,292
Sierra Leone.....	27,923	1,738,480	6,343,812	9,555,716	6,091,363
Gambia.....	4,068	199,520	155,040	1,155,804	1,199,769
Nigeria.....	372,590	20,588,840	99,058,396	165,562,800	46,268,416
Basutoland.....	11,716	562,411	2,793,284	1,696,018	2,993,504
Bechuanaland.....	275,000	235,756	2,93,016	-----	-----
Swaziland.....	6,705	156,715	1,857,904	-----	-----
Anglo-Egyptian Sudan.....	969,600	6,342,477	63,037,600	21,961,448	25,133,588
Cyprus.....	3,572	376,529	3,289,200	9,913,024	8,985,740
Malta.....	122	298,698	Nil	2,549,548	15,564,552
Kenya and Uganda.....	318,941	711,053	19,816,200	43,252,684	32,028,760
Total, African.....	3,717,697	52,836,237	1,436,487,152	855,291,680	647,154,800

<sup>2</sup> Assets.

## ASIATIC POSSESSIONS OF GREAT BRITAIN (FIGURES FOR YEAR 1938)

British Malaya.....	132,723	5,088,327	\$68,495,738	\$299,442,997	\$281,778,623
New Guinea and other islands.....	124,046	1,035,462	6,639,460	28,766,388	17,429,240
Ceylon.....	25,332	5,780,000	48,975,100	75,982,208	63,093,632
Palestine.....	10,429	1,496,536	-----	20,081,452	45,427,852
Transjordan.....	34,740	300,000	882,244	-----	-----
Total.....	327,270	14,700,325	114,991,541	424,173,045	407,642,352
Australia.....	2,974,581	6,997,326	5,364,216,976	448,805,488	408,625,403
New Zealand.....	103,415	1,624,714	1,215,881,088	231,202,504	221,688,755
India.....	1,808,679	352,837,778	767,000,000	488,373,880	453,977,397
Total, Asiatic.....	5,213,945	376,160,143	7,462,089,605	1,592,554,917	1,494,933,913

## PER CAPITA DEBT

	Population	Public debt	Per capita debt
United States.....	131,669,275	\$44,072,940,246	\$334+
United States and possessions.....	159,450,569	44,214,604,746	293+
British Isles.....	47,485,090	40,424,000,000	853+
British Isles and possessions.....	490,738,253	52,647,224,369	107+

## NETHERLANDS AND POSSESSIONS

	Area in square miles	Population	Public debt	Exports	Imports
Netherlands East Indies.....	735,269	69,435,000	\$682,418,460	\$378,613,450	\$263,614,050
Dutch Guiana.....	90,288	156,332	546,065	4,218,381	4,177,647
Netherlands.....	33,314	8,728,569	1,664,209,000	51,198,090	794,010,000
Total.....	828,871	78,319,901	2,347,165,155	434,029,831	1,061,801,697

Public debt per capita: Netherlands, \$190; Netherlands and possessions, \$29.

## DENMARK AND POSSESSIONS

Greenland.....	838,000	16,901	-----	\$107,265,070	\$788,310
Faroe Islands.....	540	25,744	-----	-----	-----
Denmark.....	16,575	377,000	\$244,105,000	299,174,000	331,073,000
Total.....	855,115	419,645	244,105,000	406,439,070	331,861,310

Public debt per capita: Denmark, \$646; Denmark and possessions, \$581.

## BELGIUM AND POSSESSIONS

Belgian Congo.....	918,000	10,304,080	\$985,490	\$322,516,180	\$173,848,290
Belgium.....	11,752	8,386,553	9,751,540,000	3,655,170,000	3,301,400,000
Total.....	929,752	18,690,633	9,752,525,490	3,977,686,180	3,375,248,290

Public debt per capita: Belgium, \$1,162; Belgium and possessions, \$522.



Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. TYDINGS. As I understood the figures the Senator just read, he showed that the visible balance of trade between the United States and the remainder of the world was favorable to the United States; but the figures for Great Britain and her dominions seem to show that the visible balance of trade was unfavorable to Great Britain to the extent of about a billion dollars a year, as I recall.

Mr. ELLENDER. For that period; yes. I may say to the Senator from Maryland that my reason for citing these facts and figures is to show the enormous difference in the amount of business that is carried on by Great Britain and her possessions, in comparison to ours—in effect, to show Great Britain's wealth.

Mr. TYDINGS. I understand.

Mr. ELLENDER. That is my purpose in submitting the figures.

Mr. TYDINGS. Mr. President, will the Senator further yield?

Mr. ELLENDER. Yes.

Mr. TYDINGS. I understand why the Senator is using the figures; but what the figures really show is that the United States had a favorable balance of trade of nearly \$3,000,000,000 for the period he indicated, while, on the other hand, Great Britain had an unfavorable balance of trade of about a billion dollars for the period he indicated.

Mr. ELLENDER. Not quite; the United States had a favorable balance of about \$800,000,000 and Great Britain a loss of about one and one-half billion dollars.

Mr. TYDINGS. I took only the round figures; but that would tend to show that we were making money in the transaction, and that they were losing money in the transaction.

Mr. ELLENDER. The fact remains that the British are not so badly off. The point I desire to make is that these various angles should be taken into consideration when the President turns American materials and supplies over to the British, as he is empowered to do under the pending bill. It is not the war itself that I dread; it is the aftermath of war. So long as the war goes on we can keep our people busy in the factories, making munitions and other implements of war; but when the factories stop smoking, and industry becomes paralyzed, and we have an enormous public debt of probably \$100,000,000,000 to \$125,000,000,000, as has been variously estimated, I say to you, fellow Senators, that such a condition will probably destroy the very thing we are now attempting to save. Our liberty, our cherished freedom to pursue our own business, our own lives, our own happiness, in our own way, may be forever lost to us.

Mr. WHEELER. Mr. President, will the Senator yield to me?

Mr. ELLENDER. I yield.

Mr. WHEELER. When we talk about England, many persons think of England as just the British Isles. In loaning money and giving property and money to Great Britain, we have to think of it as the great Empire. When we think of it as the great Empire, we immediately call attention to the tremendous man-

power it has, and the tremendous resources it has, and the tremendous courage it has. As a matter of fact, Great Britain today is the richest empire in all the world. I do not think there is anything that can touch it.

Mr. ELLENDER. Today, sad to say, our great country may be penalized because it has industrial advantages unequalled by those of any other nation in the world. Because of the ingenuity of our people, we have become the arsenal of democracy. In the meantime let us not forget that our natural resources are being depleted, and we should demand for our finished products some of the rich natural resources of Great Britain and her allies.

Mr. President, I believe we Senators today ought to take heed of what the distinguished Senator from Maryland [Mr. TYDINGS] brought to our attention last year, and that is, the necessity of repairing our finances. Apparently, for the next 4 or 5 years we are going to have an artificial prosperity. Prosperity dependent upon war industries cannot be permanent. What we ought to do at this session of the Congress is to impose such heavy taxes that at the end of 5 years our national debt will be reduced so that it will not afflict and burden our Nation.

We are asking our boys to forego salaries ranging from \$50 per month on up, some even as high or higher than \$1,000 per month, in order to prepare for the defense of our country.

Why not ask industry, why not ask those who manufacture the various implements of war, to make the same sacrifice in order to preserve the liberties of our great Nation? I for one stand ready now to do that, even to the extent of pouring into the Treasury of our Nation any surplus from my salary over and above exemptions as presently fixed in the Income Tax Act. We must do something, because if we fail to act, then at the end of this period of artificial prosperity we are apt to lose the very thing for which we are now fighting—our free, democratic way of living.

Mr. ADAMS. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Louisiana yield to the Senator from Colorado?

Mr. ELLENDER. I yield.

Mr. ADAMS. I wondered whether I had understood the Senator correctly as meaning that he felt that our taxes should be increased, so that during this period which he defines as one of "artificial prosperity," we would not only meet our expenses, but reduce the national indebtedness. Is that correct?

Mr. ELLENDER. That is what I have in mind. Of course, I am not a tax expert; I do not know whether or not that much money could be collected, but we should at least try to pay for this defense program as we go, rather than further increase our national debt.

Mr. ADAMS. I was just about to add that our annual expenditures at this time are running in the neighborhood of \$25,000,000,000. If we attempt to collect \$25,000,000,000 out of a national income of \$70,000,000,000, most of it in addition to the taxes already being levied by the Government, by State governments,

school districts, cities, and counties, we will consume more than 50 percent of our national income, and I am wondering whether, if we attempted to do that, we would not bring on rather than avert the financial catastrophe referred to by the Senator.

Mr. ELLENDER. According to figures I saw recently, it may be that our national income this year will be as high as \$80,000,000,000 and for a few years to come as much as ninety billions yearly. As I stated, I am not injecting a discussion of tax matters into the debate on this bill. I do not desire to go into detail, and I must confess that at this moment I am not prepared for detailed discussion. I am merely advancing the thought at this moment, with the hope that it will receive serious consideration at a later date. Something should be done during this period of artificial prosperity, because if we do not raise the money now, while prosperity is here, we certainly will not be able to raise it later.

Mr. President, reverting to the pending amendment, I repeat that it is very simple. As I view it, the amendment carries out the platform upon which our great President was elected for a third term, and it also carries out the platform of the Republican Party and its candidate, Mr. Willkie. I wish to read now from the Democratic platform:

The American people are determined that war, raging in Europe, Asia, and Africa, shall not come to America.

We will not participate in foreign wars, and we will not send our Army, naval, or air forces to fight in foreign lands outside of the Americas, except in case of attack.

Mr. President, that is almost a verbatim statement of what my amendment provides. The only words that are not included in the amendment are "except in case of attack," and before we reach a vote I propose to add those words to the amendment so that it will be practically in the same language as is contained in the platform upon which our great President ran last November, and was elected by the people of this Nation.

I read further:

We favor and shall rigorously enforce and defend the Monroe Doctrine.

The direction and aim of our foreign policy has been, and will continue to be, the security and defense of our own land and the maintenance of its peace.

I read again from the platform:

Weakness and unpreparedness invite aggression. We must be so strong that no possible combination of powers would dare to attack us. We propose to provide America with an invincible air force, a Navy strong enough to protect all our seacoasts and our national interests, and a fully equipped and mechanized Army.

I read further:

To make America strong, and to keep America free, every American must give of his talents and treasure in accordance with his ability and his country's needs. We must have democracy of sacrifice as well as democracy of opportunity.

To insure that our armaments shall be implements of peace rather than war, we shall continue our traditional policies of the good neighbor; observe and advocate international respect for the rights of others and for treaty obligations; cultivate foreign trade



through desirable trade agreements; and foster economic collaboration with the republics of the Western Hemisphere.

Mr. LODGE. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield for a question.

Mr. LODGE. I am very much interested in the amendment, which I think is a good one, and goes far toward mitigating one of the chief dangers of the bill. I should like to ask the Senator whether he has given any thought or cares to express himself on the question of what constitutes the Western Hemisphere.

Mr. ELLENDER. That is next on my list. I shall gladly go into that in a few moments.

Now let us see what the Republican Party said on the subject of national defense. I read from its platform:

We declare for the prompt, orderly, and realistic building of our national defense to the point at which we shall be able not only to defend the United States, its possessions, and essential outposts from foreign attack, but also efficiently to uphold in war the Monroe Doctrine.

Our sympathies have been profoundly stirred by invasion of unoffending countries and by disaster to nations whose ideals most closely resemble our own. We favor the extension to all peoples fighting for liberty, or whose liberty is threatened, of such aid as shall not be in violation of international law or inconsistent with the requirements of our own national defense.

We believe that the spirit which should animate our entire defensive policy is determination to preserve not our material interests merely, but those liberties which are the priceless heritage of America.

Mr. President, it cannot be said that there is a line of demarcation between what these two great parties stand for. Like the people of the United States today, they stand for all material aid to Britain, not because they love Britain, but because they love America. That is why I say that the American people stand behind the proposition of all material aid to Britain, provided our own defenses are not neglected, and our own safety not menaced. What we should do now, so as to allay the fears of millions of American mothers and others, is to make it certain that the bill is to be a material-aid bill, and nothing else. If we write that provision into the bill at this moment, it will help them to understand the purpose of the bill, and once that has been accomplished, will bring wholehearted cooperation in our program to save America by aiding the democracies.

Mr. President, last week I was at a dinner party and the hostess served a big pot roast. Instead of being cooked in one of the ordinary old-time cast-iron pots, the pot roast was cooked in a large aluminum pot. I turned to her and said, "Madam, I see you have a fine aluminum pot. I notice in the newspapers that America is running short of aluminum and that you may be called upon in the near future to give up your aluminum ware." She said, "Senator, I would not mind that. I am willing to give the aluminum, and anything else that I have, but keep my boy over here."

Mr. President, that lady is typical of the millions of Americans who have the

interests of their country at heart. The American people can be united today, I say, by placing language in the bill that will convince them that we mean to carry out our promises to them to keep American boys from the battlefields of foreign countries.

Mr. MALONEY. Mr. President, will the Senator yield to me?

Mr. ELLENDER. I yield.

Mr. MALONEY. I should like respectfully to call attention to the language the Senator just used, and then ask him to point out if he will—and I would like to say that I am in sympathy with what I think the Senator is trying to do—how this particular amendment in any way changes the existing situation.

Mr. ELLENDER. I will say to the Senator that I expected to cover that a little later.

Mr. MALONEY. I am sorry I interrupted the Senator.

Mr. ELLENDER. However, if the Senator from Connecticut desires, I shall answer the question now, but it will probably mean a repetition.

Mr. MALONEY. No; I would like to have the Senator do it in his own way and in his own time.

Mr. ADAMS. Mr. President, while the Senator is being interrupted, there was another phrase that would perhaps be in need of explanation. The Senator referred to what we had "promised to do." I was not aware that we had promised to do anything, and I merely wanted to know what the Senator thinks the United States had promised to do.

Mr. ELLENDER. What I had in mind, I will say to the Senator, is the phrase that has been heard on so many occasions by the American people from the President himself, as I will point out in a minute, and from Senators, namely, that "under no condition shall we vote to send our boys to fight the battles of any foreign nation," or words to that effect.

Mr. ADAMS. The Senator did not mean that we had promised England?

Mr. ELLENDER. Indeed not. I had in mind what we had promised the American people.

Mr. McCARRAN. Mr. President, right there would the Senator yield?

Mr. ELLENDER. I yield.

Mr. McCARRAN. I hope I shall not interrupt the Senator's thought, but I take it that the Senator is quite serious, and I am very sympathetic with his amendment. The Senator undoubtedly in his serious thought believes that the bill as it now exists does permit of the sending of boys across the water to engage in war, otherwise he would not have offered this amendment?

Mr. ELLENDER. I have that in mind, and I am going to discuss that phase of the bill in a few minutes.

Mr. McCARRAN. And unless the amendment is adopted, the Senator will have apprehension, just as I will have.

Mr. ELLENDER. That is very true.

In answer to the question of the distinguished Senator from Massachusetts, which was propounded to me awhile ago, I will quote from a document which I obtained from the Library of Congress, which defines the Western Hemisphere.

I desire to state that there are some who do not quite agree with the conclusions reached by Mr. S. W. Boggs, who was the Geographer of the United States at the time this document was presented to the Congress. I read an excerpt from a letter dated Washington, June 8, 1940, addressed to the Honorable EDITH NOURSE ROGERS, House of Representatives, who had evidently made the inquiry, and in that letter there appears the following paragraph:

The demarcation of the Eastern and Western Hemispheres is even more difficult—

In the first part of this letter the writer distinguishes between the Southern and Northern Hemispheres, and this paragraph refers to the Eastern and Western Hemispheres:

The demarcation of the Eastern and Western Hemispheres is even more difficult, because it involves both the distribution of land and water and historical considerations. The question at once arises, east or west of what? The Western Hemisphere is the New World which Columbus discovered by sailing west. By the Eastern Hemisphere we mean essentially the Old World, comprising Europe, Asia, and Africa; and by the Western Hemisphere we mean the American Continents and appertaining islands. The continental areas of the Old World and the New World are very unequal, however, and the longitudinal extent of Africa and Eurasia is nearly 208°, which is 28° in excess of half the circumference of the Equator. No simple pair of meridians 180° apart can therefore be selected which will place all of Africa and Asia within the same hemisphere, although by common consent they are regarded as belonging within the Eastern Hemisphere.

I quote another paragraph from the same letter:

Within the last century the meridian of Greenwich has been increasingly used as the prime meridian in various countries, and map makers who use Greenwich as the zero meridian usually take the meridian 20 degrees west of Greenwich as their line of demarcation in the Atlantic Ocean. In order to make a map of the Eastern or Western Hemisphere, comprising exactly one-half of the area of the earth, cartographers must therefore take the opposite meridian, namely, 160 degrees east of Greenwich. In the Atlantic Ocean the meridian 20 degrees west of Greenwich serves remarkably well, as it places all of Greenland, except a very small area in the northeast, within the Western Hemisphere, and the larger part of Iceland within the Eastern Hemisphere. It has the minor disadvantage of placing the Azores and the Cape Verde Islands in the Western Hemisphere, contrary to their historical association with the Old World. In the Pacific Ocean, however, the meridian 160 degrees east of Greenwich is anomalous in that it places New Zealand in the Western Hemisphere (whereas Australia is in the Eastern Hemisphere), and that it places the eastern portion of Siberia in the Western Hemisphere.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. CONNALLY. Of course, the selection of the meridian 20 degrees west of Greenwich is purely arbitrary. They might have selected fifty or sixty. They are selecting the boundaries in order to get what they want within a certain area.

When we use the term "hemisphere," we do not necessarily imply technically half of the earth's sphere. When we refer to the Western Hemisphere, is it not true



that we are really referring to a geographical location of the continents and the contiguous islands on this side of the Atlantic, rather than to any particular mathematical determination, by longitudes or latitudes, of half the 360-degree circumference of the earth?

Mr. ELLENDER. That seems to be the conclusion reached by cartographers and geographers.

Mr. CONNALLY. If we were strictly determining the Eastern or the Western Hemisphere, we should have to start at Greenwich; and the Western Hemisphere would include a large portion of the British Isles.

Mr. ELLENDER. That is correct.

Mr. CONNALLY. So, in our own history, and in our legislative and diplomatic treatment of this subject, I do not think we have ever had in mind half of the earth's circumference, with strict geographical and mathematical exactness. We mean the geographical collection of lands which we commonly refer to as the Western Hemisphere.

Mr. ELLENDER. Yes. In the document from which I have been reading there is a map—

Mr. LODGE. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. LODGE. During the debate on the selective-service bill I offered an amendment very similar to the one offered by the Senator from Louisiana, which prohibited the sending of troops outside the Western Hemisphere, except to Territories and possessions of the United States.

Mr. ELLENDER. If the Senator will permit an interruption, I copied his very language, or most of it, at any rate.

Mr. LODGE. I am very much flattered to hear that. At the time that amendment was proposed I had a colloquy with the Senior Senator from Texas, chairman of the Military Affairs Committee [Mr. SHEPPARD] as to his understanding of the meaning of the term "Western Hemisphere." He took the position, as did the Junior Senator from Texas [Mr. CONNALLY], that the term "Western Hemisphere," as we use it, is not a scientific or geographical term, but that it is a political or governmental expression. As the term is used in existing law, it excludes Europe, Asia, Africa, and New Zealand. I am wondering whether or not that definition would be acceptable to the Senator from Louisiana?

Mr. ELLENDER. That is exactly in accord with the map to which I was just about to refer, except with respect to Iceland. There seems to be a division of opinion as to whether or not Iceland is in the Western Hemisphere; but I think the majority of geographers place Iceland in the Eastern rather than the Western Hemisphere. However, as I have said, opinion is divided. The meridian 20° west of Greenwich would take in the Cape Verde Islands and the Azores; but, because of the fact that those islands are commonly referred to and known as part of the Old World, they have been excluded from the Western Hemisphere, although the meridian 20° west of Greenwich passes to the east of those islands. Likewise, Iceland would be in-

cluded within the meridian 20° west of Greenwich, and it required a little bulge eastward in the line around Iceland in order to place it in the Western Hemisphere.

I think it is understood and almost agreed to by geographers that the present international date line is considered as the line separating the Eastern from the Western Hemisphere in the Pacific Ocean. This line runs on the one hundred and eightieth meridian west for quite a few thousand miles, but it also has been bulged out farther to the west in one instance so as to take the Aleutian Islands into the Western Hemisphere. Farther south it has been bulged to the east so as to exclude the Fiji Islands and New Zealand.

The map to which I have just referred seems to contain all territory in the Western Hemisphere, as it is agreed to by geographers, with the possible exception of Iceland. As I pointed out a whole ago, there is much difference of opinion as to whether Iceland is in the Western or Eastern Hemisphere.

Mr. President, I should like to incorporate in the RECORD a few other excerpts from the statement from which I have been reading, which bear upon the points we have just been discussing with respect to the line of demarcation between the two hemispheres.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

Although maps of these two hemispheres differ slightly in their limiting meridians, depending partly upon the selection of a zero meridian, they almost invariably agree in placing all of Europe and Africa and most of Asia in the Eastern Hemisphere and all of the American Continents in the Western Hemisphere.

Your interest in a line of demarcation between these two hemispheres is related, in part, if I understand correctly, to an interpretation of the policy which was enunciated by President Monroe in his message to the Congress on December 2, 1823. In that message, as you will recall, reference was made to "the American Continents," to "this hemisphere" (mentioned twice), to "either continent" (North America and South America), and to "their fellow men on that side of the Atlantic." This geographical concept evidently related to the New World as distinguished from the Old World, and there appears to have been no thought at that time of laying down a pair of meridians, placed diametrically opposite each other, on one side of which one policy was to be followed and on the other side of which an entirely different policy was to be followed.

Except for purposes of making maps comprising exactly one-half of the earth's surface, it therefore seems better to regard this hemisphere in which we live, in relation to the land areas of the world, as comprising North America (including Central America and the West Indies, and also Greenland) and South America, together with all islands appertaining to the two continents. In order to include the westernmost islands of the Territory of Alaska and to embrace an area roughly approximating one-half of the earth's surface, it is necessary to include a considerable portion of the Pacific Ocean. For convenience the international date line might be regarded as a provisional western limit of this hemisphere. The vast areas of the high seas in both the Atlantic and the Pacific have no bearing upon the practical problem of delimiting the hemispheres, ex-

cept as it affects the map maker. Otherwise we are concerned only with land areas—with continents and islands, large and small.

However, looking at this language, consideration must be given to what constitutes "this hemisphere." Although there are some inferences that Greenland is not in the Western Hemisphere as far as the application of this doctrine is concerned, the weight of authority would indicate otherwise. Col. Lawrence Martin, Chief of the Maps Division of the Library of Congress, states that—

"The international date line, as the western limit of the Western Hemisphere, solves the problem concerning Siberia, New Zealand, etc., and that the four departures from the meridian of 20° west longitude take care of the situation with respect to the Cape Verde Islands, the Azores, and northeastern Greenland, as well as the view of Stefansson with respect to Iceland \* \* \*." (Appendix of the CONGRESSIONAL RECORD, 1940, p. 2188.)

Mr. ELLENDER. Mr. President, I have attempted to show to the Senate that the platforms of the two parties stated, in effect, the very same thing that my amendment now provides. Let us see what the President has said on that subject in his many speeches.

It is not my purpose to lengthen the debate by reading too many excerpts, but it might be very interesting to the Senate, as well as to the people of this Nation, to remind them of what was said before the last November election and what has been said since.

I quote from a radio address on neutrality delivered by the President on September 3, 1939. The President said:

Let no man or woman thoughtlessly or falsely talk of America sending its armies to European fields.

In his address to Congress on January 3, 1940, the President said:

I can understand the feelings of those who warn the Nation that they will never again consent to the sending of American youth to fight on the soil of Europe. But, as I remember, nobody has asked them to consent, for nobody expects such an undertaking.

The overwhelming majority of our fellow citizens do not abandon in the slightest their hope and expectation that the United States will not become involved in military participation in the war.

I can also understand the wishfulness of those who oversimplify the whole situation by repeating that all we have to do is to mind our own business and keep the Nation out of war. But there is a vast difference between keeping out of war and pretending that this war is none of our business.

We do not have to go to war with other nations, but at least we can strive with other nations to encourage the kind of peace that will lighten the troubles of the world, and by so doing help our own Nation as well.

That is from the CONGRESSIONAL RECORD for January 3, 1940, page 8, Seventy-sixth Congress.

Here is another quotation. This address was delivered in Washington, D. C., to the Teamsters' Union Convention, September 11, 1940:

In all of these plans for national defense only those who seek to play upon the fears of the American people discover an attempt to lead us into war. The American people will reject that kind of propaganda of fear as they have rejected similar types which are occasionally spread at election time. They know



that against the raging forces loose in the world the best defense is the strongest preparedness—fighting men and equipment in front and fighting industry and agriculture behind the lines.

Weakness in these days is a cordial invitation to attack. That is no longer theory; it is a proven fact—proved in the past year.

I hate war now more than ever. I have one supreme determination—to do all I can to keep war away from these shores for all time. I stand, with my party, upon the platform adopted in Chicago:

"We will not participate in foreign wars, and we will not send our Army, naval, or air forces to fight in foreign lands outside of the Americas, except in case of attack."

Here is another quotation, from an address delivered at Philadelphia on October 23, 1940:

To Republicans and Democrats, to every man, woman, and child in the Nation I say: Your President and your great Secretary of State are following the road to peace.

We are arming ourselves not for any foreign war.

We are arming ourselves not for any purpose of conquest or intervention in foreign disputes. I repeat again that I stand on the platform of our party: "We will not participate in foreign wars and we will not send our Army, naval or air forces to fight in foreign lands outside of the Americas, except in case of attack."

It is for peace I have labored; and it is for peace I shall labor all the days of my life.

In another address, delivered at Madison Square Garden, in New York City, on October 28, 1940, the President said:

We made it possible to prohibit American citizens from traveling on vessels belonging to countries at war. Was that right?

We made it clear that American investors, who put their money into enterprises in foreign nations, could not call on American warships or soldiers to bail out their investments. Was that right?

We made it clear that we would not use American armed forces to intervene in affairs of the sovereign Republics to the south of us. Was that right?

We made it clear that ships flying the American flag could not carry munitions to a belligerent; and that they must stay out of war zones. Was that right?

In all these ways we made it clear to every American, and to every foreign nation, that we would avoid becoming entangled through some episode beyond our borders.

Mr. President, my reason for proposing this amendment is to make it certain that the same principles which prevail under the existing Neutrality Act—that is, the cash-and-carry plan—will be enforced under this bill without question. As the President has said, in effect—and I agree with him—because of the fact that our nationals, or the property of our nationals, is not exposed to enemy fire, that in itself has, up to this minute, kept us out of the conflict. I desire to make it certain that all material that is purchased by or is destined for England will be delivered, as the law now provides, at our ports, and from there on it shall be in the hands of the English Government, so that if anything should happen to it, it will not cause us, perhaps, to enter the war.

Mr. President, I quote now from an address delivered by the President at Boston on October 30, 1940:

And while I am talking to you mothers and fathers I give you one more assurance. I have said this before, but I shall say it again and again.

Your boys are not going to be sent into any foreign wars. They are going into training to form a force so strong that, by its very existence, it will keep the threat of war far away from our shores.

The purpose of our defense is defense.

I say to the Members of the Senate that the American people today are almost unanimously behind that proposition.

Mr. STEWART. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield for a question.

Mr. STEWART. Is the Senator discussing his amendment?

Mr. ELLENDER. I think I am.

Mr. STEWART. I do not ask that question facetiously. I have been out of the Chamber for a few minutes.

Mr. ELLENDER. I understand. Do not take me seriously, Tom.

Mr. STEWART. What is there in the bill now being considered that gives rise to the quotations the Senator has been reading?

Mr. ELLENDER. The same question was asked by the Senator from Connecticut, and I propose to discuss both questions in a few minutes. I anticipated these questions; and I would prefer, if the Senator does not mind, to wait until I get to that point.

Mr. STEWART. Mr. President, if the Senator is anticipating my questions, may I ask him another question?

Mr. ELLENDER. I yield.

Mr. STEWART. In the Senator's amendment, which, I assume, has been reported, provision is made that nothing contained in the bill shall be deemed to confer any additional powers to authorize, and so forth. Does the Senator think there are any powers at all in House bill 1776 which would permit the sending of soldiers overseas?

Mr. ELLENDER. That is virtually the same question.

Mr. STEWART. Does the Senator propose to discuss that question later?

Mr. ELLENDER. I shall get to it shortly, I hope.

I desire to quote from a radio address delivered by the President on December 29, 1940:

There is no demand for sending an American expeditionary force outside our own borders. There is no intention by any member of your Government to send such a force. You can, therefore, nail any talk about sending armies to Europe as deliberate untruth.

Our national policy is not directed toward war. Its sole purpose is to keep way away from our country and our people.

Now, Mr. President, so much for the statements made by the President; and will anyone deny that those statements in a measure disclose to the dictator nations what our foreign policy is?

Let us now recall what Senators have said on the same subject. I shall not quote from all of the speeches of Senators who have spoken either on the floor of the Senate, on the radio, or otherwise; it would take too much time to do so; but during the debate on the neu-

trality legislation, which is known as House Joint Resolution 306, I made a speech from which I desire to quote. I made the same statement, in effect, when I ran for the Senate back in 1936, and I made it many times during the last Presidential campaign in Massachusetts, Ohio, Pennsylvania, and many other States where I campaigned for the President. Other Senators made statements in almost the same verbiage, and when those statements were made one could see the audience respond and almost raise the roof off. I quote from the speech made by me on House Joint Resolution 306 in the United States Senate on October 20, 1939:

It should be a comforting assurance to the American people that war can come only if the Congress declares it. War can be carried on only if the Congress raises and supports armies for that specific purpose. So far no Senator has raised his voice in favor of war; on the contrary, all have proclaimed for peace. We differ only in opinion as to the best course to pursue in these trying times. Speaking for myself, and for other fathers of fine chaps, I shall not vote, under any circumstances, to send my son or the sons of my fellow Americans to fight the battles of those who inhabit the Old World. I firmly believe that in this I express the views of every Member of the Senate; and, should I not, let those who take issue speak up. On the other hand, few, if any, of us would hesitate to vote our entire resources, if need be, in order to protect our country from the enemy should invasion be attempted.

I have before me a statement by Senator WAGNER, of New York, on the Neutrality Act, in which he made, in effect, the same statement as that made by me. I quote from his speech:

I will never vote to send troops to Europe to fight in any war. I am unalterably opposed to our country's becoming embroiled in the rivalries and the hatreds of the European Continent. Our policy should be to go about our peaceful missions without fear of anyone and without anyone's favor, taking sides with none and free from entanglements with all.

I have before me a statement by the Senator from Connecticut [Mr. MALONEY] to the same effect, also one by the Senator from Iowa [Mr. GILLETTE] along the same lines. I now quote from the Savannah (Ga.) Morning News a reference to a speech made by the distinguished chairman of the Foreign Relations Committee of the Senate [Mr. GEORGE] at Thomasville, Ga., on August 31, 1938:

Warning that conditions abroad were "driving inevitably to a great European conflict," GEORGE reminded his audience that it is Congress which holds the power to enter war, and added, "I will suffer the severance of this right arm before I will send any American mother's sons to fight again on the soil of Europe."

I have before me quite a number of other speeches from which I could read. For instance, the Senator from Kentucky [Mr. BARKLEY], our esteemed majority leader, spoke on the same subject, but I shall not take the time of the Senate to read any additional quotations.

But besides the verbal commitments to which I have just referred, consider the actions of the Congress along those lines. When the so-called National Guard bill was considered by the Senate, there



was little or no objection to this language which appears in it:

*Provided*, That the members and units of the reserve components of the Army ordered into active Federal service under this authority shall not be employed beyond the limits of the Western Hemisphere, except in the territories and possessions of the United States, including the Philippine Islands.

That is almost identical with the language I am now proposing as an amendment to the pending bill, and there was little or no opposition to it then.

In the Selective Draft Act, which is Public, No. 783, as the distinguished Senator from Massachusetts stated—and he is the author of this amendment—on page 3, under subsection (e) it reads:

Persons inducted into the land forces of the United States under this act shall not be employed beyond the limits of the Western Hemisphere except in the Territories and possessions of the United States, including the Philippine Islands.

Mr. BARKLEY. Mr. President, will the Senator yield there?

Mr. ELLENDER. I yield.

Mr. BARKLEY. In one of those acts the Congress was providing for the training of the National Guard for a period of 1 year, and in the other for the training of the selectees under the Draft Act for a period of 1 year. Both acts contemplated temporary service. Both those bills were dealing with men. The bill we are now considering deals not with men but with things. There is nothing in this bill, as I understand it—and I think the statement is accurate—that deals in any remote degree with men. While provisions referred to were put in the National Guard Act and in the Selective Draft Act, both of which contemplated temporary training of both contingents, there is no law that in any way affects in like manner the Regular Army of the United States. I should like to have the Senator distinguish between the bill which we now have under consideration, which nowhere authorizes the sending or use of our land or military forces anywhere in the world, but deals only with equipment and not with men, and the acts to which he refers, which did deal with men exclusively.

Mr. ELLENDER. I may state to the Senator from Kentucky that it may be a close question, there may not be any specific language in the bill, but, in the light of other interpretations of law which were discussed here the other day with respect to the exchange of the 50 American destroyers, I understand that the distinguished Senator from Georgia [Mr. GEORGE] disagreed with the views of Attorney General Jackson, and there were several other eminent Senators who likewise disagreed.

The law referred to by Mr. Jackson, which he thought gave the right to transfer the destroyers, as a matter of fact had no reference to usable ships. I think the bill we are now considering may have in it some language which would afford more reasonable ground to decide the issue of sending American men in case it should come up.

Mr. BARKLEY. I am sure the Senator realizes that differences of opinion among lawyers are what keep the legal

profession alive. I do not say that facetiously, because, however sincere and honest lawyers may be, the statement applies not only to lawyers of excellent ability but to judges on the bench. Otherwise there would be no dissenting opinions in courts. I think we are bound to concede that honest, able lawyers sometimes disagree as to the philosophy of the law and as to its particular terms.

Mr. ELLENDER. There is this difference as to the interpretation of the law by lawyers: They may go to court and ventilate their views; but in this bill the President, as Commander in Chief, is supreme. We cannot go to court and test the matter if we disagree with his judgment.

Mr. BARKLEY. He is supreme only insofar as the specific authority conferred upon him by the bill makes him supreme. When it is silent he certainly could not be interpreted to be supreme.

Mr. JOHNSON of California. Mr. President, will the Senator from Louisiana pardon me for a moment?

Mr. ELLENDER. Yes; gladly.

Mr. JOHNSON of California. In response to the Senator from Kentucky I desire to say that you may reach any conclusion you desire; you may divide a hair between the north and south sides and split it in the midst; you may use any language you see fit to use; but the fact remains that the President of the United States and the Senate of the United States on 5 different occasions said that no boy should be allowed on foreign soil to fight battles there. The fact remains that Senators, persons here, made the same promise to the people; and there can be no question as to the promise. When a promise is made, even though you may say there is some attenuated technicality that will enable you to get rid of the promise, the promise still sticks, and, as honorable men, we observe it.

Mr. BARKLEY. Mr. President, will the Senator from Louisiana yield at that point?

Mr. ELLENDER. I yield.

Mr. BARKLEY. Admitting for the sake of argument, as I do, that what the Senator from California says is true, on all the occasions when, as the Senator says, the Senate said that no boy should be sent into a foreign country the Senate had before it a bill dealing with boys, not with airplanes and bullets and tanks.

Mr. JOHNSON of California. That is true.

Mr. BARKLEY. That is what we were talking about. We were drawing boys into the Army. We are not drawing anybody into the Army under this bill. In addition to that, there is nothing in this bill which by the remotest interpretation can be construed as a violation of anybody's promise with respect to sending boys into a foreign country.

Mr. JOHNSON of California. I quite disagree with the Senator in that regard. Here we have stood before the people of this land and said that no boy shall be sent abroad to fight on foreign soil, and now you want to break that promise.

Mr. BARKLEY. No; there is not a syllable in the bill which breaks that promise or even remotely refers to it.

Mr. JOHNSON of California. It does not make any difference that there is not a syllable to that effect in the bill.

Mr. BARKLEY. I think it does.

Mr. JOHNSON of California. That is not the point. The point is the promise that we made.

Mr. BARKLEY. Nobody is violating any promise, and there is nothing in the bill that violates any promise. There is nothing in the bill that even remotely hints upon the subject.

Mr. JOHNSON of California. If the Senator from Kentucky is not able to see that this bill violates a promise of the individuals who promised that no boy should be sent abroad to fight our battles, then he and I have a different view of the matter.

Mr. BARKLEY. We certainly do.

Mr. JOHNSON of California. Yes; very different.

Mr. BARKLEY. I respect the Senator's view, and I hope he respects mine.

Mr. JOHNSON of California. Why, to be sure, but my goodness! Do not get out of a promise in that sort of fashion.

Mr. BARKLEY. Mr. President, nobody is trying to get out of a promise. I should like to be shown a single word in the bill which in any way violates or impinges upon any promise that anybody in the Senate has made to anybody.

Mr. JOHNSON of California. Let us take it round about the other way: Is there a single word in the bill which says that boys may be sent abroad to fight?

Mr. BARKLEY. In this bill?

Mr. JOHNSON of California. Yes.

Mr. BARKLEY. Certainly not.

Mr. JOHNSON of California. Certainly not. Then you are going to import into the bill something that is not there.

Mr. BARKLEY. No, indeed; we are not going to import into the bill anything that is not there. That is the trouble; the Senator from California and other Senators are trying, by implication and by interpretation and by attempting to read between the lines, to put into the bill something that is not in it and to add an amendment which says to the American people that we are guarding against something that is secretly hidden in the terms of the bill.

Mr. JOHNSON of California. Suppose, for just a moment, that we send boys abroad, and thousands of them are killed upon the soil of Europe in this unholy war, what becomes of your President's promise? What becomes of his assurance to the women and the mothers and the fathers of this land that no boys shall be sent abroad to fight? What becomes of your promise, and yours, and yours, made to the people of this land?

Mr. BARKLEY. Mr. President, whenever we have before us a bill authorizing that, or commanding that it be done, it will be legitimate to argue that those who vote for it may be violating their promise. We have no such legislation before the Senate at this time; and the mere refusal to say by an amendment that we prohibit something that we are not doing is in no respect a violation of the promise. There is nothing in the



bill which says that the President of the United States may sink the Navy. We might as well add to the bill an amendment providing that nothing in the bill shall be construed to authorize the President of the United States to sink the Navy in the middle of the Atlantic or the Pacific Oceans.

Mr. ELLENDER. Mr. President, I take it that this bill was very thoroughly considered by the able members of the Foreign Relations Committees of both the House and the Senate; and although there is not a word in the bill with respect to convoying, there is an amendment which reads as follows, under paragraph (d) on page 4 of the bill:

Nothing in this act shall be construed to authorize or to permit the authorization of convoying vessels by naval vessels of the United States.

There is nothing in the bill that permits convoying, and yet the House saw fit to place that amendment in the bill.

Mr. BARKLEY. That amendment deals with ships, and not with men. It deals with things, and not with individuals.

Mr. ELLENDER. Well, how can you convoy ships without men? [Laughter.]

Mr. BARKLEY. Oh, no; of course not, and the Senator from Louisiana knows that as well as I do; but in this bill we are dealing with equipment, all sorts of equipment. We are not dealing with an army. We are not dealing with a navy. We are dealing with the things that may be lent, leased, or otherwise disposed of by the President of the United States.

Mr. ELLENDER. Another amendment that was adopted by the House, on page 5, reads as follows:

Nothing in this act shall be construed to authorize or to permit the authorization of the entry of any American vessel into a combat area in violation of section 3 of the Neutrality Act of 1939.

Mr. BARKLEY. That provision still deals with things, the very things we transfer.

Mr. ELLENDER. I know; but they are things that must be operated by men. The amendment not only deals with vessels but with men. Section 3, as the Senator knows, permits the establishment of zones by the President in which men and ships are not permitted, under penalty of the law. Why that amendment? Where is the justification for it?

Mr. BARKLEY. But we are dealing with things that we may transfer to one of the countries whose defense is vital to ours. We are not dealing with the transfer of men to a country whose defense may be vital to ours.

Mr. ADAMS. Mr. President, will the Senator from Louisiana yield for a statement?

Mr. ELLENDER. I yield.

Mr. ADAMS. As I understand, everybody in the Senate and in the administration agrees with what the Senator from Louisiana is trying to have said in the bill. I am wondering, therefore, whether there is anybody in the Senate who is opposed to the Senator's amendment, opposed to stating in the bill that which the Senators say upon the platform and upon the floor of the Senate.

I am astonished that there should be any argument about it. Since we have said these other things, why should we hesitate merely because the bill does not refer to men?

I am wondering why the Senator should have to argue in support of his amendment. Is there anybody who really is opposed to saying in the bill that it is not intended to send our boys abroad?

When a former bill was here, some effort was made to narrow the statement so as to make it narrower than that, and to limit the power to send soldiers to the continental United States, its territories and possessions. The argument then was made, "How are we going to narrow it?" It was said that we could send the Regular Army to some place, but it was asked, "How could we sort them out?" It was said that the draftees or the National Guard were going into the National Army and they could not be segregated. We are now asked, "Could you send the Regular Army abroad?" The inference is, "Yes; but you could not send the draftees." Well, the draftees and the National Guard are now part of the National Army.

So the same argument which perhaps defeated the other suggestion seems to me to support this one. My only inquiry was whether or not there was really any one who objected to saying what our platform said, what our President said, and what Senators said.

I have been disturbed by one further thing. I have listened rather carefully to the discussions, and I have read much of the debate, and while Senators say there is nothing in the bill about going to war or sending men, I find those who support the bill say that the defeat of the bill means war, and those who oppose the bill say the passage of the bill means war. It seems to me that there are many people saying that somewhere in the bill is either a promise of war, a declaration of war, or a threat of war. So I have been disturbed, and I want to support the Senator's amendment so that the declarations of my party and the declarations of my friends of the Senate will be put plainly into the language of the law.

Mr. ELLENDER. I am trying to follow the middle of the road, I may say to the Senator from Colorado, by making it plain that no provision in the pending bill shall be so construed as to authorize a departure from the policy adopted by our two major parties. As the Senator has just pointed out, I cannot for the life of me see why any Senator should object to this language.

Mr. ADAMS. Is anyone objecting?

Mr. ELLENDER. Cannot the Senator tell? [Laughter.]

Mr. CHANDLER. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield for a question.

Mr. CHANDLER. The Senator from Colorado may perhaps recall that during the debates on conscription last year I supported his amendment which dealt with the question whether young men ordered out with the National Guard or drafted into the Army could be sent out-

side of continental United States for training purposes. The Senator will recall that I was one of his supporters.

I say the Senator mistakes the whole situation if he does not see that there is something more involved in the amendment than what appears at first blush. The American people want peace, and it is my belief that if they are able to secure it in their dealings with warring countries and peaceful countries, it will have to be obtained through the agency of the President of the United States and the Secretary of State. If the Secretary of State has the feeling—which I am not sure he has, but I am not sure that he does not have it—that an amendment such as this would tie his hands in dealing with those countries—

Mr. ELLENDER. Will the Senator state how it would tie the Secretary's hands?

Mr. CHANDLER. No; but I think that if the Senator would inquire of the Secretary of State he might be able to explain it. I should not like to explain it.

Mr. ELLENDER. Did not the Secretary of State explain it to the Senator from Kentucky?

Mr. CHANDLER. No; he did not.

Mr. ELLENDER. I thought perhaps he had done so, since the Senator is seemingly quoting the views of our distinguished Secretary of State, Mr. Hull.

Mr. CHANDLER. What the bill states, in substance, is that "nothing herein shall be deemed to confer any additional powers." I do not believe the bill confers any powers, and I do not see how it is possible to confer "additional" powers when none are conferred.

I am very much in sympathy with the Senator, and I made the pledge the Senator from California said others had made. I made that pledge, and I intend to keep it, so far as I am able to. But I do not believe this amendment is effective, or can be effective, and it can cause a great deal of trouble, and may result ultimately in our being attacked, and our boys being killed; and that is the thing I devoutly wish and hope will not ever happen.

Mr. STEWART. Mr. President—

Mr. ELLENDER. The Senator now has raised the question as to how the amendment can affect our foreign policy. The foreign policy of our Government has been expressed in no uncertain terms, not only by the President, but by Congress itself. It has done so on many occasions. Is it that the Senator from Kentucky is advocating that we should say to Japan, or to Germany, or to some other country, "Although we do not have the right under the pending bill to send men across the ocean, you had better look out or else we might"?

Mr. CHANDLER. I do not want to agree to tying the hands of those men we must trust. I have heard Senators say they did not trust the President. In the last few days I have heard Senators on the floor attempt to represent themselves as protecting the people of the United States from one whom those people three times elected to the highest office in their gift. I do not believe any man is so great that the people need him to save them from one in whom



they have expressed as much confidence as they have in the President of the United States by electing him three times. But if we are to have peace in America in dealing with these dangerous situations, and in this dangerous time, there is no Senator now going to be able to chart the foreign policy of the people of the United States. We must rely in this emergency on the President of the United States and the Secretary of State, and I shall not join in tying the hands of the President if I can help it, because I want him to be able to establish peace, not only in our time, but for the future.

I am anxious to help this country avoid participation in the war. I do not want to do a futile thing. I know the Senator is acting in good faith, but I do not think what he is proposing would accomplish anything. I think it would be a futile thing, and if so, why should we do it?

Mr. ELLENDER. Mr. President, I have not been able to really get the reaction of the Senator from Kentucky [Mr. CHANDLER] to this proposition, as to how this amendment will affect our foreign policy, when our foreign policy has been declared already, and coincides with the language contained in the pending amendment. We must not forget that every major nation across the Atlantic and across the Pacific is armed to the teeth, and if we make any threats, Uncle Sam had better not have a cap pistol in his back pocket. [Laughter.] This is no time for bluffing nor for kindergarten diplomacy.

I now yield to the Senator from Tennessee.

Mr. STEWART. Mr. President, the Senator read a number of statements attributed to the President of the United States, which we have all heretofore seen in print, purporting to report the statements he has made in various speeches and fireside chats he has made for the past several months, each of which declared his purpose to keep this country out of foreign wars. Does the Senator know of any instance when the President has retracted any of these statements?

Mr. ELLENDER. No; I do not. I have confidence in the President, as I have said from the beginning. But we are now discussing a bill which it has been alleged time and again is a material aid bill, and nothing else. There are some Senators who take the opposite view, that its enactment will mean war, and I say to the Senator from Tennessee that while I may be wrong about this, I will express it as my own opinion that we have not been in the war up to this time because of the present neutrality act, which makes a criminal of any citizen who goes into a war zone and exposes his person to belligerent fire. In the same way that act makes a criminal of an individual or the officer of a corporation who exposes the property of a citizen of the United States to belligerent fire. The only way by which we might become engaged in this war, as I see it, is for some of our people or their property to be destroyed by the combatants. If that occurs, we are going to have war as surely as I am speaking. As I have said, since all of us are in agreement that we will not send our

boys across the water, I cannot for the life of me see why objection should now be urged to this amendment. It is not offered because I distrust the President, but because I am anxious to allay the fears of millions of mothers who are willing to give all they possess in aid of England if it will help to keep their boys safe in America.

Mr. STEWART. I have extreme sympathy with the Senator's amendment—

Mr. ELLENDER. The way to express your sympathy would be to vote for the amendment.

Mr. STEWART. As I have told the Senator privately, I may vote for it, and I may not. It has given me considerable concern.

With respect to the statement the Senator just made, that our neutrality has kept us out of war up to this date, I can subscribe to that idea to some extent. I supported the Neutrality Act, as did the Senator from Louisiana. It was argued here at the time that if it was passed we would be engaged in conflict within less than 30 days or 60 days or 90 days. Various predictions along that line were made. I wish to say that I fear perhaps some of the opposition to the bill is based upon lack of sufficient faith in our President. I do not accuse the Senator or any other Senator—

Mr. ELLENDER. Whom is the Senator accusing?

Mr. STEWART. I say, I am not accusing anybody, but I am afraid that that idea perhaps might be prevalent here and there. I do not want to make any direct accusation. But I wish to call to the Senator's attention that in that very Neutrality Act the President of the United States is given the authority to prescribe the danger zone out of which our ships must be kept, and he has not changed that zone.

Mr. ELLENDER. That authority is given him, it is true, but it applies only to merchant ships. It does not affect ships owned by the Government. Do not forget that, Senator. In other words, it affects private ships and private individuals, and private property, and it has nothing to do with Government-owned ships or Government property. Remember, our merchant marine is now building a large number of ships. Those ships will no doubt be manned by American sailors. I do not want those ships and those American citizens to be used in order to carry munitions or anything else across the oceans to countries at war.

Mr. STEWART. No; and I do not want our boys to go across the seas. It might strike dangerously close to me if that should happen. But I wish to call the Senator's attention to another thought. Does the Senator agree with me that the President of the United States has constitutional authority to send troops to any part of the world he desires?

Mr. ELLENDER. I do not know. That has been questioned a great deal. Section 8 of article I of the Constitution gives to the Congress some rights and, of course, it is too bad that they have not been passed upon by any court. Our Presidents being supreme in dealing with

situations in the past acted within their rights, I suppose.

Mr. STEWART. As Commander in Chief of the Army?

Mr. ELLENDER. That is correct. But now we have here section 8 of article I of the Constitution, which gives to Congress some powers.

The Congress shall have power to lay and collect taxes, duties, imposts, and excises—

And so forth.

To borrow money on the credit of the United States;

To regulate commerce with foreign nations;

To coin money; \* \* \*

To declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water;

To raise and support armies, but no appropriation of money to that use shall be for a longer term than 2 years;

To provide and maintain a Navy;

To make rules for the Government and regulation of the land and naval forces.

I would interpret that to give Congress some authority in respect to these propositions.

Mr. CONNALLY. Mr. President, will the Senator yield for a question?

Mr. ELLENDER. I do not intend to discuss the legal phase of it, but since the question was urged, I call attention to the fact that section 8 of article I of the Constitution certainly imposes on the Congress certain rights and duties with respect to the Army and the Navy.

Mr. CONNALLY. I was going to ask the Senator about the main part of his amendment. If he does not desire to yield at this point I do not wish to press my question.

Mr. ELLENDER. I gladly yield.

Mr. CONNALLY. Is it the Senator's view that under the Constitution, and without the Senator's amendment, the President could send the Army and the Navy anywhere he wants to?

Mr. ELLENDER. I will say to the Senator, I do not know. There is some question about that. I frankly state that—as the Senator knows there is conflict of opinion on the subject.

Mr. CONNALLY. I am not trying to get into an argument with the Senator. I simply wish to get his views.

Mr. ELLENDER. There may be a question as to that. I would say that in case of war the Commander in Chief could send the Army and the Navy anywhere. But I do not believe that the President would have the right to send our Navy, for instance, to Europe in order to help England in a battle off the coast of Norway.

Mr. CONNALLY. Oh, no. I was not talking about that. I was not talking about making war. The Senator's view now is that in peacetime the President has the authority, as Commander in Chief, to send the military or naval forces of the United States—

Mr. ELLENDER. In fact he has exercised that power in the past. He sent an Army to Mexico.

Mr. CONNALLY. The Senator in his amendment presupposes that there is some power of that kind, because it contains the words, "no additional power."



If the President has the power under the Constitution, there is nothing we can do about it in this bill one way or another except to refuse appropriations. Congress can control the Army and the Navy by refusing appropriations. I am simply curious to know what the Senator means when he uses the words "no additional power." He presupposes that there is authority now to do that thing. If he presupposes that, he is bound to find the authority in the Constitution, and not in a statute, because we have passed no statute on the subject, so if it is in the Constitution, which the Senator's amendment would seem to presuppose, then how can we change it by an amendment such as that proposed by the Senator?

Frankly I give the Senator from Louisiana credit for entire good faith, but it seems to me his amendment in effect only amounts to a resolution that it is the sense of the Senate, with no legal or binding effect. It is simply an expression of our wishes and hopes, and so on, but legally it would not have any effect. I submit that not in criticism of the Senator.

Mr. ELLENDER. I understand that, but I do not want to take away from the President such powers as he now has and as he has exercised in the past. The addition of the words "no additional power" is an acknowledgment that some powers exist. I am not attempting to say to what extent. It still remains an open question. All that my amendment provides for in effect is that the President shall not, by the bill, have the power to send our boys across the seas.

Mr. O'MAHONEY. Mr. President, will the Senator yield to me? I should like to ask the Senator from Texas a question in connection with the remark he has just made to the Senator from Louisiana.

Mr. ELLENDER. I am glad to yield to the Senator for that purpose, if the Senator from Texas desires to answer the question.

Mr. CONNALLY. The Senator from Texas is not undertaking to make a speech, but if he can help the Senator from Wyoming he will be glad to do so.

Mr. O'MAHONEY. No; I know the Senator is not undertaking to make a speech. Neither am I undertaking to make a speech.

Mr. CONNALLY. I mean I do not wish to take the time of the Senator from Louisiana.

Mr. O'MAHONEY. Therefore I inquired of the Senator from Louisiana if he would yield to me for the purpose of directing an inquiry to the Senator from Texas.

Mr. CONNALLY. I am very willing to attempt to answer the Senator from Wyoming. I do not know whether I can answer the Senator, but will do so if I can.

Mr. O'MAHONEY. The Senator from Texas asked the Senator from Louisiana if he believed that the President, as Commander in Chief of the Army and Navy, has the power to send the Army and Navy abroad. May I ask the Senator from Texas if he does not believe that under the Constitution the President does have that power under certain circumstances?

Mr. CONNALLY. I think he has it under any circumstances.

Mr. O'MAHONEY. For what purpose would the President have the authority, in the opinion of the Senator from Texas, to exercise that power?

Mr. CONNALLY. It depends altogether upon conditions and circumstances. For instance, the President sent Marines to Nicaragua. No one authorized him to send the Marines there. The Congress did not enact legislation authorizing him to do so. But under his handling of international affairs he sent the Marines down there under agreement with Nicaragua, and he occupied that country for several years. He also sent Marines to Santo Domingo, based upon the theory, no doubt, that American property and American lives and American interests were involved.

Mr. O'MAHONEY. Then the Senator believes that the Chief Executive, as Commander in Chief of the Army and Navy, has unlimited authority, regardless of Congress, to dispose of the armed forces wherever he may choose?

Mr. CONNALLY. Does the Senator mean by "disposing," placing them?

Mr. O'MAHONEY. No; sending them out.

Mr. CONNALLY. My view is—and it is not a view to which any great weight should be attached—

Mr. O'MAHONEY. I always attach great weight to anything the Senator from Texas says.

Mr. CONNALLY. I thank the Senator from Wyoming very much. I will put him on my preferred list. [Laughter.]

Let me say to the Senator that the Constitution means exactly the same in time of peace as it does in time of war. There is no differentiation with respect to the powers under the Constitution. In the Boxer Rebellion the President of the United States, without any congressional authorization, sent an army into China. As I remember, nobody "cut up" much about it.

The Senator refers to unlimited power. The President does not have unlimited power, because the Congress, whenever it gets good and ready, may cut off all appropriations for both the Army and the Navy. But other than that, I know of no way in which Congress can control what the President may do, unless the Congress should see fit to declare war; and if it should declare war, it would then become the duty of the President as Commander in Chief, whether he wanted war or not, to prosecute the war which Congress had declared.

Mr. O'MAHONEY. Mr. President, will the Senator further yield for a brief statement?

Mr. ELLENDER. I yield.

Mr. O'MAHONEY. In my opinion the question of the power of the Executive as Commander in Chief can be understood only by considering the circumstances and conditions under which the drafters of the Constitution acted when they passed upon the power of Congress to declare war. If anyone will consult Madison's notes upon the Constitutional Convention he will find that when the Committee on detail made its report to the convention upon the powers of Congress, to which the Senator from Louisiana has

just been referring, the committee report read:

Congress shall have power to make war.

In the Constitutional Convention the word "make" was stricken out, and the word "declare" was inserted in its place. As a reason for that change from the congressional power to make war to a congressional power to declare war, the delegates who discussed the question pointed to the fact that at that time the King of England had the power both to make and declare war. His power was above the power of the legislature. The delegates said that it was unwise and improper that in a republic the executive should have the power both to declare and to make war. So they sought to make a distinction; and the purpose of that distinction was to make it difficult for the country to wage war, but to make it easy for the country to achieve peace.

The purpose of the framers of the Constitution was twofold: First, to place no restrictions whatsoever upon the acts of the Executive in negotiating with foreign governments in the effort to achieve peace; and second, to impose no restrictions upon his power as Commander in Chief of the Army and Navy to defend and protect the right of the new Government and its citizens wherever those rights should be invaded, but to retain for Congress the power to declare war.

With this history before our minds it seems to me there can be no doubt that in view of the statements in the Constitutional Convention and the acts of the Executive all through the history of our Government, the President, as Commander in Chief of the Army and Navy, has the undoubted power to send the Navy or the Army into any area of the world in defense of American interests. However, I take it that is not the question which is involved here. I take it that that is the reason why the Senator allowed the phrase "no additional power" to enter into his amendment, because he recognizes that there are certain powers.

Mr. ELLENDER. That is exactly correct.

Mr. O'MAHONEY. Because I hesitate to seem to vote to detract from the constitutional powers of the President to defend and maintain American interests wherever they may be violated, I have hesitated to support the Senator's amendment. It is for that reason that I have drafted the alternative to which I have called the attention of the Senator, in the belief that by restricting the language which we propose to insert to the exact terms of the bill itself we shall be able to preserve two things which are essential to preserve in this great crisis of civilization, namely, the right of the Chief Executive of this great Republic to protect and defend the interests of that Republic wherever they may be violated; and the right of the Congress of the United States to say when the armed forces of this country shall be used in a warlike manner in any attack.

Mr. ELLENDER. Mr. President, in that connection, in preserving such rights as the Executive now has, I had in mind what the Senator has just said. We must not forget that in the past whenever the President used that power



it was against a nation which was almost helpless I do not mean to cast any reflections. The situation with respect to Mexico and Santo Domingo was such that there was no sign that war would follow intervention. The purpose was simply to settle local affairs. The President must have known in advance that intervention would not lead to war. But as I pointed out a while ago, I do not believe that the President has a right, in the exercise of his power, to send our Navy, for instance, to help England fight a battle in the war which is now in progress.

Mr. MALONEY and Mr. BARKLEY addressed the Chair.

The PRESIDENT pro tempore. Does the Senator from Louisiana yield; and if so, to whom?

Mr. ELLENDER. I yield to the Senator from Connecticut.

Mr. MALONEY. Mr. President, in connection with the statement of the Senator from Wyoming [Mr. O'MAHONEY], I wish to say that I am in accord up to the end of his statement, but I think he left something unsaid. I think, with him, that the President of the United States has the power to send the naval forces wherever he may choose, unless and until the Congress of the United States, in keeping with the authority of the Constitution, shall take advantage of section 8 of article I, which gives the Congress the power to make rules for the government and regulation of the Navy.

I think that at this moment the President of the United States holds the power to send the Navy wherever he may choose in our defense, but only by allowance; by virtue of the fact that the Congress has never taken advantage to the full extent of the power which it has under the Constitution.

It seems inconceivable to me that the authors of the Constitution would give the Congress the sole power to declare war without at the same time giving to Congress the right to take such action as seemed to be necessary to avert war and keep us at peace. Having only the power to declare war, with all the other powers resting in the President, it seems to me that the framers of the Constitution feared that the hands of Congress might be tied. I think that at the point in the Convention to which the Senator from Wyoming has referred, to make it definitely certain that the war-declaring power of the Congress should be complete, there was added the section—about which I must confess little is found in the records of the Convention—to make rules for the government and regulation of the land and naval forces. It seems to me that that language cannot mean anything else; and that in time of peace, at least, we have the power to make such rules and regulations as we feel are necessary for the government and regulation of our Army and Navy.

Let me repeat that I do not think the distinguished Senator from Wyoming, able constitutional lawyer that he is, has gone quite far enough when he rests his case upon the statement that he believes that to serve the defense of our country the President may send the armed

forces—the Army and the Navy, or at least the naval forces—where he may choose.

Mr. O'MAHONEY. Mr. President, will the Senator yield to me again?

Mr. ELLENDER. I yield.

Mr. O'MAHONEY. I have not rested any case. The Senator from Connecticut misunderstands if he believes that I had made a complete statement with respect to my views of the Executive or congressional powers.

I quite agree that the clause of the Constitution to which he refers, which gives Congress the power to make rules and regulations to govern the land and naval forces, is quite complete. It is just as full as any other power granted in the Constitution. Congress has the power, for example, to regulate commerce among the States. That has been interpreted as a plenary power to which no limitation can be considered.

Likewise, the power to make rules and regulations for governing the land and naval forces is, in my judgment, just as plenary; and I believe that Congress does have the power and, in certain cases, the duty of saying what those rules and regulations shall be.

If the Senator from Louisiana will bear with me for just another moment, I sent to the Library for the text of the debates in the Federal Convention, and it may be of interest to read part of it into the RECORD at this point:

On the clause, "to make war"—

Mr. Pinckney opposed the vesting this power in the legislature. Its proceedings were too slow. It would meet but once a year. The House of Representatives would be too numerous for such deliberations. The Senate would be the best depository—

Observe the compliment that Mr. Pinckney paid to this honorable body—

The Senate would be the best depository, being more acquainted with foreign affairs, and most capable of proper resolutions.

Evidently, the drafters of the Constitution were of the opinion that the Senate, through its power to ratify treaties, would at all times be in close communion with the Executive on foreign affairs.

Mr. Pinckney goes on:

If the States are equally represented in the Senate, so as to give no advantage to the large States, the power will, notwithstanding, be safe, as the small have their all at stake, in such cases, as well as the large States. It would be singular for one authority to make war, and another peace.

Mr. BUTLER. The objections against the legislature lie, in a great degree, against the Senate. He was for vesting the power in the President, who will have all the requisite qualities, and will not make war but when the Nation will support it.

I ask the Members of the Senate to observe that the opinion of Mr. Butler was that the President should have the power to make war—the same power which at that time was vested in the British King.

Mr. Madison and Mr. Gerry moved to insert "declare," striking out "make" war, leaving to the Executive the power to repel sudden attacks.

Mr. Sherman thought it stood very well. The Executive should be able to repel, and not to commence, war. "Make" is better

than "declare," the latter narrowing the power too much.

Mr. Gerry never expected to hear, in a republic, a motion to empower the Executive alone to declare war.

Mr. ELLSWORTH. There is a material difference between the cases of making war and making peace. It should be more easy to get out of war than into it. War, also, is a simple and overt declaration; peace, attended with intricate and secret negotiations.

Mr. Mason was against giving the power of war to the Executive, because not safely to be trusted with it; or to the Senate, because not so constructed as to be entitled to it. He was for clogging, rather than facilitating, war; but for facilitating peace. He preferred "declare" to "make."

On the motion to insert "declare," in place of "make," it was agreed to.

The vote will be interesting:

Connecticut, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina, Georgia, aye, 8; New Hampshire, no, 1; Massachusetts, absent.

Mr. President, it seems to me clear from the reading of that simple extract from the proceedings of the Convention that the power of the Executive to use the armed forces of the United States, in the absence of a contrary declaration by the Congress, to repel attack—that is to say, to protect the rights and interests of the United States—cannot be questioned. Upon the other hand, it is clear that it was the intention of the drafters of the Constitution that the solemn duty of determining when the Army and the Navy of the United States should be sent into an active war is reserved to the Congress of the United States.

Mr. BONE and Mr. AUSTIN addressed the Chair.

The PRESIDENT pro tempore. Does the Senator from Louisiana yield; and if so, to whom?

Mr. ELLENDER. I yield to the Senator from Washington.

Mr. BONE. Mr. President, I have listened with a great deal of interest to this debate, and one is impelled again to look at the Constitution in order to see just what powers are specifically granted to the Congress. One of them is the power "to regulate commerce \* \* \* among the several States"; and, as the Senator from Wyoming has indicated, that power has only very recently been declared to be practically plenary. In the *New River* case the Supreme Court went beyond boundaries that had theretofore been contemplated as possible in that particular type of case and laid at rest any question that the declaration of power, as in section 8 of the Constitution, stands alone.

In the same section there is a grant of power to the Congress "To make rules for the government and regulation of the land and naval forces." That stands isolated, like the other declaration. There is absolutely no limitation in the language. It is as complete a grant of plenary power as it would be possible for a Member of this body to write. I do not know that it has been questioned in court. I have not had time to look up cases; but I suspect that it has not been the subject of judicial determination such as is necessary to get it to the Supreme Court.



However, we have had no question raised about our right to limit the jurisdiction of the courts. There is a specific grant of power for Congress to ordain and set up inferior courts and completely to regulate their jurisdiction that has never been questioned. There is the unquestioned right to limit, if need be, the jurisdiction of the Supreme Court; and I doubt if that right has been seriously questioned.

However, above and beyond that, as I read the amendment of the Senator from Louisiana, he refers to the employment or use of our land and naval forces at any place beyond the limits of the Western Hemisphere, except in our own territory. If our armed forces were to be employed there, I think all of us might well ask ourselves, How would they be employed, and for what purpose? Obviously, if we send our armed naval and military forces to foreign soil, they are not there, presumptively, on a peaceful mission. I can only assume that they would be there for one purpose. I doubt if this country has ever sent its armed forces to the shores of a foreign country unless they were there for purely belligerent purposes. I know of no instance of that having occurred, of our landing marines or soldiers or sailors on foreign soil, except on the occasion of purely official ceremonies or in recognition of some historic event in another country, and by invitation, unless we went there with a purely belligerent purpose.

Our own party declaration is too plain for cavil or dispute. It seems that we wrote our declaration of foreign policy in the platform adopted at Chicago, and I, for one, know that in good faith I talked with people of my State about that declaration. I left no misunderstanding in their minds, nor was there any misunderstanding in my mind as to what it meant. I either had to be hypocritical or define it in the way I thought the Democratic Convention in Chicago meant by what it said. If that declaration is not a declaration of foreign policy, I do not know why a great party like ours would write it. We would not participate in foreign wars; we would not send our Army, naval, and air forces to fight on foreign lands except in case of attack. If we are not going to fight in European waters and in belligerent sections of the globe, why send them there? The implication, it seems to me, is inescapable.

I desire to call attention—

Mr. AUSTIN. Mr. President—

Mr. BONE. Just a moment, if the Senator from Vermont please. I desire to call attention to one other statement which, it seems to me, is worth considering. I wish to call the attention of the Senator from Louisiana to what the President of the United States himself said not long ago, because the Senator has repeated the declaration. Its purport is inescapable. On July 4, 1939, when the President sent a message to Congress urging the repeal of the arms embargo, there was transmitted a statement by the Secretary of State, Mr. Hull, to which the President himself appended this statement:

I am appending hereto a statement from the Secretary of State which has my full approval.

There is no backing away from the words "full approval." The President meant that statement. Mr. Hull's statement appended to the message is certainly a declaration of policy; it is certainly the thing upon which I, in good faith, rested my statements to the people of my State. I do not want to be put in the position of having said one thing to the people of my State and having my party here repudiate it, not that I am too good to be treated in that fashion, but I think that certainly the elements of good faith in dealing with the people of the United States call upon us to be perfectly candid and frank in dealing with them. This is what Secretary Hull said, which the President said he fully approved:

Controversies which would involve the United States are far more likely to arise from the entrance of American ships or American citizens in the danger zones, or through the sinking on the high seas of American vessels carrying commodities other than those covered by the arms embargo.

Let me say, parenthetically, that I fully agree with that; everything is contraband of war now; and a vessel carrying wheat would be sunk quite as promptly as a vessel carrying firearms and munitions. But to continue:

In the recommendations formulated by the Executive as a substitute for the present legislation it was especially urged that provisions be adopted which would exclude American nationals and American ships from zones where real danger to their safety might exist and which would divest goods of their American ownership—

Listen to this statement—

thereby minimizing to the fullest extent the danger of American involvement.

I submit to my brethren that when the President of the United States says that keeping our ships and our nationalists out of belligerent zones, war zones, minimizes to the fullest extent the danger of American involvement, there can be formulated to that statement no answer which is adequate or satisfying. The late Senator Pittman made a similar statement on this floor, as did Mr. SOL BLOOM, chairman of the Committee on Foreign Affairs of the other House, on the floor of that body. Repeatedly it has been said to us by men who speak for our party. We said in our platform that we would not permit Americans to go into war zones and thereby involve us. All of us went out in the campaign and told the American people we were supporting that platform declaration. Now we face the question whether or not we shall write some such declaration into the pending bill. If it is our purpose, upon a moment's notice, without giving the Congress any further chance to register its will, disregarding completely its constitutional power to regulate the use of our naval and military forces, to say that American troops, American marines, American naval units may go into foreign waters—and they might go at a moment's notice—then we have abandoned the stand we took last fall in the campaign.

Certainly, if we intend to adhere to our constitutional prerogatives here, we have a right to regulate the use of the Navy and Army in time of peace, or else the Senate now deliberately writes out of

the Constitution that provision; that is to say, it is utterly meaningless.

When we confirmed the nomination of Mr. Frank Knox, Mr. Knox said that if we did certain things they would be deliberate acts of war; and yet this bill is authorizing one or two of them. Mr. Knox said if a British war vessel should come into an American harbor he would intern it; he would be opposed to such a thing. I do not know what he will do now. He will probably have to execute some peculiar intellectual gyrations as a member of the President's Cabinet if he does not object, because Senators voted for his confirmation with that declaration on his lips and ringing in their ears.

So day by day we executed these right-about flank movements; we declare something one day and walk away from it the next. Right now we face a constitutional provision which gives the Congress the right to regulate the Army and Navy. Are we going to disregard that and say we have not any power to regulate the armed forces? Suppose the President tomorrow ordered the Navy to assail some foreign port, what would we do about it? Try to stop him; impeach him?

Mr. CONNALLY. We could say he could not do it; that is all.

Mr. BONE. Oh, yes, but under what power would we do that? Constitutional experts would go back to the Constitution and say, following the suggestion of the Senator from Texas, Congress has the right to make regulations about the Army and Navy, and, therefore, we would stop him; but suppose the men who commanded the naval units of the American fleet should say, "We are not going to be stopped by Congress; the President is our Commander in Chief; has it not been declared repeatedly on the floor of both Houses of Congress that he is our Commander in Chief we are going to obey our constitutional Commander in Chief"; what would we do about it? Would we impeach the President of the United States?

If it is improper to write this declaration of policy into this bill, then, it seems to me, it is an act of impropriety by the same negative sort of language to say that this bill shall not be construed to permit the doing of certain other things. Why do we put such declarations into the bill? To relieve the minds of American mothers and fathers of the fear they have that perhaps somehow their boys might be sent abroad. Why leave those declarations in the bill, and repel the suggestion of the Senator from Louisiana who is merely writing one of similar purport?

Mr. AUSTIN and Mr. CONNALLY addressed the Chair.

Mr. ELLENDER. I yield first to the Senator from Vermont.

Mr. AUSTIN. Mr. President, I have been interested in the constitutional question raised by the Senator from Louisiana and other Senators. I happen to have here a very clear discussion of that point by Mr. Justice Sutherland whom I regard as a great authority. I wish to read a brief extract from his work, *Constitutional Power and World Affairs*, at page 77:

The President is, of course, Commander in Chief of the Army and Navy at all times;



but in time of peace his activities are limited to matters of routine, such as the acquisition and distribution of munitions and military supplies, the location and movement of officers and men, and the building, equipment, and movement of vessels. Only in time of war is it possible to bring into activity the real war powers which attach to his military office. The war powers of Congress, on the other hand, may be as completely utilized in time of peace as in time of war, though, of course, they never are. The fact remains, however, that the actual existence of war is not a necessary prerequisite for congressional action of any kind, since the function of Congress is to provide rules of action to be put into execution by others. Statutes may be formulated and enacted, in time of peace, covering every conceivable contingency likely to arise in time of war, to be enforced, whenever conditions render them applicable, precisely as in the case of laws generally. It is, therefore, quite inaccurate to say that the powers of Congress are enlarged by the advent of war; that Congress may enact legislation at such a time which it would be without power to enact at another time. A state of war simply furnishes an occasion for the application of laws which are entirely valid in normal times but lack appropriate conditions for making them operative.

And at another place, referring to the implied powers which have been sustained by the Supreme Court in the Prize cases, and in *Freeborn* against *The Protector*, and in *Matthews* against *McStea*, Mr. Justice Sutherland states his views in this way:

The power to send citizens composing our military forces into foreign countries is established by the precedents of our history and the decisions of our courts. Our troops, even in time of peace, have carried the flag across the Pacific to China; and our victorious armies have gone into Tripoli, Mexico, Cuba, Puerto Rico, and the Philippines. The present draft law has been sustained against all these and other attacks, by every court in which the matter has arisen, including the Supreme Court of the United States, and the question of its validity may be regarded as having been conclusively and permanently set at rest.

While Congress has no power to directly interfere with or curtail the war powers of the Commander in Chief, that body may supplement and enlarge such powers or may create occasions for their exercise, as well as for the exercise of the executive powers of the President.

Mr. President, I view the amendment pending here principally upon the question of policy. It undertakes to declare a policy. It does not add to or detract from the existing powers of the President or of the Commander in Chief, as I understand and interpret it; but as a matter of policy, at this particular juncture, especially on account of conditions in the Orient, I regard it as bad policy. I think the Congress would make a grave mistake to lend to Japan and the other Axis Powers the strength and the morale that would be conveyed by such a declaration of policy as this is.

Mr. BONE. Mr. President, will the Senator yield?

Mr. AUSTIN. The Senator from Louisiana [Mr. ELLENDER] has the floor.

Mr. ELLENDER. The Senator listened, I am sure, to the remarks of the distinguished Senator from Washington [Mr. BONE] with reference to our policy having already been defined, both by the

President and by the Congress, in two other acts.

Mr. AUSTIN. Yes.

Mr. ELLENDER. What is the Senator's answer to what the Senator from Washington said? How would this amendment change the policy thus defined?

Mr. AUSTIN. Simply because we are dealing with things, nothing but materials, articles; and if we go out of the bill and drag into it the matter of strategy, of policy with respect to our armed forces, we are doing a gratuitous thing that has a force, a psychological effect far beyond the mere language of the proposal, which I think does not change existing law.

Mr. TAFT and Mr. BONE addressed the Chair.

The PRESIDENT pro tempore. Does the Senator from Louisiana yield, and, if so, to whom?

Mr. ELLENDER. I yield first to the Senator from Ohio.

Mr. TAFT. Mr. President, as I understand the argument of the learned Senator from Vermont, it is that we should not make this declaration because we will then tell the Japanese that we are not going to send troops to Japan. We will thereby convey to them the impression that perhaps we are going to send troops to Japan, and we will, therefore, deter them from other action. In other words, we are going to deceive the Japanese by adopting this amendment.

I say that if we fail to adopt this amendment we shall impose a similar deception on the English, if you please. In effect we shall say to the English, "After all, perhaps we are going to send men to Europe to help you." I say it is far more dangerous to give the English an erroneous impression, to lead them on to think we are going to do something we do not intend to do, than it is to deter the Japanese by implied threats that we may possibly send men to Japan.

Mr. ELLENDER. I thank the distinguished Senator from Ohio for his statement, because that is the next point that I desire to urge upon the Senate.

Mr. AUSTIN. Mr. President, I want to answer the charge of deception. Will the Senator from Louisiana yield for that purpose?

Mr. PEPPER and Mr. BONE addressed the Chair.

Mr. AUSTIN. I think the Senator from Louisiana ought to permit me to respond briefly to the charge of deception. It seems to me that is a matter of personal privilege.

Mr. ELLENDER. I yield to the Senator.

Mr. TAFT. I was not urging that the Senator from Vermont was deceiving anybody; only that the Senate of the United States would deceive someone.

Mr. AUSTIN. Oh, well, that is a sophistry, I am sure. I see no deception in our adhering to the truth with respect to the proposed legislation, and not going out and begging a question which is not raised by the bill.

Mr. BONE and Mr. PEPPER addressed the Chair.

The PRESIDENT pro tempore. Does the Senator from Louisiana yield, and, if so, to whom?

Mr. ELLENDER. I yield first to the Senator from Washington.

Mr. BONE. Mr. President, my friend the Senator from Vermont [Mr. AUSTIN] suggests that to write this amendment into the bill would be to state some sort of policy. Now, "policy" is a very broad term. It may imply a great deal. It may be a statement of principle, a statement of what we intend to do or do not intend to do. But let us look at the matter.

The President is authorized by the bill to do certain things. He is given wide powers. When he does those things he establishes a policy, he lays down a principle, a rule of conduct for himself and the country, for obviously we are giving him power to do it. He may sell and otherwise dispose of defense articles upon such terms and conditions as he personally deems profitable to the United States.

I cannot conceive of a greater grant of power to any human being to exercise his discretion in doing a thing which he is directed, or at least authorized, to do than is found in those words. They not only imply the delivery of articles such as munitions of war, but they also convey to the President express power to execute the delivery in any way he sees fit. Otherwise, the words are meaningless.

Suppose that on terms and conditions which the President finds satisfactory to himself he honestly, sincerely believes it is for the benefit of this country, and in aid of national defense, to deliver 50 destroyers to Singapore, "Dang Dong," or any port in the British Isles under terms and conditions which he believes are proper. The unlimited power is there to do it. Therefore, the bill must of necessity deal with men, with human beings, as well as with property. That is why the power granted to the President is a policy-making power, because we give him unlimited power to make policy.

I listened with interest to what the Senator from Vermont had to say about the war powers and the peacetime powers with respect to warlike activities of the President of the United States; but, even so, those declarations of the Supreme Court do not write out of the Constitution the solemn, blunt declaration that Congress has the right to make rules and regulations affecting the Army and Navy—and this is in time of peace. Will anybody be heard to say that those words are utterly null and void, that they are just so much resounding noise, that they have no meaning? Has the Supreme Court ever at any time held that Congress may not make rules and regulations for the Army and Navy? If we made them, and the President said, "I will not let the Army and Navy obey them," what would we do? We would have a breach between the executive and legislative branches that would precipitate a crisis in America.

We either have the right to make rules and regulations—and, having that constitutional right, we have the further right to write that into a piece of legislation affecting the Army and the Navy



in time of peace—or we do not have it. For one, I am not willing to merely abdicate completely the right given to the Congress of the United States by the Constitution, and say that those words are meaningless, whereas the interstate commerce clause is meaningful, the clause allowing us to regulate the jurisdiction of courts is meaningful. All those things are meaningful. They are full of meaning. They have been executed, and Congress has had the enumerated powers since the birth of the Republic. But apparently we are going to say now, if we reject this amendment, that we have not any right to do this constitutionally, we are going to take out of the Constitution by that act—because we have discussed it—the declaration that we have a right to make rules and regulations for the Navy in time of peace at least.

Mr. CONNALLY and Mr. PEPPER addressed the Chair.

Mr. ELLENDER. I desire to say to my colleagues that when I started this debate with respect to my amendment I thought I would conclude in about 30 minutes. I desire to say further that I have not had anything to eat since last night, so I shall ask that they have a little pity on me. I will cheerfully yield for questions, but no more speeches.

I yield to the Senator from Florida.

Mr. PEPPER. Apropos of the inquiry made by the Senator from Ohio, I wish to ask the Senator whether he thinks it is too much to expect the English to understand the English language.

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. ELLENDER. I was about to yield to the Senator from Texas.

Mr. CONNALLY. I do not wish to insist on the Senator yielding.

Mr. ELLENDER. The Senator may proceed if he desires.

Mr. CONNALLY. In answer to the Senator from Washington, I wish to suggest that the language in clause 14, that the Congress shall have power "to make rules for the government and regulation of the land and naval forces," does not in anywise relate to the command of the Army, or as to where it shall go. That language relates to the organization and internal control of the Army.

Mr. BONE. How do we know it does?

Mr. CONNALLY. The courts say so. Control of the Army and the Navy refers to the organization, promotion, courts martial, and the internal government and control of the Army and Navy, and has nothing on earth to do with the Commander in Chief and his power.

Mr. BONE. If that is true, then the President could immediately take this country into war by merely lifting his hand.

Mr. CONNALLY. Any President who wanted to get the country into war could do it at any time he desired.

Mr. BONE. Unhappily, that is true.

Mr. CONNALLY. Any President who wanted to disregard the interests of his country could do that; and many Senators seem to think that the pending bill and all these amendments are merely intended to protect the country from the President, and assume that he is going to

do wrong, assume he is going to violate his oath, assume he is going to do something contrary to the interests of the United States. I prefer to assume, on the other hand, that any sworn officer is going to do his duty. What I said was predicated upon the theory that some willful President would just plunge the country into war. Of course, any President could get the country into war at any time he desired by bringing about a situation from which we could not well retreat.

Mr. CLARK of Missouri. Mr. President, will the Senator from Louisiana yield?

Mr. ELLENDER. I promised to yield for a question to the Senator from Montana.

Mr. WHEELER. In view of the fact that the Senator from Vermont read from Sutherland, I wish to say that I quoted from Sutherland quite generally in my speech a few days ago; and I should like to have the attention of the Senator from Texas, if he will listen.

Mr. CONNALLY. I am delighted to listen.

Mr. WHEELER. I agree with the Senator from Vermont that Sutherland is undoubtedly one of the greatest constitutional lawyers and interpreters of our Constitution there is.

Mr. CONNALLY. Is the Senator talking about the same Sutherland to whom the Senator from Vermont referred?

Mr. WHEELER. Yes.

Mr. CONNALLY. This is Justice Sutherland, of the Supreme Court?

Mr. WHEELER. That is the one about whom I am talking.

Mr. CONNALLY. There is another Sutherland, who wrote a textbook on law.

Mr. WHEELER. I understand that. I am talking about Justice Sutherland, and the decision which the Senator cited a few days ago. What I wish to call attention to particularly at this time is what Mr. Justice Sutherland said, as follows:

The war powers vested in Congress and the war powers vested in the President, by virtue of his office as Commander in Chief, are distinct. Generally speaking, the war powers of the President under the Constitution are simply those which belong to any commander in chief of the military forces of a nation at war. The Constitution confers no war powers upon the President as such. \* \* \* It will tend to a more distinct understanding of the President's powers and limitations as Commander in Chief, if we will leave out of consideration altogether the fact that he is President, and think of him as a person who holds the military office only.

The minute war is declared, he is in an entirely different position, and it is so recognized by Sutherland all through his opinions, and it has been recognized also by the Supreme Court of the United States.

Mr. CONNALLY. Mr. President, will the Senator yield right there?

Mr. WHEELER. Yes.

Mr. CONNALLY. Let me recall—

Mr. ELLENDER. Mr. President, I think I have the floor, and I made the statement awhile ago that I did not mind yielding for questions, but I do not care to yield for speeches.

Mr. WHEELER. I do not care to make a speech; I do desire to call attention to certain paragraphs from Justice Sutherland, if the Senator does not object. I am merely quoting from Justice Sutherland.

Mr. ELLENDER. I yield to the Senator from Montana.

Mr. WHEELER. Certainly no one will contend that a military officer has power in peacetime to commit acts of war or acts provocative of war without being ordered to do so by the agency of the Government entrusted with the power to effect the transition from peace to war, namely, Congress. After reviewing the President's powers as set forth in the Constitution—and I want to say that Justice Sutherland did review the very power referred to here, in other words, the power to regulate the Army, and to make rules for it—

Mr. AUSTIN. Is that in the decision?

Mr. WHEELER. No. He said:

All these duties relate, primarily, to a condition of peace; that is, they do not contemplate war as a basis for their exercise.

Mr. CONNALLY. Mr. President, will the Senator yield there?

Mr. WHEELER. I yield.

Mr. CONNALLY. The Senator from Louisiana has given me consent to interrupt.

The Senator is quoting Sutherland, and he makes a distinction between the President as President and as Commander in Chief, and I think that is clear to everyone. In fact, he is occupying two offices at once.

Mr. WHEELER. That is correct.

Mr. CONNALLY. He refers to a military commander as not being able to get us into war. Let me remind the Senator that it is frequently charged—while I do not subscribe to it—that old Zachary Taylor got this country into war with Mexico because he was ordered to go down between the Nueces River and the Rio Grande with an army, and he made some show, the band played and the flags waved, and the Mexican Army came over from Mexico and attacked him. Of course, he repelled the attack immediately, without any declaration of war by Congress at that time. That is the idea I tried to convey a while ago when I said that any President who wilfully and maliciously wanted to plunge the country into war could bring about a situation from which the country could not honorably retreat.

Mr. WHEELER. I am not in disagreement with the Senator's statement, and I say that any President, if he wants to violate the Constitution of the United States, can get us into war, providing he can get the Army and the Navy to do it, but, as I stated the other day, it is one thing to have the power to do it and another thing to have the right to do it. The President has the power to do it, but he has not any right under the Constitution to do it.

Mr. CONNALLY. The Senator says the President has the power, but that he has not the right.

Mr. WHEELER. Yes.

Mr. CONNALLY. I take issue with the Senator on the question of his blanket



statement as to right. Whether certain action taken is right or wrong will depend, of course, upon the circumstances. The President had the power to send the Army into Vera Cruz. I am not prepared to say it was not right to send it there. He sent the Army into Vera Cruz, an incident with which, of course, the Senator is familiar. Another President sent the Army into Mexico in pursuit of Villa. During the Civil War the Union Navy intercepted British ships. That happened in the famous Trent case, I believe. We were not at war with Great Britain, but the Union felt it was necessary to intercept that vessel. The Slidell and Mason incident, I believe, arose out of the seizure of that ship. The books are full of such cases. I believe there are nearly 100 instances in the history of the United States of either land or naval forces having been used against foreign countries, either by sending them to a foreign land or by intercepting a ship. I am not prepared to say that in those cases the President had the power to do what he did, or that it was all wrong. If it was wrong it was wrong, but if it was right it was right. History and the people of the United States will judge of that. Only history and the people of the United States in the long years hereafter will determine whether that exercise was right or wrong, unless it is palpably in violation of the Constitution.

Let me ask the Senator a question. Suppose we adopt the Ellender amendment or any similar amendment, does the Senator from Montana contend that the President could not send any men abroad?

Mr. WHEELER. Oh, no.

Mr. CONNALLY. Well, what is the use of adopting the amendment then?

Mr. WHEELER. I will tell the Senator what the use of adopting it is, if the Senator will permit me. First, I wish to complete the quotation from Mr. Justice Sutherland, as follows:

All these duties relate, primarily, to a condition of peace; that is, they do not contemplate war as a basis for their exercise, though, of course, they may be exercised in time of war as well as in time of peace. He does not, however, command the military forces of the United States as President, but as Commander in Chief.

The war powers, with the exception of these pertaining to the office of Commander in Chief, are vested in Congress, and that body must exercise its own judgment with respect to the extent and character of their use. The advice and counsel of the President should be given great weight, but the acceptance of the President's recommendations must be the result of intelligent approval and not of blind obedience. Any other course involves a double betrayal of official trust—usurpation of power by the President and abdication of duty on the part of Congress.

It seems to me that if those two things are kept in mind, as Mr. Justice Sutherland pointed out, the situation will be clear.

Mr. President, the reason I called attention to this quotation from Mr. Justice Sutherland was because other portions of that statement had previously been referred to.

I now wish to answer the question of the Senator from Texas. Regardless of

any provision we might adopt saying that the President could not send troops abroad, still of course he could order the Army or the Navy sent aboard, and if they obeyed, they would go abroad.

It has been stated that if we do not adopt the amendment it would not do any harm. I say that if we do not adopt the amendment, our action in failing to do so will in my judgment be taken by the people as an invitation to the President to do these things. The language is not as strong as I should like to see it.

In the last Democratic convention we adopted language which was stronger than that contained in the pending amendment. The Republicans also adopted similar language.

Mr. President, it has been stated on the floor of the Senate that the President of the United States was in entire agreement with the language of the Democratic convention platform, and in his Philadelphia speech he took word for word the language that was adopted in the convention. Senator after Senator, both from the North and from the South, definitely stated upon the floor of the Senate that he did not want our boys sent abroad. If we do not want them sent abroad and if we do not intend to have them sent abroad, tell me what excuse there can be for not writing into the law a provision which everyone says he favors?

Mr. CONNALLY. Does the Senator want me to tell him?

Mr. WHEELER. Yes.

Mr. CONNALLY. The Senator admitted in answer to my question that if the amendment were adopted it would have no legal effect.

Mr. WHEELER. That is correct.

Mr. CONNALLY. Then why adopt it, except to try to make the people think that the President cannot send troops abroad when the Senator knows and everyone else knows that under the Constitution he can do so? Pray God that they will not have to be sent, but I am not going to delude and deceive the American people by making them think that we can prevent the troops from going abroad, and I shall not vote to adopt an amendment to that effect when I know in my heart that it will not amount to a snap of my finger.

Mr. WHEELER. Let me say to the Senator that I do not agree that the President as a matter of right can send our troops any place he wants to, or that he can order ships to be conveyed any place he wants to. If he can do that, then under the Senator's theory he may tomorrow establish a base in England for the purpose of conveying ships. He can send ships in convoy, and, as a matter of fact, if we follow the logic of the Senator's argument, as I understand it—and perhaps I am wrong—

Mr. CONNALLY. The Senator himself said awhile ago, in answer to my question, that the adoption of the amendment would not amount to a thing in preventing the sending of men abroad.

Mr. WHEELER. If the theory which is held by some persons is true, that the President of the United States can send our ships and troops any place at any time he wants to do so, then he can send our battleships abroad tomorrow to blow

up Hamburg or any other place in the world.

I say that under the Constitution he has no right to do that, and he does not have any right to send our troops any place he wants to. I say that if he did so he would violate the Constitution and would be subject to impeachment under the Constitution.

Mr. CONNALLY. Did he have the right to send troops to China during the Boxer uprising?

Mr. WHEELER. I do not think he did.

Mr. CONNALLY. Did he have the right to send troops to Santo Domingo and to Nicaragua?

Mr. WHEELER. I think that is questionable. But they were sent to Nicaragua, and I stood on the floor of the Senate and urged that the troops be taken out of Nicaragua because I did not think they had any business down there. Other Senators also stood on the floor and said that the President did not have any right to send troops to Haiti. We have sent our marines into the South American countries on the pretext that we were protecting American lives and property when, in my judgment, the President had no right to send them. As the result of doing so a great deal of ill will has been stirred up in Central and South America.

The fact that those things have been done does not make them right under the Constitution, and Mr. Justice Sutherland points that out.

I apologize to the Senator for taking up so much of his time.

Mr. NORRIS. Mr. President—

Mr. BONE. I was interested in what the Senator said—

Mr. NORRIS. Mr. President, I am claiming the right to the floor on the theory that the Senator from Louisiana lost the floor long hours ago, and no one is seeking recognition. Therefore, I wish to be recognized in my own right.

The PRESIDING OFFICER (Mr. Brown in the chair). The Chair feels that the Senator from Louisiana still has the floor.

Mr. ELLENDER. If the Chair had notified me that I was in danger of losing the floor I would not, of course, have yielded. If the Senator from Nebraska insists on asking for recognition I shall, of course, refuse to yield hereafter.

Mr. BONE. Mr. President, will the Senator yield to me for a moment?

Mr. ELLENDER. I shall yield for a question.

Mr. BONE. Very well; I shall endeavor to put what I intended to say in the form of a question. I think I can phrase it properly if some Senator does not take too much advantage of me.

If, as has been suggested by the able Senator from Texas, it would be a deceptive gesture to write this suggested seeming prohibition into the bill if in so doing we would deceive the public, I wonder what the Democratic Party did in its solemn platform declarations upon which I relied? If this would be a deceptive declaration now in a crisis, what did we do to the country, sir, last year, when we wrote the same thing into the most solemn declaration that a political party could write, and also put it forth in our



speeches? If that is a question, I should like to have the Senator answer it.

Mr. ELLENDER. Mr. President, now that the constitutional questions have been settled, I shall proceed with my remarks. [Laughter.] I hardly know where to pick up again, but I think I had completed my remarks with respect to certain declarations which were made by Senators.

The distinguished Senator from Ohio [Mr. TAFT] suggested that should this amendment not be agreed to the British would be misled. Mr. Churchill, in his statement reported in the New York Times under date of February 10, 1941, said:

It seems now to be certain that the Government and people of the United States intend to supply us with all that is necessary for victory. In the last war the United States sent 2,000,000 men across the Atlantic, but this is not a war of vast armies hurling immense masses of shells at one another. We do not need the gallant armies which are forming throughout the American Union. We do not need them this year, nor next year, nor any year that I can foresee.

That statement was made by Mr. Churchill shortly after the visit of Mr. Hopkins. Prior to that time Mr. Churchill had made this statement, as reported in the New York Times of January 18, 1941:

We don't require in 1941 large armies from overseas. What we do require is weapons, ships, and airplanes.

That statement was interpreted by the American people to mean that in the future Mr. Churchill would probably request armies from the United States, but later, as I pointed out, he changed his views to a certain extent and said that he did not think the British would need armies from overseas at any time in the future that he could foresee.

Let us not mislead the British people into believing that we intend to send them an army. To my knowledge no Senator has said that he would vote to send any American boys across the seas. On the contrary, so far as I know the feeling is unanimous that we shall not send any armies across the seas to help fight the battles of any foreign nation.

As was pointed out by the Senator from Ohio [Mr. TAFT], our action in voting down this amendment may be misinterpreted by the British people. I venture to say, Mr. President, that after we pass the pending bill and begin sending planes, ammunitions, and other war materials to England, should the war become more fierce than it is now, we probably shall be asked to send troops. But if we let it be known now that we do not intend to do so, then the British cannot expect us to send an army to its rescue. Mr. President, now is the time to reaffirm our position on this vital question.

Mr. TOBEY and Mr. HATCH addressed the Chair.

The PRESIDING OFFICER [Mr. BROWN in the chair]. Does the Senator from Louisiana yield, and if so to whom?

Mr. ELLENDER. I yield to the Senator from New Hampshire for a question.

Mr. TOBEY. Mr. President, the question is brief, and I think it is to the point.

As I understand, the net result of the Senator's amendment would be to say in definite, clean-cut language, "The Yanks are not coming."

Mr. ELLENDER. That is what I desire to express.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield for a question.

Mr. HATCH. If the Senator means that, why does he not say so? Why does he not change his amendment to read something like this—

Mr. ELLENDER. I will say to the distinguished Senator from New Mexico that I have no pride of authorship in the amendment. If any other language can be submitted which will carry out the purposes of my amendment, I shall be glad to accept it.

Mr. HATCH. If the Senator will yield, I will say to him that I have very definite objection to the language of his amendment. I object to it because I think it is deceptive—not that the Senator means to be deceptive, but that it would mislead the people of the United States into the belief that the amendment would provide a prohibition against the President of the United States sending soldiers abroad. The amendment would not accomplish that purpose at all.

Moreover, I think it is deceptive and misleading so far as foreign countries are concerned. If the Senator really wants to be effective, why does he not write something in firm and positive language, and say that the President of the United States "is hereby prohibited" from doing thus and so? Let us not give the people of this country a false hope and a false sense of security. Because I think the Senator's amendment does that very thing, I shall vote against it.

Mr. ELLENDER. I do not know whether or not the Senator from New Mexico was in the Chamber when I started to discuss this matter; but, as I stated, I do not desire to take away from the President any powers that he is now exercising to protect American interests.

Mr. HATCH. Then why does the Senator say something which does not mean anything?

Mr. ELLENDER. I am sorry that I cannot convince the Senator from New Mexico. He has a right to his own opinion.

Mr. HATCH. I do not mean to be offensive to the Senator from Louisiana, and I do not challenge his purpose. I want him to understand that; but I am definitely opposed to his amendment, because I think it would mislead not only the people of this country but the people of other nations as well.

Mr. ELLENDER. I do not think it would be misleading. I do not understand how they could be misled when the President, on many occasions, declared that he would not send our boys across the seas to fight the battles of a foreign nation.

Mr. HATCH. I think it would be. I think it is the essence of deception.

Mr. ELLENDER. The people of the United States have seen to what extent

the President has exercised his powers in the past in sending troops to Mexico and to some of the islands not far away. I do not want to take that power away from the President.

Mr. HATCH. Mr. President, will the Senator yield to me for one further question?

Mr. ELLENDER. I yield for a question.

Mr. HATCH. I think the times in which we live are such that we ought to face issues. We ought to face them frankly and squarely. If we are wrong, let us be wrong. If we are right, let us be right. Let us not dodge any issues.

Mr. ELLENDER. I will say to the Senator that I am not trying to dodge any issues. I agree that we should face the issue squarely. This is no time for bluffing.

Mr. HATCH. I do not intend my remarks to apply to the Senator personally.

Mr. ELLENDER. I understand.

Mr. HATCH. But I think the language of his amendment does exactly what I have said it does.

Mr. ELLENDER. Mr. President, I come now to the discussion of the question as to what language in the bill would give the President the right to send armed troops across the ocean. As I said in the beginning of my remarks, personally I trust the President. So far as I am concerned, I really and truly believe that he will carry out his promises. When I offered my amendment I made the statement that my purpose in so doing was to allay the fears of millions of American mothers who fear for the lives of their sons. The debate before the Senate and hundreds of speeches heard over the radio have confused the American people to a large degree. I will point out, as best I can, certain language—

Mr. TYDINGS. Mr. President, will the Senator yield for a question?

Mr. ELLENDER. I yield.

Mr. TYDINGS. Suppose the amendment offered by the Senator from Louisiana is adopted, and then suppose the war in Europe or in the Orient becomes much more intense, and there is some agitation in the press or on the radio that perhaps American warships ought to convoy cargo vessels to Great Britain, or that we ought to send troops to British Honduras or to some other place: Does not the Senator think that if his amendment is adopted, hundreds of people who will read it in the press will assume that the Army cannot be sent? On the other hand, I think it is universally admitted on the floor of the Senate that even if the amendment should be adopted, the Army could be sent by the President if he wished to send it.

Therefore, if the Senator really does not want the Army to go to Europe, the net result would be to leave the people in such a position that they always would realize the truth, and, through public sentiment and public effort, would continue to agitate against sending the Army, if they did not want it to be sent, rather than to hide behind a false premise that the Army could not be sent, and then find that they had waited too long, and that the die had been cast?



Mr. ELLENDER. Mr. President, as I have tried to point out, I want it unequivocally understood that nothing in the bill shall give the President that right. If such a condition should arise as that which has been suggested by the distinguished Senator from Maryland, let the Congress have something to say about it; and we, as representatives of the people, can then act accordingly.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. TYDINGS. I appreciate the objective to which the Senator addresses himself; but is it not true that the President would have the same powers with the adoption of the amendment that he would have under the bill without the adoption of the Senator's amendment, so that nothing would be accomplished except to lull the American people into the belief that under the terms of the bill the Army could not be sent abroad, when in truth that is not the case?

Mr. ELLENDER. The Senator will admit that there is a question as to the extent of the power of the President to send the Army across the seas or anywhere else in time of peace. As has been brought out by several Senators, the President's power to send armies across the seas, or to dispatch troops here or there, is not given him for the purpose of engaging in any war now raging, in order to help out one of the belligerents. I think it is given him with the intention of protecting our own rights.

Mr. TYDINGS. I think the Senator will find, if he will look through the history of the United States—I have not looked it up, but I can remember half a dozen or more cases—that there are 40 or 50 instances in American history in which, without any declaration of war, our armed forces have been used outside continental United States, either on the sea or by the use of our soldiers, in disorders of one kind or another, when Congress did not say either "Yes" or "No" while the incident was happening. Of course, I may say that I have no such list.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. ELLENDER. Let me say to the Senator from Maryland that those cases, as I pointed out awhile ago, are cases in which the President knew there was no chance of leading us into war by such intervention. In most cases in which that was done it was against helpless nations, nations that did not have the power to fight back.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. TYDINGS. Whether it was done because there would be no war or whether it was done because there would be a war, the truth is that the Senator's amendment cannot change the Constitution. The bill will be just the same if the Senator's amendment is adopted as it will be if the Senator's amendment is rejected. Therefore, what good is the amendment, unless it will stop what the Senator wants to stop?

Mr. ELLENDER. I have stated the reasons many times.

I now yield to the Senator from Kentucky.

Mr. TAFT. Mr. President—

Mr. BARKLEY. Mr. President, to whom does the Senator yield?

Mr. ELLENDER. I yield to the Senator from Kentucky.

Mr. BARKLEY. In reply to the question of the Senator from Maryland, I desire to state that I have here a list which I wish to submit to the Senate when I have an opportunity to do so. It is a list of 85 instances, running from 1812 to 1932, in which, without any declaration by Congress, without any declaration of war, without any previous authority of Congress, Presidents of the United States have sent the land and naval forces of the United States into all parts of the world to protect the lives, property, and interests of the people of the United States.

Mr. ELLENDER. That was not done during any wars; was it?

Mr. BARKLEY. Sometimes it was. I do not agree with the Senator from Louisiana that it is the duty of the President of the United States to protect American interests only when they are attacked by feeble, little nations, and when our actions may not lead to war. It is as much the duty of the President of the United States to protect American life and interests in one part of the world as it is to protect them in any other part of the world.

Fortunately, the instances I mention did not lead to war, but they might have done so; and I dare say the President who exercised that authority was not governed by the question of whether his action would or would not lead to conflict.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. TAFT. I desire to state that the bill does extend the power of the President of the United States to send troops abroad. I do not think the President of the United States would today have the right to land an American regiment in Gibraltar. There is no reason for him to land it there. I do not think he would have any constitutional right to land it there.

However, the bill would establish a new policy for the United States. It says that the defense of Britain is the defense of the United States. I say that if we should pass the bill we would extend the President's power to send troops, because after the passage of the bill he could land a regiment of American soldiers in Gibraltar under his constitutional power, for we would have said that the defense of Gibraltar is the defense of the United States.

So I say this amendment does accomplish something. The amendment says that in establishing this new and untried policy—and, to my mind, this extremely dangerous policy—we at least are not saying to the President that he may use that power as an excuse for landing American troops on British soil in order to defend British interests instead of American interests, as in the cases referred to by the Senator from Kentucky.

Mr. PEPPER. Mr. President, will the Senator yield?

Mr. ELLENDER. Mr. President, I should like to complete my statement as soon as possible.

Mr. PEPPER. I simply desire to ask a question.

Mr. ELLENDER. I will yield to the Senator if he desires to ask a question, but not for a speech.

Mr. PEPPER. Where in the bill does the Senator find the language or the authority referred to by the Senator from Ohio?

Mr. ELLENDER. Mr. President, I have been trying to come to that subject since a quarter after 2, and I have been unable to get to it because of interruptions. If my colleagues will bear with me, I shall attempt to point out the language in the bill which I think might give the President the right to send troops.

Mr. PEPPER. Will the Senator also apply himself to the statement made by the Senator from Ohio?

Mr. ELLENDER. I understood that he said the bill refers to language—

Mr. PEPPER. No; that the bill says that the defense of Gibraltar is vital to the defense of the United States. I have not seen that provision in the bill, and I should like to have the Senator point it out if he can.

Mr. ELLENDER. The Senator from Florida has been saying for the past year that our first line of defense is the British Isles. That includes Gibraltar; does it not? [Laughter.]

Mr. PEPPER. Does not the Senator distinguish between a discussion of a general policy and a bill which says that if certain conditions exist, then certain specified and limited powers may be exercised?

Mr. ELLENDER. I do not know that I can answer the question of the Senator from Florida, but I presume that in his own time the Senator from Ohio [Mr. TAFT] may answer it.

Now, if I may be permitted to do so, I shall attempt to point out the language in the bill which might give the President the right to send American men to foreign warring countries.

Section 3 (a) of the bill provides:

Notwithstanding the provisions of any other law, the President may, from time to time, when he deems it in the interest of national defense, to the extent to which funds are made available or contracts are from time to time authorized by Congress—

I do not know to what extent this particular language has been changed:

Authorize the Secretary of War, the Secretary of the Navy, or the head of any other department or agency of the Government—

To do what?

(1) To manufacture in arsenals, factories, and shipyards under their jurisdiction, or otherwise procure, any defense article for the government of any country whose defense the President deems vital to the defense of the United States.

That provision covers a great deal of territory. It covers every kind of munition or implement of war that is manufactured by our Government in its own arsenals.



Then it is further provided that the officials shall have the right—

(2) To sell, transfer, exchange, lease, lend, or otherwise dispose of, to any such government any defense article—

That is, these various implements of war; how?

Under paragraph (b) of Section 3 it is provided that—

The terms and conditions upon which any such foreign government receives any aid authorized under subsection (a) shall be those which the President deems satisfactory. \* \* \*

The President may fix "the terms and conditions" so that the articles may be delivered to the belligerent nations.

When we say "transfer" it means, and it may be interpreted to mean "to convey from one place to another; to transport, remove, or cause to pass, to another place."

There is nothing in the bill which defines or states or limits the right of the President in determining the terms and conditions under which these implements of war are to be delivered. Subparagraph (b) of section 3 specifically states that the President shall determine how such foreign governments receive any aid authorized in subsection (a), how? Under such terms and conditions as he may determine to be satisfactory.

Mr. PEPPER. Mr. President, will the Senator yield for a question?

Mr. ELLENDER. Just a moment. I say, in all good faith, that under the language I have just read it is possible that the President could determine that these implements of war should be sent to Great Britain aboard American vessels—vessels owned by the American Government and manned by American sailors.

Mr. PEPPER. Mr. President, will the Senator yield?

Mr. ELLENDER. Yes.

Mr. PEPPER. Does not the language to which the Senator is referring relate to what the other governments are to give us, and not to what we are to give them?

Mr. ELLENDER. No; I do not think so, because the bill says:

The terms and conditions upon which any such foreign government receives any aid authorized under subsection (a) shall be those which the President deems satisfactory.

Then there is a comma—

and the benefit to the United States may be payment or repayment in kind or property, or any other direct or indirect benefit which the President deems satisfactory.

The clauses are separated by a comma at the point I have indicated. In other words, the first part of the provision does not refer to the second part. They are separated by the comma. I consider them separate and distinct provisions, not related one to the other.

There is in the bill other language which I desire to read. My construction of this language may in a measure, I admit, be a little far-fetched; but a lawyer can take language of the kind I am about to read and probably evolve an argument similar to that which Mr. Jackson made in the opinion he rendered the President regarding the sale of the

50 destroyers. I refer to section 3 (a) (3), which reads:

To test, inspect, prove, repair, outfit, recondition, or otherwise to place in good working order any defense article for any such government.

That language also must be read in conjunction with section 3 (b). As I understand, we proposed to send to England thousands of airplanes, bombers and pursuit planes. It may well be said that when we give to the President or his subordinates authority "to test, inspect, prove, repair, outfit, recondition, or otherwise to place in good working order any defense article," the President may determine that making those repairs and keeping those articles in good working order is to be done in England, or it may be done in Greece, because it would be costly in both time and money to carry the articles across the ocean to the United States in order to make the repairs, and then transport them back again to the warring nation.

Let me read some more language found in section 8 of the bill:

The Secretaries of War and of the Navy are hereby authorized to purchase or otherwise acquire arms, ammunition, and implements of war produced within the jurisdiction of any country to which section 3 is applicable, whenever the President deems such purchase or acquisition to be necessary in the interests of the defense of the United States.

In that case, again I say, if the countries that manufacture such material have laws similar to those that we now have on our statute books, we should have to go to them to get any articles referred to in section 8. Our ships and their complements may be obliged to expose themselves to belligerent fire and some incident may follow which would cause us to go to war. It may be argued that because these implements of war will be used in our defense, we should make every effort to obtain them. I say that they will not become necessary, unless we enter the war by exposing our boys and our property to enemy fire.

Mr. President, this may be stretching the point, as it were; but we do not know what is in the future. We do not know what condition might arise tomorrow or next month that would lead to quick action, and then a resort to this measure, and perhaps an interpretation of it whereby it might be possible that our boys or our property would be exposed to enemy fire. If American lives should be snuffed out, or American property destroyed, we would have throughout the length and breadth of the land a howl to avenge the death of our men and the destruction of our property.

Let us make of this bill what is now the law under the present Neutrality Act. It is now "cash and carry." Let us make this bill a "lease-and-carry, lend-and-carry, trade-and-carry, exchange-and-carry, cash-and-carry" measure. Let us make it say—and I know the American people understand it in this way—that we intend to give to England and other warring democracies all material aid that we are able to furnish, consistent with our own defenses, but let us say to them, "After this bill is passed

you must continue to take possession of all articles at our ports, as you have done in the past."

I have contended that the only way by which we will become involved in the war is to subject our nationals or their property to enemy fire. That is the only thing that is going to bring us into the war. We may get into the war, it is true, if we are attacked. And if we are attacked, it will then be time for us to use for our defense everything at our disposal. But let us not, by refusing to adopt this amendment, create a possible situation where American ships and American men might be used to transport materials and supplies to warring nations, and thereby become exposed to belligerent action, with the probable result that we will be drawn into the war.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield to the Senator from Illinois.

Mr. LUCAS. I should like to point out to the Senator something which has been discussed on the floor of the Senate time and time again, and that is a comparison of what is going on in this country today with what happened in 1917, or prior to 1917, just before we entered the war.

I desire to point out that in my opinion there is not any comparison at all between the two periods. I do so because of the fact that back in 1915 and 1916, before we entered the war, we lost 21 ships at sea, and 9 of our ships were fired upon by the enemy. In addition to that, we lost 155 citizens who were drowned at sea as the result of going down with those ships. As a result of what Germany did at that particular time in inaugurating unrestricted warfare in her submarine zones, and because of the loss of life and property, we finally went to war.

At the present time, under the guidance of President Roosevelt, who is the Commander in Chief of the Army and the Navy, I desire to point out that not a single American ship has been lost, nor has a single American life been lost, during this war, which was declared in September 1939. That has been true notwithstanding the fact that there are more submarine-infested waters and more mine-laden waters throughout the world in this war than any during any other war in the history of civilization. It seems to me there is no comparison at all between the two periods; and, in my opinion, before the American people will ever be brought to such a point of frenzy that they want war, American lives and American vessels will have to be destroyed.

I desire to compliment the President of the United States on the course he has pursued since September 1939, in keeping our ships in the safety zones, notwithstanding the fact that he has the power, as has been expressed here time and time again, to send our vessels here and there and practically everywhere on the high seas. It is commendable and it is worth while when we compare what has gone on during the last year and a half with the year and a half prior to the time we entered the World War.

I do not at all subscribe to the theory, which we constantly hear repeated on



the floor of the Senate, that the international bankers were responsible for getting us into the war in 1917, and that we are pursuing the same kind of course now which led us into the war back in those days.

Mr. President, we will not go to war until the people of the United States say we shall go to war, and there is nothing in the events now occurring in the world, and nothing in the bill we are considering, which will create enough hysteria in this country to cause the people to say to their representatives, "The time has come when we must go into the war."

I thank the Senator from Louisiana for permitting me to trespass upon his time, but I did desire to point out the dissimilarity between the conditions of the present day and those of 1917. There is no comparison. In my humble opinion the reason why we are not in the present war, perhaps at this very moment, is the fact that we passed the Neutrality Act last year. Practically all of those opposed to the pending bill voted against the Neutrality Act, because they said that the repeal of the arms embargo was far more important, from the standpoint of getting us into war, than was the cash-and-carry plan. They voted against the bill because the arms embargo was repealed; and we did not have a separate vote upon that.

Had we not passed the Neutrality Act, with the cash-and-carry plan included, it is my honest opinion that American ships would today be at the bottom of the ocean, American citizens would have been permitted to sail upon belligerent vessels, and we would have had the same experience we had back in 1914, 1915, and 1916, before we declared a state of war with Germany.

Mr. ELLENDER. Mr. President, I thank the Senator for his remarks. During the course of the debate I attempted to bring out these very arguments.

I desire to say now that I have concluded my arguments in support of my amendment. I know, as well as all the rest of us know, that few Senators, and I would say few people in the country, are against furnishing aid to Britain. As a matter of fact, the only substantial difference in opinion is as to the method of furnishing that aid to Britain.

The latest Gallup polls I have read show that 54 percent of the American people favor the fullest possible aid to Britain, but 85 percent oppose actual participation in the war.

Mr. President, in presenting this amendment to the Senate, I am merely attempting to make it certain that the bill is to be construed as a material-aid bill and nothing else, and that we shall, consistent with our own defense, give full aid to Britain but continue our policy of keeping our American citizens out of the war zones. We must tread cautiously in these tumultuous times lest we be drawn into the whirlpool of destruction which now threatens the whole Eastern Hemisphere. Our people want peace. I want peace. I have pledged myself long ago to keep our American boys out of European wars. My amendment seeks to carry out that pledge, and it is consistent with the pledges made by every other Senator on this floor today.

Mr. President, I urge the Senate to adopt my amendment.

Mr. O'MAHONEY. Mr. President, I ask unanimous consent that at the conclusion of the remarks of the Senator from Louisiana [Mr. ELLENDER] there may be printed in the RECORD the full text of the amendment which has been offered by the Senator from Louisiana and concerning which he was speaking; the full text also of an amendment which has been offered by the senior Senator from Connecticut [Mr. MALONEY], and the full text of an amendment which I have offered, and which is lying on the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendments are as follows:

Amendment proposed by Mr. ELLENDER to the bill (H. R. 1776) further to promote the defense of the United States, and for other purposes, viz: At the end of the bill add the following new section:

"Sec. 10. Nothing contained in this act shall be deemed to confer any additional powers to authorize the employment or use of persons in the land or naval forces of the United States at any place beyond the limits of the Western Hemisphere, except in the Territories and possessions of the United States, including the Philippine Islands."

Amendment proposed by Mr. MALONEY to the bill (H. R. 1776) further to promote the defense of the United States, and for other purposes, viz: On page 5, between lines 4 and 5, insert the following new subsection:

"(1) Except in time of war, no member of the land or naval forces of the United States and no naval vessel or military or naval aircraft shall be permitted to enter or travel through any combat area defined as such in any proclamation of the President issued pursuant to section 3 of the Neutrality Act of 1939; but nothing in this subsection shall be construed to prohibit (1) any member of the land or naval forces from acting as an observer or in a similar noncombatant capacity, or (2) the use of any naval vessel or aircraft to assist in the evacuation of citizens of the United States who are in any foreign country under the authority of the Department of State."

Amendment proposed by Mr. O'MAHONEY to the bill (H. R. 1776) further to promote the defense of the United States, and for other purposes, viz: At the end of the bill insert the following new section:

"Sec. . Without the consent of the Congress, no defense article of which the President shall make disposition under section 3 of this act shall hereafter be delivered by the land or naval forces of the United States, and no part of such forces shall be used in connection with any delivery of such defense articles, to any foreign government unless such delivery takes place within the Western Hemisphere or at a place subject to the jurisdiction of the United States."

Mr. CLARK of Missouri. Mr. President, in connection with the request of the Senator from Wyoming, I desire to give notice at this time that I intend to propose an amendment on the same subject. The amendment has not as yet been prepared, but I can state the gist of it at this time. I intend to offer an amendment to provide that no part of the money appropriated or authorized to be appropriated under this or any other act shall be used for the purpose of transporting military or naval forces outside the Western Hemisphere, except to our own possessions.

As I have said, the amendment has not as yet been prepared, and therefore I cannot ask that it be included among

those requested to be printed in the RECORD by the Senator from Wyoming, but, in view of the fact that the other amendments are to be printed in full in the RECORD, I think it proper to give notice that I propose to offer an amendment along similar lines.

If the Senator will permit me a moment further, I wish to say that I have before me a statement of principles of a pamphlet entitled "College Men for Defense First," signed by several hundred university and college students. I do not intend to do as the Senator from Vermont [Mr. AUSTIN] did last night—insist on reading it in full, and reading all the names which are attached to it. And unless the Senator from Vermont rejoins, I do not intend to bring over all the telegrams and postal cards and letters I have received from college students, but I ask that this statement of principles and the names of the committee be printed at this point in the RECORD as a part of my remarks.

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

#### COLLEGE MEN FOR DEFENSE FIRST

##### OUR BASIC PRINCIPLES

We believe that American democracy can be preserved only—

- (1) By building an impregnable national defense; and
- (2) By staying out of war in Europe.

##### AID TO BRITAIN?

We believe in continued aid to Britain, provided only that it remains short of war. We oppose only those steps which are not short of war but war itself. We therefore oppose:

- (1) Use of American warships as convoys,
- (2) Use of American merchant ships to carry goods to belligerent countries.

##### NATURE OF THE ORGANIZATION

This committee was formed by a group of 18 college and law school graduates who have divergent views on many points of American domestic and foreign policy, but who are united in the belief that America must build an impregnable national defense and must stay out of this war.

We are convinced that the vast majority of Americans share this view. We are also convinced that war may ultimately be declared by default for the simple reason that the millions who feel as we do are remaining silent. We are fearful that willingness to aid Britain may soon be construed as willingness to declare war—or to take those steps which make war no longer a matter of choice. It must be made clear where America draws the line.

We believe that this group offers an effective means for expressing and publicizing the views held by the great majority of Americans. Our experience in the brief time since our first informal meeting convinces us that this organization can quickly spread throughout the country.

##### NONCOLLEGE MEN AND WOMEN INCLUDED

Originally, as a practical matter, it seemed best to draw on college alumni for members for the simple reason that they were easy to reach. The original 18 members, for instance, knew each other only through college or professional school association.

Almost immediately, however, there arose a strong and insistent demand from noncollege men and women to share in the great work of keeping America out of war. Much encouraged by this unexpected support, the committee welcomes to membership the noncollege man and woman.



The immediate response to our program in a city that is in the heart of the interventionist movement convinced us that a large majority of American men and women, college or otherwise, are anxious to voice their opposition to intervening in another of Europe's wars. To give these men and women a chance to express their patriotic opposition, College Men for Defense First exists.

#### WHAT WE CAN DO

Our ultimate purpose is to convince Congress that the Nation feels as we do. Our job, therefore, is to encourage others who share our views to make their opinions heard. The specific steps by which we can accomplish our program include the following:

(1) A constantly increasing membership. Each new member will tell others. You can win new members in your office, at lunch, over the telephone, and wherever you happen to be. This is the best possible means of promoting our program.

(2) Help form a committee in your own congressional district. Write us for suggestions. Your Representative is eager to know your views. Remember Congress alone has the power to declare war.

(3) Urge the President to keep us out of war; write your Senator, your Congressman, your newspaper, your radio station; tell your friends.

(4) Carefully examine every legislative and administrative action affecting the issue of peace or war.

(5) Demand public information on the state of our national defense. America must not be misled on the vital question of whether or not it is prepared.

(6) A direct mail campaign to reach thousands of men and women known to committee members.

(7) Newspaper publicity. As we grow, our activities will necessarily command attention in the press. As funds become available, we plan to recruit additional support through newspaper advertising.

(8) Protest to college heads. It must be made clear that college men and women do not agree with the few war-minded university presidents.

American democracy may depend upon the rapid and successful execution of such a program. Apathy means war.

Amherst: Edwin Bartow, Richard W. Rewter, Philip Schofield.

Beloit University: W. Willard Wirtz.

Bowdoin: Louis W. Doherty.

University of California: Dr. Harold Fletcher, Dr. Russell Fletcher, Murray Richards.

California Institute of Technology: Gordon R. Ewing.

University of Chicago: R. D. Englehart, J. Parker Hall.

College of the City of New York: Ralph Digia.

Colgate: Daniel B. Chaffee, Elliott L. Cummings, Jr., Rev. David T. Erickson, Frederick W. Horner, John McGrath, Donald B. Shaw.

University of Colorado: Theodore W. Leet.

Columbia: Walter W. Davis, Ed. Dunaway, Louis Haimoff, Donald F. McManus, Daniel F. O'Connor, Edward C. O'Shea, Frederick H. Torp.

Cornell: Joseph C. Antrim, George R. Brownell, Dr. O. K. Champlin, Lester H. Chase, Alvin E. Cormeny, Ralph A. Desposito, Carleton H. Endemann, Roger W. Gilbert, Paul F. Hartzsch, Jr., James E. Neary, Jr., Charles K. Rice, Richard A. Rosan, Christopher W. Wilson, Jr.

Dartmouth: Richard F. Barrett, Daniel J. Bell, Paul S. Cleaveland, Lincoln Daniels, William E. Dietz, Alvin G. Dodd, David E. Duffy, Frank R. Elliott, Jr., Herman F. Funke, Bernard S. Goodrich, Edward J. Hanlon, John M. Harlow, Ralph N. Hill, Jr., Herman Hormel, Jr., John W. Huck, Jack B. Huntress, David Johnson, Jr., Samuel A. McCray, Earle L. Morrow, Theodore B. Purcell, John V. Renchard, Donald E. Richardson, Fred J. Robinson, Dud-

ley Russell, Jr., Herman H. Schnepel, Jr., Wilfred E. Shaw, Robert A. Southworth, Ralph B. Sperry, William Timbers, Thomas G. Vent, Jr., Henry L. Walker, Jr., Charles B. Wiggins, Jr., William J. Wiggins, Clifford G. Williams, Jr., M. H. Wolff.

De Pauw University: Raymond Happel.

Duke University: Claiborne B. Gregory, James L. Newson, William F. Wombie.

Fordham: Thomas I. Fitzgerald, Thomas W. Hayes, Edmund McCann, Jr., John P. McDonnell, Charles B. McGroddy, Francis A. O'Connell, Jr.

Georgetown: John F. Clarke, Paul J. Coughlin, Vernon Murphy, William L. O'Connor, Jr.

Harvard: William A. Adler, Amyas Ames, John P. Austin, Edward Tatnall Canby, Westcote H. Chesebrough, Robert B. Coe, Quentin L. Coons, William B. Cudahy, Dr. T. Harry Culhane, John L. Dane, Robert G. Davis, Morton DeWolfe, John Dorman, Walter E. Faithorn, Dr. I. H. Friedberg, Tudor Gardiner, Marshall Goodsell, James A. Gorell, James P. Hall, Lewis B. Harder, Alfred T. Hartwell, Jr., Carl R. Hauers, Henry T. Holsapple, Carl Koch, Grayson F. Lathrop, Phil C. Neal, Malcolm I. Ruddock, William B. Sefton, Stephen S. Taft, Jr., Edwin O. Tilton, James Tobin, William P. Van Evera, Bernard S. Van Rensselaer, Josiah Willard, A. Townsend Winnill.

Haverford: Robert Brancher, Richard C. Bull, Ray B. Houston, Professor Fred Rodell, E. Dexter Brown.

Holy Cross: John J. Foley, Albert J. O'Connor.

University of Illinois: John O. Honnold, Henry M. Wells, Jr.

University of Indiana: Herman F. Trautman.

Johns Hopkins: William W. Wagner, Jr.

University of Kentucky: A. Ross Jones.

Lehigh: J. Theodore Clauss, Jr.

Macalester College: Vernon Patterson.

University of Maine: Nathaniel W. Coffin, Donald I. Coggins.

University of Michigan: Dean Emerson, Jr., Donald A. Johnston, Donald H. Larmee, Richard W. Loveland.

University of Missouri: SESCO V. Tipton.

University of Minnesota: J. Millard Ahlstrom, John F. Finn, Jr., David W. Louisell, Lionel Nicholson, Lloyd O. Stein.

Notre Dame: Daniel B. Kelly, George Wenz, Jr.

New York University: Daniel M. Kelly.

University of North Carolina: Joel B. Adams.

Northwestern University: Edwin B. Dike, Harold H. Velde.

Oberlin: F. Walter Huffman.

Oxford University: Charles A. Bane, John B. Martin.

Pace Institute: Robert E. Kanski, Dermott A. Noonan.

Park College: George Buckland.

University of Pennsylvania: Harold Berry, Jr.

Princeton University: William B. Asher, Arthur H. Bolte, William G. Botzow, Edward J. Boyd, Jr., Frederic E. Camp, Richard B. Cowdery, Joseph Denmark, John M. Duff, Jose V. Ferrer, Robert N. Gilmore, Richard T. Henshaw, Jr., Frank C. Hibben, Edward T. Haase, David S. Hemingway, Joseph C. Kennedy, Joseph T. Lambie, Richard G. McClung, Philip V. Mohan, H. W. Nelson, Jr., Philip G. Nelson, Williamson Peil, Jr., Jay Reist, A. O. Reynolds, W. R. Reitzell, Merritt K. Sawyer, C. Bryson Schreiner, H. O. Schundler, Jr., Francis Shackelford, Gordon Smith, Robert Sincerbeaux, Langdon Van Norden, Charles Wardell, Jr., Jerome R. Zipkin.

Purdue: Charles M. Enders.

University of Richmond: George F. Whiteley.

University of Rochester: Albert E. Gilbert.

Rutgers University: Clifford Kawulitzki.

St. Peters College: William J. Kupfer.

Seton Hall: Maj. Eugene Kinkadee.

University of South Dakota: Joseph J. Slechta.

Leland Stanford: William M. Trumbull.

Swarthmore: Robert S. Rushmore.

University of Texas: Leo Jaffe.

Trinity College: John S. McCook, Barclay Shaw.

United States Military Academy: Robert W. Wood.

Virginia Military Institute: Wilson H. Madden, Clyde Muirhead.

Washington University: John A. Gilchrist.

Wesleyan: Nathaniel P. Gardner, Jr., John B. Poor, Samuel Poor, Jr.

Western Reserve: Harry M. Leet, John E. McCarthy.

Williamette: P. M. Hammond.

Williams: David Appenzeller, Denton DeBaum, William Everdell III, J. Randall Williams III.

Wittenberg College (Ohio): Roy F. Insley.

Yale: Charles H. Abbott, D. Nelson Adams, Albert O. B. Andrews, Donald Appenzeller, Erwin W. Bard, Robert Beresford, Jonathan B. Bingham, Richard M. Boardman, Francis Gordon Brown, Charles C. Bunker, Sydney Euskin, John M. Cates, Jr., Park Chamberlain, Milton L. Cohn, John B. Coleman, Jr., Edward Darling, James A. Deering, Vance R. Dittman, Jr., Peter H. Dominick, Francis P. Garvan, Jr., Thomas B. Gilchrist, Jr., Carl Goepel, Prof. Gordon S. Haight, Frank H. Hamlin, William Baird Hart, William Hausberg II, Walter Hehmeyer, Allen S. Hubbard, Sr., Allen S. Hubbard, Jr., Peter Cooper Hitt, Huston Huffman, Lewis H. Hyde, J. Stephen Knight, Peter B. Langmuir, George R. Lashnits, Daniel A. Lindley, Harman W. McBride, John M. McGauley, Seth Milliken, Richard A. Moore, John Henry Nichols, Jr., Benjamin Nields III, Robert Boyd Parker, Frederick S. Pierson, Robert Upjohn Redpath, Edward Ryerson, Franklin Cary Salsbury, Gustav Schwab, Dr. William B. Scoville, Frank C. Shattuck, Louis G. Shields, William Shields, Jr., Lucien Jouvaud Sichel, Lyman Spitzer, Jr., Robert I. Stevenson, Potter Stewart, Charles B. Swope, John S. Tilney, Colby Townsend, Roul Tunley, Louis Walker, Kenneth Ward, Robert L. Weber, George W. Wharton, Mather Kimball Whitehead, Charles P. Williamson, Maclean Williamson.

Mr. AUSTIN. Mr. President, I think I will follow the good precedent set by the Senator from Missouri [Mr. CLARK], and simply call attention to the receipt by me of telegrams from students of various colleges and universities in favor of the pending bill. I do not care to encumber the RECORD by having them printed. One is from the University of Wyoming. I have shown this telegram to the senior Senator from Wyoming [Mr. O'MAHONEY] and he tells me he is personally acquainted with the signer, who represents himself as chairman. There are telegrams from Northwestern University, University of Indiana, University of North Carolina, Bryn Mawr College, Amherst College, Wayne University, Detroit, Averett College, Danville, Va., and the University of California. I have here another telegram, but I am not able to state the name of the college. It comes from Tallahassee, Fla. The sender refers to "the students and faculty of this campus." There are telegrams from Dartmouth, Cornell, Columbia, and Radcliffe, together with a telegram from 50 Howard draftees, that is to say, from Howard University.

Mr. DANAHER. Mr. President, I wish to have stated an amendment I propose to offer, in order that it may appear in the RECORD and be printed and lie on the



table. I send it forward and ask that it be read.

The **PRESIDING OFFICER**. The clerk will read the proposed amendment.

The **LEGISLATIVE CLERK**. It is proposed to strike out the period on line 19, page 7, and insert a semicolon and the following new language:

*Provided*, That nothing in this act shall be construed to confer upon the President or any such department, agency, or officer the power or the authority to establish control of censorship in any manner not now provided by law, over the use of the radio, the press, or other instrumentality engaged in the publication or the dissemination of news, opinion, or information; and no rule or regulation shall be promulgated or fixed which shall abridge or interfere with the freedom of speech or of the press.

The **PRESIDING OFFICER** (Mr. **BANKHEAD** in the chair). The amendment will be received, printed, and lie on the table.

#### EXECUTIVE SESSION

Mr. **BARKLEY**. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

#### EXECUTIVE MESSAGES REFERRED

The **PRESIDING OFFICER** (Mr. **BANKHEAD** in the chair) laid before the Senate messages from the President of the United States submitting several nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

#### EXECUTIVE REPORTS OF COMMITTEES

The following favorable committee reports of nominations were submitted:

By Mr. **GEORGE**, from the Committee on Foreign Relations:

Sundry persons for appointment as Foreign Service officers, unclassified, vice consuls of career, and secretaries in the Diplomatic Service

By Mr. **BARKLEY**, from the Committee on Foreign Relations:

Wesley Frost, of Kentucky, now a Foreign Service officer of class 1 and lately counselor of Embassy at Santiago, Chile, to be Envoy Extraordinary and Minister Plenipotentiary to Paraguay.

By Mr. **GUFFEY**, from the Committee on Foreign Relations:

Pierre de L. Beal, of Pennsylvania, now a Foreign Service officer of class 1 and counselor of Embassy at Mexico, Mexico, to be Envoy Extraordinary and Minister Plenipotentiary to Nicaragua.

By Mr. **McKELLAR**, from the Committee on Post Offices and Post Roads:

Several postmasters.

The **PRESIDING OFFICER**. If there be no further reports of committees, the clerk will state the nominations on the calendar.

#### COAST GUARD

The legislative clerk proceeded to read sundry nominations in the Coast Guard.

Mr. **BARKLEY**. I ask that the nominations in the Coast Guard be confirmed en bloc.

The **PRESIDING OFFICER**. Without objection, the nominations in the Coast Guard are confirmed en bloc.

#### POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. **BARKLEY**. I ask that the nominations of postmasters be confirmed en bloc.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

That concludes the calendar.

#### RECESS

Mr. **BARKLEY**. As in legislative session, I move that the Senate take a recess until 11 o'clock a. m. tomorrow.

The motion was agreed to; and (at 5 o'clock and 23 minutes p. m.) the Senate took a recess until tomorrow, Thursday, March 6, 1941, at 11 o'clock a. m.

#### NOMINATIONS

Executive nominations received by the Senate March 5 (legislative day of February 13), 1941:

##### FEDERAL COMMUNICATIONS COMMISSION

Ray C. Wakefield, of California, to be a member of the Federal Communications Commission for the unexpired term of 7 years from July 1 1940.

##### CONSUL GENERAL

Cecil M. P. Cross, of Rhode Island, now a Foreign Service officer of class 2 and a secretary in the Diplomatic Service, to be also a consul general of the United States of America.

##### COLLECTOR OF INTERNAL REVENUE

William H. Burke, of Little River, Kans., to be collector of internal revenue for the district of Kansas, to fill an existing vacancy.

#### CONFIRMATIONS

Executive nominations confirmed by the Senate March 5 (legislative day of February 13), 1941:

##### COAST GUARD OF THE UNITED STATES

Ludvig V. T. Sleck to be a chief machinist.  
Joseph L. Temple to be a chief carpenter.  
Joseph H. Chagnot to be a chief carpenter.

##### POSTMASTERS

##### DELAWARE

John T. Webb, Delaware City.

##### FLORIDA

Joe Hinely, Live Oak.

##### SOUTH CAROLINA

Harvey L. Burnette, Cheraw.

##### VIRGINIA

Nehemiah J. B. Etheridge, Princess Anne.  
James Monroe Roberson, Wise.

##### WASHINGTON

Ester A. Bergquist, Clinton.

## HOUSE OF REPRESENTATIVES

WEDNESDAY, MARCH 5, 1941

The House met at 12 o'clock noon and was called to order by the Speaker pro tempore, Mr. **McCORMACK**.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

We pause, blessed Lord, at the altar of our fathers, whose Rock is our salvation. We pray that we may be prompted by Thy spirit to speak, to work, and to aspire to the better and the higher life. Give us words of wisdom that we may declare them, deeds to perform that we may obey them, and call us to the paths in which

are exercised the riches of the soul beyond the unseen and the unrealized. Enable us to do that which Thou dost bid, follow where Thou dost lead, allowing them not to be defeated by neglect nor indifference. Oh, remind us of the strange, subtle influence of example which distills from our daily conduct. Unlike speech which can be heard gifts which can be estimated, it casts an in-corruptible treasure or strikes the note of lamentation. Heavenly Father, let us guard with jealous care this supreme force in society aiming at the sincerest, deepest, purest personal life, diffusing the abiding power of true, consecrated character. In our moods let us remember that some act may prove fatal; what a note mingled with alarm and tenderness cometh from Thy word: "Make straight paths for your feet, lest that which is lame be turned out of the way, but let it rather be healed." In our Saviour's name. Amen.

The Journal of the proceedings of yesterday was read and approved.

#### ELECTION TO A COMMITTEE

Mr. **MARTIN** of Massachusetts. Mr. Speaker, I offer the following resolution, which I send to the desk.

The Clerk read as follows:

##### House Resolution 128

*Resolved*, That **WILLIAM G. STRATTON**, of Illinois, be, and he is hereby, elected to the District of Columbia Committee of the House of Representatives.

The **SPEAKER** pro tempore. The question is on agreeing to the resolution.

The resolution was agreed to.

#### PERMISSION TO SIT DURING SESSIONS OF THE HOUSE

Mr. **LANHAM**. Mr. Speaker, I ask unanimous consent that the Committee on Public Buildings and Grounds may meet tomorrow during the session of the House.

The **SPEAKER** pro tempore. Is there objection?

There was no objection.

#### TECHNICAL STAFF, BUREAU OF INTERNAL REVENUE

Mr. **KEEFE**. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and extend my remarks in the **RECORD**.

The **SPEAKER** pro tempore. Is there objection?

There was no objection.

[Mr. **KEEFE** addressed the House. His remarks appear in the Appendix of the **RECORD**.]

#### EXTENSION OF REMARKS

Mr. **PITTFINGER**. Mr. Speaker, I ask unanimous consent to extend my remarks in the **RECORD** in connection with the St. Lawrence seaway project and include a newspaper item and a resolution adopted by the Duluth Chamber of Commerce.

The **SPEAKER** pro tempore. Is there objection?

There was no objection.

#### CANADA'S CONTRIBUTION

Mr. **WADSWORTH**. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and extend my remarks in the **RECORD** and include an article by Blair Moody.



The SPEAKER pro tempore. Is there objection?

There was no objection.

[Mr. WADSWORTH addressed the House. His remarks appear in the Appendix of the RECORD.]

JOHN O. SNYDER

Mr. KEOGH. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. KEOGH. Mr. Speaker and Members of the House, I have sought this time to pay a sincere and genuine tribute to a faithful and capable employee of the House, who is my neighbor and friend, and who today enters upon the forty-first year of service at the Capitol. His cooperative assistance has been available to all Members, but I consider that I have been particularly fortunate in having the sound advice and judgment that come from such a long experience. I am indebted to him, and, Mr. Speaker, I am certain that the entire membership joins me in wishing many more years of health and service to a distinguished citizen of New York—John O. Snyder.

#### EXTENSION OF REMARKS

Mr. STRATTON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include an editorial and letter from a constituent of mine.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. TRAYNOR. Mr. Speaker, I ask unanimous consent to extend my remarks and include a letter from the Kiwanis Club of Dover, Del.

The SPEAKER pro tempore. Is there objection?

There was no objection.

#### POLITICS IN NATIONAL DEFENSE

Mr. JENKINS of Ohio. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and extend my remarks in the RECORD.

The SPEAKER pro tempore. Is there objection?

There was no objection.

[Mr. JENKINS of Ohio addressed the House. His remarks appear in the Appendix of the RECORD.]

#### THE AMERICAN CENTURY

Mr. MARTIN J. KENNEDY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute on the subject The American Century.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. MARTIN J. KENNEDY. Mr. Speaker, last week I introduced a resolution which is known as House Resolution 117. At that time I stated that the resolution was prompted by an editorial written by the editor of the magazine Life, Mr. Luce. Since then the article has been reproduced in the leading newspapers of the country. This article by Mr. Luce has been received favorably because, in my opinion, it is one of the most constructive contributions of the year toward the

preservation and propagation of democracy throughout the world.

I ask the unanimous consent of the House to include at this point the article as written by Mr. Luce.

The SPEAKER. Without objection, the unanimous-consent request is granted.

There was no objection.

The article by Mr. Luce follows:

We Americans are unhappy. We are not happy about America. We are not happy about ourselves in relation to America. We are nervous—or gloomy—or apathetic.

As we look out at the rest of the world we are confused; we don't know what to do. "Aid to Britain short of war" is typical of halfway hopes and halfway measures.

As we look toward the future—our own future and the future of other nations—we are filled with foreboding. The future doesn't seem to hold anything for us except conflict, disruption, war.

There is a striking contrast between our state of mind and that of the British people. On September 3, 1939, the first day of the war in England, Winston Churchill had this to say: "Outside the storms of war may blow and the land may be lashed with the fury of its gales, but in our hearts this Sunday morning there is peace."

Since Mr. Churchill spoke these words the German Luftwaffe has made havoc of British cities, driven the population underground, frightened children from their sleep, and imposed upon everyone a nervous strain as great as any that people have ever endured. Readers of Life have seen this havoc unfolded week by week.

Yet observers agree that when Mr. Churchill spoke of peace in the hearts of the British people he was not indulging in idle oratory. The British are calm in their spirit not because they have nothing to worry about but because they are fighting for their lives. They have made that decision. And they have no further choice. All their mistakes of the past 20 years, all the stupidities and failures that they have shared with the rest of the democratic world, are now of the past. They can forget them because they are faced with a supreme task—defending, yard by yard, their island home.

With us it is different. We do not have to face any attack tomorrow or the next day. Yet we are faced with something almost as difficult. We are faced with great decisions.

We know how lucky we are compared to all the rest of mankind. At least two-thirds of us are just plain rich compared to all the rest of the human family—rich in food, rich in clothes, rich in entertainment and amusement, rich in leisure, rich.

And yet we also know that the sickness of the world is also our sickness. We, too, have miserably failed to solve the problems of our epoch. And nowhere in the world have man's failures been so little excusable as in the United States of America. Nowhere has the contrast been so great between the reasonable hopes of our age and the actual facts of failure and frustration.

But, even beyond this necessity for living with our own misdeeds, there is another reason why there is no peace in our hearts. It is that we have not been honest with ourselves.

In this whole matter of war and peace especially we have been at various times and in various ways false to ourselves, false to each other, false to the facts of history, and false to the future.

In this self-deceit our political leaders of all shades of opinion are deeply implicated. Yet we cannot shove the blame off on them. If our leaders have deceived us, it is mainly because we ourselves have insisted on being deceived. Their deceitfulness has resulted

from our own moral and intellectual confusion. In this confusion our educators and churchmen and scientists are deeply implicated.

Journalists, too, of course, are implicated. But if Americans are confused it is not for lack of accurate and pertinent information. The American people are by far the best informed people in the history of the world.

The trouble is not with the facts. The trouble is that clear and honest inferences have not been drawn from the facts. The day-to-day present is clear. The issues of tomorrow are befogged.

There is one fundamental issue which faces America as it faces no other nation. It is deeper even than the immediate issue of war. If America meets it correctly, then, despite hosts of dangers and difficulties, we can look forward and move forward to a future worthy of men with peace in our hearts.

If we dodge the issue, we shall flounder for 10 or 20 or 30 bitter years in a chartless and meaningless series of disasters.

The purpose of this article is to state that issue and its solution as candidly and as completely as possible. But first of all let us be completely candid about where we are and how we got there.

#### AMERICA IS IN THE WAR—BUT ARE WE IN IT?

Where are we? We are in the war. All this talk about whether this or that might or might not get us into the war is wasted effort. We are, for a fact, in the war.

If there's one place we Americans did not want to be, it was in the war. We didn't want to be in any kind of war, but if there was one kind of war we most of all didn't want to be in, it was a European war. Yet we're in a war, as vicious and bad a war as ever struck this planet, and, along with being world-wide, it is a European war.

Of course, we are not technically at war, we are not painfully at war, and we may never have to experience the full hell that war can be. Nevertheless, the simple statement stands—we are in the war. The irony is that Hitler knows it—and most Americans don't. It may or may not be an advantage to continue diplomatic relations with Germany. But the fact that a German embassy still flourishes in Washington beautifully illustrates the whole mass of deceptions and self-deceptions in which we have been living.

Perhaps the best way to show ourselves that we are in the war is to consider how we can get out of it. Practically, there's only one way to get out of it and that is by a German victory over England. If England should surrender soon, Germany and America would not start fighting the next day. So we would be out of the war. For a while. Except that Japan might then attack in the South Seas and the Philippines. We could abandon the Philippines, abandon Australia and New Zealand, withdraw to Hawaii. And wait. We would be out of the war.

We say we don't want to be in the war. We also say we want England to win. We want Hitler stopped—more than we want to stay out of the war. So, at the moment, we're in.

#### WE GOT IN VIA DEFENSE—BUT WHAT ARE WE DEFENDING?

Now that we are in this war, how did we get in? We got in on the basis of defense. Even that very word, defense, has been full of deceit and self-deceit.

To the average American the plain meaning of the word defense is defense of American territory—and without much concern for the far-off Philippines. Is our national policy today limited to the defense of the American homeland by whatever means may seem wise? It is not. We are not in a war to defend American territory. We are in a war to defend and even to promote, encourage, and incite so-called democratic principles throughout the world. The average American begins to realize now that that's the



Mar. 6







# H. R. 1776

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## IN THE SENATE OF THE UNITED STATES

MARCH 6 (legislative day, FEBRUARY 13), 1941

Ordered to lie on the table and to be printed

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## AMENDMENT

Intended to be proposed by Mr. ADAMS to the bill (H. R. 1776) further to promote the defense of the United States, and for other purposes, viz: At the end of the bill add the following new section:

- 1        SEC. 10. Nothing contained in this Act shall authorize
- 2 the employment of the land or naval forces of the United
- 3 States at any place beyond the limits of the United States
- 4 and the Territories and possessions of the United States,
- 5 including the Philippine Islands and places subject to the
- 6 jurisdiction of the United States.



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## AMENDMENT

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Intended to be proposed by Mr. ADAMS to the bill (H. R. 1776) further to promote the defense of the United States, and for other purposes.

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MARCH 6 (legislative day, FEBRUARY 13), 1941

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# H. R. 1776



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IN THE SENATE OF THE UNITED STATES

MARCH 6 (legislative day, FEBRUARY 13), 1941

Modified and ordered to be printed

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## AMENDMENT

Proposed by Mr. O'MAHONEY as a substitute for the amendment of Mr. ELLENDER to the bill (H. R. 1776) further to promote the defense of the United States, and for other purposes, viz:

1        SEC. 10. Without the consent of the Congress, no de-  
2 fense article which may be disposed of under section 3 of  
3 this Act shall hereafter be delivered by the land, naval, or  
4 air forces of the United States, and no part of such forces  
5 shall be used in connection with any delivery of such defense  
6 articles, to any foreign government unless such delivery takes  
7 place outside of any combat area defined as such in any  
8 proclamation of the President issued pursuant to section 3  
9 of the Neutrality Act of 1939.



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## AMENDMENT

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Proposed by Mr. O'MAHONEY as a substitute for the amendment of Mr. FLENDER to the bill (H. R. 1776) further to promote the defense of the United States, and for other purposes.

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MARCH 6 (legislative day, FEBRUARY 13), 1941

Modified and ordered to be printed



77TH CONGRESS  
1ST SESSION

# H. R. 1776

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## IN THE SENATE OF THE UNITED STATES

MARCH 6 (legislative day, FEBRUARY 13), 1941

Ordered to lie on the table and to be printed

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## AMENDMENT

Intended to be proposed by Mr. JOHNSON of California to the bill (H. R. 1776) further to promote the defense of the United States, and for other purposes, viz: At the end of the bill add the following new section:

1        SEC.    . Hereafter, except in time of war, persons in  
2 the land forces of the United States shall not be employed  
3 beyond the limits of the Western Hemisphere except in the  
4 Territories and possessions of the United States, including  
5 the Philippine Islands, and naval vessels of the United States,  
6 military and naval aircraft of the United States, and persons  
7 in the naval forces of the United States, shall not be per-  
8 mitted to enter or travel through or over any area defined  
9 as a combat area by a proclamation issued by the President



1 pursuant to section 3 of the Neutrality Act of 1939; but  
2 nothing in this section shall be construed to prohibit any  
3 person in the land or naval forces from acting as an attaché  
4 in the foreign service of the United States or as an observer  
5 or in a similar noncombatant capacity.

CONGRESS  
1ST SESSION

H. R. 1776

## AMENDMENT

Intended to be proposed by Mr. JOHNSON of California to the bill (H. R. 1776) further to promote the defense of the United States, and for other purposes.

MARCH 6 (legislative day, FEBRUARY 13), 1941

Ordered to lie on the table and to be printed



77<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 1776

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IN THE SENATE OF THE UNITED STATES

MARCH 6 (legislative day, FEBRUARY 13), 1941

Ordered to lie on the table and to be printed

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## AMENDMENT

Intended to be proposed by Mr. JOHNSON of California to the bill (H. R. 1776) further to promote the defense of the United States, and for other purposes, viz: At the end of the bill insert the following new section:

1        SEC. 10. Except in time of war, no funds heretofore or  
2 hereafter appropriated shall be available to compensate,  
3 maintain, supply, or equip (1) any officer or enlisted man  
4 of the land forces of the United States who is employed or  
5 used in any capacity, other than in the capacity of a military  
6 observer, military attaché or other similar noncombatant  
7 capacity, in any place beyond the limits of the Western  
8 Hemisphere, except in the Territories and possessions of the  
9 United States, including the Philippine Islands, or (2) any



1 officer or enlisted man of the naval forces of the United States  
2 who is employed or used in any capacity in or over any  
3 combat area defined by any currently effective proclamation  
4 of the President issued under the authority of section 3 of  
5 the Neutrality Act of 1939.

77th CONGRESS  
1ST SESSION

H. R. 1776

## AMENDMENT

Intended to be proposed by Mr. JOHNSON of California to the bill (H. R. 1776) further to promote the defense of the United States, and for other purposes.

MARCH 6 (legislative day, FEBRUARY 13), 1941

Ordered to lie on the table and to be printed



# H. R. 1776

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IN THE SENATE OF THE UNITED STATES

MARCH 6 (legislative day, FEBRUARY 13), 1941

Modified and ordered to be printed

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## AMENDMENT

Proposed by Mr. ELLENDER to the bill (H. R. 1776) further to promote the defense of the United States, and for other purposes, viz: At the end of the bill add the following new section:

- 1       SEC. 10. Nothing in this Act shall be construed to
- 2 change existing law relating to the use of the land and
- 3 naval forces of the United States, except insofar as such use
- 4 relates to the manufacture, procurement, and repair of
- 5 defense articles, the communication of information and other
- 6 noncombatant purposes enumerated in this Act.



77TH CONGRESS  
1ST SESSION

# H. R. 1776

## AMENDMENT

Proposed by Mr. ELLENDER to the bill (H. R. 1776) further to promote the defense of the United States, and for other purposes.

MARCH 6 (legislative day, FEBRUARY 13), 1941

Modified and ordered to be printed



# H. R. 1776

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## IN THE SENATE OF THE UNITED STATES

MARCH 6 (legislative day, FEBRUARY 13), 1941

Ordered to lie on the table and to be printed

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## AMENDMENT

Proposed by Mr. CLARK of Missouri to the amendment of Mr. O'MAHONEY to the amendment of Mr. ELLENDER to the bill (H. R. 1776) further to promote the defense of the United States, and for other purposes, viz: At the end of the substitute add the following:

1       No part of the money appropriated or authorized to be  
2 appropriated in this or any other Act and none of the defense  
3 goods or commodities authorized to be transferred in this or  
4 any other Act shall be, unless the Congress of the United  
5 States has declared a state of war exists, used for the em-  
6 ployment or use of persons in the land or naval forces of the  
7 United States at any place beyond the limits of the Western  
8 Hemisphere, except in the Territories and possessions of the  
9 United States, including the Philippine Islands and any place  
10 which by treaty rights we are entitled to maintain armed  
11 forces.



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## AMENDMENT

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Proposed by Mr. Clark of Missouri to the amendment of Mr. O'Mahoney to the amendment of Mr. Ellender to the bill (H. R. 1776) further to promote the defense of the United States, and for other purposes.

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MARCH 6 (legislative day, FEBRUARY 13), 1941

Ordered to lie on the table and to be printed



# H. R. 1776

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IN THE SENATE OF THE UNITED STATES

MARCH 6 (legislative day, FEBRUARY 13), 1941

Ordered to lie on the table and to be printed

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## AMENDMENT

Intended to be proposed by Mr. CLARK of Missouri to the bill  
(H. R. 1776) further to promote the defense of the United  
States, and for other purposes, viz:

- 1 On page 2, lines 13 and 14, strike out the words:
- 2 “notwithstanding the provisions of any other law.”



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## AMENDMENT

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Intended to be proposed by Mr. Clark of Missouri to the bill (H. R. 1776) further to promote the defense of the United States, and for other purposes.

---

MARCH 6 (legislative day, FEBRUARY 13), 1941

Ordered to lie on the table and to be printed



# H. R. 1776

---

IN THE SENATE OF THE UNITED STATES

MARCH 6 (legislative day, FEBRUARY 13), 1941

Ordered to lie on the table and to be printed

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## AMENDMENT

Intended to be proposed by Mr. CLARK of Missouri to the bill  
(H. R. 1776) further to promote the defense of the United  
States and for other purposes, viz:

- 1       On page 3, line 1, after the word "transfer" insert the
- 2 word "title".



## AMENDMENT

Intended to be proposed by Mr. Clark of Missouri to the bill (H. R. 1776) further to promote the defense of the United States, and for other purposes.

MARCH 6 (legislative day, February 13), 1941

Ordered to lie on the table and to be printed



# H. R. 1776

---

IN THE SENATE OF THE UNITED STATES

MARCH 6 (legislative day, FEBRUARY 13), 1941

Ordered to lie on the table and to be printed

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## AMENDMENT

Intended to be proposed by Mr. CLARK of Missouri to the bill  
(H. R. 1776) further to promote the defense of the United  
States and for other purposes, viz:

- 1 On page 2, line 15, after the word "law," insert the
- 2 words "heretofore enacted".



77TH CONGRESS  
1ST SESSION

# H. R. 1776

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## AMENDMENT

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Intended to be proposed by Mr. Clark of Missouri to the bill (H. R. 1776) further to promote the defense of the United States, and for other purposes.

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MARCH 6 (legislative day, FEBRUARY 13), 1941

Ordered to lie on the table and to be printed



# H. R. 1776

---

IN THE SENATE OF THE UNITED STATES

MARCH 6 (legislative day, FEBRUARY 13), 1941

Ordered to lie on the table and to be printed

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## AMENDMENT

Intended to be proposed by Mr. CLARK of Missouri to the bill (H. R. 1776) further to promote the defense of the United States, and for other purposes, viz: At the end of the substitute add the following:

1       No part of the money appropriated or authorized to be  
2 appropriated in this or any other Act and none of the defense  
3 goods or commodities authorized to be transferred in this  
4 or any other Act shall be, unless the Congress of the United  
5 States has declared a state of war exists, used for the employ-  
6 ment or use of persons in the land or naval forces of the  
7 United States at any place beyond the limits of the Western  
8 Hemisphere, except in the Territories and possessions of the  
9 United States, including the Philippine Islands and any place  
10 which by treaty rights we are entitled to maintain armed  
11 forces.



1ST SEN

77TH CONGRESS  
1ST SESSION

H. R. 1776

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## AMENDMENT

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Intended to be proposed by Mr. Clark of Missouri to the bill (H. R. 1776) further to promote the defense of the United States, and for other purposes.

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MARCH 6 (legislative day, FEBRUARY 13), 1941

Ordered to lie on the table and to be printed



77<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 1776

[Report No. 45]

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## IN THE SENATE OF THE UNITED STATES

FEBRUARY 10, 1941

Read twice and referred to the Committee on Foreign Relations

FEBRUARY 13, 1941

Reported by Mr. GEORGE, with amendments

[Omit the part struck through and insert the part printed in italic]

MARCH 6 (legislative day, FEBRUARY 13), 1941

Ordered to be printed showing amendments agreed to

[Amendments agreed to are shown in brackets and line type, and new matter agreed to in boldface type]

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## AN ACT

Further to promote the defense of the United States, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*  
3       That this Act may be cited as "An Act to Promote the  
4       Defense of the United States".

5       SEC. 2. As used in this Act—

6       (a) The term "defense article" means—

7               (1) Any weapon, munition, aircraft, vessel, or  
8       boat;

9               (2) Any machinery, facility, tool, material, or



1 supply necessary for the manufacture, production, proc-  
 2 essing, repair, servicing, or operation of any article  
 3 described in this subsection;

4 (3) Any component material or part of or equip-  
 5 ment for any article described in this subsection;

6 (4) Any other commodity or article for defense.  
 7 Such term "defense article" includes any article described  
 8 in this subsection: Manufactured or procured pursuant to  
 9 section 3, or to which the United States or any foreign  
 10 government has or hereafter acquires title, possession, or  
 11 control.

12 (b) The term "defense information" means any plan,  
 13 specification, design, prototype, or information pertaining to  
 14 any defense article.

15 SEC. 3. (a) Notwithstanding the provisions of any  
 16 other law, the President may, from time to time, when he  
 17 deems it in the interest of national defense, [~~to the extent~~  
 18 ~~to which funds are made available or contracts are from~~  
 19 ~~time to time authorized by Congress,~~] authorize the Secre-  
 20 tary of War, the Secretary of the Navy, or the head  
 21 of any other department or agency of the Government—

22 (1) To manufacture in arsenals, factories, and ship-  
 23 yards under their jurisdiction, or otherwise procure, **to**  
 24 **the extent to which funds are made available therefor,**  
 25 **or contracts are authorized from time to time by**



1     **the Congress, or both**, any defense article for the gov-  
2     ernment of any country whose defense the President  
3     deems vital to the defense of the United States.

4           (2) To sell, transfer, exchange, lease, lend, or other-  
5     wise dispose of, to any such government any defense  
6     article, but no defense article not manufactured or pro-  
7     cured under paragraph (1) shall in any way be dis-  
8     posed of under this paragraph, except after consultation  
9     with the Chief of Staff of the Army or the Chief of Naval  
10    Operations of the Navy, or both. The value of defense  
11    articles disposed of in any way under authority of this  
12    paragraph, and procured from funds heretofore appro-  
13    priated, shall not exceed \$1,300,000,000. **The value**  
14    **of such defense articles shall be determined by the**  
15    **head of the department or agency concerned or such**  
16    **other department, agency or officer as shall be desig-**  
17    **nated in the manner provided in the rules and regula-**  
18    **tions issued hereunder. Defense articles procured**  
19    **from funds hereafter appropriated to any department**  
20    **or agency of the Government, other than from funds**  
21    **authorized to be appropriated under this Act, shall**  
22    **not be disposed of in any way under authority of**  
23    **this paragraph except to the extent hereafter author-**  
24    **ized by the Congress in the acts appropriating such**  
25    **funds or otherwise.**



1           (3) To test, inspect, prove, repair, outfit, recondi-  
2       tion, or otherwise to place in good working order **to the**  
3       **extent to which funds are made available therefor,**  
4       **or contracts are authorized from time to time by the**  
5       **Congress, or both** any defense article for any such  
6       government.

7           (4) To communicate to any such government any  
8       defense information, pertaining to any defense article  
9       furnished to such government under paragraph (2) of  
10      this subsection.

11          (5) To release for export any defense article **dis-**  
12       **posed of in any way under this subsection** to any  
13       such government.

14          (b) The terms and conditions upon which any such  
15       foreign government receives any aid authorized under sub-  
16       section (a) shall be those which the President deems  
17       satisfactory, and the benefit to the United States may be  
18       payment or repayment in kind or property, or any other  
19       direct or indirect benefit which the President deems  
20       satisfactory.

21          ~~[(c) Neither the President nor the head of any depart-~~  
22       ~~ment or agency shall, after June 30, 1943, exercise any~~  
23       ~~of the powers conferred by or pursuant to subsection (a),~~  
24       ~~nor shall such powers be exercised if terminated by a con-~~  
25       ~~current resolution by both Houses of the Congress, except~~



1 that until July 1, 1946, such powers may be exercised to  
2 the extent necessary to carry out a contract or agreement  
3 with such a government made before July 1, 1943.]

4 [(c) After June 30, 1943, or after the passage of a con-  
5 current resolution by the two Houses before June 30, 1943,  
6 which declares that the powers conferred by or pursuant to  
7 subsection (a) are no longer necessary to promote the defense  
8 of the United States, neither the President nor the head of any  
9 department or agency shall exercise any of the powers con-  
10 ferred by or pursuant to subsection (a); except that until  
11 July 1, 1946, any of such powers may be exercised to the  
12 extent necessary to carry out a contract or agreement with  
13 such a foreign government made before July 1, 1943, or  
14 before the passage of such concurrent resolution, whichever is  
15 the earlier.]

16 (d) Nothing in this Act shall be construed to author-  
17 ize or to permit the authorization of convoying vessels by  
18 naval vessels of the United States.

19 (e) Nothing in this Act shall be construed to authorize  
20 or to permit the authorization of the entry of any American  
21 vessel into a combat area in violation of section 3 of the  
22 Neutrality Act of 1939.

23 SEC. 4. All contracts or agreements made for the dis-  
24 position of any defense article or defense information pur-  
25 suant to section 3 shall contain a clause by which the foreign



1 government undertakes that it will not, without the consent  
2 of the President, transfer title to or possession of such defense  
3 article or defense information by gift, sale, or otherwise,  
4 or permit its use by anyone not an officer, employee, or  
5 agent of such foreign government.

6 SEC. 5. (a) The Secretary of War, the Secretary of the  
7 Navy, or the head of any other department or agency of  
8 the Government involved shall, when any such defense arti-  
9 cle or defense information is exported, immediately inform  
10 the department or agency designated by the President to  
11 administer section 6 of the Act of July 2, 1940 (54 Stat.  
12 714), of the quantities, character, value, terms of disposi-  
13 tion, and destination of the article and information so  
14 exported.

15 (b) The President from time to time, but not less fre-  
16 quently than once every ninety days, shall transmit to the  
17 Congress a report of operations under this Act except such  
18 information as he deems incompatible with the public interest  
19 to disclose. Reports provided for under this subsection shall  
20 be transmitted to the Secretary of the Senate or the Clerk  
21 of the House of Representatives, as the case may be, if the  
22 Senate or the House of Representatives, as the case may be,  
23 is not in session.

24 SEC. 6. (a) There is hereby authorized to be appro-  
25 priated from time to time, out of any money in the Treasury



1 not otherwise appropriated, such amounts as may be neces-  
2 sary to carry out the provisions and accomplish the purposes  
3 of this Act.

4 (b) All money and all property which is converted  
5 into money received under section 3 from any government  
6 shall, with the approval of the Director of the Budget,  
7 revert to the respective appropriation or appropriations out  
8 of which funds were expended with respect to the defense  
9 article or defense information for which such consideration  
10 is received, and shall be available for expenditure for the  
11 purpose for which such expended funds were appropriated  
12 by law, during the fiscal year in which such funds are  
13 received and the ensuing fiscal year【: *but in no event shall*  
14 *any funds so received be available for expenditure after June*  
15 *30, 1946*】.

16 SEC. 7. The Secretary of War, the Secretary of the  
17 Navy, and the head of the department or agency shall in all  
18 contracts or agreements for the disposition of any defense  
19 article or defense information fully protect the rights of all  
20 citizens of the United States who have patent rights in and  
21 to any such article or information which is hereby authorized  
22 to be disposed of and the payments collected for royalties on  
23 such patents shall be paid to the owners and holders of such  
24 patents.

25 SEC. 8. The Secretaries of War and of the Navy are



1 hereby authorized to purchase or otherwise acquire arms,  
2 ammunition, and implements of war produced within the  
3 jurisdiction of any country to which section 3 is applicable,  
4 whenever the President deems such purchase or acquisition  
5 to be necessary in the interests of the defense of the United  
6 States.

7       SEC. 9. The President may, from time to time, promul-  
8 gate such rules and regulations as may be necessary and  
9 proper to carry out any of the provisions of this Act; and he  
10 may exercise any power or authority conferred on him by  
11 this Act through such department, agency, or officer as he  
12 shall direct.

13       **Sec. 10. If any provision of this Act or the application**  
14 **of such provision to any circumstance shall be held**  
15 **invalid, the validity of the remainder of the Act and the**  
16 **applicability of such provision to other circumstances**  
17 **shall not be affected thereby.**

Passed the House of Representatives February 8, 1941.

Attest:

SOUTH TRIMBLE,

*Clerk.*

By H. NEWLIN MEGILL.







77<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

H. R. 1776

[Report No. 45]

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## AN ACT

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Further to promote the defense of the United States, and for other purposes.

---

FEBRUARY 10, 1941

Read twice and referred to the Committee on Foreign Relations

FEBRUARY 13, 1941

Reported with amendments

MARCH 6 (legislative day, FEBRUARY 13), 1941

Ordered to be printed showing amendments agreed to



the legal representative of the estate of Robert Lee Wright; with amendments (Rept. No. 95).

By Mr. BREWSTER, from the Committee on Claims:

S. 897. A bill for the relief of C. F. Allen and Bernard Paulsen, State Department disbursing officers; with amendments (Rept. No. 88).

By Mr. BROWN, from the Committee on Claims:

S. 590. A bill conferring jurisdiction upon the District Court of the United States for the Southern District of Florida to hear, determine, and render judgment upon the claims of all persons who have claims for damages or losses allegedly resulting from the construction, further development, and improvement of the Intracoastal Waterway, Miami to Jacksonville, Fla., and for other purposes; without amendment (Rept. No. 89).

By Mr. BROOKS, from the Committee on Claims:

S. 829. A bill for the relief of Mr. and Mrs. T. Earl Rodgers; with an amendment (Rept. No. 90).

By Mr. ELLENDER, from the Committee on Claims:

S. 192. A bill for the relief of the Johnson Flying Service, Inc.; with amendments (Rept. No. 91);

S. 885. A bill for the relief of certain claimants who suffered loss by flood in, at, or near Bean Lake in Platte County, in the State of Missouri, during the month of March 1934; without amendment (Rept. No. 92); and

S. 957. A bill for the relief of Glen E. Robinson, doing business as the Robinson Marine Construction Co.; with an amendment (Rept. No. 93).

By Mr. HUGHES, from the Committee on Claims:

S. 933. A bill for the relief of John McAlister, Inc.; without amendment (Rept. No. 94).

#### CLAIM OF PAN AMERICAN PETROLEUM & TRANSPORT CO.—REFERENCE TO THE COURT OF CLAIMS

Mr. ELLENDER, from the Committee on Claims, reported a resolution (S. Res. 84), which was ordered to be placed on the calendar, as follows:

"Resolved, That the bill entitled 'S. 905, for the relief of the Pan American Petroleum & Transport Co.,' now pending in the Senate, together with all the accompanying papers, be, and the same is hereby, referred to the Court of Claims, in pursuance of the provisions of an act entitled 'An act to codify, revise, and amend the laws relating to the judiciary,' approved March 3, 1911; and the said court shall proceed with the same in accordance with the provisions of such act and report to the Senate in accordance therewith."

#### BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mrs. CARAWAY:

S. 1041. A bill to provide for better rural homes and farm structures through further endowment of cooperative agricultural extension work, agricultural research, and resident instruction in the land-grant colleges; to the Committee on Agriculture and Forestry.

S. 1042. A bill granting a pension to William E. Green; to the Committee on Pensions.

By Mr. BUTLER:

S. 1043. A bill directing the Court of Claims to reopen a certain case and to correct the errors therein, if any, by an additional judgment against the United States; to the Committee on the Judiciary.

By Mr. STEWART:

S. 1044. A bill for the relief of L. H. Goodman; to the Committee on Claims.

By Mr. HARRISON:

S. 1045. A bill to increase the earnings of the United States Government Life Insurance Fund and the National Service Life Insurance Fund by expediting the investment of the moneys thereof, and for other purposes; to the Committee on Finance.

By Mr. SMATHERS:

S. 1046. A bill for the relief of Yeomans-Drews Corporation; to the Committee on Claims.

By Mr. SHEPPARD:

S. 1047. A bill to authorize officers and enlisted men of the Army of the United States to accept such medals, orders, and decorations as have been tendered them by foreign governments; to the Committee on Military Affairs.

#### PROMOTION OF NATIONAL DEFENSE—AMENDMENTS

Mr. ADAMS submitted an amendment; Mr. JOHNSON of California, two amendments; and Mr. CLARK of Missouri, several amendments, intended to be proposed by them, respectively, to House bill 1776, the lease-lend bill, which were severally ordered to lie on the table and to be printed.

#### MAILED PROPAGANDA

Mr. WILEY. Mr. President, I have in my hand a very fine editorial published in the Washington Evening Star entitled "Mailed Propaganda." I wish to say that Postmaster General Walker and Attorney General Jackson have done a good job up to date in relation to propaganda, stopping it on foreign soil, so to speak. The editorial calls to the attention of the country very graphically the situation as it is. I have a bill pending before the Committee on Post Offices and Post Roads. I ask the chairman of the committee to have consideration given to it, and I request that this particular editorial be printed in the RECORD at the conclusion of my remarks.

The VICE PRESIDENT. Without objection, it is so ordered.

The editorial is as follows:

[From the Washington Evening Star of March 5, 1941]

#### MAILED PROPAGANDA

Russia's protest, through her Ambassador here, against the seizure by the Post Office Department of "tons" of what Postmaster General Frank Walker has described as "foreign propaganda" was not unexpected, in view of the fact that Soviet publicists were among the first to discover the advantages that lie in letting the prospective recipients of alien propaganda pay the delivery bill. Americans have been paying all the costs of distributing by mail huge quantities of un-American Communistic, Fascist, and Nazi literature because of the one-sided operation of a provision of the International Postal Convention. Under this convention, the United States has agreed to deliver in this country, free of charge, all matter on which postage has been paid in the foreign country of origin. The foreign signatories of the convention have agreed to reciprocate. That arrangement works satisfactorily for routine mail. But in recent years the official or quasi-official propaganda machines in Russia, Germany, Italy, and Japan, to mention the chief offenders, have taken unfair advantage of the plan. Whereas the United States has not seen fit to direct a propaganda barrage against any foreign government, the nations referred to, according to the Dies Committee, have required the United States Post Office Department to deliver, at the expense of American taxpayers, many thousands of pounds of printed material of totali-

tarian nature. This material, the committee asserts, is designed to stir up religious, racial, and class hatreds, to arouse opposition to national-defense measures, to extol totalitarian ways of life, to justify totalitarian conquests, to engender animosity toward democratic nations and peoples, and, in general, to "create national disunity."

The Dies committee has proposed that this influx of mailed propaganda be shut off by drastic legislation excluding from the benefits of International Postal Convention reciprocity all postal matter "that is directed against the United States" and otherwise restricting use of the mails in the distribution of foreign literature. Postmaster General Walker meanwhile has found a temporary means of blocking the postal blitzkrieg. With the backing of Attorney General Robert Jackson, Mr. Walker last December ruled that propaganda sent to this country by foreign agents abroad who have not registered with the State Department is "unmailable." Since the issuance of this ruling, postal authorities have confiscated more than 15 tons of mail shipped here from Russia, Germany, Italy, and Japan. Most of the mail arrived at Pacific ports. It was these seizures that prompted the Russian Ambassador's protest to the State Department.

If the Ambassador's representations to the Secretary of State serve to bring this whole matter to a head, that is all to the good, for the situation is one about which American citizens have just as much right to be disturbed as the Russians. Mr. Walker agrees with the Dies committee that Congress should take legislative action, but he prefers regulation and exposure of mailed propaganda to the committee's censorship-like proposals. Some congressional action must be taken quickly, or foreign agents will circumvent the present postal ruling by the simple expedient of registering their names with the State Department.

#### ADDRESS BY SENATOR REYNOLDS ON LEASE-LEND BILL

[Mr. REYNOLDS asked and obtained leave to have printed in the RECORD an address delivered by him on March 4 from Washington on the lease-lend bill, which appears in the Appendix.]

#### ADDRESS BY SENATOR LUCAS ON LEASE-LEND BILL

[Mr. HERRING asked and obtained leave to have printed in the RECORD a radio address delivered by Senator Lucas on March 5, 1941, on the lease-lend bill, which appears in the Appendix.]

#### ADDRESS BY THE SOLICITOR GENERAL ON REPORT OF COMMITTEE ON ADMINISTRATIVE PROCEDURE

[Mr. CHANDLER asked and obtained leave to have printed in the RECORD an address delivered by Hon. Francis Biddle, Solicitor General of the United States, before the Cleveland Bar Association at Cleveland, Ohio, on March 4, 1941, on The Report of the Attorney General's Committee on Administrative Procedure, which appears in the Appendix.]

#### ANALYSIS OF BILL FOR PROPAGANDA EXPOSURE

[Mr. GILLETTE asked and obtained leave to have printed in the RECORD an analysis of the so-called Gillette bill for propaganda exposure, Senate bill 990, prepared by the Institute of Living Law, which appears in the Appendix.]

#### MEMORANDUM BY PROF. HERBERT WRIGHT ON RELATIONSHIP OF S. 275 TO INTERNATIONAL LAW

[Mr. JOHNSON of California asked and obtained leave to have printed in the RECORD a memorandum on the relationship of Senate



bill 275 to international law by Herbert Wright, professor of international law at the Catholic University of America, which appears in the Appendix.]

#### AMERICA'S HEART IS SOUND—ARTICLE BY BERNARD POSTAL

[Mr. BARBOUR asked and obtained leave to have printed in the RECORD an article by Bernard Postal entitled "America's Heart Is Sound," published in the February 19 issue of the Christian Century, which appears in the Appendix.]

#### ASSISTANCE FOR GREECE—EDITORIAL FROM THE NORFOLK NEWS INDEX

[Mr. REYNOLDS asked and obtained leave to have printed in the RECORD an editorial from the Norfolk News Index, of Norfolk, Va., of February 27, 1941, entitled "What Will England Do for Greece?", which appears in the Appendix.]

#### PROMOTION OF NATIONAL DEFENSE—MOTION TO RECONSIDER AMENDMENT

Mr. GILLETTE. Mr. President, I send to the desk a motion to reconsider the vote by which the committee amendment on page 4, line 3, of the pending bill was adopted yesterday. I am entering the motion in order that I may have an opportunity to make a statement at some convenient later time.

The VICE PRESIDENT. The motion will be entered.

#### PROMOTION OF NATIONAL DEFENSE

The Senate resumed the consideration of the bill (H. R. 1776) further to promote the defense of the United States, and for other purposes.

Mr. DOWNEY. Mr. President, in view of the very able and exhaustive arguments which have been made upon the pending bill it had not been my intention to present any statement or argument on the bill, as it seems to me all the arguments have been well and completely presented. But, Mr. President, I have received so many tens of thousands of letters from California demanding to know my position upon this bill, and my reasons for holding that position, that I have felt it incumbent upon myself very briefly to state my attitude toward this measure.

A few days ago I wrote to my youngest son, who is a student in Claremont High School, a brief letter stating my stand upon the measure. In order to simplify my statement, I desire to read the letter to the Senate as an expression of my position. I will say to my fellow Senators that if I am not interrupted or questioned while reading this communication or thereafter I can conclude my remarks within less than 10 minutes.

The letter is as follows:

HON. RICHARD S. DOWNEY,  
Claremont, Calif.

DEAR DICK: You have written me, as have many young people and many older ones, too, to learn how I shall vote on the lend-lease bill now before the Senate. By the time you get this letter you may have read in the RECORD the answer to your question. But you will not see there the reasons which impelled me to take that stand, and I should like to make them clear to you.

I feel a particular obligation to explore those reasons with you because I suspect that my support of the measure may appear to you somewhat inconsistent with the position I took in the neutrality debate of last year. I do not believe that in reality it is incon-

sistent, but I should not want you to accept that assertion of mine without argument or analysis.

In the first place, let me say that I am no less convinced today than I have been in the past that the United States is quite able to protect itself against any nation or combination of nations, regardless of the disposition of the British Fleet. Moreover, I am as sure now as ever that it is unwise and unhealthy for us to pin our defensive efforts to the fate or any other country, since, far from assuring us of security, it involves us in the insecurity of others.

I need scarcely recall to you that for many years I have urged the construction of a two-ocean navy to free us of any real or fancied dependence on England's battleships, and I have plead for an air force of twenty-five to fifty thousand planes in days when such a figure was dubbed fantastic by military experts.

I—and many like me—spoke for this program of hemisphere defense. But it was not undertaken. We knew that if preparations were not made in all phases of our defense problem we would enter a world crisis an easy prey to the lure of an alliance with distant powers, feeling unable to rely on our own strength.

If we had devoted but 20 percent of the manpower and factory capacity that has lain idle in this land for 10 long years of depression, we could have made this country utterly impregnable, both militarily and economically. We would not now be letting our teeth chatter at the stamp of Hitler's boots nor hysterically anticipating the fall of the United States because of the disintegration of the British Empire.

But though we have sadly neglected military preparedness, it is by no means too late. Apparently, we cannot avert defeatism, which has too strong a hold on the press and many public leaders to be broken under present conditions. Yet we can certainly avert defeat itself, whatever the outcome of the Battle for Britain, and doubt it not.

For the intrinsic advantages of our world position remain, untouched by the jitters of columnists or committees of frantic citizens. We have still our enormous population, a match in numbers, to say nothing of quality, for the combined peoples of Germany and Japan. From it we could muster an army of ten or fifteen millions, if necessary, without any serious disturbance to our economy.

What is perhaps more significant is that we can outproduce all the rest of the world combined in the materials of war or peace, or both. We are turning out two tons of steel to every one of Germany's, even now. If we desired, within 2 years we could quadruple Germany's steel production—we could excel all other nations. We have three-fifths of the world's oil-refining capacity within our borders, a major supply of petroleum reserves, and more just south of us. We have iron ore, coal, copper, aluminum, water power, timber—all in abundance.

We can feed ourselves and a good deal more. While Hitler's conquering countrymen live on the diet of a sharecropper, we destroy fruit and plow under our crops. While his Europe shivers through the winter, we pile up millions of bales of excess cotton.

Even at this late date, neglectful as we have been, we could undoubtedly find the ingenuity to carry us through a 2- or 3-year transition period after a stoppage of our tin and rubber imports. Substitute alloys for tin could be improvised. A really generous subsidy for our synthetic's factories could give us the minimum supply of rubber we need. Admittedly we wouldn't have as simple a time of it as if we had prepared for this emergency a decade or even 1 or 2 years ago. But that we could muddle through, I have no doubt.

As to our chances of standing off a military attack, they are as good as ever—which means

excellent. We are as invulnerable to troop attack as any country can be. The difficulties which the Axis Powers would encounter in transporting and landing a striking force capable of holding a bridgehead would be insuperable at this stage of naval and military science. The paucity of cargo space, the terrible exposure of an expeditionary flotilla to surface, air, and submarine raids, the simple mechanical problems of debarking a mechanized army on a hostile shore, the gross numerical inferiority of ship-carried planes to land-based aircraft, the advantage in range of coastal guns over naval batteries, the almost fantastically arduous job of supplying millions of men with all the manifold and bulky needs of a modern force three to six thousand sea miles away—these are a few of the factors which make such an assault by the Old World on the New so foolhardy today that no military leader in his right senses would consider it as leading him anywhere except to some supreme disaster.

No; I cannot believe in the bogey of a Nazi assault. I grant that conditions of warfare over the next decade or two may render us more susceptible to large-scale bombing attacks, and I believe that accordingly we should at once begin the decentralization of our vulnerable cities and the thorough renovation of our highway system—urban and rural. Planning and reconstruction take a long time; if we are to be ready for the air raids of the future, we must prepare in the present to meet them, however unfeasible they may now seem.

Yet with that one reservation I see no basic cause for concern over our continental safety, still less for hysteria. I have always declared that our future lies in our own hands, that we should maintain friendship with all nations but dependence upon none. I do not retract or qualify a syllable of that credo.

By the same token, I believe that our only practical sphere of influence lies within this hemisphere, and I regard as visionary the notion that we can or should impose a Pax Americana upon a reluctant world. I doubt that we have the military power to implement it; I am certain that we have neither the sustaining will nor the God-like wisdom. There is no magic in an American bayonet capable of solving the economic problems of the British Empire; there is no formula in our arsenal that can bring both peace and unity to dismembered Europe or chaotic Asia. Should we embark upon so grandiose an attempt at moral imperialism, I think it would not be long before we turned back with redoubled disillusion—only to confront those tremendous tasks in our country which we have too long evaded.

All this I believe, Dick; all this I affirm. But one insistent factor outweighs in my mind these considerations. And that is that we, as a nation, have morally committed ourselves to the full assistance of the British people. We have told them with a hundred deeds and declarations that we shall furnish them with the means of defense; and their men, their women, and their children have sealed that understanding with their blood. Without the promise of our further aid, they could hardly have continued to sustain so cruel a battering. If we retract our pledge at this late hour, we shall have to answer not only to the embittered living, not only to the deluded dead, but to our own offended conscience.

To back up our expressed intention to aid Britain and to aid her soon, the passage of this bill, it seems to me, is important. The material support it offers may come too late to help stem the German's spring invasion, but the certainty that in the end it will come may give the hard-pressed English the confidence they will badly need in the grim days immediately ahead.

I have no fear that a President whose lifelong love has been the American Navy will construe anything in this bill as a mandate



to give it all away. Mr. Roosevelt, as his destroyer deal proved, is a good trader. I cannot believe that in any future transactions our rights will be sabotaged, and I rely upon his patriotism as well as his strategic sense to temper and guide our generosity.

Nor can I take very seriously the allegation that this bill is a green light given the President to take us into war. The Executive, by the nature of his powers as Commander in Chief of the Army and Navy, could, in any world situation as critical as today's, involve us inextricably in hostilities if he chose. We are, with this measure, handing Mr. Roosevelt no authority which he does not already have to make us a belligerent. What we are doing is to give him the dynamic powers which, in a dynamic complicated world, are essential to carry out the policy we have accepted, for good or ill. We have decided to aid Britain; the necessary corollary is that we intend to aid her speedily, rather than tardily, effectively, rather than vainly. To assure this speed and this efficiency we are delegating to the Executive the requisite and specific authority.

It has been charged that the bill itself is a guarantee of our involvement. I cannot agree. I have always contended that aid to a belligerent is a plainly unneutral act which contains the risk of enmeshing us in the war. But the American people, by declaring for aid to Britain, have assumed that risk. I cannot believe that to fulfill it efficiently and emphatically will be any more dangerous than to fulfill it haltingly and insufficiently, perhaps far less so. If we have made up our minds to incur the possible penalty, and have so declared, then the damage, if any, is done. We have committed ourselves to one party in the dispute, and to aid him stingily will be no more neutral than to aid him generously; it will only be a reflection upon our good faith.

As for the fear that we are inviting dictatorship by the language of this bill, it seems to me misplaced. I fear dictatorship in this country. But I do not fear it as a result of any legislation we may pass today and tomorrow revoke. I fear it as a consequence of a post-war economic collapse. That collapse may come whether or not we take a military role in this international strife, for it will follow upon the severe slump of our heavy industries when the armaments orders cease to be written—for defense or offense, it matters not. Unless we begin to plan now a substitute demand for capital goods on a tremendous scale, we will find ourselves helpless before the irresistible contraction of our economic life. Our savings will stagnate catastrophically, our inventories mount intolerably, and our unemployed tramp the streets in their millions. The depression of 1929 will be forgotten in the greater calamities of the 1940's.

Down into such a vortex of despair and desperation will be sucked our democratic institutions, and it will not matter a whit at that dismal time whether the lend-lease bill is on the books or not. If we are truly fearful of dictatorship, let us direct our fears to the real danger: The problem of a superfluity of wealth and capital—postponed but not resolved by this temporary demand for planes and guns.

I am confident that we can find and apply solutions to this problem if we begin in time. We can draw up blueprints for social investment in the reconstruction of our roads and the recentralization of our cities. And, looking ahead toward a wiser and kinder economy of social dividends we can forthwith inaugurate a Federal system of pensions to give security, not humiliation, to the senior citizen, and to support consumers' purchasing power in its weakest sector. Through social dividends we can assure a steady demand for the eventual products.

We can and we must plan along these lines to meet the inevitable crisis of the post-war period, hoping that at least the experience of wartime full production will convince us that such complete employment of our men, money, and materials is possible and not a theorist's dream. That is the only sweet fruit we may be able to pluck from an otherwise sour tree.

In the meantime, however, I shall affirm both my trust in our President and my sense of our national honor when I cast my vote for the measure we now debate. I have no knowledge, Dick, how history will view the decision we take here or how even your own generation, when it comes of age, will look back upon it. But I wish you to know, at least, the reasons which have motivated my own choice. I think they are reasonable ones. I believe time will support me.

Mr. MURDOCK. Mr. President—

The VICE PRESIDENT. Does the Senator from California yield to the Senator from Utah?

Mr. DOWNEY. Yes; I yield.

Mr. MURDOCK. I merely wish to ask the Senator a question. In his very masterful letter he mentioned, I think too optimistically, the position of the United States with reference to aluminum. I wish to make the observation that I have in the last 2 months gone into that question very thoroughly. I find that our position with respect to aluminum is deplorable, and I am very pessimistic about it rather than optimistic. I have on my desk today a great number of telegrams from the west coast indicating to me that aluminum fabricating plants are closed down as the result of a lack of aluminum.

I also wish to call to the Senator's attention the fact that the greater part of our aluminum which today goes into our aircraft and war munitions, is made from bauxite shipped into this country from foreign countries.

I wish further to call to the attention of the Senator and to my other colleagues the fact that in my State there are millions and millions of tons of alunite, which not only could be used as a source of metallic aluminum, but would also produce another byproduct very necessary to our defense, and that is potash.

For months I have been trying to interest the Advisory Commission for the Council of National Defense in alunite as a source for metallic aluminum, but I am constantly confronted with the fact, as they state it to me, that the Aluminum Co. of America has the aluminum situation well in hand, and that we can depend without fear on the foreign sources of bauxite for all our aluminum.

My purpose in interrupting the Senator and my purpose in calling this fact to the attention of my colleagues, is this: While we are spending billions and billions of dollars for our defense program, when we know, if we have made any investigation at all of this matter, that all our aluminum is coming from foreign bauxite, is it not high time, in order to supply the great fabricating plants of the Senator's State on the west coast, to begin to look to domestic sources of metallic aluminum instead of being dependent on foreign bauxite?

Mr. DOWNEY. Mr. President, I deeply appreciate the very interesting statement the Senator has made, and I should like

to make clear to him that I was not expressing the opinion that there were not bottlenecks to be overcome in manufacturing and in strategic war materials. I think what the Senator has said upon the subject of aluminum is most illuminating and valuable. I have heard much discussion as to whether our military authorities are using the proper energy and ability in relation to the development of a sufficient amount of aluminum material. I suggest to the distinguished Senator from Utah that he could perform no greater service to the Senate and to the Nation than to assemble all the latest data upon the question and then finally express his conclusion to the Senate.

Mr. MURDOCK. Mr. President, will the Senator yield for a further observation?

Mr. DOWNEY. I yield the floor.

Mr. MURDOCK. I am delighted to inform the Senator that I have been accumulating data, and I have been doing everything in my power to interest those who have our national-defense program in hand; but I am constantly confronted with the fact that the Aluminum Co. of America has the aluminum situation well in hand, and that at the present time, notwithstanding the great domestic deposits of alunite, which has been demonstrated as a commercially feasible source of metallic aluminum, they are not interested in that source.

Mr. DOWNEY. Mr. President, the theme of my statement was that generally in the United States we have a superfluity of the basic resources with which to fight a great war. As I understand, the Senator is not denying that statement in relation to aluminum but is merely stating that we are not now properly using our own basic resources in the manufacture of aluminum products.

Mr. MURDOCK. I question the statement that there is a surplus of aluminum in the United States. When I talk to the distinguished gentlemen who are handling our national defense, and call to their attention the fact that our chief source of aluminum is foreign bauxite, they tell me that the Navy has assured them that we can depend on British and French Guiana to supply us with bauxite. I now find, from the newspapers and other information that comes to me, that the Reynolds Metals Co., which has recently negotiated a loan of more than \$15,000,000 to erect an aluminum plant, is going all the way to Brazil to obtain bauxite. The point I emphasize today, and the point in which I hope Senators will interest themselves, is that even if the Navy does think it can keep our supply lines of bauxite open, certainly if there is a domestic source of metallic aluminum within the boundaries of continental United States we should immediately begin to investigate and utilize that source.

Mr. HILL. Mr. President, will the Senator yield?

Mr. MURDOCK. I yield.

Mr. HILL. I am very much interested in what the Senator has said. I agree with him that we ought to use our own resources and not remain in a state of



dependency upon some other nation for such tremendously important strategical and critical materials.

The Senator has referred to the Reynolds Metals Co. As the Senator knows, they have a plant in Alabama. I am glad to tell the Senator that although they are using some bauxite shipped in from Brazil and other foreign sources, they are also doing all they can to make use of the bauxite in Alabama; particularly the bauxite in southeastern Alabama. They are also using bauxite from Arkansas. As the Senator knows, the bauxite which is brought in from some foreign countries is better than some of the low-grade bauxite produced in this country. However, I join with the Senator in what he has said about our doing everything we can to make available and make use of our own great resources.

I think I should say that, like the Senator, I have been disappointed in the attitude of the Defense Commission with reference to these matters. The Senator has well stated that through the months the Defense Commission has taken the position that the great monopoly, the Aluminum Co. of America, could well and fully meet all the needs and requirements of this country for aluminum. After having taken that position and after having discouraged others from going into the production of aluminum and having done nothing whatever to encourage anyone to go into the business and give the United States additional supplies of aluminum, we now find our country faced with a situation in which it is necessary to stop all use of aluminum for domestic purposes, and use all the aluminum available in this country for national-defense purposes. And even this step does not give us the aluminum for the national defense that we need.

Mr. WILEY. Mr. President, will the Senator yield?

Mr. MURDOCK. I yield.

Mr. WILEY. In connection with what the Senator has stated, I wish to say that only recently I have heard from my own State. The lifeblood of two communities in my State depends upon the manufacture of aluminum utensils. They are having great difficulty because they are not on the preferential list to obtain aluminum plate.

While, of course, two communities in a State perhaps do not mean very much, I think the Senator has struck something fundamental. Everyone realizes that in the world of tomorrow we shall face an unusual situation. Whether we shall be at war or at peace, we shall have a great economic war. That is conceded. It seems to me that if we are at all realistic we must realize that we must become more and more self-sufficient in this country. I agree with the distinguished Senator from California when he says that we have the basic materials here. We have economic problems involving labor costs, and so forth; but, from the larger viewpoint, it is imperatively necessary that we utilize our basic materials

and put ourselves in such a position that no matter what the emergency may be we shall be able to meet it.

Mr. JOHNSON of California. Mr. President, I wish to offer for the RECORD an article published in the Labor Clarion, the official organ of the American Federation of Labor in the city of San Francisco, under date of February 28, 1941. I wish to read the article in question. It is entitled "Are We Dependents?" and is as follows:

#### ARE WE DEPENDENTS?

Isn't it just about time that some of this defeatist and dependent spirit in reference to the safety and well-being of the United States, which has been so industriously promoted for the past few months, be taken in hand by governmental authorities? There is a saturation point in almost anything.

Eyes are being blinded and ears deafened, through press and radio, with bombing from the "intelligentsia" about the threatened or actual helplessness of this Nation, present and future, due to the European conflict.

One is not a jingo, a pacifist, isolationist, Communist (whose chief interest at all times is to stir up discord), a "fifth columnist," or a pro-German if he sees fit to raise a voice against those who seem to be lowering the morale and the confidence of the people in their own strength and power. That nation is already lost whose people have been led to believe, by subtle or other means, that its downfall is inevitable through any set of imagined circumstances. Had the union-labor movement in the past accepted any such dire predictions—of which it has had thousands, from both internal and external sources—its fate would long since have been mere history.

This is a nation of over 130,000,000 people. In possession of natural resources, it is doubtless better situated than any other nation on the globe. Its history of 164 years has astounded the world. Its people, as a whole, are better educated, clothed, housed, and fed, and maintain a generally higher standard of living than that of any other nation. Why should intelligence be insulted at this late day with a constant barrage of its helplessness and its dependency on the outcome of a foreign war?

A few thousands of its early inhabitants on the Atlantic seaboard stood England on its head in two wars—and with her then "fifth columnists" vigorously at work within our borders at the same time. By the way, it hasn't been but 4 or 5 years since Canada issued a postage stamp in commemoration of the loyalists in that war. The young Nation went to the Mediterranean and stopped the Barbary Coast pirates who preyed on the commerce of the world. It defied the power of Europe with the Monroe Doctrine. Later it withstood the ravages of civil war—since which time all European powers have been persistently attempting to prove they supported the winner, notwithstanding some contrary evidence. President Grover Cleveland handed a passport to the ambassador of the leading sea power of the world and told him to leave our shores within 24 hours, and he also warned that same power to keep her warships away from Venezuela, which order was obeyed. In later years the United States ended the power of a monarchy in the Western Hemisphere, and then granted absolute freedom to most of the people for whom it had then fought—a novelty in contrast to the practice of European nations under like circumstances. Twenty-four years ago it sent millions in men and supplies to "save" Eu-

rope, though there is no evidence at this time of the salvation it accomplished.

With such a history, briefly outlined, would it not be pertinent to have an inquiry as to the particular stage in our career when we became dependent? If that condition exists, every citizen of this Nation from 25 years of age upward is responsible for having spent a heritage in riotous living. And if those on the watchtowers—residents and Members of Congress—have been remiss while the people below slept in their tents and sold their needles and pins, in confident safety, perhaps it is time to inquire about this so-called dependence into which the Nation has been allowed to drift.

It cannot be denied there is a certain measure of interdependence of nation upon nation, equally with that of individual upon individual, in the world today. That situation has existed throughout all the history of our country, but our forefathers braved it and prospered. Why at this late date must we join the tin-cup and pencil-selling contingent? The Nation was not builded that way. And reasonable support for a worthy cause does not mean swallowing everything said or done in advocacy of that cause.

I repeat that this publication is the official organ of the American Federation of Labor of the City of San Francisco; and this is the leading editorial in the Labor Clarion of Friday, February 28, 1941.

Mr. AIKEN. Mr. President, I should like to take about 3 minutes to make some observations and suggestions concerning the matter which has been before the Senate for debate for some time.

In early January the Secretary of the Treasury, among others, told us that England's cash and credit resources had become so depleted that she could not carry on this war any longer without help from us. We were told that a collapse of Britain might conceivably come about within from 60 to 90 days' time. That 60 days' time has now been practically consumed in the consideration of one bill which its proponents claim is the only feasible way of aiding Britain.

I disagree with their conclusion that this is the only feasible way to aid Britain. In fact, I believe in the long run it will prove to be a very poor way to aid Great Britain; but I realize the effect that this long-drawn-out debate may be having upon the people of Great Britain, and particularly upon the people of our neighboring nation, Canada. It is very likely that they are becoming discouraged, and that they are beginning to wonder if we intend to give them any further aid at all. We do not know when this bill will pass, if at all. We do not know in what shape it will be if it shall pass. It may be amended, or it may not pass at all. In the meantime, if the British and the Canadians are now discouraged, they will become more so.

It is not my purpose to discuss House bill 1776 at all this morning; but I desire to make this observation and to suggest action for the purpose of reassuring our English-speaking friends that we are definitely intent on aiding them. I suggest that the leaders on both sides of the controversy over House bill 1776 unite to



act immediately upon a bill upon which all of us should be able to agree.

We have proposals introduced by several Senators, all making a definite appropriation for the purpose of aid to the English-speaking people. The immediate enactment of such a bill as I have suggested would immeasurably restore any lost morale of our friends. It would immediately give them greater aid. In the meantime, whether House bill 1776 is debated for 2 days or 2 weeks or 2 months, or, as it sometimes seems, forever, we can at least assure Great Britain and Canada in a material way that we are supporting them in their fight against the Axis.

It will be observed that I have placed emphasis on Canada. This is because I believe we should place the most emphasis on aiding our Canadian friends. I do not know whether \$2,000,000,000 worth of materials and credit for immediate assistance is an adequate or proper amount, but I strongly urge that we give the larger percentage of this sum—and I say give, not lend—to Canada, rather than to any other unit of the British Empire.

I say this because we all know it is to our interest to make Canada as strong as possible. If Canada needs patrol bombers, let us give them to her, if we have them to spare. If she needs other material we can spare, let us give her that material also. Let us give her money, too, for shipbuilding facilities. She can then legally recondition British warships and construct torpedo boats and other materials of war. She can strengthen her own coast defenses and can increase her air defenses. Everything she may do in this manner will increase our own defenses.

Of course, Mr. President, we do not like to think about it, but Britain may fall. We have been told several times during the last 3 or 4 weeks that that is a possibility. If Britain should fall, it would be vastly safer for us to have patrol bombers, torpedo boats, shipbuilding facilities, and other materials of war in the name and in the possession of the Canadian Government rather than of the British Government. Such materials then would not all be lost in the event of an Axis victory, but would still remain definite assets available for our defense needs.

I suggest again that the leaders on both sides of the controversy stop the present debate long enough to provide immediate and practical aid to the English-speaking people. Let us do away with the loose talk that those who oppose this destructive bill are also opposed to British aid, and that those who insist upon the enactment of the bill will not consider any aid unless it is conditioned on the delegation of supreme powers to the Executive office.

Mr. President, I think we should take this action now.

#### MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States submitting several nominations was communicated to

the Senate by Mr. Latta, one of his secretaries.

#### MESSAGE FROM THE HOUSE—ENROLLED BILL SIGNED

A message from the House of Representatives, by Mr. Chaffee, one of its reading clerks, announced that the Speaker had affixed his signature to the enrolled bill (H. R. 3531) to amend certain provisions of the Internal Revenue Code relating to the excess-profits tax, and for other purposes, and it was signed by the Vice President.

#### PROMOTION OF NATIONAL DEFENSE

The Senate resumed the consideration of the bill (H. R. 1776) further to promote the defense of the United States, and for other purposes.

Mr. BARKLEY. Mr. President, I wish to discuss briefly the pending amendment.

Mr. McNARY. Mr. President, I observe the absence at the moment of a number of Senators who are vitally interested in this amendment, and I suggest the absence of a quorum.

The VICE PRESIDENT. Does the Senator from Kentucky yield for that purpose?

Mr. BARKLEY. I myself do not care, but, in deference to the wishes of the Senator from Oregon, I yield.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Ellender	Murray
Aiken	George	Norris
Andrews	Gerry	Nye
Austin	Gillette	O'Mahoney
Bailey	Glass	Overton
Ball	Green	Pepper
Bankhead	Guffey	Radcliffe
Barbour	Gurney	Reed
Barkley	Harrison	Reynolds
Bilbo	Hatch	Russell
Bone	Hayden	Schwartz
Brewster	Herring	Sheppard
Bridges	Hill	Shipstead
Brooks	Holman	Smathers
Brown	Hughes	Smith
Bulow	Johnson, Calif.	Stewart
Bunker	Johnson, Colo.	Taft
Burton	Kilgore	Thomas, Idaho
Butler	La Follette	Thomas, Utah
Byrd	Langer	Tobey
Byrnes	Lee	Truman
Capper	Lodge	Tunnell
Caraway	Lucas	Tydings
Chandler	McCarran	Vandenberg
Chavez	McFarland	Van Nuys
Clark, Idaho	McKellar	Wallgren
Clark, Mo.	McNary	Walsh
Connally	Maloney	Wheeler
Danaher	Mead	White
Davis	Miller	Wiley
Downey	Murdock	Willis

The VICE PRESIDENT. Ninety-three Senators have answered to their names. A quorum is present.

Mr. BARKLEY. Mr. President, in discussing the amendment offered by the Senator from Louisiana [Mr. ELLENDER], I do not wish to go into any general discussion of the constitutional authority of the President without specific authority of Congress to do certain things in protection of American life, property, and interests anywhere in the world. On that subject able lawyers disagree, and I do not know that it would shed any great amount of light on the amendment for

me to take up any time discussing that phase of the question. I merely wish to say in regard to it that ever since the beginning of our history Presidents of the United States have exercised this authority without special acts of Congress, without any specific authority conferred upon them to protect American interests, American lives, and even American property anywhere in the world.

I have before me a partial list of the instances in which that has been done, in which American naval and military forces have been used in various parts of the world to execute the authority of the President in protecting American interests.

I do not propose to discuss them in detail. Suffice it to say that, without regard to politics or time, beginning with the very foundation of our Government until now, Presidents of the United States have sent the military and naval forces of this country into various parts of the world for that purpose, and the right to do it and the authority to do it were not seriously questioned by anybody at the time the instances occurred.

I shall ask unanimous consent at this point to insert in the RECORD, as a part of my remarks, a partial list of such instances beginning with 1812. I may say, however, that is not the beginning, for even prior to that time, without a declaration and without any specific authority on the part of Congress, beginning as early as 1799, and following that year, 25 ships were captured by the naval forces of the United States without any war, without any declaration of war, but in the process of protecting the interests of the United States.

The VICE PRESIDENT. Without objection, the list will be printed in the RECORD.

The list is as follows:

#### USE OF LAND AND NAVAL FORCES OF THE UNITED STATES FOR PROTECTION PURPOSES

The United States has used its land and naval forces in foreign territories during peacetime on many occasions during the past hundred years. They have been landed, *inter alia*, for the protection of American citizens and American territory, as in the instance of the Spanish Floridas in 1817; for the protection of American citizens located in disturbed areas; for the suppression of piracy; for meting out punishment (in an early day) to lawless bands who had murdered American citizens; for the suppression of local riots and the preservation of order; for the purpose of securing the payment of indemnity; and to prevent massacre.

Although there may have been earlier instances, the first instance that has been drawn to my attention of the landing of United States troops occurred in 1812 when President Monroe sent forces to expel freebooters who had taken possession in the name of the Governments of Buenos Aires and Venezuela of Amelia Island, off the coast of Florida. Although the island belonged to Spain the measure was not taken in concert with the Spanish Government or the local authorities of Florida. I find that as late as 1932 American forces were sent to Shanghai owing to the Sino-Japanese conflict as a measure of protection for the lives and property of American citizens in that area.

A list of various landings of American forces and the occasions therefor follows:



Place	Year	Purpose	"Right to protect citizens in foreign countries by landing forces" (Government Printing Office, 1934) page—
1. Amelia Island.....	1812	To protect Spanish island from foreign invasion or control.....	51
2. Spanish Florida.....	1814	To expel the British.....	52
3. Cuba.....	1823	To pursue and break up an establishment of pirates.....	53
4. Porto Rico.....	1824	To atone for insult to the flag and procure apology.....	53
5. Falkland Islands.....	1831	To procure the release of certain vessels and their crews.....	54
6. Island of Sumatra.....	1832	To punish natives for attack and seizure of American ship and murder of crew.....	55
7. Fiji Islands.....	1840	To punish natives for an attack upon Americans.....	56
8. Samoa.....	1841	To punish natives for the murder of a white man.....	56
9. Island of Johanna.....	1851	To collect indemnity (display of force).....	57
10. Japan.....	1853-54	To procure a commercial treaty.....	57
11. China.....	1854	American and British forces acted jointly during civil war in China to protect American and British nationals.....	57
12. Greytown.....	1854	To protect American property rights.....	58
13. Fiji Islands.....	1855	To protect American life.....	59
14. Uruguay.....	1855	To protect American consulate and American life and property.....	60
15. China.....	1856	To prevent injury to American interests.....	60
16. Egypt.....	1858	To secure protection of American citizens.....	61
17. Uruguay.....	1858	To protect life and property of foreign residents; action taken at request of regular Government in conjunction with forces of other powers.....	61
18. Fiji Islands.....	1858	To punish natives for murder of two Americans.....	62
19. China.....	1859	To restore order in Shanghai.....	62
20. Kisenbo, Africa.....	1860	To prevent destruction of American property.....	62
21. Panama.....	1860	To restore order during insurrection.....	62
22. Japan.....	1863	To obtain redress for an unwarranted attack upon an American vessel.....	63
23. do.....	1864	To open the Straits of Shimonoseki in conjunction with other powers; action taken at request of the Tycoon's Government.....	63
24. Formosa.....	1867	To punish natives who had murdered the crew of a wrecked American bark.....	64
25. Japan.....	1868	To protect American interests during local hostilities.....	64
26. Uruguay.....	1868	To protect American interests at request of local authorities.....	65
27. Korea.....	1871	To capture Korean forts after a surveying party which had been granted permission to make certain surveys and soundings in the interest of science and commerce had been treacherously attacked.....	66
28. Honolulu.....	1874	To suppress riotous proceedings at request of local authorities.....	67
29. Mexico.....	1876	To preserve order, pending arrival of regular Government forces after evacuation of revolutionists.....	67
30. Egypt.....	1882	To suppress riots and protect American interests.....	68
31. Korea.....	1888	To protect American residents.....	68
32. Samoa.....	1888	To establish a stable government; joint action by United States, Great Britain, and Germany.....	68
33. Haiti.....	1888	To obtain the release of an American merchant vessel captured by a Haitian war vessel.....	69
34. Navassa Island.....	1891	To protect American life and property.....	70
35. Chile.....	1891	To protect American consulate at Valparaiso.....	70
36. Hawaii.....	1893	To protect life and property at the time of the deposition of the Queen.....	70
37. Brazil.....	1893	To protect American commerce in Brazilian waters during a revolt of the Brazilian Navy; it was reported that the insurgents had the assistance of certain European powers.....	70
38. Korea.....	1894	To protect the American Legation.....	71
39. Samoa.....	1899	To assist in settling controversy over succession to Samoan throne.....	72
40. Nicaragua.....	1899	To protect life and property, upon petition of foreign merchants during insurrection.....	72
41. China.....	1900	To protect life and property at time of Boxer Uprising.....	72
42. Dominican Republic.....	1903	To protect American interests.....	73
43. do.....	1903	To protect American lives and property and to prevent fighting within certain area.....	73
44. Honduras.....	1907	To protect American consulate and American interests during hostilities between Honduras and Nicaragua.....	74
45. Nicaragua.....	1910	To protect American life and property during revolution; to prevent the bombardment of Bluefields.....	75
46. Honduras.....	1910-11	To protect American interests during revolutionary disturbances.....	77
47. China.....	1911	To protect the consulate and property of American citizens at Foochow.....	83
48. do.....	1911	To protect American consulate and American citizens at Chinkiang.....	83
49. do.....	1911	To increase the guard of the American Legation at Peking.....	84
50. do.....	1912	To keep open the railroad from Peking to the sea.....	84
51. do.....	1912	To extend protection.....	85
52. China, Swatow.....	1912	To save a woman and some children and conduct them to safety.....	86
53. Cuba.....	1912	To quell uprising; to protect American life and property.....	98
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55. Nicaragua.....	1912-13	To protect American property, at request of Government of Nicaragua.....	120
56. Dominican Republic.....	1912-14	To protect Dominican customs houses, in conformity with the provisions of the treaty of 1907.....	107
57. China, Chapei.....	1913	To prevent disorder and give protection.....	86
58. China, Shanghai.....	1913	For protection.....	86
59. Paris.....	1914	To act as a guard for the American Embassy.....	129
60. Mexico, Veracruz.....	1914	To enforce demands for amends for affronts and indignities to an officer of the U. S. S. <i>Dolphin</i> and the crew of the whaleboat of the <i>Dolphin</i> .....	117
61. Haiti.....	1914 and 1915	To protect American life and property during disturbed conditions.....	111; 112
62. China, Nanking.....	1916	To quell a riot.....	88
63. Mexico.....	1916-17	To pursue Villa after his invasion of American territory.....	119
64. Dominican Republic.....	1916-24	To suppress revolution; to establish military government.....	109
65. Cuba.....	1917-19	To protect American consulate and American lives and property during insurrection and banditti fighting.....	101
66. China, Chungking.....	1918	For protection during a political crisis.....	88
67. Honduras.....	1919	To cooperate with the forces of Honduras in maintaining order in a neutral zone.....	114
68. Panama.....	1919	To extend protection, at request of Panamanian Government.....	127
69. China, Kiukiang.....	1920	To restore order during riot.....	88
70. China, Youchow.....	1920	To guard American property.....	89
71. Guatemala.....	1920	To protect the American Legation during local fighting.....	111
72. Smyrna.....	1922	To protect American life and property during the advance of the Turkish forces on that city.....	129
73. China, Tungchow.....	1922	To protect against possible violence by retreating Fengtien forces.....	89
74. China, Foochow.....	1922	To protect American nationals.....	89
75. China, Masu Island.....	1923	To protect Americans against brigandage.....	90
76. Honduras.....	1924	To protect American life and property during unsettled conditions; intermittent landing of forces.....	115
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78. Panama.....	1925	To extend protection during unsettled conditions, at request of Panamanian Government.....	128
79. Nicaragua.....	1926	To protect life and property during revolution.....	122
80. China, Hankow.....	1927	To protect lives and interests of Americans during mob-riot disturbances.....	91
81. China, Shanghai.....	1927	To protect American lives and property.....	92
82. China, Nanking.....	1927	To afford protection against looting and general disorder.....	92
83. China, Chinkiang.....	1927	To extinguish fire on American property caused by gunfire.....	94
84. China, Canton.....	1927	To aid in evacuation.....	94
85. China, Shanghai.....	1932	To strengthen forces at Shanghai, as a measure of protection for the lives and property of American nationals.....	97



Mr. BARKLEY. There are 85 of these instances, and the list is not a complete one. In the list are instances in which our forces have been sent to all parts of the world under the President's authority to protect the interests of the United States. Many of them have been in the Western Hemisphere. Many of them have been in China, some of them in the Falkland Islands, in Puerto Rico, in Cuba, the Island of Sumatra, the Fiji Islands, Samoa, the island of Johanna, Japan, China, Nicaragua, Uruguay, Egypt, Africa, Panama, Japan again, Formosa, Japan again, Honolulu (before we took over the Hawaiian Islands), Mexico, Korea, Haiti, Brazil, Hawaii (still before we took over the Hawaiian Islands), Korea, Samoa, Nicaragua, China, Dominican Republic, Honduras, Nicaragua, and China again in a number of instances. The list shows the time and the purpose for which American military and naval forces were sent out of continental United States, beyond the bounds of the Western Hemisphere, by Presidents of the United States of all political parties, in protecting the rights and interests of the American people.

Mr. BONE. Mr. President, may I make an inquiry of the Senator?

Mr. BARKLEY. I yield to the Senator from Washington.

Mr. BONE. I want to have one thing clear in my mind as the Senator develops his thesis.

Is it the view of the able Senator from Kentucky that in no event would Congress have the constitutional power, under the provisions that have been discussed here, to regulate or restrict the activities described in the memorandum the Senator has tendered?

Mr. BARKLEY. No; I am not attempting at this time to pass on whether Congress, by any act of its own, could withdraw from the President what may be regarded as his constitutional authority and his duty to protect American lives and interests wherever they need protection anywhere in the world.

Mr. BONE. There is one thing that I think this body might well have cleared up in the public mind in debates running clear back to the beginning of the neutrality debates in 1935.

It is a very common expression to refer to the "interests" of the United States. We make no clear and clean line of demarcation in that definition. In using it as a generality we do not attempt to distinguish between private interests in extraterritorial business activities, and the broader interests of the United States which are purely political in character.

There is a very great confusion there; and I think 9 times out of 10 the American people as a whole are unable to determine whether any extraterritorial activity of our forces is to protect American business interests doing business in some foreign country, or, on the contrary, to define more clearly our international political relations with other countries; and sometimes a blending of the two creates great confusion.

If an American rug merchant in Syria is interfered with by tribes over there it

may properly be said by some that that is an interference with American interests; but the question is, is it such an interference as to justify the use of armed forces? If an American citizen stays on a foreign battlefield in furtherance of his own private business interests, as during the shelling of Shanghai, would the United States be justified in going to war because an American national stays on what is actually a battlefield, instead of getting out and subsequently making a claim under the recognized rules of international law for the damage which he may have sustained?

It is that blending of the two—the broader, major political interests of the United States as a national entity or sovereignty, and the purely personal, private business interests of some American citizen in extraterritorial activities—which, in my judgment, creates a great deal of confusion, and has led us into some confusion of thought in discussing this problem. Certainly it is that which led me to discuss before the Senate some aspects of the neutrality legislation. I felt that the United States ought not to go to war, and send fleets and Armies abroad, merely to protect some man who, by getting out of the danger zone, could have saved this country hundreds of millions, perhaps billions of dollars, and could have avoided our plunging into a great international conflict.

I owe the Senator from Kentucky an apology for taking his time.

Mr. BARKLEY. I appreciate the Senator's contribution. It is true that there has been no clear line of demarcation as to what is meant by "American interests;" but in the cases which I have cited, and opposite which I have put a very brief memorandum reciting the circumstances, and which it would take entirely too much time to go into on the floor of the Senate, there are all sorts of circumstances. Sometimes American forces have been sent into foreign countries to protect the lives of American citizens. Sometimes it has been done to punish those who have taken American lives. Sometimes it has been done to protect property—that is, lawful interests of the American people under treaties between this country and other countries.

It might be difficult to draw a straight line in our minds, or in any law, and to say that all on one side represents American interests that would justify the use of our naval or military forces, and that all on the other side is beyond the pale and outside the category in which the Government of the United States would owe any duty. It seems to me the pertinence of this historical résumé of instances lies in the fact that it shows that throughout the history of this country our Government has regarded it as its duty to go into any part of the world—even into Smyrna in one case, even into Greece in one case—and protect the interests of the United States. Sometimes those interests may have been property interests, but that is a right recognized by our Government, and—as long as there was any international law—by international law. Sometimes those interests

were political—not that any President sought to superimpose on other countries the political authority of the United States—but where trade or treaty rights are involved the matter may be political, and there may be at the same time a sort of merging of personal, private interests. It is difficult to draw the line between public interests, the political interests of the United States as a political entity, and the mere protection of some private property which may have been acquired in the country in which the incident occurs.

Mr. BONE. Mr. President, will the Senator further yield?

Mr. BARKLEY. I yield.

Mr. BONE. I desire to say to the Senator from Kentucky, who is always generous in yielding, that in my statement I was not attempting to draw any distinction in respect to those matters. I was merely trying to say that there is, however, a broad, general distinction between protecting purely property rights and intrusion into foreign countries because of political disturbances which might affect our own sovereign rights or assumed political rights in that section of the world.

Really the only point of my rising was to discover whether it was the Senator's view that Congress had absolutely nothing whatever to say about the operations of the Army and Navy in respect to these matters.

Mr. BARKLEY. In connection with that thought, I believe I will also ask permission to put into the RECORD at this point an editorial from the Chicago Daily News discussing the President's powers, and referring to a number of undeclared wars, as they are called, in which the military and naval force was used, most of which are mentioned in the memorandum to which I have already referred.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

#### THE PRESIDENT'S POWERS

Neither this bill, nor any bill the Congress passes, can deprive the President of his control over foreign negotiations, or his command of the Army and Navy. During all these months, the President, had he wished to do so, could have had American ships going into combat areas under naval escort. If he has not done so, it is because he has not wished to do so. During all these months, the President has been free to order naval units, or, for that matter, landing parties of Marines, into situations where fighting would have become inevitable. No act that Congress might adopt could stop him. As duly elected President of the United States, the choice of a majority of the people, he has the power. If he has not used it, it is because he has not wished to.

Our history is full of undeclared wars, induced by Executive action, without previous sanction by Congress. We fought the French at sea for nearly 2 years, capturing 25 French vessels in 1799, without a declaration of war. The Mexican War began January 13, 1846, on our initiative, and continued to May 13 before war was finally declared. Before Congress met on July 4, 1861, and ratified his actions, Lincoln had already raised armies and engaged heavy expenditures for the Army and Navy. Theodore Roosevelt landed



troops in Cuba and pacified the island in 1906 without consulting Congress. Woodrow Wilson sent armed forces into Mexico in 1914 and in 1916 on his own sole authority. Indeed, occupations of foreign soil by American forces without declaration of war—that is, without formal sanction of Congress—are almost too numerous to record. Here are a few: Argentina, in 1852 and 1890; Nicaragua, in 1852, 1894, 1912, and 1927 to 1933; Japan, in 1856, 1863, 1867, and 1898; Uruguay, in 1855 and 1861; Paraguay, in 1855; the Fiji Islands, in 1855; China, in 1856, 1866, 1894, 1900, and 1931; Korea, in 1866, 1894 to 1895, and again in 1904; Formosa, in 1867; Mexico, in 1870, 1885, and 1901 in addition to 1914 and 1916; Panama, in 1873, 1885, 1901; Egypt, in 1882; Chile, in 1891; and the Dominican Republic, in 1911.

All these acts were ordered by American Presidents exercising their constitutional powers. Mr. Roosevelt today holds these same powers. If he had wanted to get us into the war he could have done so long ago.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. CONNALLY. As I understand, the contention of the Senator is that these incidents have occurred practically throughout the whole life of the Republic.

Mr. BARKLEY. Yes.

Mr. CONNALLY. There is a familiar doctrine in the construction both of the Constitution and of statutes which, while it is probably not binding and controlling, is persuasive, that where things have been done by the Executive and Congress has accepted them, there was a sort of a legislative and congressional construction of those powers. Is it the contention of the Senator that this is a matter which has gone on for so long and has been so well recognized that it has now become a fixed construction by Congress and by the President of the constitutional powers of the President?

Mr. BARKLEY. The Senator is correct about that, and it becomes pertinent, because for Congress to declare a different policy now by any amendment or any enactment of Congress reversing the historical policy and process of the Government of the United States, becomes very important. As I construe the amendment offered by the Senator from Louisiana, regardless of any legal effect it may have upon the power of the President heretofore or now or hereafter, it does amount to a declaration of policy by the Congress of the United States that notwithstanding the fact that for 150 years we have been doing these things in the exercise of our rights, we do not propose to do them any further unless we hug the shores of the Western Hemisphere, or the Philippine Islands.

Mr. CONNALLY. What I was trying to suggest was a doctrine which grows out of a long acceptance of acts. Does the Senator, in his exhaustive review of the precedents, find any instance, after the President had done these things, of Congress by legal act repudiating them or disavowing them?

Mr. BARKLEY. No; there is no such instance.

Mr. CLARK of Missouri. Mr. President, what could Congress do except to impeach the President?

Mr. BARKLEY. It could adopt a resolution of censure.

Mr. CONNALLY. It might adopt an amendment, such as that the Senator from Missouri is to offer to the pending bill, that "hereafter no part of these powers shall ever be used to invade the Barbary States," and so on.

Mr. BARKLEY. As the Senator suggests, the point is that, having pursued this policy for 150 years, to reverse it now would certainly be, it seems to me, a disastrous thing, not only in the present situation and circumstances, but for the entire future of the American people anywhere in the world.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. BARKLEY. In a moment. I desire to refer to an instance which occurred in 1902, as I recall. It is not included in the particular list I have had inserted in the RECORD, but as I recollect, in 1902 Theodore Roosevelt asked Congress for an appropriation to enable him to send the American Navy around the world. Congress declined to do it, so Mr. Roosevelt said, "Well, all right; I will send them half way around the world, and you will have to appropriate money to get them back." [Laughter.] And he did send them around the world.

Mr. WILEY. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. WILEY. As I understand the distinguished Senator, he has cited a large number of historical precedents indicating that there is the power in the President to do what other Presidents have done as indicated by these precedents. The distinguished Senator from Texas said that that power was never questioned. In that he is incorrect. It will be remembered that the Mexican War was precipitated by an act of the President at that time. Abraham Lincoln, when in Congress, challenged the power and the right of the President to use the armed forces of the United States to start a war.

Mr. BARKLEY. Abraham Lincoln voted against the declaration of war, and made a speech against it.

Mr. WILEY. The resolution condemning the act of the President was carried practically unanimously.

Mr. BARKLEY. Oh, no; it was not unanimously carried. The declaration of war against Mexico was a declaration, as I recall, accepting a state of war which was alleged to have been precipitated, or to have been already in existence, because conflicts had occurred between Mexican troops and those of the United States, and it was against that declaration of war that Lincoln voted. Lincoln always opposed the Mexican War and not only voted against the declaration of war but condemned it after it had been passed.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. BARKLEY. In a moment.

Mr. WILEY. If I may proceed for a moment with my trend of thought, what we are talking about, as I understand, is the distinction between power and right. I do not think it has ever been questioned that the President has the arbitrary power but not the constitutional power or right. It has not been questioned that under certain circumstances the right ex-

ists and the power exists in the President to use the Army and Navy to protect the interest of our country and its nationals.

In 1864 the House of Representatives passed a resolution in which it was stated that—

Congress has a constitutional right to an authoritative voice in declaring and prescribing the foreign policy of the United States as well in the recognition of new powers as in other matters, and it is the constitutional duty of the President to respect that policy, no less in diplomatic negotiations than in the use of the national forces when authorized by law.

The particular thing that troubles me is not that the President cannot exercise a power, but if he exercises it, to the detriment of America, we may be in war. I should like to hear from the Senator his opinion as to the effect of adopting or not adopting the amendment.

Mr. BARKLEY. The Ellender amendment?

Mr. WILEY. Yes.

Mr. BARKLEY. I am coming to that.

Mr. WILEY. To me that raises a very distinct issue. I do not think that at the time of the happening of the historical precedents which the Senator has cited there was a condition in the world in any way comparable to the present condition. As I remember it, the Ellender amendment provides that in the present critical situation, with the world at war, we should say to the President, "We believe you should not exercise your power to take our boys outside of the zone we have prescribed."

Mr. BARKLEY. Mr. President, the question of power and the question of right are questions which any President of the United States must decide for himself under the circumstances which exist when he proposes to exercise his power. The power to do a thing undoubtedly gives the President the right to do it if the circumstances justify him doing it, and he is to be the judge. I do not think we can be the judge.

Mr. WILEY. There is such a thing as a constitutional power and there is such a thing as a power by virtue of one's position—arbitrary form. I might stand in front of the Senator and have the power to smash his nose.

Mr. BARKLEY. I would not like to see that tested out. [Laughter.]

Mr. WILEY. I would not have the right, however.

Mr. BARKLEY. That might depend on circumstances. Under certain provocations the Senator might have the right.

Mr. CLARK of Missouri. Mr. President, will the Senator from Kentucky yield?

Mr. BARKLEY. I yield.

Mr. CLARK of Missouri. Following the colloquy as to Abraham Lincoln's attitude when he was a Member of Congress and war was declared on Mexico, President Lincoln first came into national prominence through introducing a resolution, after President Polk had sent a message to Congress declaring that war existed "by act of the Mexican Government." Polk had theretofore deliberately ordered troops into disputed territory, thereby precipitating two bloody battles. Lincoln introduced a resolution, which was called the spot resolution, calling



on the President to define the spot at which the Mexican Army had committed an act of war against the Government of the United States. This was Lincoln's first national contribution which led finally to the Presidency of the United States.

Mr. BARKLEY. Notwithstanding Lincoln's condemnation of the war before and during the war and after it was over, the war went on, and the United States did not give back to Mexico any of the territory it captured, as I recall. It is still a part of the American Union.

Mr. CLARK of Missouri. So far as I know, the United States Government never has given up any territory it captured, anyway.

Mr. BARKLEY. It gave back Cuba.

Mr. CLARK of Missouri. We did not profess to have conquered Cuba.

Mr. BARKLEY. We took it under a sort of suzerainty.

Mr. CLARK of Missouri. We were the liberators of Cuba.

Mr. BARKLEY. We had control of it for a while and we promised to give back the Philippine Islands, also.

Mr. CLARK of Missouri. We promised to give back the Philippine Islands, and we have done so.

Mr. BARKLEY. If they are not taken away from us before we give them back.

Mr. CLARK of Missouri. My motive in rising was to ask the Senator just exactly what his position is in regard to the pending amendment. The amendment reads:

Nothing contained in this act shall be deemed to confer any additional powers to authorize the employment or use of persons in the land or naval forces of the United States at any place beyond the limits of the Western Hemisphere, except in the Territories and possessions of the United States, including the Philippine Islands.

I should like to ask the Senator whether he thinks that this measure confers additional powers.

Mr. BARKLEY. I do not.

Mr. CLARK of Missouri. Then why does he object to placing the Ellender amendment in the bill?

Mr. BARKLEY. I am going to explain to the Senator in a moment why I object to it. I object to it on two grounds.

Mr. CLARK of Missouri. Will the Senator again yield to me?

Mr. BARKLEY. Yes.

Mr. CLARK of Missouri. I do not wish to interrupt the Senator, but let me say this to him. I had intended to oppose the Ellender amendment for the reason I thought it was a fake amendment—that is, not intended by the Senator from Louisiana to be a fake amendment, but because I felt that the amendment did not mean anything, because I did not think that this measure in itself did confer any additional powers on the President, and I had desired, in conformance with the Democratic national platform and the Republican national platform, to place in the bill an amendment with some teeth in it. I had not thought that the Ellender amendment accomplished the purpose for which the Senator from Louisiana spoke so eloquently yesterday, but the Senator from Kentucky, in his very able argument, has just about convinced

me that I was wrong—that is, that the amendment must mean something or else the Senator from Kentucky and all the forces at his command would not be opposing it so strenuously.

Mr. BARKLEY. Mr. President, the Senator from Missouri misunderstood what I said and my purpose in citing the instances in which the Government has, without any act of Congress, sent military forces and naval forces into various parts of the world to protect American citizens.

The bill neither adds to nor takes away from the President's powers to do that thing, but the adoption of the amendment by the Senate would amount to a declaration of a policy on the part of the Senate of the United States that a change had been made, which is not going to be made and will not be made either in the bill or in the amendment.

Mr. CLARK of Missouri. The amendment does not say that. It says:

Nothing contained in this act shall be deemed to confer any additional powers.

The Senator from Kentucky knows that the Senator from Louisiana originally came into the Foreign Relations Committee with a pretty good amendment that really meant something, but the Senator from Kentucky and the Senator from Texas and the Senator from South Carolina whittled his amendment down until, in my opinion, it did not mean anything, and I was entirely prepared to vote against it until the Senator from Kentucky has about convinced me that it may mean something. Therefore I will vote for it.

Mr. BARKLEY. The Senator from Missouri misinterpreted my argument. The point is that there is nothing in the bill that gives any additional power to the President, but to say "nothing contained in this act shall be deemed to confer any additional powers" will not only deceive the American people but the people of foreign nations—and I am sure the Senator from Missouri does not intend to deceive the American people or the people of any foreign country. The insertion of the amendment, if it does nothing to add to or detract from the President's power, nevertheless will be regarded by the American people as doing that very thing, and it will be regarded by foreign nations as doing that very thing.

Mr. WHEELER. Mr. President, will the Senator yield to me?

Mr. BARKLEY. I yield.

Mr. WHEELER. As the Senator knows, I have very great respect for him, and I have a great affection for him, but I cannot follow his logic in this matter. As a matter of fact, the amendment offered by the Senator from Louisiana does not go so far, or certainly does not go any further than did the statements made in the Democratic platform. In the Democratic platform we said certain things. Let me say to the Senator that the same, identical argument which he is making on the floor of the Senate at this time was used against the plank which was placed in the Democratic platform.

At that time it was stated to me by leaders of the administration that the Secretary of State and the President felt

that that plank would interfere with their operations in the Orient, or something to that effect. I do not know whether the word "operations" is the exact word used, but that is it in substance. Notwithstanding that argument, the provision was placed in the platform and the President accepted it, and in his speech in Philadelphia he repeated exactly the words that were adopted by the convention.

So, first of all, we have that language in the Democratic platform. Secondly, the President used the same language in his speech at Philadelphia. Now all in the world the Senator from Louisiana is saying is that he wants that provision written into the bill, in milder language than the language used by the President in his speech and contained in the platform. If what we wrote into the platform and what the President said at Philadelphia did not hold out any promises to Germany and to Hitler and to the Japs, or anything of the kind, how can it be said that this mild language of the amendment does anything of the kind?

Mr. BARKLEY. Mr. President, I happened to have been a member of the resolutions committee at Chicago that drew up the platform which was adopted by the Democratic convention. I know the processes through which it went in reaching the language which was finally adopted. If we were considering a bill dealing with men, raising an additional army, providing for their training and their use, it would be pertinent to offer an amendment of this kind, similar to those which were offered to the National Guard bill and the selective-service bill, because we were then dealing with men. We were dealing with men who were to be drawn into the service for temporary purposes of training for 1 year, both in the case of the National Guard and the selective-service draftees.

In this instance we are not dealing with men. We are not raising an army by this bill. We are not drafting a single human being. We are not touching the Army, whether it is made up of the Regular Army, or of the National Guard or of the selective service draftees who are now in process of training and called to the colors. Forty different situations could be selected, in connection with each of which there might be written into this bill an amendment saying that nothing in it should be construed to authorize the President to do certain things, and the mere fact that such an amendment was offered and adopted would be bound to lead to the conclusion in the minds of millions of people that if it had not been put in the bill there would have been something concealed in the language that authorized the President to do the thing referred to.

There is no concealment here. No one can contend that the bill deals with men, or that it proposes to give the President any authority to send men anywhere, not even men on the airships which might be delivered to one of the foreign countries, or on any other equipment, or any other defense article.

If there is nothing in the bill that does that, if there is nothing in the bill that authorizes the President to do any of



these things, then my contention is that the amendment is unnecessary, and it is deceptive in two regards.

Mr. WHEELER and Mr. CLARK of Missouri rose.

Mr. BARKLEY. Mr. President, I shall yield in a moment. It is deceptive because it will convince many people that there is something in the bill which is not in it, and, on the other hand, it will deceive many people into believing that we have prevented the President from doing something which he has the power under other law to do.

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. WHEELER. It seems to me that that position is untenable. The Senator from Texas and other Senators are taking the position, with which I thoroughly disagree, that under the Constitution the President has the right, as distinguished from the power, to send the Army and the Navy any place in the world he wants to, and even to commit acts of war, if I understand the Senator correctly. As I understand, it is contended by the Senator from Kentucky himself that, because some Presidents have sent marines into Nicaragua, and Mr. Roosevelt, when Assistant Secretary of the Navy, ordered the firing on Vera Cruz, the President of the United States has the right to commit acts of war, and that the Constitution can be changed because of practices that have gone before.

Then it is contended that when nothing has been done by the Congress of the United States to curb the President in sending troops any place, therefore he has the right to do it. I do not subscribe to that contention.

I say that as a matter of law, under our Constitution—and I submit that the best authorities on international law and on the Constitution are all in agreement on that subject—the President of the United States has no right under the Constitution to commit acts of war, but, in view of the statements which have been made upon the floor of the Senate, and in view of the Attorney General's opinion, I think it is imperative that we place in the bill a statement that it is the sense of the Congress of the United States that the President shall not have the power to send American boys across the water, and particularly in view of the fact that the question has arisen and that such a provision was contained in the Democratic national platform.

Mr. BARKLEY. Mr. President, the amendment contemplates not simply the question of sending boys across the water to engage in some war. I am not arguing with the Senator from Montana that any President has the deliberate, imperious right, the moral right, to commit acts of war for the purpose of getting the United States into the war of acts which are calculated to get the United States into war, unless such acts are committed in pursuance of a power and a right which he enjoys under the Constitution to protect American interests, American lives, and then it is his duty to protect them anywhere in the world. If such action lead to war, of course that is another proposition.

Mr. WHEELER. Let me say to the Senator from Kentucky that I can go along with him in saying that, of course, it is within the sovereign power of the United States of America to send marines or soldiers to protect American citizens and also to use them in the defense of the country when that becomes necessary.

The President has no such power as has been asserted, and it was never contemplated that he should have such power. No one can read Madison's notes, or Alexander Hamilton's statement, or statements by Sutherland and others and say that the President has such power.

As to the rest of the statement, I can go along with the Senator from Kentucky. I am glad he made the statement he did, because I think it is important that that matter should be understood and that we should not fritter away the Constitution. When we talk about the rights or powers of the President, we mean any President and not merely President Roosevelt. We are not talking about President Roosevelt alone, notwithstanding the fact that every time I oppose some provision because the Constitution does not give the President certain powers, it is said that it is a personal matter. Let me say to the Senator that there is nothing personal about my attitude at all. I fought President Coolidge with reference to sending the marines into Nicaragua, and I contended that under the Constitution he did not have any right to do it at that time. I argued the question on the floor of the Senate, and some able constitutional lawyers, such as the late Senator Borah, of Idaho, thoroughly agreed with me and fought side by side with me upon that issue, as did practically every other lawyer in the Senate. So there is nothing personal in my attitude.

But when we say that under the Constitution of the United States only the Congress may declare war, it is said, "Oh, but the President of the United States can do it." When such statements are made we come dangerously near to giving to any President the right which the King of England once had. That is the very reason why Jefferson, Madison, and Monroe insisted that the provision to which reference has been made be written into the Constitution.

Mr. BARKLEY. Mr. President, I have made no contention—and no Senator has made any contention in this debate—that we can take away from Congress the power to declare war. The point that I am undertaking to make is that the amendment offered by the Senator from Louisiana holds out to the American people and to foreign nations the belief that the President of the United States, even without regard to the present war in Europe and Asia, may not do the things which Presidents have been doing for 150 years if the circumstances should justify his doing such things to protect American interests.

Mr. PEPPER and Mr. BROOKS addressed the Chair.

The VICE PRESIDENT. Does the Senator from Kentucky yield; and if so, to whom?

Mr. BARKLEY. I should like to go along with my argument; but I yield to the Senator from Florida.

Mr. PEPPER. Mr. President, the proposer of the amendment is endeavoring, as he said, to allay a fear which some might entertain. What I am anxious to hear is not a discussion of extraneous issues, but an authoritative statement by the majority leader of this body and by the chairman of the Committee on Foreign Relations, who is in charge of the bill, that it has never been intended that the bill should grant such power, and that there is no language in the bill which justifies the inference that the bill does grant such power. I think the two Senators to whom I have referred should give that assurance to this body and to the country, because such assurance, coming from them, would carry great weight.

Mr. BARKLEY. I will say to the Senator from Florida that I do not know how much weight any statement I might make would carry; but if it is worth anything to the Senator from Florida, or to any other Senator, I think I can say, on behalf of the Senator from Georgia and myself, as well as the entire committee as a whole, that the committee has never interpreted the bill as conferring any power whatever on the President of the United States to send a single soldier anywhere in the world. I think that is the opinion of the committee; and I do not believe anybody can read the bill under any fair interpretation and assert to the contrary.

I now yield to the Senator from Illinois.

Mr. BROOKS. Mr. President, I have listened to the discussion by eminent Senators of the question of constitutional law. I was glad to hear recited, in part at least, the things which Presidents have been doing for 150 years. By the pending bill we propose to grant powers which no President has had in 150 years. We are facing different circumstances from those in which President Theodore Roosevelt said he would send the Navy half way around the world and let the Congress worry about getting it home.

Mr. President, today we cannot send the Navy half way around the world without having it shot at. That is the thing with which the people of America are vitally concerned. So far as I know every Senator wants to help England. I do not know of a single Senator who would vote against an appropriation for the immediate purchase for England of all the supplies which are available in the United States. However, the people are concerned about the interpretation which may be put upon these unusual powers by an Attorney General who talked about the history of legislation in interpreting legislation to authorize giving away ships of our Navy.

Mr. BARKLEY. Mr. President, even the Supreme Court, in interpreting the law, talks about the history of legislation, and often refers to the reports of committees and the debates in Congress.

Mr. BROOKS. That is correct; but I am saying that, although I sincerely believe that the amendment would not prohibit the President from doing certain things, at least it would say to him, in the language of the legislation, that the



Congress means, "You are not to send our soldiers into a war area at this time."

Mr. BARKLEY. Mr. President, I should like to pursue without interruption for a few minutes the thought I have in mind.

The Senator from Illinois and other Senators talk about the fear on the part of the American people that there is something in the bill against which we ought to guard. Yesterday, and when he offered the amendment a few days ago, the Senator from Louisiana [Mr. ELLENDER] stated that the object of the amendment was to allay the fears of millions of American mothers that their sons would be sent overseas.

Mr. President, the reactions of American mothers or American fathers with respect to legislation which we enact is always a delicate subject. No Senator could be more anxious or more solicitous than I am about allaying the fears of mothers. No Senator has a more abiding affection for and faith in mothers than have I. I have a mother. In a month from now she will be 84 years old. Her father was killed in the saddle during a great war in this country. During the World War she gave her share of sons to fight in that cause. If I had no regard for any other mother in America I would certainly have regard for her feelings.

I do not wish to refer to personal matters, but my wife is a mother, and her only son is flying today as a member of the Air Corps of the United States Army. Certainly, I am as solicitous as any other Senator could be to allay the fears of mothers; but my observation and experience lead me to believe that when the American people face a great crisis, in dealing with it the mothers are about as brave as the fathers. That has been true throughout all history. We have read much about the Spartan mothers of centuries and centuries ago; but by the adoption of this amendment would we allay the fears of the mothers of America? Suppose it would temporarily allay their fears; they would be bound to believe that the President could not send any member of the Army or of the naval forces of the United States beyond the Western Hemisphere or the Philippine Islands. Then suppose something should occur somewhere else in the world involving American interests outside the Western Hemisphere, outside the Philippine Islands; suppose it should arise without any connection whatever with the present war raging in Europe or in Asia; and suppose the President should find it necessary to use the naval and military forces of the United States somewhere—as has been done for 150 years—to protect American lives and interests: We know what would happen. Those who do not understand the meticulous decisions in legislation and authority, having had their fears allayed—if they were allayed—might immediately feel justified in the conclusion that, over the will of Congress and in spite of a congressional enactment which declares a policy, the President of the United States had violated either the law or the spirit of the policy which had been thus adopted.

Mr. NORRIS. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield to the Senator from Nebraska.

Mr. NORRIS. The Senator has just made a statement which I do not wish to see stand; and I do not believe he will let it stand if he realizes, as I do, that it is erroneous. The Senator has stated that in the case he puts, which I will not repeat, the American people would be justified in believing that the President had violated this enactment.

Mr. BARKLEY. I meant to say that they may be inclined so to believe.

Mr. NORRIS. That may be, but there would not be any reason for it.

Mr. BARKLEY. No.

Mr. NORRIS. This amendment applies only to the bill now under consideration.

Mr. BARKLEY. I understand that.

Mr. NORRIS. Let us take the case the Senator put: If the President had power, outside the bill, to do what he contemplated and what he did, this amendment would not be to blame for it.

Mr. BARKLEY. The word "justified" probably was the wrong word to use, although I have no doubt that efforts would be made to convince the people that they would be justified in assuming that the President had violated the law.

Mr. NORRIS. That may be true.

Mr. BARKLEY. If the fears of the people are to be allayed by this amendment—and that is its only object according to its author—if they are to be led into believing that the President cannot do something which he can do, and if the President thereafter finds himself required to do such a thing, then will not many of the people whose fears have thus been allayed, and who do not know all the circumstances, automatically believe that the President has violated either the law or the policy?

Mr. NORRIS. That might happen; but the belief would be erroneous, if that should happen.

Mr. BARKLEY. Yes; it would be erroneous.

Mr. NORRIS. I do not believe there would be very much danger that any great number of people would believe, as the Senator thinks, that the President had acted in violation of law.

Mr. BARKLEY. I think such a reaction would come from the amendment offered by the Senator from Louisiana. In other words, it would be an element in the unintentional deception of the American people, leading them to believe, first, that there is something in the way of Presidential authority in the bill against which we should guard; next, if the amendment is adopted, that we shall have cured that. Then if, independent of the European war, the President should be required to do such things, there would be many people who would believe that he had gone beyond the policy of the Congress, if he had not actually violated the law.

I do not think there would be any question about that; and I think that the amendment would automatically, if not intentionally, deceive the American people.

It would also deceive foreign nations; I believe the adoption of this amendment would be regarded around the world as a congressional declaration of policy not only with respect to the future, but with particular reference to the situation which now exists.

Mr. CHANDLER. Mr. President, will my colleague yield to me?

Mr. BARKLEY. I yield.

Mr. CHANDLER. The proposed amendment seems to me to be futile. When we consider that we are giving someone additional power, it presupposes that we have already given him some power. Does my colleague agree that we cannot give a person additional power until we have first given him some power?

Mr. BARKLEY. I agree to that. The intention of this amendment is not that by the bill we would give the President any additional power, but I think the Senator from Louisiana had in mind that we would not be giving him any power other than what he already possesses, either under the Constitution or through acts of Congress.

Mr. CHANDLER. All of us agree that by the passage of the bill we would not be giving the President any additional power.

Mr. BARKLEY. Yes.

Mr. CHANDLER. If, by the passage of the bill, we would not be giving the President any additional powers, then I desire to have some one answer my question as to how we would be giving the President additional power if we would not be giving him any power.

Mr. BARKLEY. Of course, by the passage of the bill we would not be giving the President any additional power; and by the adoption of the amendment we could not give him any additional power. I think that in using the word "additional" the Senator from Louisiana had in mind other acts of Congress, or the constitutional authority generally given to the President.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. TAFT. I understand the Senator to say that he thinks that the adoption of this amendment would be accepted throughout the world as a congressional declaration of policy. I desire to ask the Senator whether that congressional declaration of policy would be any different from the President's declaration of policy made repeatedly during the 1940 Presidential campaign.

Mr. BARKLEY. No; I should say that so far as the moral effect upon either the people or the Congress is concerned, it would be no different; but there is nothing in the bill which in any way violates or is inconsistent with the President's declaration of policy, repeatedly made; there is nothing in the bill inconsistent with the position taken by either of the major political parties; and there is nothing in the bill that is inconsistent with anything the President has said on the subject from the very beginning.

Mr. TAFT. What is the objection to a congressional declaration of the same policy which the President has already



declared to the American people and to the peoples of the world?

Mr. BARKLEY. I am trying my level best to tell the Senator and other Senators what my objection is.

We all know that in Europe and in Asia the situation is so delicate that it may be turned by the tripping of a hair trigger. I believe that we have to consider what other nations will think and how far they will go in the light of this amendment, and, in my opinion, the adoption of the amendment by Congress would practically announce to the world that so long as we hug the Western Hemisphere and the Philippine Islands and Hawaii we will take no steps, either through our military forces or our naval forces, either to assert or to protect the rights of the United States or of citizens of the United States. Then nations that desire to put such interpretation on it, nations that want to convince their people that that is what we mean, will immediately say that they can roam the seven seas so long as they stay away from the shores of the Western Hemisphere, the Philippine Islands, and Hawaii, that they can do as they please, and that the United States will take no step in regard to their actions. If they should believe that, I say that the amendment would cut the ground out from under the feet of the Secretary of State in his dealings with other nations in Asia and in Europe, because there are many things involved in this matter, from the diplomatic standpoint, which we cannot discuss here. I do not intend to discuss things which I have learned from my consultations with men who are dealing with the subject at first hand, but I know how they feel about it, and I think the press has carried statements and indications as to how they feel.

It may be possible that the mere fact that an aggressive nation does not know what our attitude will be or what action we will take in certain eventualities may be the one thing that is holding them back from greater aggression. Certainly we do not wish, as I view it, by any declaration here, whether it is futile or whether it is efficacious, as my colleague, the junior Senator from Kentucky [Mr. CHANDLER] has indicated, to hamper or handicap or embarrass the President of the United States and the Secretary of State in dealing with other nations from day to day in situations that exist and change overnight and almost by the hour. If we are to be kept out of war, out of the world-wide conflict which is raging, it must be done not only by cautious and judicious action on the part of Congress, but we must rely on the President and the Secretary of State in their daily dealings with other countries to exercise all the power and all the force and all the leverage they possess to keep our country out of war and to preserve peace, and we should not make it more difficult for them to deal with foreign governments because of some action of ours.

Mr. NORRIS. Mr. President—

Mr. BARKLEY. I yield to the Senator from Nebraska.

Mr. NORRIS. I do not want to take any action or do anything, of course, that would interfere with the President or

with the Secretary of State in carrying out the laws enacted by Congress or in giving, as much as they can, aid to Great Britain or to Greece; but I wish to ask the Senator, does he think that a Member of this body ought to have his vote controlled by something that is secret, of which he does not know, simply because another Senator says that he has private information which he cannot reveal but which he believes makes it necessary that this amendment be rejected?

Mr. BARKLEY. Let me say to the Senator that I have no information that any other Senator cannot obtain if he makes the same effort to obtain it. We all understand that, I think.

Mr. NORRIS. I think that is true; it may be true; we might obtain the information; but there ought to be some way of conveying it to us if it is expected to control our votes.

Mr. BARKLEY. I do not wish to name countries; I do not wish to draw comparisons between our attitude toward one country and our attitude toward another. Therefore, I have refrained from mentioning any countries as to which our diplomatic situation may be delicate. That is what I had reference to. I do not want to rise on the floor of the Senate and call the names of countries. I think we all have a pretty general idea of the delicate situation which exists between our country and certain countries in the Mediterranean region of Europe and certain other countries in the Asiatic part of the world. I do not wish to draw any invidious comparisons by mentioning any country as being in a peculiar situation that is different from the situation in which other countries are.

Mr. NORRIS. I should not expect the Senator to do so, and I hope he understands I do not want him to do anything that would be dishonorable or disreputable or unfair; but, at the same time, it seems to me, as a Member of this body, when I shall soon be compelled to vote on this particular concrete amendment, that I ought not to permit my vote to be controlled by secret evidence which has never even been communicated to me. It may be that I ought not to look at it in that way.

Mr. BARKLEY. Nobody has greater respect for the intellectual integrity of the Senator from Nebraska than have I, and I think he knows that. It has been stated generally in the press that the Secretary of State feels that the adoption of this amendment would greatly embarrass him in his negotiations with other nations. I think that is true; I think any Senator can ascertain that fact for himself if he will pursue the course of seeking information at first hand on that subject. I have not any doubt of it at all.

Mr. NORRIS. I will say to the Senator that I would not want to be one who would go to the Secretary of State and get such evidence and expect to control my colleagues in that way. It might satisfy me as to my vote, but I would not want to ask my colleagues to vote as I vote on that account.

Mr. BARKLEY. I am not asking the Senator from Nebraska or any other Senator to vote on that basis.

Mr. NORRIS. The Senator is making an argument to that effect.

Mr. BARKLEY. I am undertaking to convince the Senate, if I can; I may be doing so very imperfectly; but with all the evidence we have which is public, the statements which have been issued, and the newspaper articles which have been printed with respect to the attitude and feeling of the Secretary of State about this matter, I feel justified in making the statement that I believe that the adoption of this amendment would very materially take away from him his leverage in the situation which he now occupies, and that he feels that it would.

Mr. NORRIS. Of course, I cannot say how he feels about it, and I would want to know not only that he felt that way, but I would want to know that he had good and justifiable reasons for feeling that way.

Mr. BARKLEY. The Secretary, in my own judgment, does have good and valid reasons.

Mr. NORRIS. I think he has, too; but I do not know what they are. If there are such reasons, I have not been able to ascertain them.

Mr. BARKLEY. The Secretary of State would not come here and talk to us about this matter. I think any Senator would be justified, if it had any weight with him, as it does with me, in ascertaining the reasons why there cannot be any doubt about the fact that the Secretary of State does regard this amendment in that light; the newspapers have so indicated and everybody understands it. If any Senator wants to know the reasons why he feels that way about it, I think it would be very wise to obtain those reasons; but I cannot give them to the Senator from Nebraska.

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. WHEELER. I was going to say that exactly the same argument was made at the Democratic convention. Does the Senator think because we wrote into the Democratic platform the plank which we did on this subject that in the slightest degree tied the hands or interfered with the operations of the Secretary of State or hampered him in any way, shape, or form in carrying on diplomatic relations with foreign governments?

Mr. BARKLEY. I think the Senator from Montana will agree that, much as we feel that the platform of a political party ought to be binding upon it and ought to be meticulously observed after a party has been elected upon it—for I have never considered that a platform was made to get in on but not to stand on after the party gets in—I think we can all agree that a platform declaration does not carry the binding solemnity which an act of Congress carries.

Mr. WHEELER. I think that is true; but I was going to say that word was sent directly to the convention and directly to members of the Committee on Resolutions, and word came directly to me from one of the men who had talked with the administration regarding the plank on this subject which it was proposed to incorporate in the platform.



The identical argument which is made now was raised against putting that plank in the platform, but we did not follow it.

Secondly, I come back again to the statement of the President of the United States. It seems to me his statement in Philadelphia that he was not going to send American boys abroad, repeating the words of the platform of the Democratic convention, carried more weight with the people of this country and carried more weight with foreign diplomats and foreign countries than anything we could put in this bill in the way of a weak amendment of this kind. The President, toward the end of the campaign, used virtually the same language, and said he was not going to send American boys abroad. Certainly he would not have said that if it would embarrass the Secretary of State, and I do not believe it did embarrass him.

Frankly, I have great respect for Mr. Hull, the Secretary of State. I would not do anything that would embarrass him; but I cannot for the life of me see how it is possible that the adoption of this amendment would do so unless we are going to say that we are carrying out a bluff to this country and that country.

Let me say to the Senator that if I thought the Japs, for instance, were going to interfere with us or interfere with our nationals, that they were going to take the Philippines, or something of the kind, I would be one of the first persons to say, "Let us go down there and drive them out." I do not want the Japanese or the people of any other country to get the idea from anything I say on this floor that I propose for one second not to fight them if they interfere with the operations of the United States or any of its citizens or its property. I think that is the attitude of every Member of the Senate; and I do not think writing into this bill a statement that nothing contained in it shall be held to authorize the President to send American boys across the water unless we are attacked can in any wise be taken by any reasonable man or any country in the world to mean that we are not going to protect our nationals, that we are not going to protect American property against the attacks of any totalitarian dictator in the world, whether it is Mr. Stalin or Mr. Mussolini or Mr. Hitler or the Japs or anybody else.

Mr. BARKLEY. Mr. President, I do not think anything is accomplished on this amendment by going into the secret deliberations of the committee on resolutions in Chicago which finally wrote the Democratic platform. We had many discussions there. Many proposals were offered.

Mr. WHEELER. I am not going into anything secret.

Mr. BARKLEY. We had a great many arguments there in executive session about what should be written into the platform. As I said, my contention is that there is not a syllable or a sentence or even a thought in the bill now pending which is in violation of anything in that platform, or in violation of anything the President said as a result of that platform; but I will say this:

We take human nature as it is. Artemas Ward once made a facetious and humorous remark that one man had as much human nature in him as another, if not more; and that is true of nations also. I do not want to write into this bill anything that will lead any nation to feel that although we, as an American republic, have interests all over the world, we will not enforce or protect those interests so long as they are not involved in the Western Hemisphere, or in the Philippine Islands, or in the Hawaiian Islands.

The Senator has mentioned Japan. Japan is not the only nation involved. The same situation exists in Europe, particularly in the Mediterranean area.

It might be very decidedly to the interest of those who are seeking to control the people of their own country in behalf of aggression to convince them that the Congress of the United States has declared a policy that outside of the Western Hemisphere and outside of the Philippine Islands they may roam the seven seas, and we will do nothing about it. I know we will do something about it. That is why I do not want to deceive them into believing that we will not, and that is why I do not want to deceive the American people into believing that we will not.

Mr. WHEELER. Let me say to the Senator from Kentucky that I do not want to deceive the American people. That is the last thing I want to do; but, frankly, we hear many statements on the floor of the Senate to the effect that what we do or what we say is going to our enemies, if we want to call them enemies; that our enemies in Japan, or our enemies in Russia, or our enemies in Italy, or our enemies here or there or somewhere else, may misconstrue what we say. After all, if we are to legislate for the United States and for the best interests of the United States, we shall never legislate intelligently if we keep thinking of what our enemies are going to say about us. If the Senator or I keep constantly thinking and having in mind what our enemies in our States or our enemies in the country will think about this statement we make or that statement we make, it will simply make cowards of us all, and we shall never get anywhere under the sun.

So I am not particularly interested in what Mr. Hitler thinks, or what Mr. Stalin thinks, or what Mr. Mussolini thinks, or what somebody else thinks. What I am particularly interested in is the people of the United States, and I am interested in keeping the promises that we made to them. But whether or not we had made any promises to the people of the United States in the platform, whether the President had made any promises or whether I had made any pledges, I would still say that we ought not to send battleships or other vessels or armed forces into the Mediterranean unless we were attacked, or unless our interests were attacked. I still say that our first line of defense does not lie in the Mediterranean; it does not lie in England; it does not lie in the English Channel; nor does it lie in Hong Kong or in Singapore.

Mr. BARKLEY. All that is beside the question. I do not care anything about what Mr. Mussolini thinks of what I say, and I do not suppose he pays any attention to what I say.

Mr. CONNALLY. Mr. President if the Senator from Kentucky will yield, we all care a great deal about what they are thinking. That is the reason for this whole program. The Senator from Montana may not care, but I care a great deal about what they think.

Mr. BARKLEY. What I am saying is, I do not care what Mussolini thinks about what I say; I do not care what Stalin thinks about what I say; I do not care what Hitler thinks of what I say; but I do care what those nations think about what Congress does.

Mr. CONNALLY. I was not referring to the Senator from Kentucky; I was referring to the Senator from Montana [Laughter.]

Mr. BARKLEY. It would be a tragic thing for some nation to misconstrue what we do here so as to bring about a situation that might precipitate war, rather than leaving to the President and the Secretary of State power to negotiate with these people to ward off war, and to hold them at arm's length as long as possible in their aggressive efforts to conquer the world.

Mr. CONNALLY. Mr. President, will the Senator yield? I beg the Senator's pardon.

Mr. BARKLEY. I am going to quit. I have already talked longer than I intended to talk.

Mr. CONNALLY. In other words, the Senator from Montana is wholly indifferent to what Mussolini and Hitler and all of them think about us. I am not; for why are we building all these airplanes and all these battleships and assembling all these armies if it is not because we have some ideas as to what those men are thinking about us?

The point of the Senator from Kentucky, however, is that one reason for having an army is not necessarily to use it, but we want other countries to know that we have it, and we want other countries to know that we have a Navy. The Senator, however, does not want to say to a foreign country, "We have an army, but it has not any guns. We have an army with guns, but there are not any bullets in them. We have a number of cannon over here, but they have not any shells and they will not shoot. We just have a little painted Navy on a painted sea. I want them to know that we have an army, and that we have a navy, and that if the interests of the United States so require we will use them."

Mr. BARKLEY. Yes; and that is the very reason why I object to this amendment. Regardless of what Mussolini thinks of me—he cannot think any less of me than I think of him [laughter], and the same statement applies to Hitler and to Stalin and to the authorities in Japan—I am concerned about what they think of the collective action of Congress. That is the thing we are talking about. That is why I believe that this amendment, if adopted, will deceive the American people, not intentionally, but automatically it will do so. We are told that it



will allay a fear that I do not believe exists; but, if it does exist, it might soon result in a rude awakening of the American people.

I do not want the American people to be deceived. I do not want us to underestimate the intelligence of the American people either, as we are frequently prone to do here. My own judgment is that the American people are ahead of us now in what they want to do for the nations which are fighting for the right to live and the right to have their own form of government, whether it is a democracy or what it is.

Mr. HILL. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. HILL. Oftentimes we think that war is a separated, an isolated thing. Is it not true that that is not so, that when a nation fails to achieve its ends by peaceful or diplomatic means it often resorts to force? And, of course, when it uses force we have war. We know that the State Department today is doing everything it can, struggling in every way possible, to keep us out of war and to keep us at peace, and we should not at this time do anything which might in any way hamper or thwart the efforts of the State Department or prove embarrassing to the State Department, which is using every diplomatic and every peaceful means possible to keep us out of war.

Mr. BARKLEY. I agree with the Senator from Alabama, and if we might assume, for the sake of the argument, that the pending amendment is futile so far as its legal efficacy is concerned, admitting it gives nothing and takes away nothing, and that its effect on the American people will be psychological, it will also have a psychological effect on the rest of the world, and for that reason, if for no other, I am opposed to it, and I hope it will not be adopted.

Mr. O'MAHONEY. Mr. President—  
The VICE PRESIDENT. Does the Senator from Kentucky yield to the Senator from Wyoming?

Mr. BARKLEY. I yield.

Mr. O'MAHONEY. I understood the Senator was about to take his seat.

Mr. BARKLEY. I was about to do so.

Mr. O'MAHONEY. I desired to obtain recognition.

Mr. BARKLEY. I do not wish to take any more time. I have already taken so much that probably I shall be charged with filibustering. But I have yielded to questions which have resulted in my remarks being extended somewhat longer than I had intended.

Mr. President, for the reasons I have given, I hope the Ellender amendment will be rejected.

Mr. LEE. Mr. President, I rise to speak against the pending amendment, because I believe it is offered for the purpose of further limiting the pending measure. I shall decline to yield, for the one and only reason that I desire to conserve time.

Mr. O'MAHONEY. Mr. President, will the Senator yield to me?

Mr. LEE. I decline to yield, because I wish to conserve time.

Mr. O'MAHONEY. I do not desire to ask the Senator a question or to take any time.

Mr. LEE. Mr. President, I respectfully decline to yield.

I have a desire that we aid England in accordance with our announced foreign policy. I shall oppose every effort to hinder that aid; I shall support every effort which in my judgment will further that aid.

If the pending amendment does not mean anything, then it should not be attached to the bill.

I have faith in President Roosevelt. I know that many have stated that we should not put faith in any one man. But our whole life is based on faith. When you go down to the Senate dining room and put a mouthful of food in your mouth, you have faith in someone who prepared that food; you have faith that there is no poison in it. When you call in a doctor and he gives you a poisonous medicine to counteract some poison in your system, you have faith in him and in the medicine he is administering. In my opinion, nothing President Roosevelt has done should cause anyone to lose faith that he has an earnest and sincere desire to keep America out of war. From the first of his administration he has followed the good-neighbor policy, for the purpose of continuing America at peace with her neighbors. Both in deed and in utterance our Nation has in his administration followed a policy of neighborliness, so that any nation which wanted to live on the basis of "peace on earth and good will toward men" could live at peace with the United States.

In his utterances in the early part of his administration President Roosevelt made statements indicating his hatred of war. He has not changed in his desire to maintain peace and in his hatred of war. In his early statements he was speaking with respect to the United States and of the policies she might follow in order to preserve peace. Then a threat from abroad appeared on the horizon, and he began speaking with respect to threats which might arise from outside the United States and beyond the control of our policies.

When President Roosevelt spoke at Chicago and warned that the aggressor nations should be quarantined, he made a rather startling statement. Some said, "Is this the same President who said, 'I hate war'? Is this the same President who said, 'War profits are fool's gold'? Is this the same President who announced the good-neighbor policy? Has he turned his back on those statements? Has he turned from being an advocate of peace to be an advocate of war?"

Certainly not. He was 100 percent consistent. When he was speaking against war profits he was speaking of removing incentives within our own Nation which might lead us to war. The threat of war appeared abroad, and he began speaking objectively instead of subjectively. He realized that a threat to our peace could come from a foreign nation as well as that incentives toward war could arise from within.

President Roosevelt announced an embargo on the shipment of arms to certain South American countries when they were at war and no question was involved other than a question of boundary. President Roosevelt announced by Presi-

dential proclamation an embargo on the shipment of arms, in order to place the weight of his great office on the side of peace, and, led by that example, 18 other nations followed with embargoes on arms, and that war did not last long.

Again, a revolution broke out in Cuba. The sugar industry had made millions in the sugar business in Cuba for years, and there came an agitation for intervention in Cuba. The cry was, "Send the Marines to Cuba. Send a battleship to Cuba. Put down the revolution in Cuba." But once again President Roosevelt plowed a straight course toward peace. When he said, "There will be no intervention in Cuba," there was no intervention, and Cuba settled her own affairs without our staining our hands with the blood of our fellow men.

Again, when the war started in Ethiopia, when Mussolini started blasting his way across that helpless country, at that time the Standard Oil Co. had a contract with the Ethiopian Government, a contract which would mean profits to Ethiopia. President Roosevelt, feeling that that might lead to involvement in war, asked the Standard Oil Co. to cancel the contract. They were reluctant, but the State Department insisted, and they canceled the contract, and President Roosevelt then announced that as another proof that since the 4th of March 1933 this Government was no longer guided by a policy of dollar diplomacy.

By one step after another President Roosevelt has guided this Nation in a straight course toward world peace. During the most turbulent period in the history of the world the old Ship of State has plowed a straight course, shunning the flat beach of dishonor on the one side, and evading the ragged rocks of war on the other. Yet there are those who indicate that they doubt the President's sincerity in his efforts to keep this country out of war.

Things began to happen in Europe. First, there was Germany arming the Ruhr. I disagree with my colleagues who say that the Versailles Treaty is the only excuse for Hitler. I say there is no excuse for Hitler. And I do not agree that there were faults and mistakes in the Versailles Treaty which justified the actions of the Nazi powers today.

Certainly it may not be perfect, as no work of man is perfect. The only fault I can see with the peace that was made with Germany in 1919 was that as a result of it Germany never knew who lost the war. The war was never taken to Germany. The Germans never felt the blight of war, the Germans never felt the curse of war, and if one went there soon after the war was over and heard the Germans talk, one would get the impression that they never realized who had actually lost that war.

The only fault I find with the Versailles Treaty is that it did not go far enough. There was no Versailles Treaty in 1914 when the German Juggernaut crossed the border into Belgium and violated Belgian neutrality, violated Belgian territorial rights. Therefore it cannot be pled as a justification for the present invasion. The truth is that the Hun from the time he swept down from the north under The Scourge of God,



Attila, has been led to believe that he was born to dominate and he has been attempting it periodically from that time on.

So then things began to happen in Europe. There was the torpedoing of neutral vessels in the Mediterranean. Then there came the crisis with Czechoslovakia. That was in September, when our State Department did not turn out the lights in its offices. They were lighted all night. The world held its breath because Adolf Hitler, the Chancellor of the German Reich, had announced in an ultimatum that he would on a certain day start his machine of war thundering toward Czechoslovakia's borders. The tramways and railroads leading out of Paris and London were crowded. The people were fleeing to the country. They were evacuating the children. One word was on everyone's lips, and the traffic of the world stopped in its tracks, and the world waited.

One man at that time stood between Hitler and war, and that was the President of the United States, and the world hung on the words from his lips. He sent messages to our consular services in those nations that could have influence, telling them to urge the countries involved to use every diplomatic means rather than to resort to war. President Roosevelt then in the final hours on the morning of September 23 sent a message to the three countries concerned, urging them to use every possible means before resorting to war. Finally in one desperate effort to preserve the peace of the world, President Roosevelt sent a note, an unusual sort of note, to Adolf Hitler, urging him not to start his machine toward Czechoslovakia. In that act President Roosevelt mobilized the moral forces of the world into one great force, and threw it at Adolf Hitler. Although Hitler had delivered an ultimatum, he felt the moral force of the world against him, and slowly but surely the Chancellor of the German Reich backed away from his ultimatum and the world breathed again.

That is the President some are afraid to trust with power today. That is the man who has led this Nation through eight years, part of it the most turbulent period in its history because of internal as well as external problems which have shaken the faith of some people, but have not shaken the true leadership of Franklin D. Roosevelt.

In spite of what then occurred Hitler set out to dominate the world. He backed away only for a time, until in his opinion the moral forces of the world would be assuaged, and again he started his program of peaceful penetration, of taking over by his propaganda what he did not want to take over by military force.

Less than 70 storm troopers took over Austria. Eight of them armed with automatics, stormed into the radio station and took it over. It immediately began to blare Hitler's lies. Sixty-two, I believe it was, of the storm troopers got themselves into the capital in disguise and took over the capital. A few of them went into the room where little Dollfuss, the strong man of Austria, was, and

assassinated him in cold blood, and his voice and life, which went out in a bubble of blood, called to the world, "Help, help," but there was no help, because he was in the death grip of the Nazi octopus that had started out to strangle and take the world, and Austria went down.

Then Czechoslovakia, a little nation of a million fighting men, who were willing to die for their liberty, was betrayed and given away, and Hitler took over Czechoslovakia. He said, "All I want is the Sudetenland," but he took the whole of Czechoslovakia.

Then while he was taking Czechoslovakia he was making love to Poland, and he said words of love and paid all kinds of compliments to Poland. Then he said, "Now all I want is a corridor to Danzig. All I want is the Polish Corridor to Danzig." But on a September morning he started his juggernaut thundering across the line into Poland. He blasted Poland from the face of the earth, and he took Poland. It was then and finally only then that France and England woke up to the fact that this man Hitler and his Nazi machine were out to conquer the world.

There is one thing about Hitler: he has told the truth with respect to his threats. He has never told the truth with respect to his promises. He has broken every promise given in solemnity to respect the territories of others. He has kept to the letter every one of his dizzy threats with respect to total war and world domination. But the ironical thing about it is that there are those in this country, as well as those in Europe, who believed his promises and laughed off his dizzy talk about total war. He then told the world how he would conquer Europe. He said:

My declaration of war will consist of the sudden appearance of my troops in the streets of the capital of the enemy with which I am still at peace. They will be armed and properly uniformed. They will appear in bright daylight; no one will stop them. Everything has been arranged down to the smallest detail.

Is not that an exact picture of what happened in the amazing betrayal of Norway and Denmark? Then he even went further.

He said:

There will be endless confusion, but for a long time I will have had contact with those men who will direct the new government, a government that suits my purpose. We can always find such men. We can find them in every country. We don't even have to buy them. They will come to us of their own accord. Pride, confused thinking, political animosity, and egotism are their chief motives.

He drew an exact picture of the Quislings and the Laval. He told how he was going to overthrow the nations of Europe.

An interesting incident happened some years back. There was a burgo-master who decided that he would play a joke. Somehow or other he got hold of a Nazi uniform. He went into the offices of the officials of a city, announced that he was a certain officer, and the whole city capitulated to him. He ran into some Nazi soldiers, and being superior in rank he commanded them. He

took over the whole city, and that city was the laughing stock of all Europe, with the exception of one man. That man did not laugh. That man was Adolf Hitler. He stored it away in the back of his mind as a means of taking a country.

Something else happened. It happened here in America. During a certain radio broadcast the announcement was made over the radio that men from Mars were making war on America. Some of the people were frightened, and confusion resulted. Again, Adolf Hitler did not laugh. He stored that incident away for future use in assault on a nation.

Hitler has done something that no other military leader ever did. He has utilized the psychological assault on a nation. Before he assaults a nation with military power he makes a psychological assault. He himself says:

We need armies. But we shall not use them as in 1914. The place of artillery preparation for frontal attack by infantry in trench warfare will in the future be taken by revolutionary propaganda, to break down the enemy psychologically before the armies begin to function at all. The enemy people must be demoralized and ready to capitulate, driven with moral passivity, before military action can even be thought of. \* \* \* Mental confusion, contradiction of feeling, indecisiveness, panic, these are our weapons.

Did he make such a psychological assault in France? Ask anyone who knows anything about the situation in France. The French did not know whom to trust. They were divided among themselves. The cousin of a friend of mine worked in France for the Lone Star Oil Co. He had been there for 4 years. He said there was such confusion that the French could not even get an order through to use the airplanes they had when they desperately needed them. The head of the Air Ministry in France said that 500 airplanes would have prevented the Germans from coming through, but the French could not get those airplanes. According to this man, who was a witness, loyal French soldiers stole some of them and flew them to Africa. Others filled the tanks with cement in order to keep the Germans from using them immediately.

M. Morize, who was an official over there at the time and who is now a teacher in this country, told of the psychological assault. Not long ago I put one of his statements into the Record, of January 29. He told about the psychological assault, and about the underground rotting-away of the fabric of the nation. He told how an infiltration of enemies came in. There was an elevator boy here, and a clerk in a store somewhere else, located in strategic places. But when the test came they were furnishing information. They were also sabotaging the defense. This man pointed out how a machine would be greased with oil containing an abrasive material. He further pointed out that a carload of bolts would be shipped to Bordeaux when it should have been shipped to Toulouse. There was one little thing after another until the nation was undermined.



Mr. Ewald Hermann August Banse, a well-known Nazi writer, tells how the Hitler technique works. He explains that the purpose is:

To attack the enemy in its weak spot. \* \* \* Convince it that it is being deceived, misled, and brought to destruction by its own government, in order that it may lose confidence in the justice of its cause and that thus the opposition at home \* \* \* may raise its head and make trouble more successfully than before.

Do we recognize anything like that happening in America?

I do not care whether or not individuals are sincere; if the result of their efforts is to aid Hitler, then their efforts are not consistent with the best interests of America. The Hindu mother who tears the baby from her bosom and casts it to the grinning crocodile in the Ganges may be sincere, but that is not much consolation to the child. The result is the same. Yes; individuals may be sincere; but if the sum total of what they are doing is to aid Hitler, it hurts America. Help Hitler—hurt America, is what it means. To plead sincerity does not answer that charge.

Moreover, August Banse says that the purpose is to cause the people of a Nation to lose faith in the justice of their own cause. An effort is being made to make some of our people take the defeatist attitude that our democracy is not worth doing anything for. Defeatism is preached and iconoclasts assault the temple of our faith trying to make us believe that we are being led by false leaders.

Hitler started out to conquer the world; and he told the world so. His No. 1 braintruster, Karl Houshofer, president of the Geopolitical Institute of Munich, told the world that:

No race has greater claim to rule in the United States than the Germanic race.

Only last December, Hitler said:

Two worlds are in conflict—two philosophies of life. \* \* \* One of these two worlds must break asunder.

Make no mistake. Hitler is out to dominate the world.

Let us see what his domination carries with it. Walter Darre, Reichminister of Agriculture, made a speech last May at Hitler's instance. He said:

We are going to win this war and here are our aims. \* \* \* We shall be the absolute masters of two continents with the exception of Soviet Russia.

Then he said:

Thus a new aristocracy of German masters (Herrenvolk) will be created. This aristocracy will have slaves assigned to it, these slaves to be their property and to consist of landless, non-German nationals.

He went on to say:

Please do not interpret the word "slaves" as a parable or as a rhetorical term; we actually have in mind a modern form of medieval slavery which we must and will introduce because we urgently need it in order to fulfill our great tasks.

The Germans have already carried out their bizzare threat of human slavery. They have taken men from Poland and shipped them into Germany, where they have been placed in labor battalions.

They have shipped the people from Norway in carload lots, like cattle, to do the bidding of German herrenvolk masters. They have shipped women from Belgium and Holland into Germany where today they serve as domestics in the households of German officers. They have pressed into forced labor many of the 200,000 Jewish people who still remain in Germany. They have clapped down upon those people a dark night. Tuning in on any radio station except those of Dr. Goebbels' propaganda machine carries with it a death sentence. The people may listen to the radio stations of the propaganda machine. Hitler has started out to destroy Christianity in the world. He said:

The religions are all alike, no matter what they call themselves. They have no future—certainly none for the Germans. Fascism, if it likes, may come to terms with the church. So shall I. Why not? That will not prevent me from tearing up Christianity root and branch and annihilating it in German.

Then he said:

Whether it is the Old Testament or the New, \* \* \* it is all the same old Jewish swindle. You can't make an Aryan of Jesus. That is nonsense.

Referring to the ministers he said:

They will betray their God to us. They will betray anything for the sake of their miserable little jobs and incomes.

\* \* \* So will they replace the cross with our swastika. Instead of worshipping the blood of their quondam Saviour, they will worship the pure blood of our people.

Is there an honest person in America who does not believe Hitler is out to dominate the world, to force upon the world his so-called new order, and that under that order the last vestige of liberty and Christianity will be gone?

Yes; Hitler is out to dominate the world; but it is said that does not mean the Western World. Let us see what Hitler said about the Western World. He said:

Latin America—we shall create a new Germany there. We have a right to this continent. \* \* \* We require two movements abroad, a loyal and a revolutionary one. \* \* \*

We shall not land troops like William the Conqueror and gain Brazil by the strength of arms. Our weapons are not visible ones.

Have we felt the effect of his weapons in America? Mr. President, I ask the Members of the Senate to read yesterday's newspaper, and observe in it the long list of bombers and American planes that have crashed. I ask the Members of the Senate to read the list which I placed in the RECORD on January 29 of the 13 explosions in the past 13 months in America in our defense works. Read the newspapers every day, and see if they do not see the fine hand of Hitler sabotaging here.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. LEE. I am sorry; I decline to yield. I would like to yield to my good friend; but, Mr. President, I decline to yield.

Mr. CLARK of Missouri. Very well, Mr. President, if the Senator declines to yield, and wishes to conduct a filibuster without yielding, that is agreeable to me.

The PRESIDING OFFICER (Mr. WALLGREN in the chair). The Senator from Oklahoma declines to yield.

Mr. LEE. My good friend from Missouri is very clever in the use of the word "filibuster," but I still feel that there will be less filibustering if I do not yield. I certainly am not filibustering. I do not think anyone can accuse me of that. I made a speech on the subject of the bill before I saw it brought in, and I thought we would get a vote on it. When I saw we would not, I desired to present some of my answers to the points that have been raised.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. LEE. I decline to yield.

Mr. President, I am undertaking to show here the broad and general reasons why I am supporting aid to England in every form and fashion, and why I am opposing everything that looks to me as though it might hinder in the least bit that aid to England.

I believe Hitler is out to dominate the world. I am convinced that if he is able to destroy England, then he will be in South America as fast as ships can carry him there. Our fleet is in the Pacific, where it must remain. The other end of the Axis, Japan, will see to that. We have a few gunboats patrolling the Atlantic. If Hitler should defeat England, Hitler would then have the Germany Navy, the French Navy, the Italian Navy, the British Navy, and such ships as belong to the smaller countries of Europe. There would not be a battleship between him and 42,000 miles of American coast line. Hitler would then have at his disposal all the manpower and all the materials of Europe. He would be mad with ambition. He would be strengthened by conquest. Hitler would then be the master of land, sea, and air. There would not be a battleship between him and the entire Atlantic coast line of America.

What would prevent him from moving upon America? What would prevent him from establishing bases in South America, where he has many friends, and from those bases striking at the United States?

We are given this answer: "If Hitler cannot cross 22 miles of English Channel, how can he cross 3,000 miles of the Atlantic Ocean?" The difference is that between Hitler and the British Isles, in that 22 miles, stands the British Navy; but, once that Navy falls into Hitler's hand, the same Atlantic Ocean which has been our protection will be a highway of attack. The same ocean that guards us so long as a friendly nation's navy rides its waves makes us vulnerable to attack at a hundred places if the same control of the waters should fall into the hands of an enemy country.

Another difference between the English situation and ours is because the limited places where the Germans could land in England make it easier for the English to defend those few places. How would we know how to fortify our Atlantic coast? We have not time to fortify the entire coast from one end to the other; and how would we know at which point Hitler would undertake to land? It is



entirely probable that he would not undertake to land anywhere in the United States. He would head straight for South America. He would aid one of those explosive countries down there in a revolution. He is already shipping planes down there. The one ship that got through the blockade and landed in South America had on it planes. He would ship war materials and would aid the revolutionary side. Then he would own the country, and he would establish bases where he would have a friendly place to land.

"Why," it is said, "it would take many million people for him to come over and invade this country and he could not bring them over." I understand that the United States transported 2,000,000 soldiers across the Atlantic, and that was more than 20 years ago. We had a friendly place to land. So would Hitler, if he had a place in South America, as he certainly would have.

Mr. President, Hitler is a madman, standing at the switch of the most powerful and destructive machine ever constructed by the brain of man, and the charred ruins of an entire continent prove that he does not hesitate to throw that switch.

Make no mistake. Hitler is out to dominate the world. No doubt he first would make an economic assault on America. Reichsminister of Agriculture Darré said:

The United States also will be forced by Germany to complete and final capitulation. Our superior industrial products will be sold at very low prices to the whole world, and will cause the United States to have not 7,000,000 but 30,000,000 to 40,000,000 unemployed. Mr. Roosevelt will then beg the fuhrer on his knees to purchase from the United States not manufactured products but raw materials at prices which we shall dictate.

Those who oppose aid to England tell us war will mean financial chaos. Certainly it will. There has not been a word uttered on the floor of the Senate, or outside, in denunciation of war, to which I will not subscribe; but I say to the Members of the Senate that we cannot have peace by simply denouncing war. The mistake made by opponents of aid to England has been that they have never considered more than one side; they have never considered the alternative. In order to consider any question fairly it must be considered in the light of the alternative. Certainly if we were in a Hitler-dominated world, our products would have to compete with the slave labor of the world. That would mean unemployment. That would mean depressions. That would mean panic; and in those conditions the germ of national socialism would find fertile soil. Even our armies could not prevent the invasion of the enemy ideas into a country reduced to panic and depression by virtue of a Hitler-dominated world because of the economic conditions which would be created. Certainly that would be his opportunity to establish national socialism.

Karl Houshofer has said:

Never shall we forget that a substantial portion of the United States does not need to be made German. It is German. A strong determined army of occupation under dy-

namic National Socialist command can be recruited overnight in certain parts of the United States. The job of taking over North America will be comparatively simple.

Yes; there would be disaster if Hitler should conquer England.

Those who have spoken here on the presumption that we are going into war, and who have described the terrible things that will happen in this country if we go to war, in my opinion have not used words too strong. But look at the alternative of it: What is going to happen if we let England fall?

Mr. President, I tell the Members of the Senate that the totalitarian powers are on the march; and if England falls, then America will stand alone in their path. It is not an accident that the marching song of a Nazi goosestepper is, "Today we own Europe, tomorrow the whole world." That is not an accident.

Hitler has truthfully said:

Two worlds, two philosophies of life, are in conflict. One of these two worlds must break asunder.

Which is it to be—democracy or despotism? While I am speaking they are at death grips in the world today.

Senators on the other side have done their best to place a declaration of war in the mouth of every Senator who has supported the policy of aid to England. They wheedle, they haggle, they jab, they tease, they do everything to place a declaration of war in the mouth of every Senator who wants to aid England and keep her standing as the only barrier between America and the greatest flood of war ever gathered together. To keep those breakers of war from washing up against the shores of America, we want to keep that wall standing. But our opponents try to place in our mouths a declaration of war. They even try to force us to it by insinuating that we are cowardly not to do so. They say if they thought as we think they would consider it cowardly not to advocate a declaration of war.

Let me tell you, Mr. President, why a declaration of war would not, in my opinion, be in aid of England. Our purpose in supporting this bill is to escape war, if that is possible. If we should declare war, it would mean that we would be at war with the entire Axis, including Italy and Japan; it would mean that before we could send another weapon to England we would be required to build up every unit of our military and naval forces to full war strength. That would mean a long delay; it would mean a cessation of military aid to England. Would our material spread out all over our territory be of as much aid to England as if we would concentrate it in the hands of England? One bomber to England today is as good as 10 bombers if America must face the Axis alone. The military value of the weapons we are sending to England is worth more in the time it purchases than it would be any way we could use it, because time gives us a chance to multiply, accelerate, and step up our own production. In stepping up our production, we are becoming better armed.

The opponents of this measure are the ones who opposed the repeal of the

embargo. They would not have to change their speeches. They charged dictatorship then; they charged war then; they predicted many things that would happen which have never happened. They would not have to change their speeches at all, and I do not think some of them have done so. Some of their language has sounded hauntingly familiar to me. Yet the repeal of the embargo is the one best step America has taken toward her preparation for national defense. At that time our production of airplanes was, approximately, 50 planes a month; during January of this year our production was over 1,000. As the result of the repeal of the embargo, our industries could sell their production and increase their capacity to produce, thus placing America on a mass production basis. That has strengthened America greatly, because whenever Hitler sits down across the table with a nation in a diplomatic struggle, there is but one argument, and that is the number of planes his opponent can send up into the air. If England had the power in the Balkans today to send sufficient planes up into the air, Bulgaria, no doubt, would be on the English side instead of by sheer force being condemned to bow her neck under the Nazi heel. Therefore America is increasing her defense by increasing her production.

Furthermore, a declaration of war would mean a divided command. During the World War there was a long period during which we suffered considerably because of divided command. One of two things would happen: We would either have a divided command, or we would have to let England command, or we would have to command. England has been at war for many months; she is closer to the scene, and has the experience; so the logical thing would be for England to have command.

Let us suppose England should command, then what could we do that we are not doing now? We could not send any troops because Mr. Churchill has said England did not want troops this year or next year or ever, so far as he could see. Modern war is a contest of industrial capacity; sheer numbers of men in uniform no longer turn the tide of battle. In the wars which Hitler has waged and won numbers of men never counted. The wars he won were won by a small percentage of the manpower of Europe operating mechanical equipment. There is no place to land troops if we sent them to England, no place to quarter them, no place to use them. There would be no reason for sending men; every argument is against it, and it would defeat our purpose, which is to preserve peace, if possible. Therefore, we are aiding England more by sending her planes than by sending her men; we are aiding England more as a sympathetic nonbelligerent than we would be as a belligerent. We are only half armed, at best, and to be half armed sometimes is more dangerous than not to be armed at all. Therefore, the argument that if they believed as we do, that the very foundation of democracy and liberty is at stake, we should declare war is wrong,



because modern war is a battle of industrial capacity. Neither England's industrial capacity alone nor America's industrial capacity alone is equal to Germany's industrial capacity, but the combined industrial capacity of the two nations will crush Hitler without America entering the war. Hitler knows that to be so, and the one thing he has tried to avoid all along was a combination against him.

He has used his strategy over and over. How he did it I do not know. Right in front of everybody's eyes he made love to his neighbors while he destroyed his victims. Thus he divided them and conquered them. The nations he has already destroyed, if combined against him, had potentially sufficient power to destroy him, but by the clever and effectual use of propaganda he was able to defeat them while he took one at a time.

Hitler tried to drive a wedge between France and England. Slogans like this were sung over and over again in France, "The English will fight to the last Frenchman's life." That was repeated over and over again in France until it had its effect; while in England they were using the slogan, "Do not give away England's defenses; keep them at home." Have we heard anything sounding like that here? It is said, "Do not send our defenses away, keep them at home." What does that mean? It means playing squarely into Hitler's hands. That is what he wants. If he can make us feel that way, make England feel that way, and make Greece feel that way, he will take them one at a time and chop them to pieces; it plays into Hitler's hands. Our industrial strength alone is not enough; England's is not enough; but the two brought together will crush Hitler. England can defeat Hitler without ever invading the continent with an expeditionary force. This is one of the chief arguments of the opponents of the bill: "That is where America will come in. We shall have to send American troops over there to invade the continent, or else England can never win the war."

If England is able to maintain her blockade and is able to attain superiority in the air, as she will do as our production and flow of airplanes increases, she will stop Hitler; and whenever Hitler is stopped he is defeated, because his success depends upon a series of victories. Whenever that series of victories is ended Hitler is defeated. He is defeated in his purpose if he cannot invade England. Then add to that the fact that England, with the long-range bombers which we propose to furnish the Royal Air Force, will take the hell of war to the German people on German soil; and they will not stand up to it as the English do, because they are fighting for a different purpose and a different cause. Whenever Hitler is stopped, economic and social forces will begin to fight on the side of England, and England will win the war without ever invading the continent. That will be time enough to come forward with suggestions for a negotiated peace.

All that those suggestions mean is that if we just quit helping England she will

have to come to terms with Hitler, on Hitler's own terms. Here are Hitler's peace terms:

A peace supported not by the palm branches of tearful, pacifist, professional female mourners, but founded by the victorious sword of a people of overlords which puts the world into the services of a higher culture.

Some persons want to compel England to accept terms of peace like those. Then we should be next in line for an economic assault if not an actual military assault, and I believe there would be a military assault; I do not believe the man who planned and executed the most diabolical military scheme in all history would calmly sit down and wait for America to arm. He would see that we are only partially armed.

The opponents of aid to England, no matter how sincere, would force America into a death trap which would mean that we would either have to accept Hitler's terms or see our own sons slaughtered on the field of battle for the want of planes and tanks and guns which we do not yet have ready.

The opponents make the argument, "Oh, if we should send materials over there they might be surrendered; they might be betrayed." Then they point to some of the weaknesses of France. I want you to know that it is true that France did not go down under military might alone. Neither did Belgium or Holland. There were spies who cut the dirt from under the strong fabric of national unity. Those countries went down under a double assault of steel and betrayal. Their radio stations, seized by Hitler gunmen, blared Hitler lies. Troops were sent in the wrong direction. When the fighting forces of France went to meet the enemy, they found him not in front of them alone, but all around them. When they went to fall back, they found that the "fifth columnists" had pushed the refugees out into the highways and blocked the means of moving troops. Such confusion was created that further resistance seemed hopeless. In the eleventh hour, however, England had enough sense to do what I hope we can do now. They placed the power to act in the hands of one man, the rock of England, Winston Churchill.

Now he has all power to act. The English took that action in the eleventh hour. That was better than not doing it at all; but how much would England give today for some of the weeks that they whiled away under the policy of "Business as usual," under the narcotic that "It cannot happen here"? If they had only given Churchill that power a month before they did, 2 months before they did, a year before they did, England would be much stronger and in a better position today. But the English listened to the appeasers. They listened to the old man with the umbrella. They listened to the Daladiers and the Laval. They listened to those who said, "We will make our own country so strong that no one will dare attack us."

It seems to me I heard that said on the floor of the Senate. It seems to me I heard a Senator say, "If Hitler should ever head any boats this way, I would sink them." He did not say, however,

what he would sink them with. I suppose he would fight them with national swashbuckling, because that is all it amounts to. He would sink them. "I would make America so strong that no one would dare attack us," but he did not say when; and it takes 4 years to build a battleship. The best military experts tell us that we are not as yet armed, but the opponents would make America so strong as to be impregnable. So would I; but I am playing for time in order to do that.

When I was a soldier we were taught always to take advantage in battle of every protection, of everything that offered us any cover—a tree, a rock, or anything. England is the reef that is holding back the breakers of the war. England is the last barrier between America and Hitler's total war, and I believe we should keep that barrier standing.

The opponents of this measure stroke our national pride. I heard a Senator the other day say, "We are the richest nation on earth." That is all the more reason why Hitler would come here as fast as he could; but we cannot fight with riches. We have to translate our wealth into tanks and guns and dive bombers before we can fight with it.

"Why," he said, "we are a nation of 130,000,000 people," as though a modern blitzkrieg could be stopped by sheer numbers of unarmed men. It cannot be done. Hitler has more armed troops in a side-show over in the Balkans today than we have in the Army in this country, ready to fight, at least. We have some trainees, but it would be slaughter to send them into battle. Make no mistake about that.

I believe the isolationists have seemed to make some gain in the country. Why? Because of the lull over in Europe. Every time there is a lull they go to sleep on the soothing sirup of the isolationist predictions that "it cannot happen here"; "America is safe"; "we have 130,000,000 people"; "we are the richest nation on earth"; "we have 3,000 miles of water between us and them"; and they put themselves to sleep.

In my opinion, it is just as deceptive and just as deadly as the soothing words of Delilah as she stroked Samson's long hair and put him to sleep with stories of his own strength while she delivered him into the hands of the enemy.

Talk about us inviting danger, talk about us inviting war. If our policy invites war, at least it would give us a chance to win. The question is not a choice between peace and war. If it were, there would be no argument. It is a choice between danger and less danger. I believe our danger will be less in keeping up the protection we have in England, keeping England standing as the last wall between American boys and Hitler's blitzkrieg. I believe the blood of American youth is so much more precious than our materials of war that we should supply those materials in ever-increasing numbers in order to safeguard these youths.

Mr. President, I believe with all my heart that Hitler is out to conquer the world. I believe he intends to do it by psychological assault. I believe he intends to do it by "fifth columns," and then finally, if necessary, I believe he



intends to do it by modern blitzkrieg methods.

Do not allow yourselves to be misled by the lull. It is only the deadly silence before the greatest storm of hell which has ever been unleashed on this terrestrial globe. When Hitler starts again, the other will look like a Sunday school picnic, in my opinion.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. LEE. I am sorry; I must decline to yield.

Hitler is on all fronts. He has already poured his legions and his hordes into the Balkans for a stroke at Suez. He has already sent a so-called friendly group into Spain in order to prepare the way for a stroke at Gibraltar. He is urging the Nipponese to move south on Singapore, and when he lets loose his luftwaffe on the English Isles again it will be the worst assault the world has ever known. Do not mistake the silence through these winter months. The old Nazi serpent is merely coiling for another stroke.

This morning my heart was given a shock when I saw that Hitler had a hundred thousand Nazi troopers in Lybia and a thousand tanks there; and seemingly no one knows how they got there. With all the manpower of Europe, with all of the shipbuilding capacity—seven times our own if England falls—his force will be hurled at America. Even if we should be able to survive, the cost of our military defense would bring on depressions and open the road to national socialism. The load would be crushing, even if we should be able to survive, which is not sure. I think we would be. I think we would make up in courage what we lacked in weapons, just as England did at Dunkerque. There at Dunkerque were those English boys—those gallant sons of England—fighting against mechanized equipment, with sometimes nothing but their hands. Hemmed in on three sides by a wall of steel, bombed from above, their own guns empty of ammunition, they hurled their bodies in sacrifice for liberty against Hitler's 70-ton tanks. There some of them died. But what a gallant fight they made for liberty. They were not fighting for England's liberty alone; they were fighting that we might worship God as we please in this country. They were not fighting for freedom of the press alone in London; they were fighting for it here. They were fighting that men might live as men, with the dignity of man. Yet there are those who want us to force upon that brave country, Hitler's terms of submission to a nation of overlords.

One great Englishman said the English people would rather die on their feet than live on their knees. I say hurrah for them, and America has no intention of forcing upon them the necessity of falling upon their knees in order that the heel of Hitler may be placed upon their necks.

When Dunkerque was passed, England turned to America and said, "Send us weapons." There are those in this country who try to make us believe that if we send weapons over there the English

will surrender them. Have the English surrendered any weapons we have sent them? When the Germans scuttled their own battleship, the *Graf Spee*, the English Lord of the Admiralty said, "If that had been a British man-of-war, she would have gone down with her colors flying and her guns blazing." So say I. They have given no indication that they would surrender. They are fighting a death fight, and I believe they are fighting for the freedom of humanity.

The English gave power to Churchill. Is England a despotism today? Germany is. The people there cannot listen to the radio. The people in England listen to the radio. The preachers in Germany cannot preach as they desire. Those in England preach as they wish to. The people in Germany do not have free speech and free opinions. Those in England have free opinions and free speech today.

Churchill has the power we are trying to give to President Roosevelt in order to untie his hands. Yet some come here with every kind of hamstringing amendment to kill the bill. They realize that every day they delay passage it is as dangerous in that degree, it is that much help to Hitler, and it is that much hurt to America. If this bill is delayed long enough, it might just as well be killed.

A few days ago I made an assertion on the floor of the Senate in which a Senator said I was incorrect. The Senator from Montana [Mr. WHEELER] was speaking, and he said:

Give me one single instance, one case, where the British have come to the aid of America.

I cited the case of our experience at Manila Bay. The Senator from Nevada [Mr. McCARRAN] said I was mistaken in my history. He paid me the compliment of stating that I had taught history. Incidentally, I am one of those teachers who have come somewhat into the limelight lately, I suppose, with the college professors. He suggested I did not know my history.

The statement I made was that when Dewey was blockading Manila Bay, the German and the British fleets drew up to watch the operations. The Germans were very unfriendly to the Americans at that time and very friendly to Spain. As they drew up, the English squadrons cleared their decks for action. The American ships cleared their decks for action. The Americans were then facing two enemies and were considerably outnumbered. The Germans had two armored ships; the Americans had one. The Spanish had a considerably larger flotilla. There was the American Fleet, under the command of Dewey, facing two enemies, in a three-cornered situation. The signal was about to be given for battle.

Seeing the situation, Admiral Chichester, commanding the British Fleet, drew his squadron up between the German and the American Fleets, and his band struck up the Star-Spangled Banner. The hint was not lost. The British Navy stood between America and Germany then, as it stands today.

Mr. President, I wish to read what occurred on the floor of the Senate when I cited this incident, so that there will be no mistake about it. I read from the RECORD:

Mr. WHEELER. I may say to the Senator from Nevada that if the British Navy or the British Government at any time, on any occasion, has come to the aid of the United States, I do not know when it was.

Mr. LEE. The German vessels cleared their decks for action. They were friendly with the Spanish at that time. The American vessels cleared their decks for battle. The American Fleet at that time faced two enemies in a three-cornered situation—the Germans on one side and the Spanish on the other. Then Admiral Chichester, the commander of the British flotilla, placed the British squadron between the German and the American Fleets, and the British Naval Band struck up The Star-Spangled Banner; and the British Fleet stood between America and Germany then, as it is standing now.

The reason why we have peace today—

And so forth. Then the Senator from Montana yielded to the Senator from Nevada [Mr. McCARRAN], and the following occurred:

Mr. McCARRAN. \* \* \* The Senator from Oklahoma has forgotten his history, although, as I understand, he has been a teacher of history.

In 1898 the relationship between Germany and the United States was the most cordial and the most friendly; and the strain that was struck up by the band on the British warship at Manila was a British strain and not an American strain.

Mr. LEE. To what authority does the Senator from Nevada refer for that statement?

Mr. McCARRAN. To history, the authority which the Senator from Oklahoma may have taught, and some of which he may have written.

Mr. President, I wish to read from what I believe will be accepted as authority. I hold in my hand a book entitled "The War With Spain," written by Henry Cabot Lodge. This is dealing with the Manila Bay incident.

The more immediate and direct outcome of England's refusal to interfere—as well as her evident intention to let no one else interfere in what was going on in the Philippines—was that Admiral Dewey was left with a free hand to work out the situation which he had himself created (p. 193).

Then skipping to page 195:

But there was one power present who pushed her hostility from thoughts and words to action. This power was Germany. She had no especial claim to be there, no large or peculiar interests, but she sent more ships than any other power, kept on meddling, and went to the verge of war. The Germans broke through Dewey's regulations, which he had the right to make, and he called them sharply to order. They would violate the rules by moving about at night, and then the American searchlights fell with a glare upon them, and followed them about in a manner which checked and annoyed them. One German ship put out her lights and tried to slip in at night, but a shell across her bows brought her to. Another made herself offensive by following and running close up to our transports when they first arrived. A German ship went up to Subig Bay and prevented the insurgents from taking the Isla Grande. So the *Raleigh* and *Concord* went up, too, stripped for action, and as they went in the *Irene* went out, and the Americans took Isla Grande.



Then on page 206:

Then the admiral faced the situation again. There was still the hostility of the European powers to be met. German enmity was still shown in a way which bordered on intolerable insolence. The American troops had been barely a week in their new quarters when Admiral Dewey was obliged to drive the *Irene* from Subig Bay and stop German interference at that point with the insurgents. \* \* \*

Altogether the conditions were menacing enough. In the front was Spain, an open and public enemy, comparatively easy to deal with. On either hand were the warships of unfriendly powers watching sullenly and eagerly for an error, for a sign of weakness, for the least excuse for interference.

Then the battle, on page 215:

The ships left their anchorage at Cavite early in the morning. As they got under way and the *Olympia* moved off, the English band on the *Immortalité* struck up. See, the Conquering Hero Comes, and then, as the battle flags broke out on the fighting fleet, the English band played the Star-Spangled Banner, and the cheers of the American seamen rang strong and clear across the water.

My fellow Senators, the reason we still have peace here in America today is because out there somewhere on the Atlantic today rides the British Navy, but every time one of those gallant ships goes down under a torpedo total war is that much closer to America.

The reason we here can still have free speech and free press and worship God as we please, and not be slaves, is because a few boys in the Royal Air Force over there are holding Hitler at bay, that somewhere between heaven and earth they meet his air fleet, outnumbered always, outfought never. Those game sometimes run out of ammunition, but Spitfires and those game Hurricanes may even then at times they continue to fight, as one British airship which had run out of ammunition did, when it dove into a German airship and brought it down, those in the British vessel taking a chance on their lives.

Mr. President, I wish to see the Senate kill the pending amendment. I feel that the general purpose all the way along here is to limit, limit, and limit. We must trust Roosevelt just as the people over there are trusting Churchill, Churchill the Rock, and Roosevelt the Oak, are standing out in this storm. We must not tie their hands. We must give them power. Every little amendment added to the bill means just that much announcement to the world that America does not mean business. I believe we have a chance to escape war. That one chance is England. If we muff that chance then America stands alone.

I know it is fine oratory, and it receives applause, to say that America should always depend on her own defenses. I see no harm in aiding a country which is fighting for liberty herself, when by aiding that country we do more for America. One plane in England's hands today is worth ten to America if we must face the Axis alone.

I believe we should give the President the power conferred by the bill. He has not done anything which would indicate that he would abuse the power. It

would not establish a dictatorship any more than it has in England. It would simply be the democratic form of government in action under a crisis, which is provided for in the military set-up of this Government.

The fact that we temporarily assign to the Executive power to act to meet a certain situation does not mean that ours is any the less a representative form of government. The President then would be representing the people of this great Nation. He would be representing the Members of this Congress who are here by the vote of the people of the country. It simply means that in an emergency a democracy must centralize power in the hands of the Executive in order to meet that crisis. We did it under Woodrow Wilson. We gave President Roosevelt unusual powers to meet the crisis presented by the depression, and now comes a foreign situation which is worse than any we have ever met. Yet there are those who say we shall by this measure create a dictatorship. I call to the people of America and say that these same voices are the voices of false prophets, and that they have been wrong every step of the way.

It was said on the floor of this body a few weeks before war broke out that there was not going to be a war. You were wrong. Some of you then said it was a phoney war. You were wrong again. Then you said that by virtue of neutrality Norway and Denmark would escape this war. Again you were wrong. It was quoted here from great military authorities that Hitler never could get his 70-ton tanks across the Albert Canal. You were wrong again. You predicted with absolute certainty that the Maginot Line was impregnable, but Hitler took four countries, and also the Maginot Line, in less time than we have used to debate the lend-lease bill. Again you were wrong. And now you expect us to follow you. You said there was no danger. General Pershing says America is in danger.

General Marshall, Chief of Staff of the Army, says we are in grave peril. Secretary of War Stimson says that America is in danger. Secretary of the Navy Knox says that America is in great danger. Cordell Hull, Secretary of State, has warned time and again of the danger that threatens America. President Roosevelt, who has been so right that his voice ought to have the force of that of a prophet with respect to the foreign situation, has said that America is in greater danger today than ever at any time since the beginning of this Republic.

Whom are we to believe? Are we to believe the false prophets who have been wrong every step of the way, or the President, in whom the people have reposed greater confidence than in anyone else in this country?

America is in danger. She is in great danger, and I call upon the Senate to give him the power to act. The lend-lease bill would give him that power. I hope it will pass without any further limiting amendments.

I thank the Senate.

Mr. O'MAHONEY. Mr. President, the question before the Senate is on agreeing to the amendment offered yesterday by

the Senator from Louisiana [Mr. ELLENDER]. I desire to offer as a substitute for the amendment of the Senator from Louisiana the amendment which has been printed and which lies on the desk, and which I now ask to have stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Wyoming in the nature of a substitute for the amendment of the Senator from Louisiana will be stated.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I am glad to yield to the Senator.

Mr. ELLENDER. I desire to modify my own amendment before the Senator offers his substitute, so that the whole matter may be before the Senate.

The PRESIDING OFFICER. The Senator has that right.

Mr. ELLENDER. I send the modified amendment to the desk and ask that it be stated.

The PRESIDING OFFICER. The modified amendment offered by the Senator from Louisiana will be stated.

The LEGISLATIVE CLERK. At the end of the bill it is proposed to add a new section, as follows:

Sec. 10. Nothing in this act shall be construed to change existing law relating to the use of the land and naval forces of the United States, except insofar as such use relates to the manufacture, procurement, and repair of defense articles, the communication of information and other noncombatant purposes enumerated in this act.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. RUSSELL. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Ellender	Murray
Aiken	George	Norris
Andrews	Gerry	Nye
Austin	Gillette	O'Mahoney
Bailey	Glass	Overton
Ball	Green	Pepper
Bankhead	Guffey	Radcliffe
Barbour	Gurney	Reed
Barkley	Harrison	Reynolds
Billbo	Hatch	Russell
Bone	Hayden	Schwartz
Brewster	Herring	Sheppard
Bridges	Hill	Shipstead
Brooks	Holman	Smathers
Brown	Hughes	Smith
Bulow	Johnson, Calif.	Stewart
Bunker	Johnson, Colo.	Taft
Burton	Kilgore	Thomas, Idaho
Butler	La Follette	Thomas, Utah
Byrd	Langer	Tobey
Byrnes	Lee	Truman
Capper	Lodge	Tunnell
Caraway	Lucas	Tydings
Chandler	McCarran	Vandenberg
Chavez	McFarland	Van Nuys
Clark, Idaho	McKellar	Wallgren
Clark, Mo.	McNary	Walsh
Connally	Maloney	Wheeler
Danaher	Mead	White
Davis	Miller	Wiley
Downey	Murdoch	Willis

The PRESIDING OFFICER. Ninety-three Senators have answered to their names. A quorum is present.

Mr. O'MAHONEY. Mr. President, the amendment which was offered yesterday by the Senator from Louisiana reads as follows:

Sec. 10. Nothing contained in this act shall be deemed to confer any additional powers



to authorize the employment or use of persons in the land or naval forces of the United States at any place beyond the limits of the Western Hemisphere, except in the Territories and possessions of the United States, including the Philippine Islands.

That amendment was debated yesterday at length, and urged upon the Senate by the Senator from Louisiana. Today it was criticized by the Senator from Kentucky [Mr. BARKLEY], who pointed out what I conceive to be real defects in the amendment, and what I conceive to be compelling reasons why it should be rejected.

A moment ago the Senator from Louisiana asked me to yield to him, and he offered, in the place of that amendment, a modification. That modification was offered a few moments after I had offered another amendment as a substitute of the amendment of the Senator from Louisiana.

The modification, for which I still offer a substitute, reads as follows:

Nothing in this act shall be construed to change existing law relating to the use of the land and naval forces of the United States, except insofar as such use relates to the manufacture, procurement, and repair of defense articles, the communication of information and other noncombatant purposes enumerated in this act.

It is obvious, Mr. President, that this modification is not the declaration of policy which it was the apparent intent of the Senator from Louisiana to offer in the first place. As I read it, it is merely a declaration that "nothing in this act shall be construed to modify existing law except insofar as the act modifies existing law."

Mr. CLARK of Missouri. Mr. President, will the Senator yield at that point?

Mr. O'MAHONEY. I yield.

Mr. CLARK of Missouri. I do not wish to divert the Senator from his thought, but the Senator must certainly be aware of the fact that during the filibuster which has been going on today on the part of the proponents of the bill a caucus substitute for the amendment of the Senator from Louisiana has been prepared. I say "a caucus substitute," but it was not a committee substitute. It was prepared at a caucus by the members of the Foreign Relations Committee who are proponents of the bill; and the substitution made by the Senator from Louisiana, of course, means absolutely nothing whatever.

Mr. O'MAHONEY. Mr. President, I have no information—at least no official information—that such a caucus as that to which the Senator from Missouri referred was held.

Mr. CLARK of Missouri. I can assure the Senator that it is true. I state it authoritatively. Although I was not present at the caucus, I have asked several Senators who were present, and I am sure that my statement is true.

Mr. O'MAHONEY. I have no doubt the Senator speaks accurately.

Mr. ADAMS. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I am very glad to yield to the Senator from Colorado.

Mr. ADAMS. It occurs to me that, of course, the source of the amendment is of no particular consequence. I wonder

if I correctly understood the Senator from Wyoming to say that the substitute or modified Ellender amendment, taken as a whole, means literally nothing?

Mr. O'MAHONEY. That is the impression I gained from reading it.

Mr. ADAMS. Is it not a withdrawal of the declaration of policy for which the Senator argued, and which was discussed yesterday on the floor of the Senate?

Mr. O'MAHONEY. That is the impression I gained from a reading of the amendment.

Mr. President, I concede that there never has been a more important piece of legislation considered upon this floor than the measure we are discussing, and I concede that there is no issue on which the people of the United States are more entitled to a frank declaration of purpose than the issue whether or not it is the purpose at this time to authorize the use of the land and naval forces of the United States outside the Western Hemisphere.

Mr. President, I know of no way to legislate except frankly to discuss the meaning of words and frankly to lay before the Members of the Senate and before the country exactly what we have in mind for the Senate to vote upon, and exactly what we have in mind for the people of America to do.

The amendment offered by the Senator from Louisiana, as originally proposed, was offered as a result of a widespread demand among some of the citizens of the United States that there should be a forthright declaration that the sailors and soldiers of the United States should not actively participate in the war. It makes no difference upon what side of that issue one may wish to take his place; but it seems to me that there can be no reasonable argument against the statement that there should be complete frankness in this hour when civilization itself faces a crisis.

There are in America men and women who believe—and for very good reason—that the United States should actively intervene with its manpower in the present war. There are others who believe that the greatest contribution we can make to peace and to civilization is to remain out of the war, at least so far as participation by our soldiers and sailors is concerned.

Mr. President, I am not now and never have been a pacifist. My concept of the United States of America is that of a great republic, a great nation of free men and free women whose hearts and souls are committed to peace in the world—peace with justice—but who are not now, and never were, afraid of a war waged in defense of those principles and rights which they regard as sacred. The people of America do not hesitate to make war in defense of freedom and liberty; they have never asked that any other nation defend the United States or speak for it. We stand before the world committed to liberty and freedom; and I am convinced that we are ready, by the overwhelming will of a great majority of our people, to make this country what the President asks—an arsenal of democracy—and to produce in the United States all the material, all the munitions of war, the airplanes, the guns,

the battleships, and the destroyers that Great Britain may need in the defense of freedom in the Old World.

Mr. President, in accordance with what I conceive to be the belief of the majority of the American people, I also think that that should be done. From the very moment when the lease-lend bill was introduced in the other House up to this hour I have announced my intention to support the measure, because I believe, with all the sincerity I have, that this country should do as Churchill said—furnish the British the tools so that they may finish the job. That is all that was asked.

It may be necessary to take another step. I am not the person to say whether it is necessary or not. If it be necessary, in the judgment of the leaders of this country, then let the evidence be laid before us, and let the Congress of the United States, speaking for the people, determine whether that additional step is necessary. I should not be at all surprised, Mr. President, if my vote should be cast for that additional step.

The argument has been made here that the bill deals with materials, and that because it deals with materials and does not purport to deal with men there should be no amendment or suggestion with respect to the use of manpower. With that statement I cannot agree, because it is clear from the terms of the bill, which provide that the munitions of this country, its battleships and its guns, may be loaned, sold, transferred, leased, or disposed of in any other way, that authority is contained in the bill to deliver such materials.

Can there be any question of that? This is not a matter of passing upon constitutional details. This is not a matter of passing upon what is in or what is not in an act, and what inchoate or intangible provisions of law there may be elsewhere which give the Executive authority which is not sought in the bill. That is not the point. The point is that in the debates, in the report of the committee, and in all the discussions which have taken place here one group has been constantly saying that men are not to be called upon to enter into active service or to endanger themselves within the war zone. If that be the case, it is certainly clear to me that there is no reason why we should not frankly face it; and, speaking for myself, Mr. President, I feel under an obligation, in justice to my own constituents and to those whom I have told I intend to support the lease-lend bill, to them to make perfectly clear, as clear as I can make it, what is proposed here and what can be done.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. HATCH. I have just come on to the floor. I tried to obtain a copy of the amendment the Senator has offered and found it is not printed.

Mr. O'MAHONEY. My amendment is printed.

Mr. HATCH. That is the one the Senator is speaking to now?

Mr. O'MAHONEY. Yes.

Mr. HATCH. I merely want to know just what is before the Senate.



Mr. O'MAHONEY. I will be glad to advise the Senator. I have risen to propose a substitute, and I have proposed a substitute for the amendment as offered by the Senator from Louisiana [Mr. ELLENDER]. Since the Senator from Louisiana offered his amendment he has presented a modification thereof.

Mr. CLARK of Missouri. An entirely different amendment.

Mr. O'MAHONEY. Yes; a modification which is altogether different from the original amendment, a copy of which I now hand to the Senator from New Mexico.

Mr. HATCH. For the information of the Senate, will the Senator read the modification, and then read what he proposes?

Mr. O'MAHONEY. Mr. President, since there are some Senators now on the floor who were not present when I began, and in response to the request of my friend from New Mexico, I shall read the three amendments which are now before this body.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. O'MAHONEY. Gladly.

Mr. BARKLEY. The Senator from Louisiana having a right to modify his amendment and having done so, the original amendment offered by him is not now before the Senate.

Mr. O'MAHONEY. The Senator is quite right; I did not mean three amendments in the parliamentary sense.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. CLARK of Missouri. It is a fact that in the last half hour the amendment offered by the Senator from Louisiana has been completely and radically changed to a form that has no resemblance whatever to the amendment originally offered by him, and, as I understand, the Senator from Wyoming is now proposing his amendment as a substitute for the modified Ellender amendment.

Mr. O'MAHONEY. The Senator is quite correct.

Mr. CLARK of Missouri. Which has only been read once, and which no Senator has had a chance to peruse for more than a minute or so at a time.

Mr. O'MAHONEY. The original amendment offered by the Senator from Louisiana has been abandoned by its author, and, in its place, is proposed this modification:

Nothing in this act shall be construed to change existing law relating to the use of the land and naval forces of the United States, except insofar as such use relates to the manufacture, procurement, and repair of defense articles, the communication of information and other noncombatant purposes enumerated in this act.

The substitute the Senator from Wyoming offers reads as follows:

Sec. —. Without the consent of the Congress, no defense article of which the President shall make disposition under section 3 of this act shall hereafter be delivered by the land or naval forces of the United States, and no part of such forces shall be used in connection with any delivery of such defense articles, to any foreign government unless such delivery takes place within the Western Hemisphere or at a place subject to the jurisdiction of the United States.

Senators will observe immediately that the original, unmodified amendment of the Senator from Louisiana was wholly negative in form, a declaration that "nothing in this act shall be construed" thus and so. It contained the words "shall be deemed to confer any additional power"; and, obviously, the use of that phrase was an implication that there were in existence powers to send the land and naval forces of the United States beyond the limits to which the Senator's original amendment was intended to circumscribe them or to retain them.

As I said upon the floor yesterday, I am clearly of the opinion that, under the Constitution and under the practice of 150 years, the President of the United States, as Commander in Chief, does have the power to send the Army and the Navy to any part of the globe where American interests are attacked.

Mr. BONE. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield to the Senator from Washington.

Mr. BONE. I merely desire to propound an inquiry about some language in the Senator's amendment. Suppose that in next to the last line the Senator should strike out the words "within the Western Hemisphere or"; suppose there should be drawn a line through those five words, there would then remain a provision that delivery should promptly be made to a place within the jurisdiction of the United States.

Mr. O'MAHONEY. I would not care to accept such an amendment, and I will tell the Senator why.

Mr. BONE. Mr. President—

Mr. O'MAHONEY. If the Senator will pardon me, I am trying to lay before this body in as clear and concise a way as I can the reasons which impel me to take the action which I do.

Mr. BONE. I wanted to ask the Senator a question; that is what I rose for.

Mr. O'MAHONEY. The Senator can propound his question in a moment.

Mr. BONE. Very well.

Mr. O'MAHONEY. I say that I should object to striking out the language the Senator has suggested be stricken out, because the obvious effect, for example, would be to prevent the delivery of warships in Halifax—and I choose the port of Halifax because in so doing I think I illustrate the whole argument that is opposed by this amendment. The President of the United States—

Mr. BONE. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I will yield in a moment.

The President of the United States before the last election, with the approval of a vast majority of the people of the United States, sent 50 destroyers to Halifax. Those destroyers went to Halifax manned by American sailors and flying the American flag. In order that we may render every possible material aid to the defense of Britain, I continue to be willing that these defense articles may be delivered by the land and naval forces of the United States to any country within the Western Hemisphere, whether it is under the jurisdiction of the United States or not. I would be willing to allow,

for example, military supplies and munitions to be delivered to the Free French Government in the Island of Martinique; I would be willing to allow supplies to be delivered in Dutch and British Guiana or anywhere in the Western Hemisphere. I am quite willing that the land and naval forces of the United States shall transport such goods which are so sorely needed by Great Britain in defense of liberty. I now yield to the Senator from Washington.

Mr. BONE. I was tempted to ask the questions, which I wanted to preface by my reference to these five words, because there is some question—and it has been discussed on this floor—as to what constitutes the Western Hemisphere.

I believe the Senator has made an excellent point in talking about delivery at Halifax, or other places in what we generally call the Western World, which is our own North or South American Continent. I had no reference to that section of the globe, nor any thought of restricting any operations there. If it should be decided to send American convoys to deliver supplies, we will say, half way across the Atlantic, or if our geographers should decide that the Western Hemisphere takes in more than the western half of the Atlantic Ocean, I wanted to ask the Senator whether or not our navy convoys might go beyond that point, and to within, say, a few miles of the coast of the British Isles.

I do not know whether or not that is true. I raise that point because I had in mind not what the able Senator from Wyoming very properly adverts to—the delivery in Halifax—but I was thinking of the question of convoys across the Atlantic, because, if we deliver within the Western Hemisphere, clearly we could deliver at least half-way across the Atlantic. That would be my conception of the matter.

Mr. O'MAHONEY. I think the Senator is quite right.

Mr. BONE. That would mean convoys; and I think we ought not to walk away from the possibility of convoys of our Navy—that is, armed naval units conveying ships. I suggest that because it is clearly implicit in this picture.

Mr. O'MAHONEY. The Senator is quite right. It is implicit; but I think it would be a very unusual interpretation, and would be faced by practical difficulties which would be altogether insurmountable, because if vessels or munitions of war are to be delivered they must be transferred, unless the manpower on the vessels is to be taken over, or a new crew put upon a battleship, for example; so the only reasonable way to make delivery would be at a port where the change could take place.

Mr. BONE. Mr. President, will the Senator yield again?

Mr. O'MAHONEY. Certainly.

Mr. BONE. I will say again that I was tempted to intrude this thought because I have read in some very scholarly journals, and in many, I think, rather impressive business publications of the country, that the question of convoys has been very seriously considered. The dire necessities of Great Britain, of course, lead inevitably to a consideration of that very vital thing.



One of the suggestions made was that in order to save the British Fleet as much work as possible, American convoys take the material halfway across the ocean, or some considerable distance, and there the material be turned over to British convoys, so that we would halve—in other words, cut in two—the time consumed by the British Navy in convoy work.

The Senator and I are not naval experts, but we know that time may be of the essence of an operation. We double the utility value of our vessels if we consume only half the time in accomplishing a piece of work. A man knows that that is true in his own office system. If he can get out twice as much work in a given amount of time, or use only half the time in doing a given amount of work, he saves himself that much.

So I think the play of events in the future will justify asking the questions I have asked on the floor of the Senate today.

Mr. CONNALLY. Mr. President—

Mr. O'MAHONEY. If the Senator from Texas will pardon me a moment, the remarks of the Senator from Washington point to a provision now in the bill which I shall discuss, and which seems to me to be wholly relevant to the interpretation of the substitute.

In the House of Representatives the following amendment was adopted:

Nothing in this act shall be construed to authorize or to permit the authorization of conveying vessels by naval vessels of the United States.

That provision is obviously defective, because it merely says that nothing in this act shall be construed as authorizing convoys, leaving wholly open the question as to whether or not there is somewhere else a power to convoy.

Mr. GEORGE. Mr. President, will the Senator yield?

Mr. O'MAHONEY. Certainly.

Mr. GEORGE. Does the Senator from Wyoming want to revise the whole scheme of our law on a bill that proposes to give aid to England?

Mr. O'MAHONEY. Certainly not.

Mr. GEORGE. Then why go outside and say what is not in the bill?

Mr. O'MAHONEY. It is the Senator from Georgia and the Foreign Relations Committee who are doing that.

Mr. GEORGE. Oh, no.

Mr. O'MAHONEY. And the Senator from Louisiana [Mr. ELLENDER] brings in a substitute amendment which, I understand, has the support of the Senator from Georgia, and says what is not in the bill.

Mr. GEORGE. The Senator from Georgia will speak in his own time; but I think the time has come, Mr. President, when notice should be served that if the purpose is to survey the whole field of the powers and authority of the President and the Army and the Navy and negative them all in this bill, no man ought to stand on this floor and say, "I favor that process, but I am in favor of aid to Britain."

Mr. O'MAHONEY. I agree with every word the Senator has uttered.

Mr. GEORGE. I shall emphasize it.

Mr. O'MAHONEY. I shall be glad to emphasize it myself. The Senator from Georgia has said it more eloquently and more vigorously than I could say it; but it is precisely because I do not believe we should attempt to cover the whole realm of American law and say what is not in the bill that I declare my interpretation that an amendment now offered by the Senator from Louisiana, which I shall read, comes within the condemnation just uttered by the Senator from Georgia.

Observe the language:

Nothing in this act shall be construed to change existing law relating to the use of the land and naval forces of the United States, except insofar as such use relates to the manufacture, procurement, and repair of defense articles, the communication of information and other noncombatant purposes enumerated in this act.

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. WHEELER. If I correctly understood the Senator from Georgia—

Mr. O'MAHONEY. Mr. President, I hope the Senator from Montana will not engage in a debate with another Senator. I should like to finish.

Mr. WHEELER. I shall not engage in a debate with another Senator, but I say the Senator from Wyoming agreed with the Senator from Georgia, as I understood him. If he did, then, as I understand, he agreed that nobody could say that he was for aid to Great Britain if he wanted to amend this bill and put anything into it.

Mr. O'MAHONEY. Of course, I did not mean that. Naturally that was a statement I was overlooking because the Senator was talking about a particular amendment.

Mr. WHEELER. Of course, we can give aid to England in a very simple way, and, as a matter of fact, we are giving aid to Great Britain without any bill; but I do not want to let the statement pass that the only way in which we can give aid to Great Britain is by enacting a bill which gives the President of the United States power to transfer and lease defense articles and do everything else for any country on the face of the globe that he wants to do it for.

Mr. O'MAHONEY. Of course, amendments to this bill do not defeat the purpose of the bill; and the Committee on Foreign Relations has demonstrated that fact by bringing in half a dozen amendments, and by authorizing amendments limiting the power that is conveyed.

Mr. WHEELER. Certainly.

Mr. ADAMS. Mr. President, will the Senator yield for an inquiry?

The PRESIDING OFFICER (Mr. HILL in the chair). Does the Senator from Wyoming yield to the Senator from Colorado?

Mr. O'MAHONEY. I yield.

Mr. ADAMS. As I understand the sense of the modified Ellender amendment, the first clause of it says, that nothing in this act shall change existing law as to the disposition of the land and naval forces of the United States.

Mr. O'MAHONEY. Relating to their use, the Senator is quite right.

Mr. ADAMS. It then says "except." What are the changes referred to in the exceptions? That implies there are some exceptions as to the disposition of the land and naval forces in other particulars. Will not the Senator enlighten me a little as to what those changes are?

Mr. O'MAHONEY. The Senator is anticipating my argument. I am always complimented when the Senator from Colorado appreciates what I am trying to say, because then I believe I am saying something sensible. Let us read it again. It should be borne in mind that the modified amendment has just been presented, it is not printed, it is here in typewritten form, and few Senators have had opportunity to know what it contains except as they have listened to me read it.

Nothing in this act shall be construed to change existing law relating—

As the Senator from Colorado so well points out—

to the use of the land and naval forces of the United States, except—

These exceptions, if language means anything, are intended to indicate that existing law with respect to the use of the land and naval forces of the United States is altered by those provisions of the bill which deal with the following subjects:

Except insofar as such use relates to the manufacture—

That means the land and naval forces of the United States may be used to manufacture all the defense articles mentioned in the bill. I think the land and naval forces should properly be used for that purpose.

procurement—

The land and naval forces of the United States may be utilized to purchase and secure defense articles to be made the subject matter of the bill. I agree that that should be done, and that there should be no limitation.

and repair of defense articles.

There is, as we all know, a provision contained in the bill authorizing the repair of the vessels, the armament, of Great Britain by our land and naval forces in our navy yards. I have no objection to that. I feel that it would be a desirable thing to do in aid of Britain, which is defending liberty upon the European Continent, now that Britain is in her extremity. I can see no objection to that.

The communication of information and other noncombatant purposes enumerated in this act.

The significant phase of the new amendment dealing with the subject matter of my substitute now becomes clear. Apparently no change of existing law is intended as to the use of the land and naval forces of the United States with respect to delivery. In other words, the proposed amendment now says that the defense articles mentioned in the bill may be delivered by the land and naval forces of the United States, because the Attorney General has handed down an opinion that there is law which permits



the use of the land and naval forces to deliver articles of war in Halifax.

Mr. President, we come now to the very heart of the issue. If existing law permits, as I am ready to acknowledge it does, the delivery of defense articles at Halifax—and that delivery is not touched by the proposed amendment—then if the amendment is taken as a substitute for the amendment proposed yesterday by the Senator from Louisiana, the land and naval forces of the United States may be used for delivery of defense articles at Southampton, or at Gibraltar, or at Singapore.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. O'MAHONEY. That is the question which we must decide, and I feel that it is only fair to ourselves and to the people of the country that we should have the courage to face the facts, and if it is desirable to permit the delivery by the land and naval forces of this country of the defense articles mentioned in the bill, then let us say so. Let us hold back nothing from our people.

Bearing in mind that there is already in the bill the provision inserted by the House that nothing shall be construed to authorize convoys, and then reading this amendment, we see what seems to me to be the exact contrary of the "no convoy" provision of the House text. The amendment would change that provision, which was approved by the House of Representatives, and approved by the Committee on Foreign Relations of the Senate.

I now yield to the Senator from Missouri.

Mr. CLARK of Missouri. Let me ask the Senator whether it is his opinion that unless some specific limitation or restriction is put on the terms of the bill, the word "transfer," appearing in section 3, paragraph (2), found at the top of page 3, line 1, taken in its commonly accepted meaning, or legal meaning, unless the word "title" be inserted after the word "transfer", is not an authorization for delivery at any port in the world, Singapore, Southampton, or any other place in the world, of any of the naval or military equipment of the United States. Does the Senator have any doubt about that?

Mr. O'MAHONEY. That is my interpretation, I am sorry to say.

Mr. CLARK of Missouri. The Senator is very familiar with the use of the word "transfer." We all know of transfer companies in this city, for instance, organized for the purpose of moving property from one place to another. If the word "transfer" does not mean what I have suggested, what does it mean, unless it be limited by the word "title"? I may say to the Senator that I intend to propose an amendment to insert after the word "transfer" the word "title," in order to eliminate that question, if I possibly can.

Mr. O'MAHONEY. It is my belief, and I said so at the outset of my remarks, that in the provision authorizing transfer, or the disposition otherwise—which is the "catch-all" phrase—of defense articles mentioned in the bill, authority is given to use the land and naval forces for their transfer.

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. WHEELER. I think that when we read the context of the bill there might be some question about that. I am frank to say that I do not believe the Chairman of the Committee on Foreign Relations places on the language the interpretation just stated by the Senator from Missouri. But when I analyzed the language from the legal standpoint, I came to the conclusion that it was left open so that such an interpretation could be placed upon the language, particularly when we take into consideration other provisions, and especially when we consider the omission of reference to section 2 of the Neutrality Act. I think that if section 3 was included, section 2 should have been mentioned also.

I think it is entirely possible that the language which the Senator has mentioned could be construed as covering not only the sale or other disposal of property, but its delivery. It is analogous to my giving someone power of attorney to sell my automobile. If I give him the power to sell and to transfer it, I not only mean transfer of the title, but I mean also transfer of the property from one place to another. In other words, he could drive it from Washington to the city of Chicago. I appreciate the fact that that is denied by some who have examined the bill, and I am sure it is not the opinion of the chairman of the Foreign Relations Committee. But why take any chances on the interpretation of the language when we are legislating, because, after all, as I have repeatedly stated, it is not what we say on the floor, it is not how the chairman of the Foreign Relations Committee interprets the bill, it is what the Supreme Court says is the plain intentment of the language of the bill itself. Of course, if there is any doubt in the minds of the members of the Supreme Court, they may refer to the speeches on the bill, and the committee report.

Mr. O'MAHONEY. Mr. President, if we are to be realists—

Mr. TAFT. Mr. President—

The PRESIDING OFFICER. Does the Senator from Wyoming yield to the Senator from Ohio?

Mr. O'MAHONEY. I yield.

Mr. TAFT. I was interested in the last words of the Ellender amendment, which are—

other noncombatant purposes enumerated in this act.

Does the Senator feel that there are some combatant purposes in the measure and some noncombatant purposes in the measure?

Mr. O'MAHONEY. No; I do not agree with the Senator in that interpretation, unless one were to say that the delivery of defense articles and munitions of war is—I was about to say—a semibelligerent act. Of course, under all the old canons of international law the delivery of defense articles of the kind enumerated here is a violation of the old concept, and to that extent is a combatant act. But I do not believe that was the intention.

Mr. TAFT. The Senator then feels that "other noncombatant purposes" means all the other purposes of the act?

Mr. O'MAHONEY. I should say so; yes.

Mr. TAFT. So that really the amendment now proposed says that nothing shall be construed to change existing law relating to the use of land and naval forces except insofar as such use relates to any purposes of the act. Does not that entirely nullify the first sentence of the amendment?

Mr. O'MAHONEY. Mr. President, I am concerned about the relation of this amendment to the substitute which I have offered which relates to the simple question of delivery.

Mr. GEORGE. If I may understand the Senator—and I do earnestly desire to understand him—does his trouble arise out of the word "transfer" in subsection (2) of section 3 (a)?

Mr. O'MAHONEY. No; Mr. President, my trouble arises out of the fact that under the bill as it has been reported from the Foreign Relations Committee and under the amendment that was offered by the Senator from Louisiana yesterday—

Mr. GEORGE. Mr. President, the Senator knows very well that the Foreign Relations Committee did not propose the amendment made by the Senator from Louisiana yesterday.

Mr. O'MAHONEY. No; but the Foreign Relations Committee brought in the clause that nothing in this act shall be construed to authorize or to permit the authorization of convoys.

Mr. GEORGE. Yes; to satisfy timorous Members, I presume, is the reason that was put in. I do not want to debate that now. I simply want to know if the Senator's trouble arises out of the word "transfer"; if that is the trouble with the bill, because the Senator has said that we ought to approach this matter as realists, and I think so. That is the one thing that has impressed me about all the debate. I want to approach it as a realist. I do not think the word "transfer" means anything else in the family and group of words here used except the transfer of title, or the right of possession, or the right of use. I cannot conceive of it meaning anything else. Now, if there is anything else in the bill that gives rise to the worry that the distinguished Senator from Wyoming has that deliveries might be made in danger areas, war zones, in places where we have forbidden our own ships to go, where the President has proclaimed they should not go, I should like to have the benefit of the Senator's statement about it. But if it arises out of the word "transfer," I frankly must say that we can give it no construction except the one that I think everyone should give it as a realist. As found in the family of words it partakes of kinship to all of them. When you say "sell or lease," you are talking about titles, and the right of possession, and the right of use, and nothing else, so far as I can see.

But if there is some other provision in the bill that seems to give rise to a fear that the President of the United States



will undertake to deliver defense articles in a zone of great danger, where even our own merchant ships cannot go, then, as a realist, I do not understand it. I do not understand it any more, may I say to the Senator from Wyoming, than the argument that has been heard here that somebody has a design upon all the social legislation that labor and the workers of America now enjoy under a President who brought those social benefits; who has stood and constantly fought for those social benefits.

I wonder if we are realists. We can imagine anything about a bill of this character, and we can suspect a great deal; but unless I am willing to raise the question of the good faith of the only President in the history of this country who has stood and fought for the right of the workers, I am not concerned and fearful that he wants to violate and destroy all those rights and benefits; and I know the distinguished Senator from Wyoming is not.

Mr. O'MAHONEY. I thank the Senator for saying that. Of course, I am not.

Mr. GEORGE. I know that. Does the trouble arise out of the word "transfer"? I am in good faith, and I want to know, because if that is the only trouble with the bill, there might be something done about it, even though I do not agree that there is any danger or any difficulty about it.

If we are realists we are doing one thing only—we are preparing to defend this country against an aggression unparalleled in human history, and we are proposing to go the whole length, and say that we will sustain, and we hope that the nation that today single-handed stands against that aggression may be enabled to survive. If we are realists, I submit, Mr. President, that we will know that every hour counts. We will know that every moment counts. We will know, if we are realists, that we are raising the question—and the time has come to raise it, Senators, in my opinion—of whether we mean what we say when we say we are in favor of aid to Britain, or whether we are quibbling, or whether we simply want to give aid in our own way and in nobody else's way, under our own regulations, under our own rules, without according to those who have been elected by the American people even the concession of good faith in the administration of a law that they have asked at our hands.

Now, if the difficulty arises out of the word "transfer," and from no other provision in the bill, I think I may be able to meet it. But if it arises somewhere else, if it is in the imagination of our good friends, why, I do not know how to meet it. I think the Ellender amendment—although I would not have offered it, for I think it unwise—is tantamount to saying that we are going to aid Great Britain because we think that her survival is in the interest of America, but we do not mean much about it. We want to serve notice on the world, when we say we are going to aid Britain, that we do not mean anything.

It is proposed that we serve notice on all the world, including the nations in the far Pacific, that if the breakdown of the

British lines of defense occurs in that part of the world we will absolutely insure the collapse of the whole British Empire. The collapse of the British Empire means chaos in this world.

If we are realists, let us look at the picture. But if we want to continue to speculate and debate, and carry the debate over from one week to another—this is not aimed at the Senator from Wyoming, because he is making his first speech.

Mr. O'MAHONEY. I thank the Senator.

Mr. GEORGE. The Senator is not engaging in any filibuster and has no purpose of filibustering. But if we want to carry the debate over from one week to another, week after week, the American people have a right to ask us whether or not we mean it when we say we are in favor of aid to Britain; whether or not we meant it when both major parties so declared in their party platforms; and whether or not we have dismissed the childish contention that perhaps the great British Empire has other assets. Of course, it has other assets. It has great assets throughout the world. But it has not the necessary cash. It has not the necessary means. It has not the necessary dollar exchange with which to carry on its contract powers here.

I thought that every question that has been raised here had been settled and that we had decided to give aid to Britain; that we had recognized that her dollar assets were at an end; and that we did not want to take over her colonies, with their vast populations, thereby incurring other burdens. I do not think that a realist could pick out, day after day, an island here and an island there and say, "Let us take those islands over and trade something else to Britain for them." I thought—but perhaps I was wrong—that we knew what we were doing when we said that we favored aid to Britain, I thought we had recognized that the time had come to give it, and that, although we knew there was an element of risk involved, like Americans, we would not be hesitant to assume that risk if something vital to America should be at stake. I thought those questions had all been settled. I do not understand why anyone is disturbed because we propose to repair a battleship or an airplane which we ourselves make and give to Britain.

Mr. O'MAHONEY. Mr. President, the Senator is not replying to me now.

Mr. GEORGE. No; I am imposing on the Senator's time. If we mean that we want to aid Britain, and that we regard her survival as in the interest of our democracy and our civilization, and if we mean to do it through a direct loan, gift, or subsidy of two or three or four billions of dollars, I do not understand why we should hesitate to say that we will do such things or why we should be afraid to repair in our own docks and yards. As a realist, I do not understand—perhaps I cannot understand—why, if we are to do it, we are afraid to deliver defense articles to Britain.

Mr. O'MAHONEY. Mr. President, will the Senator stop right there?

Mr. GEORGE. Yes. I beg the Senator's pardon.

Mr. O'MAHONEY. I merely wish to ask the Senator a question.

Mr. GEORGE. What I said had no relation to the Senator's remarks.

Mr. O'MAHONEY. I understand.

The Senator has just said what I echo. Why should there be any hesitation about saying that we want to deliver these things to England if that is what we intend to do? That is the whole question.

Mr. CLARK of Missouri. I assure the Senator, will the Senator yield?

Mr. O'MAHONEY. Just a moment. The Senator from Georgia has spoken at great length, and has gone into phases of the bill as to which I am in complete agreement with him.

Mr. CLARK of Missouri. I assure the Senator that I have no desire to make a speech in his time.

Mr. O'MAHONEY. The Senator from Georgia has discussed at length many features of the bill as to which I am in complete agreement with him.

This is a difficult matter. It is the most important question that has been before the Senate for decision in 20 years or more. It deals not only with materials, but also with men. There can be no doubt about it.

How far are we willing to go with men? I am aware of the difficulty which is raised by the action of certain aggressors and dictatorial powers in various parts of the world, particularly in the Orient. I should not want in any way to hamper the Secretary of State in his negotiations in connection with what is transpiring in Oceania, or in the Pacific Ocean. There is not a line in the substitute that would in any way hamper that power. I say here upon the floor of the Senate—and the Secretary of State may say it from the Department of State—that there is not a line, a word, or a comma in the substitute that takes from the power of this Government to send the Navy right up to the doors of Tokyo if necessary to defend American interests. I should be unwilling to surrender the right of our Government to defend American interests.

But, Mr. President, my whole point is that since this discussion has been precipitated by amendment after amendment designed to say that the land and naval forces of the United States shall not be used in active service, certainly there is no reason why we should not say so. I am mindful of the fact that after the World War those who supported Woodrow Wilson were told year after year that he had deliberately misled the people of America; that he waged a campaign in 1916 upon the plea that he had kept us out of war, and that immediately thereafter we became involved in war. I knew perfectly well then, as I know now, that it was the intent and purpose of President Wilson to keep us out of that European war, and that circumstances and conditions which developed later brought him to the decision that he should ask Congress for a declaration of war.

Conditions are changing all the time. I was never one to say that under no circumstances should this country enter the war, for I am not wise enough to look into the future to determine whether



or not the country should go into the war. But I know that the use of land and naval forces in the delivery of defense articles across the sea would endanger us and possibly involve us in the war. I feel that the Senate and the people of the United States are entitled to have the opportunity to say how they look upon that phase of the measure before us.

Mr. BONE. Mr. President, will the Senator yield?

Mr. O'MAHONEY. The amendment was originally offered to provide that our land and naval forces should not be used in the war. Though it would not effectively do so, insofar as it was effective it would prevent the Government of the United States from using our land and naval forces as they ought to be used. The question is before the country.

People are wondering whether or not this bill would involve us through use of manpower.

Mr. President, in view of the fact that this my substitute has been drawn as carefully as I could have it drawn to preserve the power of the President to protect American interests, and to preserve the power of the Congress to declare and to decide when men serving in our Army and our Navy shall enter into the danger zone, I can see no objection to the amendment.

I now yield to the Senator from Washington.

Mr. BONE. Mr. President, if we were to undertake the delivery of defense articles, which are commonly referred to as munitions of war, across the ocean, and if we were to convoy them with units of the American Navy, it would seem to me an inescapable conclusion that we would with our convoys come almost immediately into contact with submarine, surface, and aircraft units of the German Empire's forces seeking to interrupt the delivery of those articles. I think that can be accepted as a foregone conclusion. Gunfire would ensue. The attack would be repelled. Otherwise we would not attempt to make the delivery; it would be futile.

Does the Senator from Wyoming believe that if there ensued armed conflict of that kind, which seems to me to be inevitable, we would remain out of war very long—perhaps only for a matter of days?

Mr. O'MAHONEY. Mr. President, let me say that I do not offer the amendment for the purpose of keeping America out of war. I offer the amendment merely for the purpose of making clear what we propose to do about our land and naval forces. If our forces were attacked or if any convoy our forces were accompanying were attacked, I think that would be an act of war, of course; and I think the country would properly regard it as such.

Mr. BONE. We would repel the attack by gunfire.

Mr. O'MAHONEY. Exactly.

Mr. BONE. Obviously, it would be difficult to conjure up in our imaginations a more inflammatory or provocative incident or set of incidents than the destruction of the lives of American citizens and the sinking of American vessels.

Personally, under such circumstances I cannot imagine the United States

staying out of war; because no careful reading of history dealing with the period of our national life immediately preceding our entry into the World War reveals any other state of mind than that of almost bitter hatred for Germany, growing out of the sinking of our vessels. Obviously, the delivery under the protection of American warships would invite merely a repetition of such acts. If, as the Senator suggests, we are to be realists, I do not see how we can escape the necessity of contemplating precisely what this problem means.

My good friend the Senator from Georgia [Mr. GEORGE] said that if it were necessary to accomplish this purpose we should make delivery, because the collapse of the British Empire would be an intolerable situation and would constitute a great threat to us.

Mr. GEORGE. Mr. President, I beg the Senator's pardon. I do not say that.

Mr. BONE. I understood the Senator to say that the collapse of the British Empire would be an intolerable situation and would constitute a great threat to us.

Mr. GEORGE. No; I said a question arose as to whether we were going to debate the method or the manner of delivery, if we really meant what we said when we said we were in favor of aid. That is what I said or intended to say.

Mr. BONE. If I have been in error, I am sorry. I understood the Senator to say that the possibility of the collapse of the British Empire would present an absolutely intolerable situation to us.

I have only tried to think this thing out in terms of the safety of my own country.

Does the Senator from Wyoming object to my making a brief statement?

Mr. O'MAHONEY. No; I have finished. I thought the Senator was going to ask me a brief question.

Mr. BONE. I cannot escape the conviction that conveying defense materials across the ocean would immediately precipitate warlike acts. I have tried, in intellectual honesty, to arrive at some other conclusion, and I cannot do so. In my years of service in this body I have never hesitated to vote for appropriations for arming the United States of America. I have gone beyond that and have urged more than Congress was willing to do. I tried to extend inordinately our arsenals and navy yards so as to make it possible to adopt an adequate armament program. I voted for conscription, over the protests of many of my colleagues, because I was fearful of conditions and because I wanted the youth of America ready to protect themselves in case of crisis.

I have no objection to giving unlimited aid to Britain—one billion, two billion, three billion, four billion, five billion dollars, arranging all the priorities that can be accomplished by the operation of law, with all the coercive features that are necessary to obtain speedy and prompt delivery. I have no hesitancy in my mind in going the whole route. I am only concerned with the question of the use of our own manpower in going into the very zones that are now forbidden to our merchantmen—and logically so, because the introduction of our merchant ships

into those zones would immediately result in their sinking. We all realize that, and we have said we would not repeal those salutary provisions of the present law.

I personally am deeply concerned and deeply distressed by the possibility, not of interruptions of the service but of actual battles on the ocean, actual naval engagements; because if we are to make deliveries, then we shall make them with the forthrightness that is characteristic of America when she gets steamed up and ready to go.

If it be our momentous decision to deliver defense materials, the next logical step would be to put the units of our Navy back of the delivery, so as to insure it. Then we might as well get ready to declare war; because I doubt very much if Congress could find in its heart a willingness to repel a declaration of war if our ships were sinking on the high seas, if gunfire was actually sinking our own ships with the American flag at the masts-heads.

I take it that is what is in the Senator's mind; is that correct?

Mr. O'MAHONEY. What is in the Senator's mind is that we should be clear with ourselves and with our constituents. I cannot take my seat without saying that I conceive the danger to the democratic principle to be so great that, indeed, it might be proper for this country to run the risk of an actual war; but when that decision comes, I think it ought to be faced here in Congress directly, and not by indirection.

Mr. BONE. I think that is what we have been discussing, that by this process of indirection we might have war catapulted into our laps as a fait accompli. If we enact this proposed legislation it will differ in no wise from legislation by which we regulate the conduct of our own nationals. I doubt if any of us would be bold enough to assert that we could not impose upon our nationals the rules set out in this bill, and in many other types of legislation. We have told the power companies they must unscramble themselves and completely recast their whole economic structure. The courts have sustained the right of Congress, operating in its own constitutional orbit, to make and unmake the economic pattern of America. Every lawyer in this body knows that to be so.

If we appropriated \$15,000,000,000 in cold cash, and made it available to Great Britain immediately and then provided a rule to the effect that Britain shall have priorities in all our factories, and, if necessary, went beyond that and imposed by rule of law upon the factories their operation under such a priority provision, is it the Senator's view that that would not be a good law?

Mr. O'MAHONEY. The Senator, I am sure, will pardon me for not discussing matters outside the question involved.

Mr. BONE. We are getting afield from the point, I admit.

Mr. O'MAHONEY. I understood the Senator from Iowa [Mr. GILLETTE] wanted to ask me a question.

Mr. GILLETTE. Mr. President—

The PRESIDING OFFICER. Does the Senator from Wyoming yield to the Senator from Iowa?

Mr. O'MAHONEY. I yield.



Mr. GILLETTE. I have hesitated to interrupt the Senator during his very fine discourse, which has contributed much to the debate. I was impressed by his analysis of the pending Ellender substitute, and, calling attention to what it does not say, I am wondering if, applying the same cogent reasoning to the Senator's proposal, this situation does not pertain: In the Senator's amendment it is provided that, without the consent of Congress, no defense article shall be delivered by the land and naval forces and no part of the land or naval forces shall be used in connection with delivery to any point outside the Western Hemisphere or to a place subject to the jurisdiction of the United States. Under the same reasoning, could not the military and naval forces be used as convoys or used for delivery to some undefined and undefinable point beyond the limits of the Western Hemisphere and turn the articles over to a foreign convoy? Thus could the military and naval forces be used to make delivery and to constitute convoys?

Mr. O'MAHONEY. The answer is "Yes."

Mr. GILLETTE. Now may I ask the Senator, as a contribution to clarity, to inform me what definite value could be attained by saying we will not use our armed forces to make delivery and we will not use our armed forces for convoy beyond some point in the middle of the Atlantic Ocean, but they may take articles that far and deliver them? What would be gained by that?

Mr. O'MAHONEY. The answer to that is the same answer I made when the Senator from Washington propounded his question. I think that is an impracticable suggestion, because delivery has to be made under conditions that certainly could not obtain in the middle of the Atlantic Ocean.

Mr. BONE. Mr. President, may I make another inquiry?

Mr. O'MAHONEY. Let me say that this language is the language that was used by the Senator from Louisiana in his original amendment, and he took it from the selective-service law, into which it was written in this Chamber. So I assumed that it had been pretty well understood. The Democratic platform, however, instead of using the words "Western Hemisphere" used the phrase "the Americas"; and I would be perfectly willing to substitute that, but then, again, the argument could be made, Does not that include American waters? And the answer would be "Yes."

Mr. BONE. Mr. President, will the Senator yield for a brief inquiry?

Mr. O'MAHONEY. I have concluded; I am on the floor merely because Senators were asking me questions.

Mr. GEORGE, Mr. BONE, and Mr. MURDOCK addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Wyoming yield the floor?

Mr. O'MAHONEY. I yield the floor.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. GEORGE. Mr. President, I merely want to make one or two other suggestions with reference to this particular matter. I have attempted, in all

good faith, to consider the difficulty which arises over the word "transfer." I do not think the word "transfer" is very material in this bill, and I am sure that the word "transfer" could be converted into transfer of title or right of possession, or it could be eliminated; and I would not hesitate, if there is any really well-grounded fear that transfer seems to comprehend the right to convoy—

Mr. CLARK of Missouri. Mr. President, will the Senator yield at that point?

Mr. GEORGE. I yield.

Mr. CLARK of Missouri. I have an amendment drawn to insert after the word "transfer" the word "title," which would negative the idea of delivery. Would the Senator be willing to accept that amendment?

Mr. GEORGE. Absolutely; without a quibble.

Mr. CLARK of Missouri. I shall offer it at the proper time; I have not had a chance to have it printed as yet.

Mr. GEORGE. Or strike out the word "transfer." I thought it was well understood by most Senators that, at least, I had from the beginning said I was opposed to conveying, and I thought that the President was well understood as having made that declaration even since the introduction of this bill. It has been published everywhere and I did not think there could be any doubt about it.

There is no way, Mr. President, by which we can deliver arms, munitions, and implements of war outside our own possessions on this hemisphere except by conveying them. We might deliver on a battleship or on a cruiser a few guns, perhaps, or a plane or so, but a limited quantity, not sufficient to do any good in this war. The only way it could be done would be by convoy, and I have always opposed convoy; and, in good faith, I believe the President to have stated his own position when he said that if we sent merchant vessels loaded with our arms, munitions, and implements of war onto the high seas, destined to some belligerent port, we might expect somebody to shoot at them—and when shooting commenced we were very close to war. That, at least, has been my own view.

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. GEORGE. If the Senator will excuse me, I will not yield just now, but I will yield in a few moments. Nor have I held the view that American armed forces, military or naval, could be sent anywhere in the world for any purpose. That has not been my view of the Constitution, and it is not now. My view of it has been, without any attempt to indicate all the limitations that must be kept in mind, that, generally speaking, the President may send the Army and the Navy to protect American rights, American property, and the lives of American citizens. That contemplates, in my judgment, primarily defensive action and not offensive action. I very well know that the occasion might arise when it would be said by men of great ability and learning and expert knowledge upon the subject that some offensive action must be taken in order to make the defense perfect and complete, but that is an exception. The broad, general principle, Mr.

President, as I have conceived it, without reading any books or authorities, but considering the nature of our Government and the whole genius of the American system, is that the President of the United States, as Chief Executive, as Commander in Chief of the Army and Navy, even in peacetimes may protect the lives of American citizens and may protect their property and their rights. I have never conceived that he had any right—and in that sense I use power, for, to me, power is the rightful exercise of the authority claimed by the Chief Executive—to send the Army or the Navy for offensive purposes any place on earth. Therefore, in a bill which gives to the President certain affirmative powers, I have not conceived that it was necessary to negative the use of whatever power, under whatever general principles, under whatever well-recognized limitations or restrictions we have come to recognize as existing.

With respect to the use of the Navy, I think the power is the same, but with respect to the high seas, Mr. President, certainly American statesmen must know—all Americans must know—that the rights of the Nation upon the high seas are a little better defined. Under the amendment offered by the Senator from Louisiana [Mr. ELLENDER], although he did not intend that interpretation to be put upon it, one in some other part of the world might be led to believe that we were ready to abandon the doctrine of the freedom of the seas by saying that our Navy should not have any additional warrant for leaving the Western Hemisphere.

What do some persons on the other side of the Pacific know about our law or the genius of our government? When they read in a solemn declaration of the Congress which lays down the public policy of the Nation that our armed forces and naval forces are not to be sent out of the Western Hemisphere, they are very likely to understand that we are ready to abandon the doctrine of freedom of the seas.

Senators, do not make that mistake. I beg of you as Americans, whatever your position is upon this bill, do not commit yourselves against the doctrine to which we have held from the beginning, over which we have fought war after war, that we are ready to abandon the principle of the freedom of the high seas.

Some of these persons elsewhere in the world might the more readily conclude that we were ready to abandon that doctrine because, in order to secure what we thought to be our own peace and security, we voluntarily limited in the Neutrality Act our right to the use of the high seas and to the freedom of the seas. That is what we did. We did it from a good motive. We did it for a good purpose. We put chains upon our own arms in the interest of our peace. Now it is proposed to follow that up with a declaration which has the effect of declaring policy—whatever restraining influence or effect it may have upon the exercise by the Chief Executive of any power that he actually possesses, it has the effect of determining policy—by saying that we are ready to abandon the freedom of the seas, or to allow our enemies to tell their



people that we are ready to abandon the freedom of the seas.

I use the word "enemies" not in the sense of any declared attitude toward us, but I use it advisedly, because everyone knows that since the 24th of September last there has been an agreement between three powerful aggressor nations on this globe, three of the most powerful nations in a military sense and in point of military strength. Our friends across the Pacific have said that that agreement was defensive; and yet their warnings have been given us that in the event of certain action upon our part toward another member of the Axis group on the other side of the earth, we may expect certain results to follow from their conduct.

As plainly as I can say it, I have always stood against convoying vessels by the American Fleet, and will stand against convoying vessels by any unit of the American Fleet until and unless the point shall come when I shall be willing to vote for war, because, in my judgment, convoying would lead us into actual war. I take no part in the general and loose conclusion that because the President is the Commander in Chief of the Army and Navy in peacetimes he may take aggressive action wherever he wishes to aim aggression. That is contrary to every line in the whole history of our Government. That is contrary to the whole genius of the American system of government; and I no more feel that it is necessary to negative the anticipated exercise of that sort of power than it is necessary to place restrictions upon any officer of the American Government binding him not to commit breaches of the Ten Commandments.

I try to look at the matter realistically. Every time something extraneous, wholly outside of the legitimate purposes and purports and limitations of the bill, is dragged into it, we are providing a cumbersome thing that will operate as red tape upon the freedom and flexibility of action that I understood all of us wished to give, within the limits that could be given, if we were to grant aid at all to any nation whose struggle we believed to be in the interest of our own defense.

There are many things in which I have not taken any interest. I have not gone up and down the country saying that Great Britain is fighting our war. I do not visualize the matter in that way. Great Britain is fighting for a cause in which we have a vital stake; and, in my judgment, it is in the vital interest of this Nation that Great Britain survive. I do not see how we can maintain the Monroe Doctrine, I do not see how we can maintain the American standard of living, I do not see how the free way of life in America can go on, if Britain falls, if Britain fails to survive against the forces of aggression now leveled at her.

Let me say to my friends in the Senate that I do not care what their preannouncements may have been. If I believed this to be an ordinary war between two or more European powers, the case would be different. Nor would I stand on this floor or before the American people and say that we must meet

by armed force philosophies of governments with which we do not agree. Not at all. On the contrary, if it were an ordinary war between groups of European powers, or if we had the usual case of a group of enthusiastic zealots in any nation undertaking to impress their theories of politics, or their social and economic theories, upon other peoples in the ordinary way in which ideas spread, no one would think of arming to resist. As Americans, as Democrats, as Republicans, we would say we did not fear propaganda for the ideals of the Nazis, as long as that propaganda was not coupled with force.

Are we realists, are we looking facts in the face, are we traveling on our prejudices? Here is the picture. Three of the great powers of the earth, two of them across the Atlantic, one of them across the Pacific, not only stand for a philosophy which goes down to the very roots of our political, our social, our economic, our moral, our religious system, but those powers propose to enforce their philosophies at the point of the sword. Already 11 independent, sovereign nations have gone down at the hands of this aggressor group.

What do we say? Dismiss, gentlemen, the catch phrases of the propagandists, dismiss all thoughts, if you wish, of those phrases which have troubled you and disturbed you. But what do we say about it? We say that in the face of this organized military aggression we propose to defend ourselves, this Nation looks to its defense.

There is not a Senator or a man at the other end of the Capitol who can justify a vote for the appropriation of \$13,000,000,000 for national-defense purposes except upon the theory that the world and we ourselves face a condition unparalleled in the whole history of mankind. Men talk about Napoleon. Napoleon was not Hitler. The Napoleonic wars were not very like the struggle; they did not approach it; they have but little kinship to it. There may have been an inspiration common in all war, a point about which I shall not argue. But why, if we did not sense some danger, did we vote thirteen billions of the taxpayers' money for the defense of this Nation, despite our political differences, despite our doubts, despite our fears that someone might abuse his power? The only answer is that we did see this picture as it is.

What is the picture? For four centuries mankind has struggled to build up international law, has struggled to lay the foundation for the survival of peace-loving people, has struggled to build it up upon the basis of equality between the States. On that principle we believe good men in every country on the globe have believed that it was easier to maintain peace.

We in this hemisphere have been foremost in our advocacy of international law. We have gone beyond other nations by voluntarily limiting our own rights as a neutral, in the face of war conditions, in order to avoid involvement in war. But what happened when three out of the small group of primary powers of the earth today armed and at the point of the sword propose to carry their doctrine wherever they could carry it? We

said that we make our appeal as of right, without apologies, to the ever-dominant principles of self defense.

Why international law? What is the foundation of it? What is the object of it? It is to secure the life of the Nation in the exercise of its powers and its rights as an independent nation. Yet it is suggested that we be forbidden to do the things which are essential to preserve our life, lest we violate some rule of neutrality when we fail to recognize the meaning of inaction in such circumstances as to invite our own self-execution.

There are good people who say we cannot be calm. I do not know, and I am not willing to gamble. There is a desperate man in Europe who, since the spring of 1936, has constantly moved in the springtime, and that same desperate man has within the last fortnight added the eleventh independent sovereign nation to those which lie in abject subjugation to him. And what is subjugation? Subjugation to the Germany which Mr. Hitler leads and dominates? Look at Poland—Poland conquered, all the western half of it, the industrial portion of Poland, taken over by Germany, all the eastern area taken over by Russia, the Poles reduced to the middle portion.

Look at France. Final peace terms have not been imposed on France, only the temporary conditions of surrender, but final peace terms will not be less onerous than the present terms. What happened? All of France's industrial areas have been taken over by Germany, all her channel ports have been taken over by Germany. And that is the story in one way or another throughout the 11 nations.

Mr. President, from one little nation over there the Germans actually physically removed \$76,000,000 of tangible and movable property out of the country, carried it to Germany, took possession, and they are today operating the great munitions plants formerly owned by the Czech people.

What does it all mean? Do you not know what it means? Is there any way to escape the obvious meaning? It means only one thing—that Germany, if she does succeed in dominating Europe and Asia, will take possession of all the industrial areas of those countries. Have they anything but slave labor operating their plants today? Go to the facts, Senators; look at the facts. Is there any way by which we can maintain our standards and our way of life if the philosophy of Mr. Hitler prevails in Europe, prevails across the Pacific?

I know very well that it may be said that we can defend ourselves. We hope so. I do not propose to, and never have uttered a word that would indicate that I feared that my country would not be able to defend itself finally and if the worst came, and I profoundly hope that if Great Britain and the British Empire cease to exist, and that as the world emerges from the chaos which would be inevitable—not speculative, Senators—that we would be able to maintain our existence. Certainly that is the attitude of an American. He does not in a cowardly manner hide behind any nation. He simply has common sense enough to



know that the survival of one nation at this hour is important, and tremendously important to his own well-being. But if that nation goes down, all America will take its place on its own ocean frontiers and hold them.

But is it not the part of good sense, is it not the part of common sense, is it not the thing that practical men ought to be willing to admit, that, while we had nothing to do—I hope we had nothing to do and so far as I know we had nothing to do—with the beginning of the war, that while we had no part in the commencement of that conflict we cannot fail to recognize that on the one side there is this aggressor group proposing to carry its philosophy in trade, commerce, in social and political affairs at the point of the sword, and on the other side is one nation. Perhaps we have not approved all we read in our histories of what she has done. An impartial student could find things in our own history that we would not like and that he would reluctantly approve, if at all. But in this instance Britain stands in the path of this aggressor group which proposes to carry its crusade, not by persuasion, not by fair argument, in which event we would say, "All we need is the truth to combat those errors," but which says, "We will carry our crusade at the point of the sword."

And here is a bill. It is not a perfect bill. It may grant powers that many of us would think are too great. I think that all my friends in the Senate must recall that I have been among those who have protested against the granting of unnecessary powers. I have acted in good faith—at least I hope I have. I have tried to do so. I have opposed the concentration of power in the hands of any one branch of this Government, whether the executive or the judicial, or the legislative. I recognize that here is a large grant of power to the President. But I must ask myself—I hope all of us will ask the question fairly, To whom must we give this power if we are to do anything about it?

Some say that we should not give it to anybody, but that Congress should merely appropriate the money. We know what has happened even in the last few months. As many as 12 commissions and purchasing agencies of other governments have been in our country seeking to buy in our factories arms and munitions and implements of war. And we ourselves have a defense program. Is it not good business to recognize that if the concentration of buying power in our plants and factories, and of producing power, can be brought about, that it is highly desirable to do so—perhaps not absolutely necessary, but highly desirable?

Everyone knows what this competition for arms and munitions and implements of war may do to us, and how it may defeat the whole purpose of those who seek to supply themselves with arms and munitions and implements in our factories and in our plants. Is it not common sense; is it not a fair statement, to say that if you channel the whole production through one agency, if you concentrate and channel the whole power

to produce, and the whole power to make, and the whole power to purchase, through one agency, you will get better results? I do not think anyone could deny that, if they accorded good faith and fair judgment to the administrative agencies selected by the Congress to do the work.

Now, if you want to concentrate that power, and avoid all these duplicating and conflicting agencies and efforts, it is obvious that you could not put it in Congress; it is obvious that you could not put it in the Supreme Court; it is obvious that you must put it in some executive; it is obvious that it must rest in somebody's hands who has the power to make decisions. We cannot make them. We have been here 2 weeks and a half debating this bill, and we are not at the end of it yet. We have been here during a time when movements over the world are becoming hourly more ominous. I am not trying to frighten anyone. If the thoughtful American is not frightened by what has happened in the world in the last 2 or 3 years, nothing that I could say would frighten him; nothing that anyone could say would even disturb him.

So we take the President. And why? Because he is the Chief Executive. He is elected by the people of these United States. He is elected for a third term. I did not favor a third term, but the people did favor a third term for the President of the United States, and they voted for him, and they elected him. I think they have more confidence in him than some of us here in this Chamber believe at this moment. Anyhow, they elected him. They knew what he proposed to do. He proposed to give aid to Great Britain. He had given ships to Great Britain, or sold them. He had sold airplanes to Great Britain. He had traded 50 destroyers—war vessels, if you please—to Great Britain. After Dunkerque he gave or sold to Great Britain 800,000 rifles and other arms and munitions.

All this happened before the November election. Everybody then knew that the British Empire held vast resources within its wide reaches. But everybody heard the President, as well as the candidate of the other major political party in this country, declare for more aid to Britain. Everybody knew that such declarations meant that if the time should come when credit must be extended or aid given, we should give it. I grant that the people did not know how much, or on what terms, but they knew that what was meant was aid. Everybody knew that Britain had island possessions in the Western Hemisphere, but very few voices were raised to ask that Britain disgorge all the property of her citizens and put it on the barrel head before she could obtain aid in this country.

Mr. President, that is not England, and that is not consonant with the English law. For centuries no crowned head in England has had the right unlawfully to invade the humblest home of an English tenant or to take private property without just compensation. Yet I have heard here, and throughout the country, stray voices—not very loud and not very pro-

nounced—saying, "Why should not Britain give up all her vast resources?" The answer is that she could not be Britain and strip the people who live within her empire of their property.

Britain has commandeered resources wherever she could. I am advised that she has commandeered and taken over every security held by British citizens or nationals in Central or South America, to the extent of more than \$4,000,000,000. She has carried those securities to some point where they may be safely kept, and has issued her own obligations to the nationals whose property was taken.

Mr. President, I think that Washington's Farewell Address means something which is not often emphasized. The Father of our Country cautioned us against undue attachments; but with equal force he cautioned us against undue animosities and hatreds toward any nation, and against becoming slaves to an inordinate love or an inordinate hatred of any government on this earth. I think that whatever may be the shortcomings of Britain, one thing ought to be made clear, and that is that if when we go home tonight we are immune and safe against the unlawful search and seizure of our private papers on which we have expressed our honest thoughts; if when we go to our homes tonight we lie down with the consciousness that we can speak or write our thoughts and can worship God on the next Sabbath according to the dictates of our own consciences—in short, that we can enjoy all the rights and privileges guaranteed in our Bill of Rights—if we are honest and straight we will confess that not a line of the Bill of Rights came out of the Roman law or out of the code of the ancestors of modern Germany. Every line of it came out of the great English common law. Yet day after day I listen to those who talk about what an aggressor and butcher Great Britain has been in the world.

Mr. President, I shall not vote on the bill on the basis of my hatred of any man—and I do not hate any man—or because of my lack of confidence in any man. I express no lack of confidence in the Executive. I shall not vote on the bill on the basis of any animosity I have against any race or any people. Only two generations back one of my ancestors was a sturdy Irish woman. However, that has nothing to do with the bill before us.

What did we do? When we looked around we said, "How can we give aid? We can make a loan; we can let Britain come here and compete in our factories and plants, struggle for priorities, and compel us to take drastic steps to prevent her from getting priority over our own demands and orders or we can select an agency to determine priority." In the bill we seek to give to the President, through his executive officers, the power to funnel the whole effort in our plants, our factories, our fields, our mines, and our forests through one executive channel or agency. That is only plain business judgment. Even if it does run counter to some of our preconceived thoughts about the power which should be vested in the Executive, it is only plain business judgment.



The bill gives the President certain powers. In my opinion they are not extraordinary in the sense in which they are used. They all deal with material things. They all deal with arms, munitions, and implements of war. When the fear is expressed that the word "transfer" means the right to convey and make delivery of a battleship or a gun on the other side of the globe, those in charge of the bill frankly say, "We will strike out 'transfer,' or we will say, 'transfer title or possession.'" We are trying to meet the objections as best we can; and when an amendment offered in good faith—as the distinguished Senator from Louisiana has offered his amendment—seems wrong in its implications and misleading to those who do not quite understand what we mean by a congressional declaration of that kind, we honestly, fairly, and candidly seek to find out if there is not some other formula by which we can accomplish the main objectives.

What have we said in the amendment in question? We have said only that nothing in this bill—and we are not dealing with any other bill—shall be construed to change any law governing the use of the land and naval forces of the United States, except that the land and naval forces may be used to carry out the express purposes of this particular act.

What are the express purposes? One of them is to build, test, and inspect arms, munitions, and implements of war. In all our arsenals and shipyards officers of the Army and Navy are present for the purpose of inspecting, and seeing that things are built according to plans and specifications and according to design. Unless we say, in substance, "except for the purpose only of carrying out the noncombatant powers given under this bill," such inspectors may not occupy their places in the factories and arsenals.

The Senator from Louisiana has very frankly said he would accept it. What did it mean? It is said here it means nothing, exactly nothing. In my opinion it means a great deal. It does not undertake to settle all the limitations under which the President may use the Army and the Navy; but it says that whatever the power of the President is under the Constitution and under the laws, as we have lived under them, as we know them—whatever the power of the President as Commander in Chief may be over our armed forces—nothing in this bill shall add or take away one jot or tittle, nothing shall change it, we propose to leave it as it is.

As American people, do we not know—in practical terms at least—what the power of the President is over the Army and the Navy in peacetimes? We may differ. There may be limitations, there may be niceties of statement and distinction about which able men may entertain different views. I frankly told the Members of the Senate what I thought about it, but others differ, and others may be entitled to far more weight in the great scale when there is an attempt to measure the powers of the President of the United States.

Whatever those powers are, whatever the laws are that apply to our armed

forces—every one of our armed forces, all of them—whatever those laws are, they are not disturbed, they are not changed, by the bill. We want to say that; and we want to say it for the purpose of assuring our people, as far as that goes; we want to say it to back up the President's declaration, even since this bill was introduced, that he would not convoy American vessels with any part of our Navy. We want to say it to give assurance, if we can, to our own expressed convictions that we did not want war, that we wanted peace.

Now, just one other thing, and I must beg the indulgence of the Members of the Senate for this trespass on their time: There is a certain risk involved in doing what is proposed under this bill, I grant. There would be a risk if nothing were done. Indeed, I think there would be an infinitely greater risk if, in the face of the combination of aggressor nations under the assaults of which 11 independent, sovereign nations have already fallen, and under the heels of which another great nation, China, is partially prostrate, we did not recognize the character of this aggression and the definite threat to the whole American way of life, to the political system we have tried to maintain in this country.

I said a while ago, Mr. President—if this word "transfer" has any bearing upon the matter—that we will not take the extreme risk of conveying, or of attempting to deliver on the other side of the globe any of the arms or implements of war which we wish to furnish. We will not take the extreme risk of involving our people in war—unless, of course, we should be attacked. If we should be attacked, we would do what all of us would, of course, favor. That is a wholly different question.

But we propose to do nothing here, save in degree, that has not been done since long before June of 1940. Save in degree, we assume no additional risk whatever. But as of right, we feel that we can say that it is in our interest, as we see it and appraise it as reasonable men, as men loving our own country first, last, and all the time, for the one single nation to survive that is now fighting against this combination of aggressor nations.

I have paid no attention to whether Germany or Great Britain have declared their war policies or aims. I have not, let me say to the Members of the Senate, for one reason: Frankly, candidly, I think these United States should have their own foreign policy, to be merged in the foreign policy of no other power. The bill now under consideration does not constitute a proposal to do so. The bill constitutes a frank recognition that, in the face of an unparalleled situation, we have reached the conclusion that it is to our vital interest, it is vitally important to us that Great Britain survive, and it is so important that we propose to give them arms, to give them munitions.

I could do no less. I shall not criticize anyone who would not do as much; but I would not understand it; I would not be able to understand it. I could do no less.

Some excellent gentlemen came before the Senate Foreign Relations Committee and said in effect we would be taking

sides by giving aid to Britain in a war that would certainly end disastrously to Great Britain. I do not know; I am not able to determine that question. But I know one thing, that as an American I would give to Britain aid as long as she stood, to enable her to stand and survive as against the aggressions of these three powers, the dominance of which would leave its indelible impress upon American life, American thought, American politics, American economy—everything we hold dear.

We are pledged to defend the Monroe Doctrine. I listened to the so-called experts, but I have not been able to conclude how any open-minded man could reach the conclusion that we could maintain the Monroe Doctrine throughout this hemisphere if Great Britain ceased to survive, ceased to exist. I do not say that some cannot reach that conclusion, but I cannot reach it. I have been unable to reach it; and I have not the shadow of doubt in my own mind that if Britain goes down, if Britain does not survive—I do not say if Britain fails to destroy Germany; I have never said so, and I will not say so—but if Britain does not survive in this fight, we might as well renege the Monroe Doctrine.

To the southernmost tip of South America it is 6,500 miles; and a thing that we do not properly evaluate is that while no army marching in the pale-green uniforms of Mr. Hitler's legions may ever come to America, we shall face Hitlerism in South America and in North America. Indeed, if we will open our eyes, we shall face it now. It is here; and a million men probably might spring to arms at the command of Mr. Hitler throughout the population of 90,000,000 people who live in Central and South America.

How could we maintain the Monroe Doctrine over the wishes of any one of our neighbors to the South, even though the government of that neighbor did not represent a majority of the people who lived under the government? Do you think the present Governments of Denmark, of Norway, of Belgium, of the Netherlands, of Poland, or of any other country that has been overrun, represents the sentiments of a majority of the people of the country involved? It represents the sentiments of a negligible minority, it represents the sentiments of any of the people at all; but the government is controlling the country's policies. The Government of France is controlling the decisions of France in the far Pacific at this moment. The decision of the Vichy Government is not the decision of a majority of the French people. A pitiable minority, if any at all, support it; and yet from far-away France to Indochina that Government is controlling the policies, and yielding to Japan, a member of the Axis group; and we want to tie the hands of the President. We want to tie the hands of the Secretary of State.

I know very well that every Senator would say, "Oh, no; we do not want to tie their hands"; but, Senators, that is what we do by continually wrapping needless red tape around every grant of power that we make, around any au-



thority that we propose to give to the President to build up and strengthen, as far as he can, our own defenses.

Mr. President, I support this bill because as I vision it, as I see it, it is an effort to strengthen our own defenses. It is an effort to protect our own peace and security. It does not deal with manpower. It does not mobilize any soldiers. It does not issue orders to the Navy. It simply deals with making and distributing things in order to strengthen the hands of the single power that happens at this time to be standing—and, thank God, that power does stand—against the Axis group.

It is said that she must fall anyway. Perhaps so; but it would seem to me that the consciences of Americans would feel very much better, in that event, if we had given to that empire what material aid we could give in order to make it possible for it to survive. Nobody expects us to be stripped of all our defenses. I do not know whether they are going to survive or not; but I know one thing, Mr. President, I know that German bombs have broken the bodies of women and little children throughout England, but I know that they have not yet broken the spirit of the English people. I know that they have not yet broken the never-dying courage of the people who live across the Channel from Europe. Perhaps they will. When that hour comes, I want to be able to say that acting in all good faith, in what I believe to be the best interest of my own country, for the sole purpose of strengthening that country and making it secure, I nevertheless was pleased to put whatever weapons I could into the hands of the British people who are making this valiant fight.

We are not going to convoy. We are not going to deliver arms and munitions on the other side of the ocean in areas of danger. We are not going to destroy whatever gains have been made by our workers. We are striving as best we can to preserve those gains against the totalitarian system of barter and of economics, which is destined to destroy every gain made by American labor if it triumphs in the earth. We are not trying to do any of these things. We are trying only—perhaps mistakenly; perhaps in a way not as effective or as efficient as some other way might be, but trying in all good faith—to strengthen the security of our own country.

Mr. President, I need not remind the Senate or the country that at this end of the Capitol 14 full days were given to public hearings upon the pending bill. Every right and privilege was accorded to those who opposed the bill. Sometimes some of the members of the committee may have been impatient, but it was an impatience which grew out of conviction upon the part of those who favored and those who opposed the bill. There was the utmost freedom to examine witnesses, the fullest opportunity to be heard that was consistent with any orderly dispatch of business; and now for 16 days this debate has been under way in the Senate.

Many amendments have been proposed. Almost all of them seek to say that the bill does not say so and so, and does not mean so and so. Almost all of

them bring in extraneous matter, plausible things, for which all of us would like to vote, to say that certain things shall not be done under the proposed law.

What Senator here does not feel that it would be unwise, what Senator here does not really oppose the sending of our armed forces to fight in any foreign land unless we are attacked, unless we are acting in our own self-defense? I am sure that all of us feel that way about it. The bill does not deal with that problem. The bill does not mobilize an army, as I have said. The bill does not touch that except through unwarranted implications which seek to raise an inference on which to base a prejudice that somehow or other our soldiers are to be sent into foreign lands.

All of us have the impulse always, when a bill does not do so and so, to say, why not say so, why not express it, why not be candid? There are times, there are circumstances, the character of the legislation itself at times may indicate that a merely restrictive amendment, regarding something which does not arise by any fair interpretation or implication growing out of the bill, may prove harmful or may prove embarrassing. To me it would not, but to someone else it might. At any rate, most of the amendments seek to tie onto the bill a declaration that the bill is not to be considered as authorizing so and so.

Some amendments of the same character were inserted in the measure in the House, and came over to the Senate. The Senate Committee on Foreign Relations did not desire to strike them out, primarily because we felt that if we struck them out, when the body at the other end of the Capitol had inserted them, that would within itself raise some question touching the motive or the purpose of those who desired the legislation, and it was not because we believed them to be essential.

If any of the amendments of the character of that before us are inserted in the bill, I cannot but feel that they would be unnecessary, that they grow out of a superabundance of caution, or a desire to give assurance when no assurance is necessary, except a plain declaration of what the bill before the Senate proposes.

It may be that if any amendments of this character are put into the bill, nevertheless, the President will be able to execute the main powers given him, and it may be that those things feared by some members of the executive branch of the Government will not come to pass. But I should rather not take the chance.

The Senator from Louisiana has offered his amendment, which I think in a straightforward way declares what is not in the bill, but it seems to me, nevertheless, to be less objectionable than to announce to all the world at this time that we propose, so far as a congressional declaration is concerned, to confine our activities to the Western Hemisphere. I sincerely believe that it would leave a misleading impression in certain quarters, and that it would be bad in the furtherance of a policy which I think we all most earnestly desire to result in the continued peace and security of the United States, rather than involvement in any war anywhere.

Mr. President, I do not subscribe now, and I hope I never shall, to the doctrine that we are headed into an inevitable war. I regret, and I will continue to regret, that those of us who favor the bill—some of us, at least—and those of us who oppose the bill—some of us, at least—must stress the fact that the bill means war, or that its failure to pass means certain involvement, because nothing could be more harmful to the American people than the creation of a conviction that an inevitable war lies ahead of us whichever course we may take.

I have never warned the Senate, and I do not now, but in closing I make this one statement, that a mighty impulse is stirring at the soul of America, a mighty impulse is running through America. If you do not let America reach her decision in the only way permissible under our Constitution and our system of government for registration of a decision, it may be a regrettable circumstance in the history of this country. And a decision too long postponed, even though finally reached and announced, will be accepted by our people as a denial of the right of America to express its thought, its conviction, its determination to do the simple thing—put weapons into the hands of the single nation which stands in the way of the group of aggressors to which I have referred.

Mr. MALONEY obtained the floor.

Mr. BARKLEY. Mr. President, will the Senator yield to me for a moment to make an observation?

Mr. MALONEY. I yield.

Mr. BARKLEY. While Members of the Senate are here in large numbers I wish to make a statement. Many Members of the Senate on both sides of the question before the Senate have been for days urging that we hold longer sessions in order to make greater progress in the consideration of the bill. Many have urged that we hold a session into the evening today. I have not felt that it was fair to do that because no advance notice was given with respect to it. The suggestion I intend to make, of course, carries with it no implication of any sort with respect to the length of debate or anything else in connection with the pending bill.

I do not know that we shall be able to finish the consideration of the bill this week. It had been my hope and the hope of most of us, regardless of the position Senators take on the bill, that we might conclude by Saturday night. Regardless of whether we can or cannot, I think it is fair to Members of the Senate to say that I hope that tomorrow we may sit until at least 6 o'clock, or thereabouts, and at that time I shall probably take the liberty of asking the Senate to sit later in the evening; whether after a 2-hour recess or otherwise may be determined at the time. But I wish that Senators may be prepared to sit later in the day than we have been sitting, if the circumstances seem to justify it, in order to make greater progress. I merely desired to advise Senators so that they might be prepared and could make their arrangements accordingly.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?



Mr. BARKLEY. I yield.

Mr. CLARK of Missouri. I should like to say to the Senator that there has been a great deal of talk in the newspapers about a filibuster. So far as I am concerned, since we started meeting earlier than usual, I have been present in the Senate Chamber every day from 11 o'clock in the morning until as late as the Senator from Kentucky desired to hold the Senate in session in the evening and I am prepared to follow that course in the future. But it does not seem to me to be fair to have the Senator from Kentucky try to send out to the country the implication that someone is delaying the consideration of the pending measure.

Mr. BARKLEY. Mr. President—

Mr. CLARK of Missouri. Just a moment, if the Senator will permit. I think it is unfair to do that when all of today, for instance, has been taken up almost without exception by proponents of the pending measure. We had a very eloquent speech by the Senator from Oklahoma [Mr. LEE], who held the floor for 2 hours and refused to yield to anyone else, while the majority members of the Committee on Foreign Relations were meeting downstairs preparing an entirely new substitute for the Ellender amendment. I do not complain about that. I listened with great interest, as I always do, to the very eloquent expressions of the Senator from Georgia [Mr. GEORGE], who, of course, was entitled to make as long a speech on the bill as he desired, for he had not had an opportunity to speak before. I felt it necessary to call the attention of the country to the fact that when there is talk about delay on this measure, there has not been over half an hour of legitimate debate on the pending amendment today, which was during the time of the Senator from Kentucky himself. The rest of the time has been taken up by proponents of the bill making speeches on the generalities of the bill.

If the Senator from Montana [Mr. WHEELER], or myself, or the Senator from Ohio [Mr. TAFT], or the Senator from North Dakota [Mr. NYE], or the Senator from Wisconsin [Mr. LA FOLLETTE], or any other Senator on our side had occupied the floor today at that length it would be in the headlines of every newspaper in the country tomorrow that we were filibustering on the bill.

Mr. BARKLEY. Mr. President, I prefaced my suggestion with the statement that it carried with it no implications of any sort and no inferences, and I have never, either in private or in public, intimated that anyone had carried on a filibuster on this bill.

Mr. CLARK of Missouri. I think that is true, but the Senator from Georgia today recurred to the charge of filibuster, and I call attention to the fact that if anyone has been filibustering today it is the proponents of the bill.

Mr. BARKLEY. The Senator will recall that yesterday the Ellender amendment was offered, and the Senator from Louisiana very properly, under the yieldings which he permitted himself to make to various Senators, occupied much more time than he had intended to take. It

was thought incumbent upon some Senator representing the opposition to that proposal to discuss it yesterday, following the speech of the Senator from Louisiana, but the time did not permit. I intended to make a very brief address today on the amendment, and I yielded to many Senators, and it took considerable time. Certainly no one will begrudge the Senator from Georgia the time he has taken today, time which he could not occupy earlier.

Mr. CLARK of Missouri. I certainly do not.

Mr. BARKLEY. I wished to advise Senators that they might expect sessions until later in the evening, beginning tomorrow, so they might make their arrangements accordingly. I hope the press, in reporting this suggestion of mine, will carry with it no implication that I am accusing anyone of delay. It does not matter who is responsible for the delay; it is desirable that we obtain action as soon as possible.

Mr. MALONEY. Mr. President, had I now the desire to make a speech I would, after the eloquent, logical, and forceful address of the distinguished Senator from Georgia, the chairman of the Committee on Foreign Relations, put it off until tomorrow.

I should like to add my applause and congratulations to the statement made by the senior Senator from Georgia. If I understood him correctly, as I think I did, I am able completely to associate myself with his statement. I said many times in the last campaign that President Roosevelt, in his foreign policy, had not gone too far for me. I said also, time and time again, that I would not vote to send our soldiers into a foreign war. I believed then, and I believe even more strongly now, that we here in the Senate, because of that statement so often made, have the responsibility of doing everything consistently and properly possible to help the President to avoid armed conflict.

I agree with the chairman of the Foreign Relations Committee that it would be rather foolish to build ships for England, and then say that we could not or should not repair them in our yards. I am quite willing that there should be a transfer of our vessels when the President thinks that is necessary to keep open the sea lanes in order to afford to England the aid we desire to render. I do not want to hamper the President.

Mr. President, on the immediate question the Senate is now considering, I have an amendment, and forceful as was the speech of the Senator from Georgia, I have no desire, for the reasons I have just briefly given, to withdraw my amendment. That amendment, and the amendment of the Senator from Wyoming [Mr. O'MAHONEY] with one slight correction which I rose respectfully to suggest to him, would not, as has been intimated, tie the hands of the President of the United States. I completely agree with the speech just made, insofar as our freedom on the seas is concerned. I do not want to deny the Commander in Chief of the Navy the right to send our vessels into the waters of the Pacific, and in drafting my amendment I

had that in mind, and had in mind the policy of the Secretary of State.

I am willing and anxious that our vessels, when it is necessary in our defense, go anywhere and everywhere. I like the language of my own amendment best, but, hopeful that we may save time, and that I may make a contribution to the desire for haste, I shall respectfully offer a suggestion to the Senator from Wyoming.

I reserve the right, of course, later to call up the amendment which I submitted on the last day of February and discuss it at such length as circumstances seem to me to require. Hopeful that that may be avoided, and hopeful that the suggestion I am about to make may meet the feelings and desires of the Committee on Foreign Relations and those who, as I do, support the bill, I am going to suggest a change to the Senator from Wyoming.

Before I do so, Mr. President, may I say that on the day the Committee on Foreign Relations agreed to accept the so-called Dirksen amendment, I committed myself to the support of this bill. With or without the amendment now being considered I intend to vote for the measure, for just so long as Congress retains unto itself the recapture provision of the Dirksen amendment, as perfected by the Senate Committee on Foreign Relations, I can freely vote, and I am most anxious to vote, for the bill. But I insist that no one has the right to say that the adoption of such an amendment as that offered by the Senator from Wyoming would tie the hands of the President, change the policy, interfere with the purpose, or in any other way hamper the administration of the pending measure.

Please let us not forget that if in spite of the promises, the solemn pledges of the President of the United States, that there would be no convoying, that none of our boys would be sent to a foreign war, we should send our vessels into combat zones, and those vessels should be subject to assault or attack, it would no longer be a foreign war; it would become our war.

Congress has the right to guard against that. We are not passing this bill for President Franklin D. Roosevelt, for the present President of the United States. Senators know that it is within the realm of possibility—though God forbid—that another man may be President of the United States before the powers granted under this bill shall have come to an end.

Mr. President, without taking further time now, I should like to have the attention of the Senator from Wyoming. While I respectfully suggest to him that in line 4, after the word "forces" there be included the language "or air forces"; that in line 7 there be stricken all the language after the word "place"; that there be stricken all the language in line 8, and that at that point there be inserted:

Outside of any combat area defined as such in any proclamation of the President issued pursuant to section 3 of the Neutrality Act of 1939.

If the Senator will accept that language, as the chairman of the Foreign



Relations Committee desires, it will permit our ships to sail all the seas all the time, except into the zones already named by the President of the United States as danger zones, war zones, or combat zones. Nothing else is denied. I am hopeful not only that the Senator from Wyoming will accept that change of language, but also that the language may meet with the approval of other Members of the Senate.

Mr. O'MAHONEY. Mr. President, before the Senator takes his seat will he indicate to me again the amendment he proposes in line 4?

Mr. MALONEY. After the word "forces", add the words "or air forces."

Mr. O'MAHONEY. So as to read:

be delivered by the land or naval or air forces—

Mr. MALONEY. So as to read:

be delivered by the land or naval forces or air forces of the United States—

And so forth.

Mr. O'MAHONEY. What is the next amendment?

Mr. MALONEY. In line 7, after the word "place", to strike out all the remaining language and insert in lieu thereof:

outside any combat area defined as such in any proclamation of the President issued pursuant to section 3 of the Neutrality Act of 1939.

Mr. O'MAHONEY. I am quite content to accept the suggestion made by the Senator from Connecticut, and I modify my amendment accordingly.

The PRESIDING OFFICER. The Senator's amendment has never been stated from the desk. Will the Senator please send to the desk his amendment, as modified, so that it may be stated by the clerk?

Mr. CLARK of Missouri. Mr. President, pending that, I should like to ask the Senator from Kentucky whether it is the purpose to try to obtain a vote on the amendment tonight? We have been debating for 2 days on one amendment. Then we had another amendment substituted. Now we have another substitute, and a substitute for the substitute. It seems to me that the various pending amendments ought to be printed so that Senators may have an opportunity to understand them. I do not understand what the modification proposed by the Senator from Connecticut to the substitute offered by the Senator from Wyoming means.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. BARKLEY. It had been our hope that we might dispose of the entire question revolving around the Ellender amendment today.

Mr. CLARK of Missouri. Then the Senator should have brought in his substitute last night, so that it could have been printed and we could have had an opportunity to understand it.

Mr. BARKLEY. Of course, the substitute was not prepared until this morning. Therefore the Senator could not have brought it in last night. That may be the fault of those who worked on it, but still that is the situation.

I do not know to what extent Senators still desire to discuss the pending question. I had hoped that we might dispose of it today. In the absence of ability to dispose of it today, I wonder whether we may have any sort of understanding about when we may vote on it tomorrow?

Mr. CLARK of Missouri. Can we not decide that question in the morning, after we shall have had an opportunity to read the various proposals before us? So far as I am concerned, as I told the Senator yesterday afternoon, speaking for myself and those who agreed with me about the matter, we were perfectly willing to agree to a limitation of debate early today, but when we came into the Senate today the majority of the Foreign Relations Committee desired to meet by themselves—which was entirely proper—and consider a substitute for the pending amendment, which we have never really had an opportunity to read. I have had a moment to glance at it, and that is all. Many other Senators would like to have an opportunity to read it and analyze it overnight. So far as I am concerned, I have no disposition to discuss the matter at length, and I do not know of any other Senator who has. I think that all the various amendments ought to be printed in the RECORD, so that every Senator may have them at the earliest possible moment tomorrow. Then let the Senator propose a limitation of debate when the Senate meets tomorrow, and, so far as I am concerned, I shall be disposed to agree to any reasonable limitation.

Mr. WHEELER. Mr. President—

Mr. O'MAHONEY. Mr. President, let me resume the floor so that I may state the modified amendment for the RECORD, in order that Senators may know what we are talking about.

The Senator from Connecticut [Mr. MALONEY] has suggested certain modifications of the amendment proposed by the Senator from Wyoming as a substitute for the amendment offered by the Senator from Louisiana [Mr. ELLENDER]. I have agreed to modify my amendment by adopting the suggestions of the Senator from Connecticut. In order that there may be no uncertainty, I wish to read the amendment, as modified at the suggestion of the Senator from Connecticut:

Without the consent of the Congress, no defense article of which the President shall make disposition under section 3 of this act shall hereafter be delivered by the land or naval or air forces of the United States, and no part of such forces shall be used in connection with any delivery of such defense articles, to any foreign government unless such delivery takes place—

Now comes the language suggested by the Senator from Connecticut—

outside any combat area defined as such in any proclamation of the President issued pursuant to section 3 of the Neutrality Act of 1939.

Is that as the Senator suggested?

Mr. MALONEY. That is correct.

Mr. NORRIS. Mr. President, will the Senator yield for a possible correction? As the Senator has read the amendment, it is ungrammatical.

Mr. O'MAHONEY. I hope not.

Mr. NORRIS. Let me read it as the Senator has read it—

shall be delivered by the land or naval forces or air forces—

And so forth. Why not insert the words "air forces" at a place which will not require repetition of the conjunction "or"? It is not necessary to put that in twice.

Mr. O'MAHONEY. I am quite agreeable to that suggestion, and I am sure the Senator from Connecticut is also agreeable. I accepted the modification exactly as he presented it.

Mr. WALSH. Mr. President, will the Senator yield?

Mr. O'MAHONEY. In order to comply with the suggestion of the Senator from Nebraska, let it read—

shall hereafter be delivered by the land, naval, or air forces of the United States—

And so forth.

Mr. WALSH. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield to the Senator from Massachusetts.

Mr. WALSH. The amendment refers to proclamations issued by the President under the Neutrality Act. Does the language of the amendment refer to past proclamations, or future proclamations, or does it include both?

Mr. O'MAHONEY. It refers to any combat area designated as such in any proclamation of the President. As I understand, it refers both to past and future proclamations.

Mr. WALSH. So the President, after the passage of the bill, might entirely change the combat zones and make a new proclamation, which might make this entire provision negligible.

Mr. O'MAHONEY. He might create new combat zones.

Mr. MALONEY. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. MALONEY. In answer to what has been said by the Senator from Massachusetts, I wish to say that I, of course, took that question into account in drafting my amendment, and I certainly have no hesitancy in giving that power to the President of the United States. So far as I am concerned—and I make this statement only because I submitted the language—I am perfectly willing, if the President should feel that the time had come for changing the combat zones for one reason or another, to trust him completely.

Mr. BONE. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Wyoming yield to the Senator from Washington?

Mr. O'MAHONEY. I have concluded.

Mr. BARKLEY. Mr. President, in order to clear up the parliamentary situation, the amendment, as it has been read, constitutes a substitute which the Senator from Wyoming offers in place of the modified Ellender amendment.

Mr. O'MAHONEY. Not at all. It is a modification of the substitute which I offered for the Ellender amendment, and it is a combination of the amendments offered by the Senator from Connecticut and the Senator from Wyoming.



Mr. BARKLEY. That is the same thing in different language. It constitutes the Senator's substitute for the modified amendment offered by the Senator from Louisiana.

Mr. O'MAHONEY. Exactly.

Mr. BARKLEY. So the two matters now pending are the Ellender amendment, as modified by the Senator from Louisiana, and the substitute offered by the Senator from Wyoming, as modified at the suggestion of the Senator from Connecticut.

Mr. O'MAHONEY. The Senator is quite correct.

Let me say to the Senator that I am quite willing to stay here tonight, tomorrow night, and every night as long as necessary to finish consideration of the bill. I do not want any misunderstanding about that, or any thought that in the presentation of this amendment there was any purpose upon my part to hinder, delay, or obstruct the passage of the bill. I am sure I speak also for the Senator from Connecticut.

Mr. BARKLEY. Mr. President, I should be the first to acquit the Senator from Wyoming or the Senator from Connecticut, or any other Senator, of any such charge. I hope that nothing I have said about a night session is to be interpreted as in any way reflecting upon the good faith of any Senator in trying to have the bill considered and disposed of.

Mr. NORRIS and Mr. WHEELER addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Wyoming yield; and if so, to whom?

Mr. O'MAHONEY. I yield to the Senator from Nebraska.

Mr. NORRIS. Since we are having these amendments printed, I desire to ascertain if consent has been granted or an order has been made to print the modified amendment offered by the Senator from Louisiana [Mr. ELLENDER]. That amendment also ought to be printed.

Mr. CLARK of Missouri. Mr. President, a few moments ago I asked that it be printed.

Mr. NORRIS. That amendment, and the substitute of the Senator from Wyoming, as modified, both ought to be printed in the regular form so that Senators may have them on their desks.

The PRESIDING OFFICER. The Chair will advise the Senate that both amendments will be printed. It has been so ordered.

Mr. BARKLEY. Mr. President, I desire to submit a request for unanimous consent.

Mr. CLARK of Missouri. Mr. President, will the Senator yield so as to permit me to offer an amendment to the substitute?

Mr. BARKLEY. I yield.

Mr. CLARK of Missouri. I offer an amendment to the substitute, and ask that it be printed in the RECORD. I also ask that the amendment be read.

The PRESIDING OFFICER. The clerk will state the amendment offered by the Senator from Missouri.

The LEGISLATIVE CLERK. At the end of the proposed substitute amendment, it is proposed to add the following:

No part of the money appropriated or authorized to be appropriated in this or any other act and none of the defense goods or commodities authorized to be transferred in this or any other act shall be, unless the Congress of the United States has declared a state of war exists, used for the employment or use of persons in the land or naval forces of the United States at any place beyond the limits of the Western Hemisphere, except in the Territories and possessions of the United States, including the Philippine Islands and any place which by treaty rights we are entitled to maintain armed forces.

Mr. BARKLEY. Mr. President, I ask unanimous consent that the bill, showing amendments adopted up to the present time, be printed for the information of the Senate.

The PRESIDING OFFICER. The Senator from Kentucky asks unanimous consent that the bill be printed with all the amendments adopted up to date, so that copies of the reprinted bill may be available to the Senate. Is there objection? The Chair hears none, and it is so ordered.

Mr. WHEELER and other Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Kentucky [Mr. BARKLEY] has the floor. Does he yield and, if so, to whom?

Mr. BARKLEY. I yield to the Senator from Montana.

Mr. WHEELER. Mr. President, in view of the statement of the Senator from Wyoming that he had not offered his amendment for the purpose of filibustering, and he wanted to assure the people that he was not doing it for any such purpose, I desire to state that I have offered no amendment to the bill, but a number of amendments have been offered by various Members of the Senate on both sides of the question, and I assume that no Senator has offered an amendment to the bill except in the best of faith, and because of the fact that he felt that his amendment would improve the bill. I do not think anyone ought to impugn the motives of any Member of the Senate who offers an amendment to the bill.

Some Members of the Senate have stated that they might agree to limit the debate tomorrow on this amendment. I desire to state, so far as I am concerned, that at this time I would not be willing to agree to limit the debate on this amendment.

Mr. BARKLEY. I am not proposing any agreement today.

Mr. WHEELER. I did not want to have any misunderstanding with the Senator, because, in view of the time that has been taken today by the proponents of the measure, and because many Members of the Senate have not had a chance to examine the amendments, there are those who will desire to look them over and who may desire or may not desire to debate them.

Mr. BARKLEY. I have no desire, and I am sure no other member of the committee has any desire, to deprive Senators of an opportunity to study these amendments after they are printed; and there is no purpose to do so.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield to the Senator from Missouri.

Mr. CLARK of Missouri. I send to the desk three amendments which I intend to offer to the bill. I ask that they be printed and lie on the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BONE. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield to the Senator from Washington.

Mr. BONE. I desire to call to the attention of the Senator from Connecticut and all other Members of the Senate who are interested in the matter the fact that the amendment offered by the Senator from Wyoming [Mr. O'MAHONEY] seems to be almost clearly divided into two parts by its language. It begins in this fashion:

Without the consent of the Congress, no defense article of which the President shall make disposition under section 3 of this act shall hereafter be delivered by the land or naval forces of the United States—

That is one complete statement. It is a blanket provision against delivery by our land or naval forces. Then the Senator from Wyoming has added another almost completely separated part to his proposal, as follows:

And no part of such forces shall be used in connection with any delivery—

That goes back to "delivery"—

of such defense articles to any foreign government unless—

Now comes the first major qualification—

such delivery takes place within—

And so forth. The Senator from Connecticut [Mr. MALONEY] suggests by his amendment that the delivery must be made outside any combat zone heretofore or hereafter established. The point of my inquiry is that I am unable to state now how far, for instance, a combat zone would extend outward from the British Isles—let me say, 100, 200, 300 miles. In connection with his amendment, I ask the Senator from Connecticut to consider, as a practical matter, this aspect of the problem of delivery. If the purpose of restraining American merchantmen from going into war zones was to keep them from going into such zones and making delivery of cargoes, obviously it is not possible to transship a cargo on the high seas. I think we will all agree to that statement. So by providing a barrier against entry into continental or United Kingdom ports that extends out 200, 300, or 400 miles, we very effectively stop such traffic. Anyone who is familiar with sea-borne commerce knows that to be true.

However, we have a different proposition when goods are being shipped in British bottoms, and it is attempted to use an American convoy—by that term I mean a warship—to deliver them to the very edge of the war zone or deliver them to the middle of the Atlantic, because such a transaction would not carry with it either the necessity or the implication of a transfer of cargo from one vessel to another. It would be a continuous voyage from the shores of America to the shores of Britain, or of France, or of whatever country was involved in the shipment. I speak from a rather practical standpoint, because I know something of marine operations. Have I made my point plain?



Mr. MALONEY. I think the Senator has done so. He will soon find out. I will try to answer him. I assume the Senator is thinking of a convoy of British ships by American naval vessels. Is that correct?

Mr. BONE. That would be one outstanding aspect of the situation; yes.

Mr. MALONEY. As I understand the amendment offered by the Senator from Wyoming [Mr. O'MAHONEY], it clearly protects against that situation by saying: and no part of such forces shall be used in connection with any delivery of such defense articles.

Mr. EONE. And among the qualifications—

unless such delivery takes place—

Mr. MALONEY. "Unless such delivery takes place outside the combat zone."

Mr. BONE. Yes; that is correct. Suppose, however, the combat zone extended out, let us say, 300 miles from the coast of Britain: There is a qualification that would permit delivery to a point within 300 miles of Britain's coast, which is within very easy bombing range of German bombers. It is a zone infested with submarines—even submarines with a shorter range, such as the small submarines we read about. I raise the question because I think any careful lawyer would raise it.

Mr. MALONEY. The question is the same one which was raised twice before, earlier in the afternoon.

Mr. BONE. This is merely another aspect of it.

Mr. O'MAHONEY. Yes. Under the original form of the amendment we had the indefinite line which divides the Western Hemisphere from the Eastern Hemisphere; and the Senator pointed out, as the Senator from Iowa did, that under the terms of the amendment it might be possible to convoy material to that indefinite spot and there make a transfer, in the middle of the ocean. I regarded that as a very unlikely event. I was willing to accept the suggestion of the Senator from Connecticut in which he defined the forbidden area as that which is included in the combat zones, because we know, as a matter of fact, that that definition has operated most successfully with respect to the merchant marine, to which it was intended to apply; and my understanding is that those combat zones have been so bounded as to be quite proper and safe.

Mr. BARKLEY. Mr. President, I suggest to the Senator from Wyoming that he have his amendment printed in the language in which he wants to offer it. After it is printed I am sure it will be easier to understand it.

Mr. O'MAHONEY. Mr. President, I read the amendment in that form, or thought I did, and requested that it be printed. The Senator from Nebraska [Mr. NORRIS] made the same request, that both the Ellender amendment and this amendment be printed in their correct form.

Let me say that it has been suggested to me that inasmuch as section 3 of the bill authorizes the President to direct the Secretary of War or the Secretary of the Navy to make disposition of defense arti-

cles, the amendment should take cognizance of that fact. As I originally drafted the amendment, it referred to defense articles of which the President shall make disposition; so I am going further to modify the amendment so that it will read:

Without the consent of the Congress, no defense article which may be disposed of under section 3—

And so forth.

Mr. MALONEY and Mr. CHANDLER addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Kentucky yield; and if so, to whom?

Mr. BARKLEY. I yield first to the Senator from Connecticut.

Mr. MALONEY. I thank the Senator. I ask unanimous consent to have printed in the RECORD a telegram relating to the bill under consideration, signed by members of the faculty of Trinity College; and in the telegram is a request that it be inserted in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The telegram is as follows:

HARTFORD, CONN., March 6, 1941.

HON. FRANCIS T. MALONEY.

United States Senate, Washington, D. C.:

The undersigned members of the faculty of Trinity College wish to urge immediate passage of lease-lend bill and to protest against delay. We wish especially to express our condemnation of the tendency toward filibuster on part of minority opposing the bill. We respectfully request that this message be read into the CONGRESSIONAL RECORD.

Morse S. Allen, William O. Aydelotte, Leroy C. Barret, T. H. Bissonnette, Irwin A. Buell, J. Wendell Burger, Corning Chisholm, Frederic C. Copeland, H. M. Dadourian,

Thomas L. Downs, Jr., Thurman L. Hood, Arthur H. Hughes, Laurence Laforce, Warren C. Lothrop, Alfred K. Mitchell, Donald G. Morgan, Edward D. Myers, Louis H. Naylor, R. W. Scott, E. D. W. Spingarn, Charles D. Starr, Philip E. Taylor, John Theobald, Richard Tims, E. Emerson, Carl J. Altmaier.

Mr. CHANDLER. Mr. President, I have a telegram from Sturgis, Ky., and a request has been made that I read it into the RECORD. It is as follows:

STURGIS, KY., March 5, 1941.

A. B. CHANDLER.

Senate Office Building:

At annual past commanders meeting last night commanders of last 20 years met and passed motion urging our Senators to give all support to aid-to-Britain bill without hamstringing amendments attached. Please read on floor of Senate.

PAST COMMANDERS CLUB,  
E. C. CALMAN, Secretary.

Mr. ELLENDER. Mr. President—

Mr. BARKLEY. I yield to the Senator from Louisiana.

Mr. ELLENDER. During the course of the debate yesterday I introduced several statements with reference to various countries. The fact has been called to my attention that there was an error in one of the tables I had printed in the RECORD. In the table on Denmark and its possessions the population of Denmark was given as 377,000 instead of 3,777,000. This makes a difference in the public debt per capita; and I submit the corrected table for inclusion in the RECORD.

The PRESIDING OFFICER. Without objection, the corrected table will be printed in the RECORD.

The corrected table is as follows:

Denmark and possessions

	Area (square miles)	Population	Public debt	Imports	Exports
Greenland.....	£38,000	16,001		\$107,265,070	\$788,310
Faroe Islands.....	740	25,744			
Denmark.....	16,475	3,777,000	\$244,105,000	299,174,000	331,073,000
Total.....	855,115	3,819,645	244,105,000	406,439,070	331,861,310
Public debt per capita:					
Denmark.....			64.6		
Denmark and possessions.....			63.9		

Mr. BARKLEY. Mr. President, today, on the steps of the Capitol, there was presented to me a telegram signed by the students of the Marjorie Webster School here in the city of Washington, from 32 States of the Union. I shall not ask that all the several hundred names, amounting to nearly a thousand, be printed in the RECORD; but I wish to read into the RECORD and have printed at this point the telegram which these hundreds of students of this institution have delivered to me. It is as follows:

HON. ALBEN W. BARKLEY,  
Senate Majority Leader,  
United States Senate,  
Washington, D. C.:

We are convinced that the national security of the United States, the future of democracy at home, and the survival of democracy abroad, require the passage of the lend-lease bill. We believe all amendments which would hamper the effectiveness of this bill would be at the expense of American security.

This vital defense legislation already has been before Congress almost 8 weeks. We believe that every minute of further delay postpones the allied victory essential to our country's safety, and will prolong war, destruction, and bloodshed. Therefore, we urge you to secure immediate passage of the lend-lease bill.

The telegram is signed by these various students.

Mr. CLARK of Missouri. Mr. President—

The PRESIDING OFFICER. Does the Senator from Kentucky yield to the Senator from Missouri?

Mr. BARKLEY. I yield.

Mr. CLARK of Missouri. I am very glad indeed that this delegation of young women could attend the Capitol and not be investigated by the F. B. I. or harassed by the Capitol Police. Even the front door of this wing of the Capitol on this floor—which had not been opened, I understand, for 2 or 3 years before—was



opened to permit them to be escorted in, without interference by the police, or the F. B. I., or anybody else. I am very happy that that happened.

Mr. BARKLEY. I desire to say to the Senator from Missouri that if he had seen the group of young ladies who presented this telegram to me, it would have made him extremely jealous. [Laughter.]

Mr. CLARK of Missouri. I saw them come into the gallery, and it was a very personable delegation. I rejoice that they were not harassed by the F. B. I. or the Capitol police. I certainly have no objection to the request of the Senator from Kentucky.

In that connection, in view of some of the conversation which has taken place between the Senator from Vermont [Mr. AUSTIN], the Senator from Montana [Mr. WHEELER], and myself, I ask unanimous consent to have included in the RECORD a telegram setting out the names and affiliations of very important students and faculty members of the University of Chicago who are opposed to the bill; also, another telegram setting out the names of certain students at Garrett Biblical Institute, Evanston, Ill., who are very much opposed to the bill.

Mr. CONNALLY. Mr. President, reserving the right to object—although I am not going to object—I desire to say that if I brought over here all the telegrams and letters I receive about this bill and dumped them into the RECORD, the RECORD would be a great deal larger than it is now. I deprecate printing everything in the CONGRESSIONAL RECORD; but I shall not object to the Senator's request.

Mr. CLARK of Missouri. Mr. President, if the Senator from Kentucky will permit me, I entirely agree with the Senator from Texas. I have had these two telegrams in my desk now for two days; and I did not intend to ask to have them inserted in the RECORD unless the matter was opened up by the Senator from Kentucky. I did not intend to insert in the RECORD what I inserted last night unless the question was opened up again by the Senator from Vermont.

Mr. BARKLEY. I generally agree with the observations of the Senator from Texas and the Senator from Missouri; but now and then there comes what we might regard as an outstanding message which should be printed in the RECORD.

Mr. CLARK of Missouri. In view of the Senator's personal experience, I can understand that he might feel that way. [Laughter.]

The PRESIDING OFFICER. Without objection, the telegrams referred to by the Senator from Missouri will be printed in the RECORD.

The telegrams are as follows:

CHICAGO, ILL., March 5, 1941.

SIDNEY HERTZBERG,

Washington, D. C.:

Following important University of Chicago students oppose S. R. 275 and 1776:

Dora Culliton, president, Interclub, president of Mortar Board; Henrietta Mahon, president of Federation of University Women; Richard Salzman, abbot of Blackfriars; Raymond Witcoff, president of

Political Union; Wentzl Ruml, 3d, treasurer of Democratic Action; Laura Bergquist, former chairman of Daily Maroon Board; Ed White-way, executive secretary, Democratic Action; Walter Blun, editor, Law Review; Ed Gustafson, editorial board, Law Review; Dale Tillery, chairman, Student Social Committee; Robert Boyer, vice president of Chapel Union; Howard Shomer, assistant to dean of chapel; Alice Myer, Maroon editorial board; Kenneth Nordine, president of radio workshop; Ruth Correll, secretary to Dean Gilkey; Gail Duffendeck, director of Interchurch Council; Betty Leonard, president, Interchurch Council. One thousand students sign petition supporting President Hutchins in condemning lend-lease bill and demanding extension democracy at home.

Following list of prominent faculty members of University of Chicago opposing S. R. 275:

Edith Abbott, dean, School Social Service Administration; Dr. Fred C. Adair, chief of staff, Lying-in Hospital; Dr. W. C. Allee, professor of zoology; Samuel K. Allison, professor of physics, director of cyclotron research; Percy H. Boynton, professor of English; Sophonisba P. Breckinridge, professor of public welfare administration, former president, Association of Schools of Social Work; Anton J. Carlson, distinguished service professor of physiology, former president American Association of University Professors; Fay Cooper Cole, chairman, department of anthropology; Dr. Arthur H. Compton, distinguished service professor of physics, Nobel prize winner in physics; Stephen M. Corey, superintendent of laboratory schools; George F. Dick, chairman, department of medicine, discoverer of vaccine and serum for scarlet fever; Lester R. Dragstedt, professor of surgery, discoverer of lipocalc; Eugene M. K. Geiling, chairman, department of pharmacology; Robert G. Havighurst, executive secretary, commission on human development; E. Eustace Haydon, professor of comparative religion; Neil H. Jacoby, professor of finance, chairman of Illinois Emergency Relief Commission; Einar Joranson, professor of history; Fred C. Koch, distinguished service professor and chairman, department of biochemistry; Harvey B. Lemon, professor of physics; Wayne McMillen, president, American Association of Schools of Social Service, professor of social service administration; Albert W. Palmer, president, Chicago Theological Seminary, past president, Chicago Church Federation; Dr. O. H. Robertson, professor of medicine; Frederick W. Schlutz, chairman, department of pediatrics; Malcolm P. Sharp, professor of law; Louis L. Thurstone, distinguished service professor of psychology, past president, American Psychological Association; George A. Works, dean of students; additional outstanding students: Betty Jean Blochl, secretary, Interchurch Council; Robert Wright, treasurer, Interchurch Council; Rabbi Harry Essric, assistant director of Hillel

Foundation; Don Baldwin, adviser to Methodist students; Malcolm Correll, graduate, theory of physics; Bob Rehm, president, Methodist Students League; Thomas Ray French, president, Phi Gamma Delta.

EDWIN N. WHITEWAY,  
University of Chicago.

CHICAGO, ILL., March 5, 1941.

SIDNEY HERTZBERG,

Washington, D. C.:

Following students at Garrett Biblical Institute, Evanston, Ill., register opposition to lend-lease bill: Merlin W. McGladrey, student president; William Kendall; Olin Lehman; William Pedersen; Earl McGinnes; Frank E. Brown; Norman L. Schreiber; Kenneth Bell; Frederick E. Ball; E. Richard Haley; John R. Fouts; Robert Yunker; Wirth Tennant; J. Johnson; William Mertz; Reginald Becker; Lavant Wheaton; Ivan Hodgson; Wilson Tennant; Ralph Grote; Harold Dayton; F. M. Rogers; Gerald Salisbury; George Cameron; W. S. Easton; Tom Pendell.

Can get hundred more with more time.

HENRY W. DYER.

Mr. CHANDLER. Mr. President—  
The PRESIDING OFFICER. Does the senior Senator from Kentucky yield to his colleague?

Mr. BARKLEY. I yield.

Mr. CHANDLER. I did not intend to ask to have printed in the RECORD the message I have before me; but since the Senator from Missouri has had his telegrams put in, and I have heretofore obtained unanimous consent to put in this message, I ask that it be inserted in the RECORD at this point, with the names of the signers.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

UNEMPLOYMENT COMPEN-  
SATION COMMISSION,  
Frankfort, Ky.

HON. A. B. CHANDLER,

Member of the Military Affairs  
Committee of the Senate,

Washington, D. C.

DEAR SENATOR CHANDLER: We, the undersigned, wish to assure you that you, as our representative in connection with the lease-lend bill, have expressed our individual thoughts concerning this program.

Your address delivered on the radio on February 23, was of the utmost importance to us and we wish to assure you that we are in whole-hearted agreement with your opinion in this matter, especially with reference to: "I firmly believe that the entire purpose of the lease-lend bill is to prevent a sacrifice of lives by this country and to give all material aid possible for stopping Hitler until we can build an invincible system of defense for this country."

Please accept this as a surety that your Kentucky friends are with you in your every undertaking.

Robert B. Hensley, Elwood Rosenbaum, Randall Sibley, Fred O'Nan, Emmett J. Greenell, Dorothea Johnson, J. Cyril Schmitt, Mildred S. Tinsley, Etta Smith, Art Jenks, Maurine Edrington, J. C. Bridges, H. B. Fithian, Myrta Harrod Hughes, Edward Carlick, Nora Stucker, Irene Rabold, W. S. Sherwood, Paul M. Thomas, Paul W. Fraysure, Venus Brown, Norman L. Whelan, Margaret W. Colin, Thelma Lampton, Anna M. Lechleiter, Jane Clinger, F. W. Kaemmerle, Eleanor Carpenter, Marguerite Brown, Wolfe W. Rosenstein, Lucy Jane Wilson, Mary M. Fenwich,



Inez P. Roberts, Mary C. Pace, Bertha Reese, George Sun, Lucile Litsey, Elizabeth Napier, Logan Chambers, Helen Jo Howser, Ben F. Edwards, D. McIntosh, H. Miller, Agnes Schafer, L. G. Forquer, Blanche Jenkins, Mrs. Morton Clarke, L. P. Jones, Nancy C. Howard, Mildred C. Steier, Edna Ott Harris, Stella S. McGinnis, Theo. M. Taylor, Anna Mae Lynch, Joe M. Wilson, Marvin H. Warren, Kathryn Harned, Martha Irvin, Grace Cavins, Dorothy C. Ellis, Mary Ella Marshall, Andra Smith, Nancy Smock, Frances J. Lee, Joe H. May, Helen H. Brewsaugh, Evelyn White, Ruth Williams, Irene Alford, Martha Pierce, J. M. Land, Artie Moore, Lena R. McClure, Le Juene Gregory, Charles T. Mitchell, Jr., Nancy Dean Crews, Ada Hibberd, Elma Edwards, Robert J. Ripley, Thomas T. Drummy, Edna Coburn, Iris Neece, Jack Wert, Minnie Salz, Robert L. Wilson, J. F. Towles, Frank McClure, Ben F. Rush, W. A. Blevins, "Jim" Hayes, Joe J. Resing, Mrs. David Downs, Bernice Balb, Jack Hughes, Frank Hord, Louis B. Riney, C. L. Trouturne, Jr., Glenna Cooper, Carl Wade, Catherine McKay, Lauraine Pollard, J. P. Pulliam, James B. Solley, Opal Edwards, Florence Forquer, Evelyn S. Clark, Sara Miller, Bobbie Day, Mark Fiske, Marguerite Gilligan, Bernice Cartwright, Sally Wulf, Sarah F. Moore, Mrs. Bernice J. Combs, Cecil E. Price, Maj. Hugh P. Billig, Wilber E. Harris, Beulah E. Price, John Duvall, Al Calden, Malcolm Tanner, George W. Brady, Warren F. Hosch, C. M. Young, J. R. Goodin, J. W. Crawford, J. Ed. Wulf, Jane N. Farmer, Mary F. Claybrooke Johnson, Mildred Parrish, Clyde England, W. M. Cobb, Stanley Wadlington, Katherine Molloy, A. C. Benkert, James A. Moore, Mrs. Ellen Bond, H. H. Mayse, Mrs. T. W. Williams, Mora E. Helm, Ollie A. Hawkins, O. A. Bowling, Chas. W. Due, Virginia Flood, Elizabeth Kackley, John C. C. Mayo, Omer C. Stubbs, A. O. Slattengren, Delmar Lecire, James A. McFarland, A. C. Rollie, Fred Schmidt, W. C. Stevens.

Mr. AUSTIN. Mr. President, I call attention to the fact that the colloquy which took place between the distinguished Senator from Montana and myself concerning college students has resulted in my receiving a great many telegrams from students. I also have, signed by others than students, a telegram about 10 feet long, which was addressed to the majority leader. I do not suppose he has yet seen it.

Mr. BARKLEY. How did the Senator get it if it was intended for me? [Laughter.]

Mr. AUSTIN. A copy was sent to me, undoubtedly because of the colloquy we had. I have other telegrams here from college students, which are short, but these students are just as zealous in support of the bill. I also have a telegram representing another cross section of mothers of the country. I do not propose to add to the length of the RECORD by asking to have the telegrams inserted.

#### EXECUTIVE SESSION

Mr. BARKLEY. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

#### EXECUTIVE MESSAGE REFERRED

The PRESIDING OFFICER (Mr. HILL in the chair) laid before the Senate a message from the President of the United States nominating several State administrators under the Work Projects Administration, which was referred to the Committee on Appropriations.

(For nominations this day received, see the end of Senate proceedings.)

#### EXECUTIVE REPORTS OF COMMITTEES

The following favorable committee reports of nominations were submitted:

By Mr. McKELLAR, from the Committee on Post Offices and Post Roads: Several postmasters.

By Mr. WALSH, from the Committee on Naval Affairs:

Sundry officers for promotion in the Marine Corps.

By Mr. SHEPPARD, from the Committee on Military Affairs:

Brig. Gen. Vivian Collins, to be State director of selective service for the State of Florida.

Brig. Gen. Herbert R. Dean, to be State director of selective service for the State of Rhode Island.

Brig. Gen. Joseph Carson Hutchison, Florida National Guard, to be brigadier general, National Guard of the United States.

Several officers for appointment to temporary rank in the Air Corps, Regular Army.

Sundry officers for appointment, by transfer, in the Regular Army.

Capt. William Edward Bills, Veterinary Corps Reserve, to be first lieutenant, Veterinary Corps, with rank from date of appointment; and

Several general officers in the National Guard of the States to be brigadier generals, National Guard of the United States.

#### WORK PROJECTS ADMINISTRATION

Mr. McKELLAR. Mr. President, from the Committee on Appropriations I report favorably the nomination of S. Tate Pease, of Tennessee, to be Work Projects administrator for Tennessee, and I ask unanimous consent for the immediate consideration of the nomination.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the nomination is confirmed.

Mr. McKELLAR. I ask unanimous consent that the President be immediately notified of the confirmation.

The PRESIDING OFFICER. Without objection, the President will be notified forthwith.

If there be no further reports of committees, the clerk will state the nominations on the calendar.

#### DIPLOMATIC AND FOREIGN SERVICE

The legislative clerk proceeded to read sundry nominations in the Diplomatic and Foreign Service.

Mr. BARKLEY. I ask unanimous consent that the nominations in the Diplomatic and Foreign Service be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations are confirmed en bloc.

#### POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. McKELLAR. I ask unanimous consent that the nominations of postmasters be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations are confirmed en bloc.

#### RECESS

Mr. BARKLEY. As in legislative session, I move that the Senate stand in recess until 11 o'clock tomorrow morning.

The motion was agreed to; and (at 6 o'clock p. m.) the Senate took a recess until tomorrow, Friday, March 7, 1941, at 11 o'clock a. m.

#### NOMINATIONS

Executive nominations received by the Senate, March 5 (legislative day of February 13) 1941:

##### WORK PROJECTS ADMINISTRATION

S. Tate Pease, of Tennessee, to be Work Projects Administrator for Tennessee, effective as of February 24, 1941.

Howard S. Drew, of Illinois, to be Work Projects Administrator for Illinois, effective as of March 1, 1941.

Frank Upman, Jr., of Virginia, to be Work Projects Administrator for Connecticut, effective as of February 1, 1941.

#### CONFIRMATIONS

Executive nominations confirmed by the Senate March 6 (legislative day of February 13), 1941:

ENVOYS EXTRAORDINARY AND MINISTERS Plenipotentiary of the United States of America

Pierre de L. Boal to be Envoy Extraordinary and Minister Plenipotentiary of the United States of America to Nicaragua.

Wesley Frost, to be Envoy Extraordinary and Minister Plenipotentiary of the United States of America to Paraguay.

##### DIPLOMATIC AND FOREIGN SERVICE

To be Foreign Service officers, unclassified, vice consuls of career, and secretaries in the Diplomatic Service of the United States of America:

Philip H. Bagby	Oscar C. Holder
Walter W. Birge, Jr.	J. Jefferson Jones 3d
William L. Blue	David LeBreton, Jr.
George F. Bogardus	David H. McKillop
Gray Bream	Wilfred V. MacDonald
John H. Burns	Edwin W. Martin
Kenneth A. Byrns	Richard B. Mudge
John A. Calhoun	W. Paul O'Neill, Jr.
Don V. Catlett	Richard A. Poole
Ralph N. Clough	Stuart W. Rockwell
William A. Crawford	Lubert O. Sanderhoff
Juan de Zengotita	Herbert F. N. Schmitt
Thomas P. Dillon	Harold Shullaw
Paul F. DuVivier	Ernest V. Siracusa
Robert S. Folsom	Charles W. Smith
Edward L. Freers	Walter L. Smith
Paul E. Geier	James P. Speer 2d
James M. Gilchrist, Jr.	F. Lester Sutton
George McM. Godley 2d	James S. Triolo
Caspar D. Green	William W. Walker
Alden M. Haupt	Temple Wanamaker, Jr.
David H. Henry 2d	Byron White

##### WORK PROJECTS ADMINISTRATION

S. Tate Pease to be Work Projects Administrator for Tennessee.

##### POSTMASTERS

###### MINNESOTA

Bertha H. Anderson, Byron.  
John W. Feller, Rochester.

###### WISCONSIN

Walter J. Fraipont, Amery.



## HOUSE OF REPRESENTATIVES

THURSDAY, MARCH 6, 1941

The House met at 12 o'clock noon, and was called to order by the Speaker.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Our Father in heaven, in the hands of divine might, revealing the spirit of truth and power, may we be still and know that Thou art God. Shed upon our paths the morning glow, when through the watches of the night, in the hours of reproach, we may look up and behold the face of the divine One, who came to seek and to save that which was lost. Show us a true vision of ourselves, that in accepting large tasks, we may never rest until they are faithfully discharged. We pray for the hush of expectation, with the stirring throbs of purpose in our breasts, seeking to turn the tides of wrong and injustice into the chamber where evil meets its fate. Do Thou enlarge our souls with deep devotion and heroic temper, knowing that the sinful world cannot be softened by human cowardice and weakness. We do not ask, blessed Lord, for a smoother path, but for souls filled with spiritual enthusiasm, with spirits courageous and with unfaltering steps for God and native land. Through Christ our Saviour. Amen.

The Journal of the proceedings of yesterday was read and approved.

## EXTENSION OF REMARKS

Mr. HAINES. Mr. Speaker, I ask unanimous consent to have inserted in the Appendix of the RECORD copy of a resolution adopted by the General Assembly of Pennsylvania designating December 15, 1941, as a national holiday and to authorize the appointment of a Bill of Rights Centennial Commission.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania [Mr. HAINES]?

There was no objection.

## THE LATE GUTZON BORGLUM

Mr. CASE of South Dakota. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from South Dakota [Mr. CASE]?

There was no objection.

Mr. CASE of South Dakota. Mr. Speaker, it is my sad responsibility to announce to the Members of the House the death of Gutzon Borglum, sculptor, artist, orator, patriot, truly one of the great characters of our time, one of the great men of all time. Mr. Borglum passed away in a hospital in Chicago this morning. His colossal work, the great American Memorial on Mount Rushmore, in South Dakota, for which the Congress has appropriated, will probably be completed much as he hoped to have it done. The heads are practically completed now—the heads of George Washington, Thomas Jefferson, Abraham Lincoln, and Theodore Roosevelt. But

this is not the time to dwell on that; I am thinking of Gutzon Borglum as a friend, as a man, as a life.

The inspiration of his life and the inspiration of his great work will remain forever, especially to those who have known something of his struggle to complete it. Those heads on Rushmore, the Lee head at Stone Mountain, the Lincoln head in the rotunda of the Capitol, the figure of a former Member of this House, Mr. Greenway, of Arizona, in Statuary Hall, the horse and the general in Sheridan Circle, the War Memorial in Newark, and the Woodrow Wilson statue in Poland will speak for his work as long as they shall last, and Rushmore for all time will, as he wished, "tell men what manner of men gave birth and form to the American Republic."

Gutzon Borglum had the ability to make marble, bronze, and granite express the souls of men; and I have taken this minute at the opening of today's session to pay tribute to his memory.

## FIRST DEFICIENCY APPROPRIATION BILL, 1941

Mr. WOODRUM of Virginia, from the Committee on Appropriations, reported the bill (H. R. 3836) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1941, and prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1941, and for other purposes (Rept. No. 185), which was read a first and second time, and, with the accompanying report, referred to the Committee of the Whole House on the state of the Union, and ordered to be printed.

Mr. TABER reserved all points of order on the bill.

## EXTENSION OF REMARKS

Mr. PITTENGER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD in connection with the proposed and alleged decentralization of industry program of the Government.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota [Mr. PITTENGER]?

There was no objection.

Mr. BRADLEY of Michigan. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a statement prepared for submission to the Rules Committee on the Federal mine-inspection bill.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. BRADLEY]?

There was no objection.

Mr. MASON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an editorial on the present labor situation.

The SPEAKER. Is there objection to the request of the gentleman from Illinois [Mr. MASON]?

There was no objection.

Mr. PIERCE. Mr. Speaker, I ask unanimous consent to extend my own

remarks in the RECORD and to include a release from the Secretary of the Interior.

The SPEAKER. Is there objection to the request of the gentleman from Oregon [Mr. PIERCE]?

There was no objection.

(Mr. GRANGER asked and was given permission to extend his own remarks in the RECORD.)

Mr. TREADWAY. Mr. Speaker, I have two unanimous-consent requests, one to extend my own remarks in the RECORD and to include an article by Dr. McGill, former Under Secretary of the Treasury, and the other to include an editorial that appeared in a Washington paper yesterday entitled "Fiscal Prudence."

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts [Mr. TREADWAY]?

There was no objection.

Mr. REES of Kansas. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include an editorial from the Daily Drovers Telegram, Kansas City, Mo., dated February 27.

The SPEAKER. Is there objection to the request of the gentleman from Kansas [Mr. REES]?

There was no objection.

Mr. WHITE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a statement prepared by myself giving a list of destroyers and a little extract from a news report.

The SPEAKER. Is there objection to the request of the gentleman from Idaho [Mr. WHITE]?

There was no objection.

Mr. BOGGS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an article from the Washington Star of March 4 on the international situation.

The SPEAKER. Is there objection to the request of the gentleman from Indiana [Mr. BOGGS]?

There was no objection.

Mr. LUDLOW. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include an article from the South Bend Tribune.

The SPEAKER. Is there objection to the request of the gentleman from Indiana [Mr. Ludlow]?

There was no objection.

Mr. TRAYNOR. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an editorial on the farm program of the administration.

The SPEAKER. Is there objection to the request of the gentleman from Delaware?

There was no objection.

## PERMISSION TO ADDRESS THE HOUSE

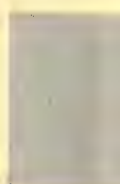
Mr. PIERCE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Oregon?

There was no objection.



1844









77<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 1776

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IN THE SENATE OF THE UNITED STATES

MARCH 7 (legislative day, FEBRUARY 13), 1941

Ordered to lie on the table and to be printed

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## AMENDMENT

(IN THE NATURE OF A SUBSTITUTE)

Intended to be proposed by Mr. TOBEY to the bill (H. R. 1776) further to promote the defense of the United States, and for other purposes, viz: Strike out all after the enacting clause and in lieu thereof insert the following:

1 That the Secretary of the Treasury is authorized and directed  
2 to make available to the Kingdom of Great Britain, as here-  
3 inafter provided an aggregate amount of not to exceed  
4 \$2,000,000,000.

5 SEC. 2. This amount shall be made available to the King-  
6 dom of Great Britain in exchange for such portions of the  
7 various islands in the Caribbean Sea belonging to the King-  
8 dom of Great Britain as the President and Secretary of the  
9 Navy shall determine to be appropriate for the establishment



1 of naval bases vital to the defense of the United States and  
2 the Western Hemisphere, and such other consideration as  
3 the President shall deem in the interest of national defense.

4 SEC. 3. No portion of this amount shall be made avail-  
5 able for the purposes of this joint resolution except upon an  
6 agreement by the Kingdom of Great Britain—

7 (1) that any amount so made available will be used  
8 only for the purchase of articles produced or manu-  
9 factured in the United States or its Territories and  
10 possessions; and

11 (2) that if any island upon which any such United  
12 States naval base is located ceases to belong to the  
13 Kingdom of Great Britain by reason of voluntary trans-  
14 fer or otherwise, the United States shall take immediate  
15 possession of all of such islands.

16 SEC. 4. The fair value of the bases to be acquired pur-  
17 suant to this Act shall be determined by the President, the  
18 Secretary of the Navy, and the Federal Loan Administrator.

19 SEC. 5. The Reconstruction Finance Corporation is  
20 hereby authorized and directed, on the request of the Pres-  
21 ident of the United States and the Federal Loan Adminis-  
22 trator, to make loans as hereinafter provided to the Kingdom  
23 of Greece in an aggregate amount of not to exceed \$100,-  
24 000,000. Such loans shall be made only if the President  
25 and the Federal Loan Administrator in their requests certify



1 that the Kingdom of Greece is unable to provide dollars  
2 for its purchases in the United States, and shall be made  
3 only for the purchase of merchandise (including arms,  
4 ammunition, implements of war, tools, equipment, agricul-  
5 tural products, and other requirements of the borrower)  
6 produced or manufactured in the United States or its  
7 possessions.

8 SEC. 6. The Reconstruction Finance Corporation shall  
9 require adequate security for such loans, unless in the opinion  
10 of the Federal Loan Administrator security is not available  
11 or cannot practically be given. Promises to repay such  
12 loans may be in dollars, or in specified kinds and amounts  
13 of shipping, merchandise, or other property estimated by the  
14 Federal Loan Administrator to be of equal value at the date of  
15 the loan. After the Reconstruction Finance Corporation has  
16 approved any such loan, it may guarantee orders given  
17 by the borrower up to the amount of such authorization.

18 SEC. 7. The aggregate amount of notes, bonds, deben-  
19 tures, and other such obligations which the Reconstruction  
20 Finance Corporation is authorized to issue and have out-  
21 standing at any one time under the provisions of law in force  
22 on the date of enactment of this Act is hereby increased by  
23 \$100,000,000.

24 SEC. 8. There is hereby authorized to be appropriated,



1 out of any money in the Treasury not otherwise appropri-  
2 ated, such sums as may be necessary to carry out the pur-  
3 poses of this Act.

# AMENDMENT

(IN THE NATURE OF A SUBSTITUTE)

Intended to be proposed by Mr. TOBEY to the bill  
(H. R. 1776) further to promote the defense  
of the United States, and for other purposes.  
MARCH 7 (legislative day, FEBRUARY 13), 1941  
Ordered to lie on the table and to be printed



77<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 1776

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IN THE SENATE OF THE UNITED STATES

MARCH 7 (legislative day, FEBRUARY 13), 1941

Ordered to be printed

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## AMENDMENT

Proposed by Mr. Walsh (for himself and Mr. Taft) to the bill (H. R. 1776) further to promote the defense of the United States, and for other purposes, viz: On page 5, after line 4, insert the following new subsection:

1       “(f) Nothing in this Act shall be construed to authorize  
2   or to permit the authorization of the sale, transfer, exchange,  
3   leasing, lending, or otherwise disposing of to any such for-  
4   eign government of any vessels, boats, munitions, or sup-  
5   plies of the United States Navy, or of any vessels or boats  
6   which have been ordered by or laid down for the United  
7   States Navy, or aircraft of the United States Navy, or any  
8   such aircraft now under construction which cannot be re-  
9   placed by a better or more satisfactory craft within a period  
10   of three months, or any equipment or armament authorized



1 by the Congress or ordered by the Navy Department for  
 2 use in connection with such vessels, boats, munitions, sup-  
 3 plies, or aircraft: *Provided, however,* That this section shall  
 4 not repeal or modify any provision of Public Resolution  
 5 Numbered 83, Seventy-sixth Congress (relating to assistance  
 6 to other American Republics).

## AMENDMENT

Proposed by Mr. WARSH (for himself and Mr.  
 TAFT) to the bill (H. R. 1776) further to pro-  
 mote the defense of the United States, and  
 for other purposes.

MARCH 7 (legislative day, FEBRUARY 13), 1941

Ordered to be printed



worthy of the name; wholly inadequate medical facilities; inability to contact the superintendent; school children with no other garments than one dress, a coat, stockings, and shoes; old women gathering their own wood; and many entire families huddled in poor, leaky tents, with no furniture and inadequate bedding, nearly freezing in subzero weather; and that many other intolerable conditions were found to be the rule and not the exception; and many of the most miserable tents and huts were within a stone's throw of the beautiful brick office and residential buildings of the agency at Fort Yates and the subagencies at Cannonball and Porcupine; and

"Whereas such living conditions are demoralizing to both the younger and older Indians, and it appears that this situation is not known to Congress: Now, therefore, be it

*Resolved*, That we respectfully request Congress to authorize an immediate and thorough investigation of the conditions that exist on the Standing Rock Indian Reservation; and that adequate food, clothing, shelter, fuel, medicine, and other urgent needs be supplied at the earliest possible moment to these destitute, hungry, and homeless Indians and American citizens; and be it further

*Resolved*, That copies of this resolution be sent to the President of the United States; to the President of the Senate; the Speaker of the House of Representatives; to Senator ELMER THOMAS and Representative WILL ROGERS, chairmen of the Senate and House Indian Affairs Committees; to Senators NYE and LANGER and Representatives BURDICK and ROBERTSON, and to the press."

A concurrent resolution of the Legislature of the State of Pennsylvania; to the Committee on the Judiciary:

#### "Resolution No. 19

"Whereas December 15, 1941, will be the one hundred and fiftieth anniversary of the adoption of the Bill of Rights embodied in the Constitution of the United States as its first 10 amendments; and

"Whereas this date, which is ordinarily significant, assumes unusual importance at this particular period in the history of our Nation and of the world when those fundamental rights are threatened by totalitarian forces abroad and their sympathizers at home; and

"Whereas the American Legion, Spanish-American War Veterans, Veterans of the World War, and other veterans' and patriotic organizations and citizens have petitioned this general assembly to urge suitable action to encourage the promotion of widespread observance of the anniversary: Therefore be it

*Resolved (if the senate concur)*, That the general assembly memorialize the Congress of the United States to designate December 15, 1941, as a national holiday and authorize the appointment of a Bill of Rights Sesquicentennial Commission to sponsor appropriate ceremonies and celebrations upon that day: And be it further

*Resolved*, That copies of this resolution be transmitted by the chief clerk of the house to the President of the United States, each of the presiding officers of the two branches in Congress, and to each United States Senator and Member from this Commonwealth."

[Adopted by the House of Representatives of Pennsylvania February 19, 1941.]

#### By Mr. RADCLIFFE:

A resolution of the City Council of Baltimore, Md., favoring the enactment of legislation to provide for the construction of a tunnel under or a bridge over the Patapsco River, at Baltimore City, in order to provide greater facilities for north- and south-bound traffic as a part of the national-defense program; to the Committee on Commerce.

#### REPORTS OF A COMMITTEE

The following reports of the Committee on Naval Affairs were submitted:

LXXXVII—123

#### By Mr. WALSH:

H. R. 3155. An act to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes; with amendments (Rept. No. 96).

H. R. 2953. An act extending the provisions of the act approved August 27, 1940, entitled "An act increasing the number of naval aviators in the line of the Regular Navy and Marine Corps, and for other purposes; without amendment (Rept. No. 97).

#### BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

#### By Mr. DAVIS:

S. 1048. A bill for the relief of the Katharine W. Murray Trust; to the Committee on Claims.

#### By Mr. CLARK of Missouri:

S. 1049. A bill conferring jurisdiction upon the Court of Claims of the United States to hear, determine, and render judgment upon the claims of Jennie Polete, Clara Hodges, and August Douez; to the Committee on Claims.

#### By Mr. VAN NUYS:

S. 1050. A bill relating to the status of retired judges;

S. 1051. A bill relating to the payment of fees and costs of witnesses and jurors and the accounting therefor;

S. 1052. A bill relating to the traveling and subsistence expenses of judges and retired judges of the Court of Claims.

S. 1053. A bill to amend section 117 of the Judicial Code, as amended, with respect to the constitution of circuit courts of appeals; and

S. 1054. A bill to provide for the adjournment or continuance of terms of court and transfer of cases whenever there is insufficient business to justify the holding of such terms; to the Committee on the Judiciary.

S. 1055 (by request). A bill for the relief of Julius Yuhasz and Arvid Olson; to the Committee on Claims.

#### BY Mr. O'MAHONEY:

S. 1056. A bill to authorize the Secretary of the Interior to enter into an agreement fixing boundary lines on Wind River Indian lands, Wyoming; to the Committee on Indian Affairs.

#### PROMOTION OF NATIONAL DEFENSE—AMENDMENT

Mr. TOBEY submitted an amendment in the nature of a substitute intended to be proposed by him to House bill 1776, the lease-lend bill, which was ordered to lie on the table and to be printed.

#### ADDRESS BY SENATOR HATCH ON LEND-LEASE BILL

[Mr. HILL asked and obtained leave to have printed in the RECORD a radio address delivered by Senator HATCH on March 6, 1941, on the lend-lease bill, which appears in the Appendix.]

#### ADDRESS BY SENATOR LEE ON LEND-LEASE BILL

[Mr. LEE asked and obtained leave to have printed in the RECORD a radio address on the lend-lease bill, delivered by him on March 6, 1941, which appears in the Appendix.]

#### ADDRESS BY GOVERNOR OF NEW HAMPSHIRE ON NATIONAL DEFENSE

[Mr. BRIDGES asked and obtained leave to have printed in the RECORD an address on the subject National Defense, delivered by Hon. Robert O. Blood, Governor of New Hampshire, before the department conference on national defense of the New Hampshire Department, American Legion Auxiliary, which appears in the Appendix.]

#### EDITORIAL FROM ILLINOIS STATE REGISTER ON SENATOR LUCAS' ADDRESS

[Mr. BARKLEY asked and obtained leave to have printed in the RECORD an editorial from the Illinois State Register of March 3, 1941, relative to Senator Lucas and the address delivered by him on the lease-lend bill, which appears in the Appendix.]

#### THE ADMINISTRATION'S DUTY—EDITORIAL FROM NEW YORK HERALD TRIBUNE

[Mr. McNARY asked and obtained leave to have printed in the RECORD an editorial from the New York Herald Tribune of March 4, 1941, entitled "The Administration's Duty," which appears in the Appendix.]

#### FREE SPEECH—EDITORIAL AND DISPATCH FROM THE TABLET

[Mr. REYNOLDS asked and obtained leave to have printed in the RECORD an editorial entitled "An Attack on Free Speech" and an article entitled "Invite Judge O'Brien as Guest at Troy," published in the Brooklyn (N. Y.) Tablet of March 1, 1941, which appear in the Appendix.]

#### COMMUNISTIC ACTIVITIES IN NEW YORK CITY COLLEGE—ARTICLE FROM WASHINGTON TIMES-HERALD

[Mr. REYNOLDS asked and obtained leave to have printed in the RECORD an article entitled "New York City College Called Den of 'Reds,'" published in the Washington Times-Herald of March 6, 1941, which appears in the Appendix.]

#### ARTICLE FROM NEW YORK TIMES—NATIONAL YOUTH ADMINISTRATION

[Mr. MEAD asked and obtained leave to have printed in the RECORD an article from the New York Times of March 3, 1941, relative to the National Youth Administration, which appears in the Appendix.]

#### EDITORIAL BY PAUL BLOCK ON LEND-LEASE BILL

[Mr. TAFT asked and obtained leave to have printed in the RECORD an editorial published in the Pittsburgh Post-Gazette and also in the Toledo Blade, entitled "Senate Should Heed Public Insistence We Keep Out of War by Amending Lease-Lend Bill," which appears in the Appendix.]

#### "ALL-OUT AID FOR BRITAIN—EDITORIAL FROM THE CATHOLIC WORLD

[Mr. WHEELER asked and obtained leave to have printed in the RECORD an editorial from the Catholic World of March 1941, entitled "All-Out Aid for Britain," which appears in the Appendix.]

#### "MUSINGS OF A MUGWUMP"—EDITORIAL FROM CYNWYD AND MERION (PA.) NEWS

[Mr. DAVIS asked and obtained leave to have printed in the RECORD an editorial from the Cynwyd and Merion (Pa.) News of February 27, 1941, entitled "Musings of a Mugwump" which appears in the Appendix.]

#### STATEMENT BY MIROSLAV SICHINSKY ON THE LEND-LEASE BILL

[Mr. DAVIS asked and obtained leave to have printed in the RECORD a statement by Miroslav Sichinsky, president, Fraternal Order, Ukrainian Workingmen's Association, on the lend-lease bill, which appears in the Appendix.]

#### MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Latta, one of his secretaries.



## PROMOTION OF NATIONAL DEFENSE

The Senate resumed the consideration of the bill (H. R. 1776) further to promote the defense of the United States, and for other purposes.

The VICE PRESIDENT. The question is on agreeing to the amendment of the Senator from Missouri [Mr. CLARK] to the amendment of the Senator from Wyoming [Mr. O'MAHONEY], as modified, proposed as a substitute for the amendment of the Senator from Louisiana [Mr. ELLENDER], as modified.

Mr. VANDENBERG. Mr. President, I call for the yeas and nays on that question.

The yeas and nays were ordered.

Mr. ADAMS. Mr. President, I really should like to know a little more clearly about the amendment. As I understand the Vice President, the question is on the amendment offered by the Senator from Missouri [Mr. CLARK].

The VICE PRESIDENT. Yes; the exact situation is, as stated by the Chair, upon agreeing to the amendment of the Senator from Missouri to the amendment of the Senator from Wyoming, as modified, which, in turn, is a substitute for the amendment of the Senator from Louisiana, as modified.

Mr. ADAMS. That amendment has not been explained on the floor at all.

Mr. BONE. Mr. President, I should like to have the amendment stated. So many amendments have been tendered that I am not sure that I know which one it is.

The VICE PRESIDENT. The amendment offered by the Senator from Missouri will be stated.

The legislative clerk read as follows:

No part of the money appropriated or authorized to be appropriated in this or any other act and none of the defense goods or commodities authorized to be transferred in this or any other act shall be, unless the Congress of the United States has declared a state of war exists, used for the employment or use of persons in the land or naval forces of the United States at any place beyond the limits of the Western Hemisphere, except in the Territories and possessions of the United States, including the Philippine Islands and any place which by treaty rights we are entitled to maintain armed forces.

Mr. TAFT. Mr. President, pending the arrival of the Senator from Missouri [Mr. CLARK], whose amendment this is, and who, I think, wishes to be heard on the amendment, I desire to submit a memorandum in connection with the strategic-materials situation referred to in the original speech of the majority leader on the bill.

It was stated on the floor of the Senate at that time that if Hitler and his allies should win, they would be in control of sources of materials vital to our national defense. It was stated that only about one-half of the strategic materials vital to our defense were available in the Western Hemisphere. Only 3 of the 14 strategic materials listed by the Munitions Board, it was said, could be secured in any quantity from Latin America, and only half of them in small quantities. It was said that we should be almost entirely dependent on the Axis Powers for rubber, silk, chromium,

and many other commodities which we cannot produce or obtain elsewhere.

Examination of the evidence reveals quite another situation. Study of the 14 materials listed by the Munitions Board as strategic, one by one, and study of the materials listed as critical, indicates that in the case of none of these items would the cutting off of our overseas supply do us irreparable harm. Our requirements of every single material listed could be filled through development of potential sources in this hemisphere, or through the use of substitutes, or through restrictions on civilian consumption. Our military requirements need not suffer in the slightest degree.

That the strategic-materials situation is not nearly so alarming as has been claimed is confirmed from official sources.

I ask that a memorandum which I have had prepared on the subject of strategic materials and critical materials be incorporated in the RECORD.

The VICE PRESIDENT. Is there objection?

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

## HOW SELF-SUFFICIENT IS THE WESTERN HEMISPHERE IN RAW MATERIALS?

The New York Times of July 14, 1940, carried a lengthy report of Mr. Stettinius' comments on the status of our raw material supply:

"When the Commission first surveyed its problems, Mr. Stettinius said, its members felt that the matter of adequate rubber supplies was one of the most pressing, because of the possibility that imports of raw rubber from the Malay Peninsula and the East Indies might be cut off.

"He believed that the problem had been solved, however, he added, through development of a program for the production of synthetic rubber at economical cost by several manufacturers. This program, he said, had been carried to the point where plans for individual producing units had been engineered. \* \* \*

"Considering the stocks on hand of raw and reclaimable rubber," he asserted, "we feel that before this month is over we will have a plan of synthetic production worked out which could eliminate our dependence on imports at any time imports were restricted or cut off. Some of this production will go ahead anyway, because the synthetic product, which can be produced for around 25 cents a pound, is more suitable for certain purposes than natural rubber."

"Acquisition of other strategic and critical materials also was proceeding at an encouraging rate, he went on.

"For example," he asserted, "word came to us one Monday morning from the Chinese Government that a stock of tungsten and antimony was available near Indochina. \* \* \*

"The day after the receipt of this information these supplies had been purchased through the Reconstruction Finance Corporation, and today they are on the ocean bound for the United States aboard an American flagship. Without the cooperation of the R. F. C., the Procurement Division of the Treasury, and the Maritime Commission, this transaction would have been impossible."

"Mr. Stettinius summarized the current situation regarding nine critical and strategic materials as follows:

"Aluminum: Essential to the airplane program. Industry has advised the Commission of plans for expansion and its willingness to erect plants to cover entire program as needs develop.

"Toluol: Essential part of TNT. We find industry has given considerable thought to possible requirements and has made plans for developing processes to meet defense needs. Large part of production will come from petroleum industry, which has never before produced this material commercially.

"Optical glass: Essential to range finders and other fire-control instruments. A troublesome product in the last war. Bausch & Lomb, principal producers, together with the United States Bureau of Standards, have developed production to the extent where supply will be adequate for Army and Navy requirements. Bausch & Lomb and doubling capacity of plant in September.

"Tin: Largely imported from Straits Settlement. R. F. C. is cooperating with industry in this country to build up an adequate stock pile and has set up the Metals Reserve Corporation to purchase tin and other defense metals.

"Tin smelter: Conferences have been held with four principal smelting companies in the United States working toward erection of tin-smelting plant in the United States. This project was undertaken in the face of the possibility that the tin supply from the Straits Settlement might be cut off. Tin ores are now produced in Bolivia and shipped to England for smelting. This step could be eliminated by smelting in this country.

"Armor plate: Productions of heavy plate will be adequate to meet the enlarged naval program. Representatives of the steel industry have had light armor-plate requirements for the tank program already placed before them and are preparing to increase production facilities to meet requirements.

"Aviation gasoline: The airplane program requires 100-octane gasoline for maximum efficiency and performance. Various units of the petroleum industry have already been informed of specifications, and rapid progress is being made to assure adequate supplies properly stored to meet all demands.

"Parachute webbing: Elimination of supplies from Belgium created a serious problem in the manufacture of this vital material. Steps have already been taken to assemble available flax supplies in the hands of the trade as well as the crops being raised in this country this year. This is expected to meet immediate defense requirements.

"Chemical industry: The Army and Navy Munitions Board has set up 15 divisions of the chemical industry to study requirements to meet demands. Our Chemical Division is working with the Munitions Board in this connection. Each of the 15 divisions represents leaders in the respective field. Meetings have been held and are directed toward the end of translating objectives into production. Competing units of the industry with necessarily secret formulas and processes have openly discussed their plans with us. Offers have been made to exchange information with competing units to facilitate the program."

Jesse Jones himself is reported in the press (New York Times, February 20, 1941) to have said only a few days ago that the need of producing synthetic rubber was "not urgent and possibly ultimately unnecessary."

As for rubber: "Government-aided construction of plants to make synthetic rubber was not being pushed particularly, although still under study, Mr. Jones said, because the country had at least an 18-month reserve of natural rubber on hand." (New York Times, February 20, 1941.)

Since rubber is the material most frequently mentioned as irreplaceable if our far eastern sources were cut off, there is little reason for alarm when a man close to the hub of defense production finds the rubber situation so uncritical as to declare that the problem is "not urgent," and to say that the production of substitutes may be "ultimately unnecessary."



## STRATEGIC MATERIALS

[Most of the information given below is from the report prepared by Commodities Division of Army and Navy Munitions Board, March 1940]

Strategic materials are defined by the Army and Navy Munitions Board as those materials for whose sources we are largely or entirely dependent on countries outside the continental limits of the United States and for which control measures in wartime would be necessary. These 14 strategic materials are antimony, chromium, coconut-shell char, manganese (ferrograde), manila fiber, mercury, mica, nickel, quartz crystal, quinine, rubber, silk, tin, and tungsten.

*Rubber*

The United States ordinarily imports half the world's rubber production, approximately 600,000 tons a year. Around 15,000 tons a year or more are reclaimed from old rubber. Normally, the United States imports about 98 percent of our rubber from British Malaya and the Netherlands East Indies.

In attempting to develop a less hazardous source of rubber supply, experts have found that some rubber production can be developed in Brazil and elsewhere in South America. Four rubber-survey groups have been sent by the Government in the past few months to explore the possibilities. The first group has already returned to Washington. A second group is now in Colombia; a third, in Mexico; and a fourth, in the Amazon region. All four groups will have returned within a month to report their findings. Ten rubber nurseries have been established in various parts of Latin America, and hundreds of thousands of seedlings have been planted. (Pan American News, January 30, 1941, Foreign Policy Association.)

At the same time, the Government has been accumulating stock piles of natural rubber, enough so that Jesse H. Jones, Secretary of Commerce and Federal Loan Administrator, told a press conference on February 19 that this country had "at least an 18-month reserve of natural rubber on hand with imports still moving in normally." (New York Times, February 20, 1941.)

But if there were a long war in which our reserve supplies were exhausted, and customary sources in the Far East were cut off, the United States would have to find some other source of supply. Fortunately, we do not have to depend on natural crude rubber. Chemists have discovered that rubber can be made in the laboratory and on a large scale.

Du Pont has been marketing an artificial rubber called Neoprene since 1932; this is made from coal, limestone, and salt. A short time ago it was reported Du Pont was turning out about 200 tons a month and could easily go into mass production. For some specialized uses, neoprene is superior to natural rubber, since it will resist oil and certain chemicals, and sunlight and heat. Because of its peculiar qualities, it has been widely used in the manufacturing of gasoline hose, conveyor belts, gloves, automobile parts, stoppers. It has also been used in the manufacture of solid truck tires.

The B. F. Goodrich Co. is now making pneumatic tires out of Ameripol, a synthetic rubber derived from petroleum. Ameripol is actually tougher than rubber.

In 1940, Standard Oil of New Jersey let it be known that it had acquired American rights to the German Buna. Its new plant in Baton Rouge, Louisiana, may be producing Buna at the rate of 10,000 tons a year within a short time. Standard has already licensed one company to make its own Buna and is willing to license others. Standard is also experimenting now with another synthetic rubber called Butyl.

It is true that it would take some time to put synthetic rubber on a mass-production

basis; it is estimated 2 years would be required. However, it is difficult to believe that the requirements of the immediate future cannot easily be met inasmuch as Mr. Jones said the Government would not now push plans for aiding the production of synthetic rubber because "this need is not urgent and possibly ultimately unnecessary." (New York Times, February 20, 1941.) It must also be remembered that present estimates of our reserve stock are based on our present rate of consumption. It could be made to last longer in an emergency, nobody knows just how long. It might last as long as 2 years without handicapping industrial United States. Hundreds of tons could undoubtedly be reclaimed from the millions of old automobile tires that are thrown away and from many other sources. If automobiles were required to restrict their speed to 35 miles an hour, tires would last much longer. Many other restrictions could be imposed on automobiles that would conserve the rubber supply.

There are innumerable articles now made from rubber that could be made from other materials: kitchen aprons, shower curtains, fly swatters, pipestems, bathing suits, etc.

*Tin*

The United States is the world's largest tin consumer. Ordinarily, we take approximately one-half of all the tin mined in the world, between 75,000 and 85,000 tons of metallic virgin tin and 20,000 to 30,000 in reclaimed tin-plate scrap and chemicals.

Practically no tin is mined in the United States. Most of the world's tin is mined in British Malaya, smelted in Singapore and Penang or in England. The Dutch East Indies is also an important source of supply; tin from this area is usually smelted in the Far East or, up to the time of the Dutch capitulation, in Arnhem. There are also some mines in Burma, Indochina, Thailand, and the southern part of China. But the third largest source of supply is in Bolivia.

Approximately 85 percent of the tin imported by the United States is mined and smelted in the Far East; of this, 75 percent comes from British Malaya and the other 10 percent from the Netherlands Indies and China. The remaining 15 percent is bought in England, where it is smelted from Bolivian ore, mixed with Malayan and African ores. While this situation on the surface appears to be hopeless, it is far from that. The joker is that Bolivian ore is shipped to England for refining and then shipped back across the Atlantic to American consumers in the form of metallic tin. The obvious solution is the establishment of smelting plants in the United States for the refining of tin ore from Bolivia.

Bolivia, in its peak year (1929), produced 50,000 tons of tin, a little over 50 percent of our annual consumption. This amount could be made to do, if an emergency arises, provided tin rationing were instituted and substitutes were used where possible.

Substitutes for tin are not easy to find, but almost half the virgin tin used in the United States is used to cover the steel from which tin cans are made. It would not be a great hardship and too much more expensive to buy food packaged in cans coated with lacquer, aluminum, or silver, or made by the new bachite process treating sheet iron. Glass jars could be used or cellulose containers. England has already begun to conserve her tin supply. In the summer of 1940 she established the use of substitutes by making it illegal to package certain types of goods in tin cans or tinfoil.

Already the raw materials division of the National Defense Advisory Commission is working toward the establishment of a smelting industry in the United States. It has concluded an agreement with Bolivian producers to furnish 18,000 tons of tin a year for a smelter to be built in this country.

There is one stumbling block. Great Britain, the nation to which we are to give all-out aid under the terms of this bill, controls 43 percent of the world's tin production and an even greater percentage of the world's smelters. More than half of Bolivia's production is controlled by Simon Patino, and Patino's interests are closely linked with the big British smelting companies that refine his tin. Patino is not yet willing to deal with the United States, and until he does only enough Bolivian tin will come into our country to fill a quarter of our normal requirement.

*Antimony*

Antimony is used as an alloy in such materials as type metal, shrapnel shells, and storage-battery plates. It is mined in the United States only in small quantities, mainly in Idaho. Its principal source was once China, but we now get 60 percent of our supply from Mexico. Our domestic production could greatly be increased in a pinch, as could Mexico's and Bolivia's.

*Chromium*

Of the chromium used in the United States, three-quarters of it goes into the steel industry as a refractory material in furnaces or as an alloy in armor-piercing shells, stainless steels, high-speed cutting tools, and armor plate. It is also used in tanning leather and in certain dyes.

The following overseas sources have furnished American supplies in the past:

	Percent
Southern Rhodesia .....	25
U. S. S. R. ....	22
Turkey .....	19
Union of South Africa .....	15
Philippines, Latin America, domestic sources .....	(1)

<sup>1</sup> The remainder.

But the United States itself has undeveloped chromium sources, mostly on the Pacific coast. Cuban sources have hardly been touched and are only beginning to be developed. Canada and Brazil also produce chromium, and Brazil is reported to have large untouched reserves.

If our overseas sources were cut off, consumption would have to be restricted to military uses only; increased domestic and Cuban production, together with public and private stock piles, should furnish an adequate supply. During the World War domestic mines produced 44 percent of the chromium used. Stainless steel might not be available to civilians, and they might have to go back to oak-tanned leather.

*Coconut-shell char*

This material is important chiefly because it is used for filters in gas masks, although it also has numerous uses in the chemical and other industries. Most of the coconuts in the past have come from the far eastern Tropics, principally the Philippines, but Florida and West Indian coconuts would do as well. Specially treated wood charcoal would offer satisfactory substitutes for filters. It is declared by some authorities that coconuts grown along the tropical shores of North and South America could keep an enormous industry supplied.

*Manganese*

Manganese is essential in the purifying and alloying of steel. In wartime we might need 1,000,000 tons a year. The principal producing countries are India, Brazil, Cuba, U. S. S. R., and Africa's Gold Coast. In 1939, out of 627,129 tons imported, most of it came from these far-off sources; 89,500 tons came from Cuba and 43,000 tons from Brazil.

But Brazil has tremendous untapped reserves of manganese, which can be mined when railroad equipment is set up to bring out the ore. Domestic production is already being increased. Eighty thousand tons of Montana manganese will be delivered every year by the Anaconda Copper Co. to the



United States Government for its stock pile under terms of a contract.

In 1918 domestic sources were able to produce, under war pressure, 35 percent of the manganese needed. Late in January of this year the Government reported it had ordered 1,335,000 tons from domestic producers. We now have on hand enough manganese stock piles to last 18 months to 2 years (including Cuban production).

#### *Manila fiber*

Manila fiber is used for naval cordage (rope). The Navy maintains that no other fiber will withstand such extremes of heat and cold and no other fiber is so strong. The Army uses manila fiber for sandbags, and in the oil industry it is used for derrick cables. The island of Mindanao in the Philippines is now our source of supply for manila fiber. But it can be grown in several parts of Central and South America. It would require several years to bring production to the peak required. But there are now large supplies on hand, and many substitutes are possible. Hennequen, which is grown in Mexico and Haiti, and rayon are frequently mentioned. A laboratory synthetic is now being produced (methyl mytha-crilate resin) that is so strong a fine thread of it will support a weight of 32 pounds.

#### *Mercury*

Mercury has many military uses, particularly in instruments and in artillery shell detonators. It is also an essential ingredient in many drugs and chemicals. The United States now produces 50 to 75 percent of what it consumes (in California, Oregon, Nevada, Arkansas, and Texas). In the past our foreign supplies have come from Spain and Italy but Mexico is a large producer and production is growing there as it is now in the United States. Bolivia also produces some mercury. Besides, there are three available substitutes.

#### *Mica*

Strategic mica and high-grade splittings are used as insulation in the automotive and radio industries. It comes from India and Madagascar. If the cost is ignored, it can be produced in Argentina, Brazil, Canada, and the United States. Moreover, glass and synthetic plastics can be substituted. (Strategic mica should not be confused with ordinary mica which is readily available.)

#### *Nickel*

Nickel is the most essential alloy in the steel from which armor plate is made. Approximately 85 percent of the world's nickel is mined in Canada.

#### *Quartz Crystal*

The type of quartz crystal that is included among the strategic materials has peculiar electrical properties essential in radio frequency equipment. The world's only developed source of strategic quartz crystal is in Brazil. It is needed in such small quantities that in an emergency it could be delivered by airplane.

#### *Quinine*

Quinine is used against malaria and other tropical diseases. It comes from the Dutch East Indies and is made from the bark of the cinchona tree but cinchona originated in South America. It is still grown there in small quantities and could be grown on a large scale. Stocks adequate for 2 or 3 years are now on hand. The drug industry has developed two synthetic substitutes, chinocerin and plasmochrin.

#### *Silk*

Silk has many important industrial and military uses. It is used for the insulating of wires and cables, for powder bags, for large caliber artillery, and for parachutes. In normal times the United States imports about three-quarters of the world's silk production, and nearly all of it comes from Japan. But there are now huge stocks on hand and nylon

has been developed. There is a question whether or not silk needs to be kept on the strategic list.

#### *Tungsten*

Tungsten is used for alloying the steel from which high speed cutting tools are made. It is also used for the filaments of incandescent lamps. The military uses tungsten in armor-piercing bullet cores. The United States is 50 to 75 percent self-sufficient in this material. Adequate reserves for 1 year are on hand. In the past some of our supplies have come from China. Bolivia can produce sizable amounts. Moreover, molybdenum, which can be found in abundance in the Western States, can be used as a substitute for tungsten in some cases.

#### CRITICAL MATERIALS

There are 15 materials on the "critical" list. They are aluminum, asbestos, cork, graphite, hides, iodine, kapok, opium, phenol, platinum, tanning materials, vanadium, wool. Critical materials are those which are obtainable in more substantial quantities at home than strategic materials but for which some degree of wartime control would be necessary, or they are those materials which are less important than the strategic materials.

#### *Aluminum*

Aluminum is one of the most important materials in our defense program, since about 60 percent of an airplane by weight consists of aluminum alloys. Aluminum is extracted from bauxite. In the past few years, more than half the bauxite needed has been mined in domestic mines, principally in Arkansas. The remainder comes from the Guianas in South America. The creation of sufficient plant capacity to manufacture aluminum and to produce castings and tubings, has been more of a problem than the raw material supply. Through plant expansion now under way, the national capacity will be raised from under 400,000,000 pounds to around 700,000,000 pounds a year plus 100,000,000 pounds of secondary aluminum.

#### *Asbestos*

The United States is the greatest asbestos-consuming country in the world. Asbestos is used in innumerable articles because of its resistance to friction and heat. It is used in the brakebands of automobiles, in gaskets of power-driven machinery, and in the installation of factory and domestic furnaces, not to mention building materials. The United States produces only about 5 percent of what we need, but the principal world source is in Canada.

#### *Cork*

The only source of cork is along the shores of the Mediterranean. If necessary, we could undoubtedly get along on our reserve supply with the help of such substitutes as synthetic rubber bottle stoppers, etc.

#### *Graphite*

Graphite (sometimes called plumbago or black lead) is used for electrodes and brushes in electrical machinery, for linings and facings in foundries, and for the manufacture of crucibles, pigments, and lead pencils. In the past we have imported much of what we need from Ceylon, Madagascar, and Korea. But we could get adequate supplies from Mexico and Canada.

#### *Hides*

In any foreseeable emergency sufficient hides for leather could be procured in Canada and in Latin America, particularly in Argentina.

#### *Iodine*

Iodine is particularly indispensable in wartime. We have, in the past, secured some of our iodine supplies from Chile, but we have already reduced our dependence on imports by a process that manufactures iodine from salt brines obtained from abandoned oil wells.

#### *Kapok*

Kapok is used for stuffing furniture, for life belts, etc. It is obtained from the seed pods of a tree that grows in the East Indies and Malaya. It probably could be grown in the American Tropics. There are plenty of substitutes.

#### *Opium*

Opium imports usually come from India, Turkey, Yugoslavia, and Asia. It is estimated that the supply on hand (under control of the Federal Bureau of Narcotics) is adequate to equip the medical profession with morphine for 3 years.

#### *Optical glass*

Optical glass is very important in that it is used for fine lenses for cameras, bomb sights, microscopes, range finders, binoculars, and many other precision instruments. During the World War the United States suffered from lack of optical glass when the German source of supply was cut off. However, today there are adequate stocks on hand and United States industry is much better equipped today.

#### *Phenol*

Phenol is used in the manufacture of many plastics and of explosives. It is a crystal carboic acid. It can be derived from coal tar.

#### *Platinum*

Platinum is used in the electrical and chemical industries. It is no longer as indispensable as it once was. Normally, we import much of our needed supplies from South Africa and the U. S. S. R., but Canada produces about half the world's supply. Colombia and other South American countries can increase their production. The R. F. C. has recently been financing platinum mining in Alaska, which reduces the necessity of imports. It is estimated that 40 percent of consumption is now for nonessentials.

#### *Tanning materials*

Barks, woods, fruits, and nuts furnish the materials used in leather tanning. Most of our imports of these materials come from South America, but the United States already supplies most of its own needs.

#### *Toluol*

Toluol, used in the manufacture of TNT, can be produced from soft coal and petroleum.

#### *Vanadium*

The United States produces half of what we need of this alloy. Peru furnishes the remainder.

#### *Wool*

Our Army will need a tremendous quantity of wool for uniforms. Normally, one-third of our supply is imported from Argentina, Uruguay, Australia, and New Zealand. The British Government has stored 250,000,000 pounds of Australian wool in this country, which is more than our imports for 1 year. We can consider this a reserve supply. Production of wool in this country and Latin America can be increased.

**THE VICE PRESIDENT.** The yeas and nays having been ordered on the amendment of the Senator from Missouri [Mr. CLARK], the clerk will call the roll.

**MR. O'MAHONEY.** A parliamentary inquiry.

**THE VICE PRESIDENT.** The Senator will state it.

**MR. O'MAHONEY.** We find on our desks an amendment proposed by the Senator from Missouri [Mr. CLARK]. It is described in the printed copy as "an amendment to the amendment of Mr. O'MAHONEY to the amendment of Mr. ELLENDER to the bill."

The language which I offered was a substitute for the amendment proposed



by the Senator from Louisiana; it was not an amendment to the so-called Ellender amendment, it was a substitute. I should like to know what the ruling of the Chair is with respect to the nature of the amendment now proposed by the Senator from Missouri. Is it the intention that it shall be a substitute for the substitute?

The VICE PRESIDENT. The judgment of the Chair is that it is a perfecting amendment to the amendment of the Senator from Wyoming [Mr. O'MAHONEY]. The Chair will call the attention of the Senator from Wyoming to the fact that in his statement of the parliamentary situation the Chair spoke of the amendment of the Senator from Wyoming as a substitute for the amendment of the Senator from Louisiana; so it is in the RECORD to that effect. Furthermore, the Chair would look upon it as a perfecting amendment, as well as a substitute.

Mr. O'MAHONEY. So that the Chair has laid it down as an addition to the amendment of the Senator from Wyoming or as a substitute for it?

The VICE PRESIDENT. Is the Senator referring now to the amendment of the Senator from Missouri?

Mr. O'MAHONEY. I am. I raise the question because I desire to point out that in its text it is actually a substitute for the amendment which I propose. In effect, it deals with exactly the same thing with which my amendment deals, and it would be altogether superfluous to have both paragraphs in the law, if they should be adopted. It is my feeling that the amendment of the Senator from Missouri should be treated as a substitute for the amendment which I propose. I ask a ruling from the Chair on that point.

The VICE PRESIDENT. The Senator from Missouri offered his amendment as an addition.

Mr. BONE. Mr. President, I had not been privileged to read the text of the amendment until I saw it on my desk a moment ago. I understand the Senator from Missouri will shortly be in the Chamber, and I think that at least a word of explanation from him would be in order. I know there are Senators about me who are somewhat confused as to the meaning intended to be given to the amendment by its author, or precisely its application. He refers to "moneys appropriated in this or any other act." I am not certain to what acts or statutes or laws the Senator from Missouri might have reference in his proposal. I understand he is on his way to the Senate, and I think we might as well give him a moment to explain the amendment. I certainly should like to have some enlightenment on it. I am not prepared to vote on it until its author explains precisely what he is driving at, and I imagine he could do that very promptly.

Mr. CLARK of Missouri. Mr. President, I desire to withdraw the amendment I offered last night, and I give notice that I intend to offer it as a separate amendment, instead of as an amendment in the nature of a substitute to the amendment of the Senator from Wyoming.

The VICE PRESIDENT. Without objection, the order for the yeas and nays will be rescinded.

The question is on agreeing to the amendment of the Senator from Wyoming [Mr. O'MAHONEY] as modified, proposed as a substitute for the amendment of the Senator from Louisiana [Mr. ELLENDER] as modified.

Mr. BONE. Mr. President, before voting on this amendment, I should like to have some further light on the matter which was discussed very briefly last night. The discussion led into a good many side issues which were perhaps not wholly relevant.

I wish again to call attention to the fact that combat areas defined in the proclamation of the President have not been clearly stated to us. They may be two or three hundred miles from the coast of Great Britain or any other belligerent area. I conceive that there is just as much danger delivering material to within 250 or 300 miles of the British coast as there is delivering it 500 miles from the British coast. Was it the purpose of the Senator to attempt to remove the perils implicit in that sort of an operation by merely restricting delivery outside of combat areas, and if so, how would the delivery be made? It is not possible to transfer a cargo from one vessel to another in the middle of the ocean. If a ship leaves our shores loaded with merchandise, the merchandise has to be delivered intact at the port of destination. Therefore, if we should attempt to convoy within a few hundred miles of the British coast, wherever the combat area is marked off, we would be in an actual zone of operations. I am wondering whether that is the purpose of the Senator.

Mr. O'MAHONEY. Of course, that is not the purpose.

Mr. BONE. What is the purpose of the amendment?

Mr. O'MAHONEY. The purpose, of course, is to prescribe an area into which our land and naval forces delivering munitions of war shall not go. That is the plain purpose of the amendment. I adopted the language to which the Senator now refers at the suggestion of the Senator from Connecticut, in order to coalesce the two amendments.

Mr. BONE. Let me say—

Mr. O'MAHONEY. I will answer the Senator, if I may. As I think I pointed out yesterday, this definition of a combat zone has proven very effective in keeping our merchant vessels away from the area of danger. As the Senator himself has just stated, munitions of war, from a practical point of view, would have to be delivered to a port. It is inconceivable that there would be any thought of transferring munitions in the middle of the ocean. That would be to invite attack and would be wholly impractical, wholly inadvisable, wholly unnecessary.

Under the terms of the amendment as it is now before the Senate, it would be possible to use the land and naval forces of the United States to deliver munitions at any port outside the combat areas.

Mr. BONE. Let me, for the sake of clarity, restate the picture as I contem-

plate it. I desire to state it as simply as I can, so that if I am in error, I may be immediately corrected.

When a shipment of merchandise goes on a vessel to a foreign port, and for any reason that shipment is forbidden entrance into the waters adjacent to that port, it would be a futile gesture to ship the merchandise in that vessel. That is correct. There cannot be any escape from that logic.

Let us take the alternative proposition, which we have had under discussion. I desire to suggest a hypothetical case, because upon this sort of a record we stand. Let us take a ship owned by the British, using the British as an example of a belligerent. A ship containing merchandise destined for a British port sails from New York. Her clearance papers are proper, and she sails. Her cargo is British, the hull and the crew are British. At her peak flies the Union Jack of Great Britain.

If this amendment were the law, under whatever construction might be given it and the other sections of the bill referring to convoys, an American warship or American warships could convoy that ship—

Mr. O'MAHONEY. Oh, no; not under this proposal.

Mr. BONE. Wait a minute. We will make delivery. The amendment provides—

and no part of such forces shall be used in connection with any delivery of such defense articles, to any foreign government—

Now comes the word—  
unless—

There is the qualification that is complete—

such delivery takes place outside of any combat area.

The combat areas as marked out by the President, concerning which we inquired last night, are not defined to us; so I am assuming that one combat area might extend 100, 200, 300, or 400 miles from the coast, which is sufficient to block out all normal commerce, but the amendment would permit delivery to the edge of that combat area. I will read the language again.

unless such delivery takes place outside any combat area—

Now "outside any combat area" might mean 200 feet from the edge of the combat area, and therefore at that point we make delivery of whatever we are convoying. The British warships would then take up the convoying of these British vessels and convoy them through the belligerent zone.

Mr. MURDOCK. Mr. President, will the Senator yield to me at that point for an observation?

Mr. BONE. I yield.

Mr. MURDOCK. As I read the amendment of the Senator from Wyoming [Mr. O'MAHONEY], and I think the Senator's construction of it is correct, as soon as delivery is made, say, at any American port, to a British ship, or to that of any other nation—and as I understand the Senator, he is directing his amendment at the specific question of delivery—

Mr. BONE. That is correct.



Mr. MURDOCK. Therefore, if the delivery of the cargo, let us say, to a British ship is made in an American port, delivery is complete, is it not, at that time? Then, as I read the amendment, after delivery is completed in an American port to a British ship, there is nothing in it to prevent any American vessel from then conveying the ship to any part of the ocean, except that the conveying warship could not go into the combat area.

Mr. BONE. Yes; I think the Senator has stated at least one aspect of it. Let me repeat—

Mr. O'MAHONEY. Will the Senator allow me to interrupt him?

Mr. BONE. Let me restate my hypothetical case, and then I should like to have the analysis or the criticism directed to my hypothetical case. I wish Senators would read the amendment in connection with the hypothetical case which I now state.

A British merchant ship, flying the British flag at her peak, manned by British seamen, filled with a British-owned cargo, sails from the port of New York, destined to Liverpool, convoyed by an American warship. Is it plain up to that point? Everything is British. Or, not one but a dozen British vessels leave New York in a convoy, all British-owned British material, under the British flag, with British crews. Now, under this amendment, we could make delivery, because under this bill the cargoes are defense materials—we could make delivery, that is, that could be a part of the process of delivery unless such delivery takes place within the combat zone. The combat zone might be 200 miles from the British coast or 300 miles from the British coast, but in that event American battleships, American warships, would accompany those cargoes of British material, those British ships, to within 200 miles, 300 miles, of the British coast. The amendment says we cannot make delivery within the war zone; but if we made delivery 5 feet outside the area prescribed by the President as a war zone, our delivery, under this amendment, would be lawful. The American warship would be within 200 miles of the British coast, under my assumption that the war zone extended out 200 miles. We have not yet been informed in this body how far the war zone extends from the British coast.

Mr. O'MAHONEY. Mr. President, may I interrupt the Senator at that point to make a comment?

Mr. BONE. Yes.

Mr. O'MAHONEY. I believe that if the amendment which is now pending should be adopted it would have to be read in connection with the text of the bill. It would have to be read in connection with the provision which is to be found—

Mr. ADAMS. Mr. President, just a moment. I should like to get back to the beginning of the Senator's amendment, which the Senator ought to explain to some of us who are not clear about it.

Mr. O'MAHONEY. The Senator interrupts in the middle of a sentence.

Mr. ADAMS. I withdraw my question until the Senator has concluded.

Mr. O'MAHONEY. If I can finish the sentence, then I shall be very glad to try to answer the Senator from Colorado.

I was saying that the amendment must be read in connection with the terms of the bill, and particularly with respect to the provisions of subsection (d) of section 3, on page 5 of the new print, which provides—

Nothing in this act shall be construed to authorize or to permit the authorization of conveying vessels by naval vessels of the United States.

That has been interpreted upon the floor of the Senate by the Chairman of the Foreign Relations Committee as a declaration that there is no intention at all to permit convoy by American naval vessels of any other vessels of whatever kind or character. That interpretation of the language which has been expressed here upon the floor is strengthened by the language of my amendment that the land and naval forces of the United States shall not be used in connection with the delivery of defense articles outside of particular areas.

Of course, the interpretation which the Senator places upon the words is probably correct; but, as he himself said this morning, and as I have repeated, it is an impractical matter to consider the shifting of cargoes or the shifting of convoys in the middle of the ocean.

Mr. BONE. I said that in respect to ordinary cargoes carried in merchantmen. If we set up an embargo zone into which a merchant vessel cannot go, we might as well not let her leave an American port, because she never can reach the port of destination. But a continuous voyage under convoy is a wholly different thing.

Again I wish to call the attention of my able friend, the Senator from Wyoming, to the fact that if in line 4 of his amendment, after the words "United States," a period were placed there would be a definite declaration, but the thing that has confused me somewhat is that there has been a continuation of something of the same thought, although it is coupled there with this definite qualification. I agree with the Senator from Wyoming that there is a reference to convoys in the measure, but suggestions are made that it will be construed in a certain way. So far as I am concerned, I should like prohibitions in the measure. I do not want to vote for something which I must leave to the construction of a court. I am no captious critic of courts, but I know courts have construed provisions in laws in such fashion as to me seemed to do outrage to the clear meaning of the English language. I do not like indirections, negative assertions in laws. I believe we ought to affirm a thing, and not put indirection or negation in an act.

Mr. O'MAHONEY. The effort in drafting this amendment was to make a positive and affirmative declaration. May I now trespass on the Senator's time, since he is now going to refer to another thought, to request the Senator from Colorado to state his question?

Mr. ADAMS. I will wait.

Mr. BONE. I will conclude in a moment. I wish to refer to one of the most important business letters that goes to businessmen in the United States, for again this week there is in it a reference to convoys. I say to my brethren here that legitimate, respectable, and, I think, some of the most impressive declarations coming out of the most orthodox, conservative business quarters in the country, point to the fact that there is a clear decision being reached to utilize convoys to get defense materials to Britain. It has been asserted repeatedly on the floor of the Senate—and I have been more impressed with the spirit than I have been with the text and the cold words—that we are going to get these materials to Britain.

I admire that tenacious, courageous spirit, but consider what is implicit in that attitude of mind. We are going to get them there; no less volens they are going. I can understand why men feel that way. Men say, "We are going to pass this law to give Britain aid, and do you think anything is going to thwart us in that effort?" That is a perfectly legitimate conclusion to draw, and it has been drawn here, and there is not a person within the sound of my voice who does not know that that grim note of determination has been implicit in all this debate—"If we give Britain aid, by the eternal gods we are going to get it there!"

Let me read one expression from the Whaley-Eaton letter of this week:

It does not appear that the British merchant marine is adequate for the task—

That is, the task of getting the stuff to Britain—

nor that the British Navy can furnish the essential convoy protection. It all gets back, therefore, to what has so often been emphasized in these letters, namely, that the United States must not only furnish merchant tonnage but must also protect it on the trans-Atlantic routes.

I want to leave a word of warning in the RECORD. I cannot escape the grim significance of what has been uttered on this floor by men for whom I have all the respect in the world. I admire their intellectual integrity and their courage. They have exhibited vision in presenting many worth-while things to the Senate; but they have said, "We are going to get this stuff to Britain. In the name of God, what would be the use of passing the law unless we intended to get this aid to Britain?"

I leave this word of warning in the RECORD. If we convoy the ships, that means war, and we should get ready to declare war. I go back 6 years and recall the time when I stood on the floor of the Senate and said that, in my judgment, the one thing which would keep us out of war more effectively than anything else would be to keep our nationals and our property out of war zones. I believe that judgment has been vindicated by the mutations of time. The concatenation of events has proven it to be sound.

In order to give Britain the type of aid we ought to give her, and want to give her, we shall find it necessary and desirable to convoy the ships. Let me make the prophecy that that will be the inevitable next step. How can we escape the



deadly logic of that sort of thing? We have had an election which committed us to aid Britain to the fullest extent.

If the British merchant marine is unable to handle the situation, the next step will be to give Britain ships. I have no objection to that. I believe we ought to give Britain merchant ships; but I believe British crews ought to handle the ships, and the British flag ought to fly at the mastheads of those ships. If we go beyond that stage and use American warships to convoy British-owned ships to within 200 miles of the British coast—to the faint, invisible edge of the war zones set up by the President—those American warships will be in war zones, and they will be attacked. Mark my words. That is what will happen. I am not a prophet, but I can certainly gamble on that, as surely as we are in this Chamber.

That is why I think now is the moment to decide whether we want to go to the extent of supplying armed warships to convoy defense articles to Britain. Such a course may mean war for us. I merely wish to leave this word of warning in the RECORD.

Personally, I believe in giving Britain money and ships. I said yesterday on the floor—and I repeat it—that I would make available to Britain everything we have, and I would give her priority. We could do that under a law which any capable lawyer in this body could draw in 5 minutes. We could give her \$15,000,000,000 in cold cash. She could have limitless reservoirs of money from which to draw. Is there any limit to the amount of money which the Congress could appropriate for that purpose? I know of none. If the Congress should appropriate the money, Britain could have \$15,000,000,000 on which to draw tomorrow. We could make ships with the \$15,000,000,000 and present them to the British Government in our American ports, without any constitutional or legal objections against such action.

The only point I make is that if we attempt to go beyond the business that has been described here and convoy the ships, it will mean war, and we should prepare for it. War will not be 2 weeks away when gunfire is exchanged between American war vessels and the war vessels of some other nation attacking the ships which are being convoyed.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. BONE. I shall be glad to yield in a moment.

Mr. President, I am constrained to agree with the Senator from Georgia [Mr. GEORGE], who has expressed objection to the kind of language employed in the bill as negative language.

Nothing in this act shall be construed to authorize or permit—

Nothing shall be construed to do something. That is a negative way of stating a principle of law. I do not know how such language might be construed by a court.

The statement has been made here that the President may do anything he pleases with the land, naval, and military forces of this country. I do not like that kind of language. I think there should be affirmative, direct, positive,

blunt, mandatory provisions of law in the bill, and I should like to see such provisions written into it. There is no definite finality in any utterance of ours. Later it can be changed in 2 minutes. If we find that it does not work and that we are crippling ourselves in our efforts to be helpful to the British Empire, we can change the law on 5 minutes' notice, without going through all the argument we have indulged in. I have not indulged in much of it myself. I think my brethren would acquit me of any charge of interference with the course being taken.

War is a deadly thing. I have talked about it for 6 years, not only on the floor of the Senate but in my State. I think it is worthy of serious consideration. In my honest opinion the convoying of ships will be the torch thrown into the powder barrel.

Mr. LUCAS. Mr. President—

The VICE PRESIDENT. Does the Senator from Washington yield to the Senator from Illinois?

Mr. BONE. I have concluded, Mr. President.

Mr. LUCAS. Mr. President, as I understand the purport of the amendment which is now before the Senate, it is designed to keep American ships and vessels out of combat zones. If I followed the very fine argument of the Senator from Washington, it does just the opposite.

Mr. BONE. That is what I am afraid of.

Mr. LUCAS. If the amendment should be agreed to, it would give the President of the United States the right to send United States warships to the edge of the combat zone. That is where the danger lies.

Mr. BONE. That is what I am afraid of.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. CLARK of Missouri. The language specifically authorizes the President to send United States war vessels to convoy merchant ships to the edge of a danger zone, which may be changed from time to time.

Mr. ADAMS. Mr. President, I should like the attention of the Senator from Wyoming [Mr. O'MAHONEY] while I make an inquiry. I know that when one makes an inquiry or has doubts as to language written by the Senator from Wyoming, the fault is usually that of the inquirer, because the Senator from Wyoming is one of the most expert draftsmen in the Senate.

Mr. O'MAHONEY. Mr. President, the Senator is too generous.

Mr. ADAMS. This amendment is in two parts—an affirmative and a negative. It seems to me that the two parts are inconsistent. In the first part we have a positive declaration:

Without the consent of the Congress, no defense article which may be disposed of under section 3 of this act shall hereafter be delivered by the land, naval, or air forces of the United States—

As I read it, that language is a complete and clear denial of the right to use any of the armed forces of the United States to deliver anything under the terms of the bill.

Mr. O'MAHONEY. No; the Senator is mistaken.

Mr. ADAMS. I am sure I must be; but I wanted to have it explained, so that the darkness which now surrounds me might be cleared a little. Having that positive declaration, if we stop there, there is no question as to the effect of it. Then, having made the declaration that no part of the armed forces shall be used to deliver any of the articles authorized to be delivered under the terms of the bill, there follows the statement:

and no part of such forces—

That is, of the forces which may not be used—

shall be used in connection with any delivery of such defense articles to any foreign government unless such delivery takes place outside any combat area.

And so forth. I am not interested in that part of the argument with reference to the combat zones, but merely the one question as to whether or not the first statement is a complete statement by itself, and whether or not that which follows is a qualification.

Mr. O'MAHONEY. Let me say to the Senator that as I originally drafted the amendment it provided simply that without the consent of Congress none of the defense articles should be delivered by the land or naval forces of the United States outside the Western Hemisphere or places under the jurisdiction of the United States.

Mr. ADAMS. Of course, the Senator has now broadened the scope of the amendment.

Mr. O'MAHONEY. That is true.

Mr. ADAMS. The Western Hemisphere has been broadened so that now the only suggestion is as to the combat zone.

Mr. O'MAHONEY. I did that at the suggestion of the Senator from Connecticut [Mr. MALONEY]. We were working toward the same end. That was the original provision; but, as I read it over, it occurred to me that language which merely said that delivery should not be made by the land or naval forces of the United States, unless within the Western Hemisphere, would not cover convoy, because in that event the naval forces—any naval vessels which were accompanying a merchant vessel carrying goods—might be said not actually to be engaged in delivery, but merely to be engaged in convoy. So between the subject, that no defense article may be delivered by the land or naval forces of the United States, and the concluding phrase defining where, I inserted the next phrase, the one which gives the Senator trouble:

and no part of such forces shall be used in connection with any delivery of such defense articles—

Intending by that phrase to make it clear that not only were the land and naval forces prohibited from actually handling the munitions and delivering them personally in cargo vessels, but the land and naval forces were also prohibited from convoying such vessels carrying such goods.

In other words there are two subjects, as it were: No defense article shall hereafter be delivered by the land or naval



forces, and no part of the land or naval forces may be used in connection with the delivery, unless—and this applies to both cases—the delivery takes place within a specified area.

Mr. President, I was about to make another suggestion; but I will not do so until the Senator from Colorado has concluded his inquiry, if he has any further comment to make.

Mr. ADAMS. No; I think the Senator's explanation is quite clear. Of course, personally, I should have been entirely happy to have a period, instead of a comma, after the words "United States" in the fourth line.

Mr. O'MAHONEY. That, of course, would have gone much further than I intended to go. For example, I did not intend to prohibit by this amendment a delivery such as was made at Halifax. I conceive that to be perfectly permissible, under the circumstances.

Mr. ADAMS. I do not know whether the Senator from Wyoming or some other Senator yesterday said that 50 destroyers had gone to Halifax.

Mr. BONE rose.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. O'MAHONEY. Mr. President, may I add just one other word? The Senator from Washington was on his feet, and was about to ask a question.

Mr. BONE. No, Mr. President; I desire to ask the Senator if he will accept an amendment or a change in his amendment.

Mr. O'MAHONEY. I was about to ask the Senator from Connecticut [Mr. MALONEY] if the suggestion which was made by one of the Senators a moment ago, and which I conveyed to him, would be acceptable to him, to insert in line 7, after the word "place", the phrase "at a port", so that the language would then be a complete answer to the criticism raised by the Senator from Washington [Mr. BONE] that this amendment would permit delivery on the high seas.

Mr. MALONEY. Mr. President, I am unimpressed by the fear that there would be a delivery on the high seas.

Mr. O'MAHONEY. I share the Senator's feeling about that matter.

Mr. MALONEY. I cannot see how the words suggested would change the situation very much, although it probably would set at rest the fears of the Senator from Washington.

What I now find it difficult to understand—and I am sorry, for my sake, that I did not see it sooner—is whether or not the language already in the bill, when connected with the language of the amendment offered by the Senator from Wyoming, will set aside the suggestion and the warning offered by the Senator from Utah; in other words, if deliveries are made on board ship in New York, whether or not this language then would permit a convoy right into Liverpool.

I think the amendment offered by the Senator from Wyoming, as it stands by itself, may possibly be so interpreted. I do not think it would be so interpreted, but I think there is such a possibility.

Mr. O'MAHONEY. Mr. President, I feel that there is no possibility of that, for the reasons I have just explained in

responding to the Senator from Washington.

Mr. MALONEY. I am sorry I did not hear that statement.

Mr. O'MAHONEY. Because the phrase—

and no part of such forces shall be used in connection with any delivery of such defense articles—

is a plain prohibition against the use of naval vessels to convoy the vessels of any nation.

Mr. BONE. But the Senator adds the word "unless." That is what bothers me.

Mr. O'MAHONEY. Now I am proposing to say:

unless such delivery takes place—

at a port outside the given area. In other words, I am perfectly willing that there should be a convoy, if that be necessary, to the port of Halifax or to the port of Martinique. That is not the danger we seek to obviate.

Mr. WHEELER. Mr. President, I desire to ask the Senator a question. How about Singapore?

Mr. O'MAHONEY. That would be possible under this amendment.

Mr. WHEELER. Let me say to the Senator that I understand the Senator from Georgia [Mr. GEORGE] or the other proponents of the bill are willing to take out the word "transfer," to which I called attention the other day, which might be construed as meaning that we could not only sell but we could also deliver.

If that word were taken out, or if the language were cleared up so as to mean a transfer of title, it would make a difference. I should say that otherwise the amendment the Senator has offered goes further than the bill itself goes. It goes further, and gives more authority to the President, than the bill itself does unless we accept the theory which I am glad to say the Senator from Georgia [Mr. GEORGE] has stated that he does not accept; namely, that the President may send the fleet anywhere he wants to, even into combat zones if he wants to. I do not subscribe to that idea, and I was glad to hear the Senator from Georgia [Mr. GEORGE] say that he did not accept that interpretation of the Constitution.

Under the amendment the Senator has drafted, if, for instance, an emergency should arise, and the President should want to modify the proclamation he has already issued with reference to combat zones, and should say, "In order to get things to England it is necessary for us to send something to some port in Ireland," and he should modify the proclamation, then, under the Senator's amendment, we could ship things right into the combat zone, right into Ireland.

I assume that the President is not going to do anything of that kind; but under the Neutrality Act he has a right to do so, and he has a right to modify the present proclamation as to combat zones. If he should modify it, and if then we should start shipping defense articles to Ireland—which could be done under the Senator's amendment—of course we would be in the war.

So far as I am concerned, let me say that I cannot vote for the amendment in its present form.

Mr. BONE. Mr. President, will the Senator yield?

Mr. O'MAHONEY. Mr. President, may I add just a word to what the Senator from Montana has said?

Mr. BONE. Certainly.

Mr. O'MAHONEY. His remarks were made while I was in process of answering the Senator from Washington, who was discussing the terms of this particular amendment and the effect the amendment would have upon the use of naval vessels. I have said, however, that the terms of this amendment must be interpreted in connection with the language already in the bill which is that nothing in the bill shall be construed to authorize convoys. With that declaration in the bill, and with the interpretation of that language which was made upon the floor yesterday by the Senator from Georgia as chairman of the Foreign Relations Committee, in which he declared that there was no intention to authorize convoys, when the two are put together it seems to me that there is a complete prohibition upon convoys.

Mr. BONE and Mr. WHEELER addressed the Chair.

The VICE PRESIDENT. To whom does the Senator from Wyoming yield?

Mr. O'MAHONEY. I yield first to the Senator from Washington.

Mr. BONE. I crave the indulgence of my brethren. I shall read a slight change which I think I shall suggest as a substitute for these various proposals. I hope it is true that my nature is to be forthright, and I want to propose precisely what I have in my heart. I should like Senators to look at the text of the amendment of the Senator from Wyoming. In line 3, after the word "delivered," I would add the words "or convoyed;" and after the words "United States," in line 4, I should strike out all the remainder, and for the part stricken out, I would substitute the following language: except to points in or adjacent to North and South America or to points subject to the jurisdiction of the United States.

That would cover everything which the Senator referred to yesterday with respect to Halifax; it would permit anything under the sun in the way of convoys to North America, South America, or to any part of the world owned and controlled and dominated by the United States; and it would reach bluntly and forthrightly, and in a mandatory fashion, the precise point which I had in mind.

I will tender that, if I may, and I shall ask for a ruling as to how I may properly tender it, and will also ask the Senator if he will accept it. Otherwise, I shall tender it as my own amendment, and ask for a vote on it.

Mr. O'MAHONEY. Mr. President, will the Senator state it again, please?

Mr. BONE. I will now read it as I would propose it:

Without the consent of the Congress, no defense article which may be disposed of under section 3 of this act shall hereafter be delivered or conveyed by the land, naval, or air forces of the United States, except to points in or adjacent to North or South America or to points subject to the jurisdiction of the United States.



I use the term "adjacent" because Greenland might be involved.

The VICE PRESIDENT. Is the Senator offering what he has suggested as a perfecting amendment?

Mr. BONE. I offer that, and will ask the Chair to suggest to me a proper way of offering it, and whether I may offer it as a substitute. If the Senator will accept it, and if it is within the scope of his own idea of what should be done and what is proper in the premises, I will be glad to have him do so.

Mr. O'MAHONEY. I should not feel like accepting it unless I have the agreement of the Senator from Connecticut [Mr. MALONEY] to do that, because the language which the Senator from Washington seeks to change is language which I accepted from the Senator from Connecticut yesterday.

Mr. BONE. I have explained to the able Senator from Connecticut my own views about it, and I have showed him this language.

The VICE PRESIDENT. The Senator from Washington may, if he so desires, offer his suggestion in the form of two perfecting amendments.

Mr. BONE. Then, sir, for the purpose of the RECORD, I tender it in that form: but, before so doing in a formal way, I would prefer to have the Senator from Connecticut express his view about it, and if it is acceptable to him, then, it may be tendered to the Senate for a vote.

Mr. MALONEY. Mr. President, I cannot agree to accept the language of the Senator from Washington, though, of course, in making that statement I am only speaking for myself. While I have the floor—and I assume I have the floor—I should like to point out something for the particular attention of the Senator from Wyoming, if I may. I think that perhaps I have contributed a little bit, or have assisted in contributing a little bit, to a confusion which I think possibly may be corrected by changing two words. If I may have the attention of the Senator from Wyoming, on line 6 of his amendment if he would cross out the word "unless" and insert the word "if," and on line 7 of the amendment if he would cross out the words "outside of" and insert the word "within," the amendment would then read:

Without the consent of Congress, no defense article which may be disposed of under section 3 of this act shall hereafter be delivered by the land, naval, or air forces of the United States and no part of such forces shall be used in connection with any delivery of such defense articles, to any foreign government if such delivery takes place within any combat area defined as such in any proclamation of the President issued pursuant to section 3 of the Neutrality Act of 1939.

Mr. O'MAHONEY. I will be very glad to accept that change.

Mr. MALONEY. It seems to me that is important, Mr. President, because the word "unless," if left in the amendment, would be subject to such interpretation as I think was pointed out by the Senator from Utah; and it now appears to me that, with the acceptance of those slight changes, the amendment is made definitely clear.

Mr. MURDOCK. Mr. President, will the Senator yield?

Mr. MALONEY. I yield.

Mr. MURDOCK. I should like to have either the Senator from Connecticut or the Senator from Wyoming point out to me at least when delivery is completed. The point I made is that as the O'Mahoney amendment now reads once delivery is made, then his amendment does not apply. I pointed out the example of one British ship or a number of British ships being completely loaded, in an American harbor. Delivery is completed, as I understand, when American goods are transferred, that is, when the title is transferred and the goods are delivered on board the British ship. If I am right in the contention that delivery is complete when the title to the goods is transferred and they are loaded on a British ship, then how does this amendment apply in the event that the delivery is complete insofar as the suggestion of convoy is concerned? This amendment, at least by implication, would allow convoys, right up to the boundary of a combat area. My position is that the text of the bill now with reference to conveying war munitions to foreign countries is much stronger than it would be after the adoption of this amendment. I say that for the reason that this amendment read in connection with the present text of the bill, by implication, would allow the conveying of foreign ships right up to the combat areas.

Mr. MALONEY. I think the Senator is entirely correct and I join him in his fears. What I have been trying to do—I confess without much success—is to find language that would meet that situation, involving the question of what is and where is delivery. However, that can be done by adding the word "final" before the word "delivery." I am not sure about it myself, however, and I should like to have some further chance to study the question, and I am hopeful that it may be temporarily set aside.

Mr. BONE. Mr. President, I think there is some understandable confusion in our minds about delivery and conveying, using those terms. Let us not get ourselves confused. Those of us who have had anything to do with merchant marine problems—and I spent 16 years as counsel for a port terminal operation of large size on the Pacific coast—perhaps have a somewhat clearer view of the legal problem that is wrapped up in this issue.

Let us not confuse delivery of an article by transfer of title with conveying it. At the risk of being tedious, let me say if we buy merchandise and give it to Britain in New York and it is put into a hull owned by British interests or the British Government, the delivery takes place in New York; that is, legal delivery of the title; that is an alienation of title, and the goods then belong to the British Empire. Then, the ship leaves New York. That is a part of what is called delivery; it is transportation; it is like shipping something on a railroad. The point at issue, and I think the real issue in this case, is whether the United States is going to take part in the delivery to such an extent as would imply protection of the

cargo until it reaches its port of destination.

The language I have suggested is very simple. Is there any Senator here who will tell me that he misunderstands the language I have employed? It is so simple that a child can understand it. It is a blunt prohibition. That is what I intended it to be—a blunt prohibition. If Senators believe that convoys may plunge us into war—and I am one who does—that they will precipitate exchanges of gunfire, then I think they ought to be at least willing seriously to consider this amendment.

Mr. President, I now formally tender this amendment.

The VICE PRESIDENT. The clerk will state the first perfecting amendment offered by the Senator from Washington.

The LEGISLATIVE CLERK. On page 1, line 3, of the amendment offered by Mr. O'MAHONEY, after the word "delivered," it is proposed to insert the words "or convoyed."

Mr. VANDENBERG. Vote!

Mr. BONE. Mr. President, is the Senate going to vote on these suggestions separately, or vote on the amendment as a whole?

Mr. GEORGE. Mr. President, may the whole amendment be stated, so that one can see what it covers?

The VICE PRESIDENT. The clerk will state the second amendment offered by the Senator from Washington.

Mr. BONE. I have sent the entire amendment to the desk.

The LEGISLATIVE CLERK. The second amendment is as follows:

In line 4, after the words "United States", it is proposed to strike out down to and including the remainder of line 9 and insert the words "except to points in or adjacent to North or South America, or to points subject to the jurisdiction of the United States."

Mr. BONE. I ask that the amendments be considered en bloc.

The VICE PRESIDENT. Without objection, it is so ordered. The question is on agreeing to the amendments offered by the Senator from Washington.

Mr. GEORGE. Mr. President, I merely wish to make a brief statement.

Yesterday a question arose as to whether or not an amendment would be accepted to subsection (2) of section 3. I now express myself as being willing to accept an amendment to the word "transfer," striking out the comma and inserting "transfer title or right of possession," or to strike out the word "transfer." I think it would be entirely proper to have the section read: "to sell, to transfer title or right of possession." I believe the Senator from Missouri [Mr. CLARK] has substantially that kind of an amendment pending.

Mr. CLARK of Missouri. Mr. President, if the Senator will yield, the amendment I had printed is on page 3, line 1, after the word "transfer," to insert the word "title." It seems to me that that would give the word "transfer" its legal and common acceptance.

Mr. GEORGE. That is quite all right, Mr. President. The committee will accept, or will urge the acceptance of, the



amendment that has been suggested, so that no question can arise with reference to delivering or conveying under the bill as we see it.

The amendment offered by the Senator from Wyoming, before considering the amendment offered by the Senator from Washington, proposed two things: That is to say, that without the consent of Congress no defense article which may be disposed of under section 3 of the bill shall hereafter be delivered by the land, naval, or air forces of the United States. It would seem to me, and I think it must seem to anyone who gives study to the matter, that with the word "transfer" either stricken out of paragraph (2) or the word "title" added to it, so that it would read "transfer of title," there is no ground for apprehension arising over the mere delivery as contemplated by the act, because "delivery" would relate simply to the passing of title and the right of possession and control, and necessarily that would occur where the goods are, in view of the additional provision already in the bill that nothing in it is to be construed as authorizing the conveying of any vessel.

The second part of the amendment offered by the Senator from Wyoming goes much further than many of us think the bill should go, because it authorizes the use of some part of the land and naval forces to take up to a combat area any defense article. For instance, Mr. President, under the proclamation which has been issued and is now in force and effect, a narrow strip of the ocean is kept open into Lisbon. The amendment offered by the Senator from Wyoming would authorize our ships and our Navy to accompany defense articles, whether loaded on our ships or on the ships of Great Britain, into the port of Lisbon, through a comparatively narrow strip of ocean. It would be an outright invitation for the belligerents, particularly for Germany and Italy, to concentrate their power in the narrow portion of the sea which is kept open, and sink or destroy any of our vessels, because they would be definitely engaged in carrying what everybody knows is contraband of war into the port of Lisbon for transshipment into the British Isles.

That part of the amendment goes much further than I should like to see it go. I should like to insist, Mr. President, that the word "transfer"—if there could be any question about its legal meaning in its present association with other words—be either stricken out, or that there be added thereto the words "of title," and stand squarely on the language of the bill then, that there is nothing in it which authorizes any physical delivery anywhere, but simply the passing of title, of the right of possession or the right of use.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. GEORGE. I yield.

Mr. TAFT. I do not understand the importance attached to the word "transfer." In my opinion, under the bill the United States Government has power to sell and deliver anywhere in the world. I do not see any restriction. What is the restriction? Where is there any restric-

tion in the bill? If we can sell to the British Government, why can we not deliver to the British Government? That is exactly the way a private sale is accomplished.

Many persons sell goods to be delivered in England. There is no restriction in the bill on the power of the United States to sell and deliver in England or anywhere else in the world. The words "lease" and "lend" clearly show that we are expecting to retain the title to many goods after they have been delivered in England or in Europe. I cannot understand what restriction there is on the United States which keeps them from delivering goods that are sold to the British Government or any other government anywhere in the world.

Mr. GEORGE. Mr. President, I am not able to enter into a discussion. I hope the amendment offered by the Senator from Wyoming [Mr. O'MAHONEY], and the amendments thereto suggested by the Senator from Washington [Mr. BONE], may be rejected, because I do not want to commit myself in any wise, by implication or by direct statement, to the idea that the right to make physical delivery in any part of the world where there may be any danger is given by the terms of the bill; and I hope we may have a vote on the matter.

Mr. O'MAHONEY. Mr. President, will the Senator from Georgia yield?

Mr. GEORGE. I yield the floor.

Mr. O'MAHONEY. I desire to make an inquiry of the Senator, because the statement he has just made, I think, is very helpful, if I correctly understand it. He proposes to amend the bill as it came from the committee by changing the word "transfer" to "transfer title," as I understand.

Mr. GEORGE. Yes.

Mr. O'MAHONEY. He interprets that to eliminate all possibility, under the proposed act, of delivery or convoy by our land or naval forces. Is that correct?

Mr. GEORGE. That is my interpretation of the measure. That is helped, in a negative way, by the amendment of the House, that nothing in the act is to be construed as authorizing conveying.

Mr. O'MAHONEY. Exactly. The reason for the presentation of these various amendments, which have been under discussion since yesterday, was the fact that this language of the House bill does not seem to prohibit the delivery of defense articles by the land and naval forces throughout the world. The House provision is not effective because it refers only to this bill, and the authority to deliver is claimed under existing law. That is proved by the simple fact that 50 destroyers of the United States Navy, manned by United States sailors and flying the United States flag, sailed from American ports to the port of Halifax, and were there delivered to the British Government. That was a transaction to which I had no objection whatsoever, because it was in this hemisphere. But it was a delivery by the naval forces of the United States.

Mr. GEORGE. That was not done under this bill.

Mr. O'MAHONEY. It was not done under this bill.

Mr. GEORGE. We did not have this bill enacted then.

Mr. O'MAHONEY. So that that power of the executive arm of the Government to deliver and to convoy still remains, despite the change of the word "transfer" to "transfer title," does it not?

Mr. GEORGE. Mr. President, I am not able to enter into a discussion, as I think the Senator realizes. I merely say to the Senator that if the President of the United States has the power to convey under the Constitution, nothing we write into this measure will take it away. We say in this bill that nothing here authorizes conveying, and are willing to take the word "transfer" out, or convert it purely into a descriptive term referring only to title.

Mr. O'MAHONEY. The Senator squarely raises the constitutional question which is here involved, and upon that question I take a view which apparently is somewhat different from his. My view is that while the President of the United States as the Commander in Chief of the Army and Navy has the unlimited power in time of war to order the land and naval forces into service as he pleases, because the exigencies of war would permit of no curtailment, the President does not have the power in time of peace to use the Army and the Navy, which the Congress of the United States places in his hands, in a warlike manner; and I think the Senator from Georgia himself stated that yesterday.

Mr. GEORGE. I tried to. Of course, I did not refer to all limitations which might exist, but so far as my view is concerned, I have tried to state it frankly, that is, that I do not conceive that the President of the United States, in virtue of the fact that he is likewise the Commander in Chief of the Army and Navy of the United States, has any power—using the word "power" in the sense of the rightful exercise of authority—

Mr. O'MAHONEY. Exactly.

Mr. GEORGE. To use the armed forces of the United States for any purposes of aggression, unless that aggression would become necessarily a part of a defensive move. He may protect the territory of the United States, he may use the armed forces to suppress invasion or insurrection, he may use the armed forces to protect the lives and property of American citizens or the vital interests of our country even outside our own borders. But I do not think he has the power to use them for offensive purposes. That is my conception, and I hold to it very strongly. However, I recognize that some do seem to have a different view, seem to think that the President has certain powers much beyond what I have indicated. If he has them under the Constitution, nothing in the bill, or nothing we could write into it, would take them away.

Mr. O'MAHONEY. The Senator is quite correct. I completely agree with the statement he has made.

Mr. GEORGE. I think the thing to do is to deal with the bill. I may be wrong, but I think we should deal with the bill, and merely content ourselves with put-



ting nothing into the bill which would seem to sanction or authorize the use of a power which we believe or feel the President should not exercise. For that reason I thought the portion of the Senator's amendment which did give authority to use any part of the armed forces, at least to take anything that is described as a defense article which is clearly contraband right up to the line, so to speak, of the danger area, would be very disastrous because it would be by implication admitting that the bill contemplates that there may be delivery everywhere, and that we are putting that kind of a restriction on the power of the President. I do not want to admit that; I do not want to concede it even by implication. For that reason I think the proper thing to do with the bill is to strike out "transfer," or couple it, as the Senator from Missouri has suggested, with the word "title," and be content, without putting in exceptions which would indicate that we could go all around the world making delivery of contraband of war in a time of war between nations, and even after the President had declared that the countries were at war, and that the peace and security and safety of our citizens required the issuance of the proclamation.

I know that there are some who take the extreme view that we may go with contraband into a country at war, assuming all the risks; but so long as we have a public policy, declared in our Neutrality Act, to the contrary, it does not seem to me that the President would think of asserting such a power as that. I took great consolation from his positive statement, made after the introduction of the pending bill, that he would not think of using convoys, that the use of convoys would mean war.

Mr. O'MAHONEY. Let me add just one more word. I agree with what the Senator has said with respect to the power of the Executive as Commander in Chief of the Army and Navy, and, as I have repeatedly stated, I would do nothing by word or act or suggestion upon this floor, or by any amendment, in any way to detract from the power of the President to use the land and naval forces of the United States in peace or in war to protect American interests wherever those interests might be invaded. But I believe that the Congress of the United States also has a voice in the supremely important question of war, and when the framers of the Constitution gave us the power, not only to declare war, but to make rules and regulations to govern the land and naval forces, it seems to me they gave us power to write into this bill the provision that the land and naval forces should not be used in a way which the Congress might think would be provocative of danger to the people of the United States. My sole purpose is to preserve the constitutional power of Congress to participate in the final decision whether or not the manpower of the United States is to be used to carry contraband of war outside of a particular zone.

It was for that purpose, and that purpose alone, that I offered this amendment, because I believe that in this great

crisis of democracy, which everyone recognizes, we can preserve that democracy best by complete cooperation between the legislative and executive branches of the Government in determining when the hour has come for active service by our land and naval forces in the war area. Delivery of defense articles by our men is active service. It is for that purpose I originally offered the amendment.

Yesterday, by adopting the modification which came out of the amendment of the Senator from Connecticut [Mr. MALONEY], of course, I brought about the condition to which the Senator from Georgia has now alluded, namely, that under this amendment as it now stands it would be possible to convoy vessels up to the very limit of a combat zone. I acknowledge the virtue of his argument, and if the Senator from Connecticut would agree with me I should prefer to return to the original language, or perhaps even to adopt the language suggested by the Senator from Washington [Mr. BONE], if he will be good enough to have it stated again.

Mr. MALONEY. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. MALONEY. I should be very glad to have the Senator from Wyoming return to his original language. In offering the language which I did I was endeavoring to remove the Western Hemisphere provision, and I did not give serious attention or thought to the other part of the Senator's amendment. I feel there is a confusion between them, and I not only am willing to have the Senator return to his original amendment, but I shall be very pleased if he will do so, so that the issue may be clear. Under those circumstances, of course, I would not vote for the amendment.

Mr. WHEELER. Mr. President, I am very glad the Senator from Georgia, who is the chairman of the Foreign Relations Committee, has made the statement he has with reference to what he believes the President's powers are under the Constitution. I have said before that I almost completely agree with him, and do not know but that I completely agree with his statement with reference to that matter. However, the statement is at variance, I may say, with what the Attorney General of the United States held, or seemed to hold, in the case of the destroyer deal. The fact that the Attorney General of the United States ruled that the President had the power to sell 50 destroyers, or to trade them, in the face of a prohibition against it by the Congress of the United States, arouses, and justly arouses, the suspicion of a great many Members of the Senate, and makes us feel that we have to be extremely meticulous in the language we use, and be careful to see what is written into the bill.

Mr. BONE. Mr. President, will the Senator yield?

Mr. WHEELER. I yield.

Mr. BONE. What puzzles me at times is the debate which has occurred on the Senate floor, dealing with the distinction between the wartime powers of the

President and the peace-time powers of the President. Sharp lines of demarcation have been drawn. I know the Senator from Texas [Mr. CONNALLY], who is a very good lawyer, has discussed some aspects of that question. I have not been privileged to hear the Senator from Georgia discuss the question. I have respect for the judgment of the able Senator from Texas, who, as I have said, is a good lawyer, and he has, as I recall, attempted to draw a distinction between the wartime powers and the peacetime powers of the President. I certainly think there must be some distinction made between them.

Mr. WHEELER. Let me say to the Senator from Washington that I believe every Member of the Senate recognizes that Mr. Justice Sutherland was one of the great experts on constitutional law, and in his work he has definitely and distinctly pointed out that there is a vast difference between the powers of the President of the United States in peacetime and in wartime.

Mr. DANAHER. Mr. President, will the Senator yield?

Mr. WHEELER. I yield.

Mr. DANAHER. The Senator has been discussing the President's powers as Commander in Chief, whether the country be at war or at peace. The Senator from Georgia yesterday made plain in his argument his view that the bill does not deal with the disposition of men, whether in the armed naval, air, or military forces of the United States. Quite the contrary, he insisted this bill deals with property, with defense articles, as defined in the bill. Consequently the amendment proposed by the Senator from Washington does not in any way depend upon the right or the power of the President as Commander in Chief. Quite the contrary, the whole proposition comes back to what is the congressional duty in this situation, and we do not have to look to what the President's powers may or may not be. If we examine the Constitution on the point, this is the one subject which is squarely within our jurisdiction. In article IV, section 3, we read:

The Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States.

Consequently, when we are talking about how the property of the United States, namely the defense articles, as the Senator from Georgia referred to them, shall be disposed of, we certainly can impose any limitation, any terms, or place of delivery, or any proposed destination. We can, in other words, circumscribe the entire action under which the delivery of defense articles shall take place. It does not depend for 1 minute on what powers the President does or does not have. It depends, on the contrary, on whether we perform our constitutional function.

While I am on the subject, let me point out to the Senator from Montana that in the Schechter case, when the gress had attempted through the N. R. A., to make rules and regulations governing business and industry, which,



under the circumstances, were beyond the power of the Congress to make, the Supreme Court of the United States, as one of the grounds unanimously for holding that the N. R. A. codes were illegal and unlawful, said that the Congress had exceeded its constitutional rights and duties in delegating the power. Consequently, Mr. President, the identical question is involved here, if we surrender the one duty, the one power, the one right, which we have to perform under the Constitution, namely, the power of disposing of property of the United States, and making needful rules and regulations with respect thereto.

So I say to the Senator from Montana that I appreciate his courtesy in permitting the interruption, but I should like to have the debate, and the debaters, for that matter, keep that point in mind as emphasizing the principle upon which the amendment of the Senator from Washington may properly be based.

Mr. WHEELER. I thank the Senator, and I am entirely in accord with what he has stated. Not only did the Supreme Court make such a ruling in the Schecter case but it laid down the same rule in the so-called "hot oil" cases.

However, it is contended in the present case that the President has broader powers with reference to foreign relations than perhaps he has in dealing with internal matters. Upon that basis some Senators who have spoken have assumed that the President in dealing with the sale of our property is given broader powers.

Let me call attention to the fact that when we are talking about the sale of the property of the Government of the United States we are dealing not only with foreign matters and foreign relations but dealing as well with domestic relations; and the Supreme Court has said repeatedly, as it said and emphasized in the Schecter and in the "hot oil" and other cases, that, in the first place, the Congress cannot delegate powers to the executive branch of the Government wholesale. Likewise, it has held that when delegating power Congress must lay down certain standards by which the executive branch of the Government shall be guided.

That is one of the things which have made some of us a little skeptical. The charge has been made that we do not trust the President of the United States. It is not that we do not trust the President of the United States, but I have been able to find very few lawyers of any standing in the United States who agree with the opinion of the Attorney General in the case of the sale of the 50 destroyers.

The other day the chairman of the Foreign Relations Committee stated on the floor of the Senate that he did not agree with that opinion of the Attorney General.

A similar situation exists in many other Government departments. Take the National Labor Relations Board. Why has it been criticized? It has been criticized because of the fact that it construed the National Labor Relations Act in a way that very few Members of the Congress

ever intended that it should be construed. That fact has been stated repeatedly, even by the author of the act.

Take the Federal Communications Act. I think the Senator from Maine [Mr. WHITE] will agree with me that at times the Federal Communications Commission has put constructions upon that law which were never intended by the Congress of the United States.

We are dealing with the matter of giving the President extreme powers; and the language has been drafted in such a loose way that it is difficult for Members of the Senate to agree upon its construction. It seems to me that when there is any doubt as to what construction should be placed upon language, we ought to be meticulous to write the correct construction into the act, not for the purpose of hampering the President in giving aid to Britain, but for the purpose of protecting the people of this country and seeing to it that we do not give the President powers which nobody wants to give him, or which very few Members of this body want to give him. I refer to the power to convoy ships, or to send American boys across the water to fight on foreign soil.

Mr. CONNALLY. Mr. President, the confusion in which Senators become involved in changing the language of all these amendments, and the difficulty of those who are seemingly in accord in arriving at the proper language, illustrate the futility and unwisdom of undertaking to do the things which Senators who offer such amendments have in mind.

When we are going along a straight highway and the road is good, we do not have many difficulties; but when we get off the highway and out into a country lane we are likely to have a puncture, or get into a bog. That is what is undertaken to be done by some of these amendments.

We have no real reason for undertaking to change the constitutional processes of the Government. The President is Commander in Chief of the Army and Navy. We have heard that statement several times, but I want to reaffirm it.

Mr. O'MAHONEY. Mr. President, will the Senator yield to me for a moment merely for the purpose of clarifying the issues?

Mr. CONNALLY. Yes.

Mr. O'MAHONEY. I think the discussion which has taken place this morning—particularly the remarks of the Senator from Georgia—has been very helpful. Now that the Senator from Connecticut [Mr. MALONEY] and I have come to an understanding, in order to make clear just what is before the Senate I shall accept, as a modification of my amendment, the suggestion made by the Senator from Washington [Mr. BONE], so that the amendment now before the Senate would read as follows:

Without the consent of the Congress, no defense article disposed of under section 3 of this act shall hereafter be delivered or conveyed by the land or naval forces of the United States, except to points in or adjacent to the Americas, or to points subject to the jurisdiction of the United States.

Mr. CONNALLY. Mr. President, I do not think that the change in language adds anything to the force of any argument which may be advanced in favor of the amendment.

If the President is Commander in Chief of the Army and Navy, when we intervene and undertake to tell where the Army or the Navy shall go, then Congress becomes commander in chief of the Army and Navy. The Constitution does not say that Congress is the commander in chief of the Army and Navy. The Constitution says that the President is Commander in Chief of the Army and Navy.

The amendment of the Senator from Wyoming by implication authorizes the conveying of ships within all the Western Hemisphere. He does not say Western Hemisphere. A convoy could be attacked by submarines in the West Indies, probably just as easily as out in the middle of the Atlantic, thereby bringing us into the war. A convoy going from here to Halifax could be attacked by a German submarine, and a state of war might result. The Senator from Wyoming is authorizing that very thing by implication.

Mr. BONE. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield.

Mr. BONE. Is the Senator referring to the language which I suggested?

Mr. CONNALLY. I am suggesting that the language "points in or adjacent to the Americas" by implication authorizes the conveying of ships to such points.

Mr. BONE. The Congress voted to go to war if necessary to protect the entire western world.

Mr. CONNALLY. That is correct.

Mr. BONE. I am willing to accept in this amendment all the hazards of war in protecting the Americas under the Monroe Doctrine. The Senator certainly would not object to that?

Mr. CONNALLY. Oh, no.

Mr. BONE. The Senator mentioned the West Indies. Merciful heavens! We are taking them under the protection of the Monroe Doctrine.

Mr. CONNALLY. We are assuming, of course, that we are to protect the Western Hemisphere in case of attack by a European nation, but I am talking about the present situation, before the Western Hemisphere is attacked. Under the terms of the amendment we might send a convoy to Halifax or to the West Indies, and if it should be sunk en route by a submarine we should probably be in the war.

Mr. BONE. I think I should probably be the last Member of this body ever to suggest that we could draw any legislative formula which would absolutely prevent war. All I am anxious to do is to take out the maximum of insurance against possible involvement. I cannot foresee all the difficulties. I am trying to do the best job I can as a lawyer for my people and for my country; and if I bog down on the job, if I default, it is not due to any wickedness in my heart. It is due to my inability as a lawyer to phrase the language to accomplish what is intended.

The suggested language is too simple for anyone to escape its clear, purposeful meaning. I shall not exclude our own



western world from any protective device, because I, as a Member of this body, voted, with the full understanding in my mind of all the implications, to sustain the Monroe Doctrine by force if necessary.

Mr. CONNALLY. Let me say to the Senator from Washington that what he says emphasizes my opening statement as to the confusion and uncertainty in which we become involved when we undertake by express language to do the things which the Senator has undertaken to do.

Mr. ADAMS. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield.

Mr. ADAMS. The Senator from Washington made the statement that we had voted to go to war to enforce the Monroe Doctrine. That is not my understanding of the situation. I never voted to go to war to enforce the Monroe Doctrine under any and all circumstances. The Monroe Doctrine declares that certain acts would be unfriendly acts; but if some foreign nation should go down to Patagonia I do not think we should become involved. I do not think the Congress of the United States has committed itself to go to war under any and all circumstances to defend the Monroe Doctrine. We have made our declaration as to the Monroe Doctrine, but it does not involve the obligation to go to war.

Mr. BONE. Mr. President, to end the discussion, I will retract that much of my statement.

Mr. CONNALLY. Mr. President, I quite agree with the Senator from Colorado. Under the terms of the amendment, by implication we might send our convoys to Patagonia, and the Germans, by long-range submarines, might sink some of those convoys. We should then be face to face with a declaration of war. On the other hand, under the terms of the amendment we might send convoys to Bermuda. I think Bermuda would be included in the territory outlined.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield.

Mr. ELLENDER. Even the Philippine Islands would be included, as I understand.

Mr. CONNALLY. Of course, the Philippine Islands would be included; they are possessions of the United States.

Mr. ELLENDER. Any possessions of the United States.

Mr. CONNALLY. And en route to the Philippine Islands it would not be possible to jump a battleship from San Francisco to the Philippine Islands. It would have to plow its way across the ocean in order to get to the Philippine Islands.

Mr. GILLETTE. Mr. President, will the Senator yield?

Mr. CONNALLY. In a moment.

German submarines can also go across the ocean to the Philippine Islands; and the amendment would amount to a declaration that the President should convoy to these territories.

I yield to the Senator from Iowa.

Mr. GILLETTE. Mr. President, I wonder if the Senator in his argument is not overlooking the fact that there is already in the bill the general prohibition that "nothing in this act shall be construed to authorize or to permit the authorization of convoying vessels by naval vessels of the United States," regardless of the amendment, that prohibition already is contained in the bill.

Mr. CONNALLY. All that means is that under the bill we would not be giving any power; but if the power already exists under some higher authority, of course, under the bill, we would not give it.

My contention is that the Constitution of the United States—not Congress, not the committee, not the doorkeeper here, but the Constitution of the United States—makes the President the Commander in Chief of the Army and Navy; and when this body, or the House of Representatives, or both of them, undertakes to tell the President how he shall perform the duties of Commander in Chief of the Army and the Navy, the President then ceases to be Commander in Chief of the Army and the Navy, and we become the Commander in Chief of the Army and the Navy.

Why cannot Senators trust to the integrity of public officers? We ought never to confer any power on any officer unless we expect him, of course, to exercise it honestly and according to his ideas of integrity, according to our ideas of integrity, and patriotically.

Senators are elected, and we are given a great deal of authority; we have the right to vote yea or to vote nay; but if someone outside this Chamber can tell us how to vote, whether we should vote yea or nay, we do not then have any authority, and we are not Senators, but we are Charlie McCarthy's, we are marionettes.

The very possession of power to perform a duty must carry with it the discretion to perform that duty under the officer's concepts of honesty and integrity, under his oath of office, and under his patriotic responsibility. I am willing to have the power rest where the Constitution places it. I took an oath to support the Constitution, and the Constitution says that the President of the United States is the Commander in Chief of the Army and the Navy in time of peace and in time of war; and I shall not vote to usurp some of his authority, and to set myself up as one of 96 chiefs of staff to run the Army of the United States, to say where it shall go and when it shall go.

I hope the Senate will vote down these amendments. The authors of them do not know what they mean. They change them every little while. How is the President to know what they mean?

Mr. BARKLEY. Mr. President, I desire to ask if we cannot get a vote on the pending amendment.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Wyoming [Mr. O'MAHONEY], as further modified, proposed as a substitute for the amendment of the Senator from Louisiana [Mr. ELLENDER], as modified.

Mr. WHEELER. Mr. President, has the Senator from Wyoming accepted the amendments offered by the Senator from Washington?

Mr. O'MAHONEY. That is correct.

Mr. WHEELER. I desire to say, first of all, that I was not going to vote for the amendment of the Senator from Wyoming or the substitute unless the modifications had been made; but with the adoption of the proposal of the Senator from Washington, I think the amendment is far preferable to the amendment of the Senator from Louisiana [Mr. ELLENDER]. I shall ask for the yeas and nays.

Mr. CHAVEZ. Mr. President, it appears to me that the amendments are simple. Of course, there is only one person who can execute the law, and that is the President.

I think the Members of the Senate know that I intend to vote against the bill but the question in my mind in this: Under our processes, if the Senate is going to pass a bill wherein the majority apparently is on the side of the sponsors of the bill, does it not appear reasonable and proper that they should have the kind of bill they want, if they have the majority?

It appears to me that all these amendments are only for the purpose of making some explanation. If those who constitute the majority are not in favor of the bill, why do they not vote against the bill? If they are in favor of the bill, let those who are in the majority have the kind of a bill they desire. I am against the bill with or without amendments. Senators should vote against the bill if they desire amendments. I intend to vote against every amendment.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Wyoming [Mr. O'MAHONEY] as modified.

Several Senators asked for the yeas and nays, and the yeas and nays were ordered.

Mr. LODGE. Mr. President, I desire to ask a question of the Senator from Wyoming. I think the bill has been greatly improved by some of the amendments which have been adopted, and I desire to ask the Senator from Wyoming whether his amendment, as modified, in any way tends to break down or to vitiate the language of the present Selective Service Act, in which exists a provision against sending troops outside the Western Hemisphere.

Mr. O'MAHONEY. No; I do not think so.

Mr. LODGE. I am glad that is so.

Mr. JOHNSON of California. Mr. President, I desire to inquire whether the amendment would do anything else than relate to the amendment that has been offered by the Senator from Wyoming [Mr. O'MAHONEY], as amended by the Senator from Connecticut, and would leave intact thereafter, for such attack as we see fit to make upon it, the substitute of the Senator from Louisiana.

Mr. O'MAHONEY. Mr. President, the amendment suggested by the Senator from Connecticut has been withdrawn; and the amendment now stands before the Senate with a modification suggested



by the Senator from Washington [Mr. BONE]. In other words, the present amendment is substantially as it was originally offered.

Mr. JOHNSON of California. There will be no objection, from a parliamentary standpoint, to the offering of a substitute for the modification which has been agreed upon by the Foreign Relations Committee to the amendment offered by the Senator from Louisiana [Mr. ELLENDER]?

Mr. BARKLEY. Mr. President, if the substitute now pending should be agreed to, of course it would be a complete substitute for the amendment offered by the Senator from Louisiana [Mr. ELLENDER]. If it should be defeated, other substitutes then of course would be in order, if Senators desired to offer them.

Mr. JOHNSON of California. I did not understand the Senator.

Mr. BARKLEY. I say that if the substitute on which we are about to vote should be adopted, it would be a complete substitute for, and would finally dispose of, the amendment offered by the Senator from Louisiana [Mr. ELLENDER]. If the substitute offered by the Senator from Wyoming [Mr. O'MAHONEY] is defeated, then any Senator can offer another substitute.

Mr. STEWART. Mr. President, may the amendment be stated?

The VICE PRESIDENT. The clerk will state the amendment.

The LEGISLATIVE CLERK. The amendment now reads as follows:

Without the consent of the Congress, no defense article which may be disposed of under section 3 of this act shall hereafter be delivered or conveyed by the land, naval, or air forces of the United States, except to points in or adjacent to the Americas or to points subject to the jurisdiction of the United States.

The VICE PRESIDENT. The yeas and nays having been ordered, the clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. REED (when his name was called). On this bill I have a general pair with the senior Senator from New York [Mr. WAGNER]. If he were present, I understand he would vote "nay." If I were permitted to vote, I should vote "yea"; but, observing the pair, I will withhold my vote.

The roll call was concluded.

Mr. MEAD. On this vote I desire to announce the unavoidable absence of the Senator from Oklahoma [Mr. THOMAS], the Senator from Utah [Mr. THOMAS], and the Senator from New York [Mr. WAGNER], and to advise the Senate that I am informed if present and voting the Senators named would vote "nay."

The result was announced—yeas 28, nays 63, as follows:

## YEAS—28

Adams	Davis	Taft
Aiken	Holman	Thomas, Idaho
Barbour	Johnson, Colo.	Tobey
Bone	La Follette	Vandenberg
Bulow	Langer	Walsh
Butler	Lodge	Wheeler
Capper	McCarran	Wiley
Clark, Idaho	Nye	Willis
Clark, Mo.	O'Mahoney	
Danaher	Reynolds	

## NAYS—63

Andrews	George	Mead
Austin	Gerry	Miller
Bailey	Gillette	Murdock
Ball	Glass	Murray
Bankhead	Green	Norris
Barkley	Guffey	Overton
Bilbo	Gurney	Pepper
Brewster	Harrison	Radcliffe
Bridges	Hatch	Russell
Brooks	Hayden	Schwartz
Brown	Herring	Sheppard
Bunker	Hill	Shipstead
Burton	Hughes	Smathers
Byrd	Johnson, Calif.	Smith
Byrnes	Kilgore	Stewart
Caraway	Lee	Truman
Chandler	Lucas	Tunnell
Chavez	McFarland	Tydings
Connally	McKellar	Van Nuys
Downey	McNary	Wallgren
Ellender	Maloney	White

## NOT VOTING—4

Reed	Thomas, Utah	Wagner
Thomas, Okla.		

So Mr. O'MAHONEY's amendment, as modified, in the nature of a substitute for Mr. ELLENDER's amendment, as modified, was rejected.

## MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its reading clerks, announced that the House had passed without amendment the following bills of the Senate:

S. 189. An act for the relief of William Boyer; and

S. 251. An act for the relief of John Mulhern.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 59. An act for the relief of special tax school districts numbered 2, 3, 4, and 5, Broward County, Fla.;

H. R. 61. An act to confer jurisdiction upon the District Court of the United States for the Southern District of Florida to hear, determine, and render judgment on the claim of Mike L. Blank;

H. R. 385. An act for the relief of Robert J. Tita;

H. R. 387. An act for the relief of Dr. Frantisek Blonek and Erna Blonek;

H. R. 393. An act for the relief of John De Lifter;

H. R. 639. An act for the relief of Edd Nevins;

H. R. 673. An act for the relief of Roche, Connell, & Laub Construction Co.;

H. R. 724. An act for the relief of Gloria D. Downing and George Cornfield;

H. R. 814. An act for the relief of Dr. Gustav Weil, Irma Weil, and Marion Weil;

H. R. 903. An act for the relief of James A. Mills;

H. R. 923. An act for the relief of Eva C. Netzey, William G. Stuff, Lois Stuff, and Harry E. Ridley; and the estates of Clyde C. Netzey and Sarah C. Stuff;

H. R. 1144. An act for the relief of Mary Madeline Zwalinski and Ilene Mary Zwalinski, a minor;

H. R. 1162. An act authorizing the Secretary of the Interior to accept the final homestead proof submitted by Henry Martin Coffman;

H. R. 1264. An act for the relief of Charles Molnar;

H. R. 1370. An act for the relief of Helen Louise Giles;

H. R. 1376. An act to record the lawful admission to the United States for permanent residence of Ona Lovcikiene and children, Edmundos and Regina;

H. R. 1539. An act for the relief of Izaak Szaja Licht;

H. R. 1577. An act for the relief of Severiana Maria Rodrigues de Caceres, her sister Irene Hernandez de Texada, and the latter's daughter, Irene Hernandez de Texada;

H. R. 1674. An act for the relief of Alfred T. Johnston;

H. R. 1680. An act for the relief of Clara E. Freeman;

H. R. 1692. An act for the relief of William F. Klieve;

H. R. 1991. An act for the relief of Ludwig Baur;

H. R. 2054. An act to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claims of Ben White, Arch Robinson, Lee Wells, W. S. Wells, A. J. McLaren, A. D. Barkelew, Oscar Clayton, R. L. Culpepper, W. B. Edwards, the estate of John McLaren, the estate of C. E. Wells, and the estate of Theodore Bowen;

H. R. 2140. An act for the relief of Karel Lederer;

H. R. 2414. An act for the relief of Meier Langermann, his wife Friederike, and son Joseph;

H. R. 2415. An act for the relief of David Morgenstern;

H. R. 2557. An act for the relief of Moses Limon and Ida Julia Limon;

H. R. 2587. An act confirming the claim of Patrick Morgan and Daniel Clark to certain lands in the State of Louisiana, county of Attakapas, now parish of St. Martin, said claim being listed as No. 97 in report of commissioners dated May 1, 1815;

H. R. 2703. An act for the relief of the estate of Joe L. McQueen;

H. R. 2781. An act for the relief of Gdynia America Line, Inc., of New York City, N. Y.;

H. R. 2911. An act for the relief of Howard E. Dickson;

H. R. 2998. An act for the relief of M. F. O'Donnell;

H. R. 2999. An act for the relief of Henry L. Munt;

H. R. 3000. An act for the relief of Joseph S. Albis, Jr.;

H. R. 3001. An act for the relief of James P. Melican;

H. R. 3004. An act for the relief of John W. Young;

H. R. 3440. An act for the relief of Edith Platt;

H. R. 3441. An act for the relief of Daisy Fitzpatrick;

H. R. 3627. An act for the relief of Fred S. Hondros; and

H. R. 3735. An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1942, and for other purposes.

## HOUSE BILLS REFERRED OR PLACED ON CALENDAR

The following bills were severally read twice by their titles and referred, or ordered to be placed on the calendar, indicated:

H. R. 59. An act for the relief of special tax school districts Nos. 2, 3, 4, and 5, Broward County, Fla.;

H. R. 61. An act to confer jurisdiction upon the District Court of the United States for the Southern District of Florida to hear, determine, and render judgment on the claim of Mike L. Blank;

H. R. 385. An act for the relief of Robert J. Tita;

H. R. 393. An act for the relief of John De Lifter;

H. R. 639. An act for the relief of Edd Nevins;

H. R. 673. An act for the relief of Roche, Connell & Laub Construction Co.;

H. R. 903. An act for the relief of James A. Mills;

H. R. 923. An act for the relief of Eva C. Netzey, William G. Stuff, Lois Stuff, and Harry E. Ridley; and the estates of Clyde C. Netzey and Sarah C. Stuff;



H. R. 1144. An act for the relief of Mary Madeline Zwalinski and Ilene Mary Zwalinski, a minor;

H. R. 1370. An act for the relief of Helen Louise Giles;

H. R. 1674. An act for the relief of Alfred T. Johnston;

H. R. 1680. An act for the relief of Clara E. Freeman;

H. R. 1692. An act for the relief of William F. Klewe;

H. R. 2054. An act to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claims of Ben White, Arch Robinson, Lee Wells, W. S. Wells, A. J. McLaren, A. D. Barkelew, Oscar Clayton, R. L. Chalpepper, W. B. Edwards, the estate of John McLaren, the estate of C. E. Wells, and the estate of Theodore Bowen;

H. R. 2103. An act for the relief of the estate of Joe L. McQueen;

H. R. 2761. An act for the relief of Gdynia America Line, Inc., of New York City, N. Y.;

H. R. 2911. An act for the relief of Howard E. Dickson;

H. R. 2998. An act for the relief of M. F. O'Donnell;

H. R. 2999. An act for the relief of Henry L. Munt;

H. R. 3001. An act for the relief of James T. Melican;

H. R. 3440. An act for the relief of Edith Platt; and

H. R. 3441. An act for the relief of Daisy Fitzpatrick; to the Committee on Claim.

H. R. 387. An act for the relief of Dr. Frantisek Blonek and Ema Blonek;

H. R. 724. An act for the relief of Gloria D. Downing and George Cornfield;

H. R. 814. An act for the relief of Dr. Gustav Weil, Irma Weil, and Marion Weil;

H. R. 1264. An act for the relief of Charles Molnar;

H. R. 1376. An act to record the lawful admission to the United States for permanent residence of Ona Lovickiene and children, Edmundos and Regina;

H. R. 1539. An act for the relief of Izaak Szaja Licht;

H. R. 1577. An act for the relief of Severiana Maria Rodrigues de Caceres, her sister Irene Hernandez de Texada, and the latter's daughter, Irene Hernandez de Texada;

H. R. 1991. An act for the relief of Ludwig Baur;

H. R. 2140. An act for the relief of Karel Lederer;

H. R. 2414. An act for the relief of Meier Langermann, his wife Friederike, and son Joseph;

H. R. 2415. An act for the relief of David Morgenstern;

H. R. 2557. An act for the relief of Moses Limon and Ida Julia Limon; and

H. R. 3627. An act for the relief of Fred S. Hondros; to the Committee on Immigration.

H. R. 1162. An act authorizing the Secretary of the Interior to accept the final homestead proof submitted by Henry Martin Coffman; and

H. R. 2587. An act confirming the claim of Patrick Morgan and Daniel Clark to certain lands in the State of Louisiana, county of Attakapas, now parish of Saint Martin, said claim being listed as No. 97 in the Report of Commissioners dated May 1, 1815; to the Committee on Public Lands and Surveys.

H. R. 3000. An act for the relief of Joseph S. Albis, Jr.; and

H. R. 3004. An act for the relief of John W. Young, to the calendar.

H. R. 3735. An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1942, and for other purposes; to the Committee on Appropriations

#### PROMOTION OF NATIONAL DEFENSE

The Senate resumed the consideration of the bill (H. R. 1776) further to pro-

mote the defense of the United States, and for other purposes.

Mr. BARKLEY. Mr. President, I wish simply to advise the Senate concerning the session for today.

Yesterday, when I announced that we would hold our session into the evening, I stated that we would determine before the time came whether we should have a recess at 6 o'clock, or thereabouts, until a later hour. I wish to advise Senators that we shall ask the Senate to remain in continuous session into the evening without intermission.

Mr. JOHNSON of California. Mr. President, I offer the amendment which I send to the desk as a substitute for the amendment—the Ellender agreement, or surrender, or whatever it may be termed—which is now before the Senate.

The PRESIDING OFFICER (Mr. HILL in the chair). The Senator from California offers a substitute for the Ellender amendment, as modified. The clerk will state the proposed substitute.

The legislative clerk read as follows:

SEC. 10. Except in time of war, no funds heretofore or hereafter appropriated shall be available to compensate, maintain, supply, or equip (1) any officer or enlisted man of the land forces of the United States who is employed or used in any capacity, other than in the capacity of a military observer, military attaché or other similar noncombatant capacity, in any place beyond the limits of the Western Hemisphere, except in the Territories and possessions of the United States, including the Philippine Islands, or (2) any officer or enlisted man of the naval forces of the United States who is employed or used in any capacity in or over any combat area defined by any currently effective proclamation of the President issued under the authority of section 3 of the Neutrality Act of 1939

Mr. JOHNSON of California. Mr. President, this is the same question that recently arose upon the Ellender amendment. I present it now in such a way that no man can misunderstand it; no man need be under any misapprehension regarding it. It is designed simply to carry out the promise that has been made by the Senate, by the President of the United States, and by everybody who participated in the last campaign. That promise was that we would never send our boys abroad to fight another war in Europe. We promised that again and again.

The language of the President is peculiarly appealing. The language of the platforms of the various parties is peculiarly appealing. Why we should not keep our faith now, I am unable to understand.

I accuse no one of base motives, of course. I assert that no one desires to do anything but what his conscience may direct; but, I cannot understand the man who makes a promise and breaks it at the first opportunity that presents itself. If there be any such in this body, they will pay the penalty in their own consciences.

So let us see, just for a moment, what was promised by different persons in the recent campaign.

First, let me take the remarks of the President, because he is a bigger man than we are. He is supposed to be the embodiment of all that is square, and all that is righteous, and all that is fair in

our political life. On September 3, 1939, he said:

Let no man or woman thoughtlessly or falsely talk of America sending its armies to European fields.

What did he mean? He meant just what he said, of course—that we should not talk at all, because it was a falsehood, of sending any of our men to European fields.

In his address to Congress on January 3, 1939, the President said:

I can understand the feelings of those who warn the Nation that they will never again consent to the sending of American youth to fight on the soil of Europe. But, as I remember, nobody has asked them to consent, for nobody expects such an undertaking.

Again, on September 11, 1940, the President spoke in the same fashion:

I hate war now more than ever. I have one supreme determination—to do all I can to keep war away from these shores for all time. I stand, with my party, upon the platform adopted in Chicago.

And you will remember that the platform declaration at Chicago was that we never again would send our lads abroad to fight in a foreign field, upon a foreign land.

In Philadelphia, on October 23, 1940, to Republicans and Democrats, said the President:

To every man, woman, and child in the Nation I say: Your President and your great Secretary of State are following the road to peace.

We are arming ourselves not for any foreign war. \* \* \*

It is for peace I have labored; and it is for peace I shall labor all the days of my life.

At Madison Square Garden on October 28, 1940, the President said:

In all these ways—

And he elaborated upon the action taken regarding ships, and the ways in which he had made certain things possible—

we made it clear to every American, and to every foreign nation, that we would avoid becoming entangled through some episode beyond our borders.

Then again, on October 30, 1940, in speaking to fathers and mothers, the President said, with depth of feeling—a depth of feeling that only he can put into a radio address or other address that he makes—

And while I am talking to you mothers and fathers I give you one more assurance. I have said this before, but I shall say it again and again.

Your boys are not going to be sent into any foreign wars. They are going into training to form a force so strong that, by its very existence, it will keep the threat of war far away from our shores.

The purpose of our defense is defense.

He had said to the fathers and mothers of the Nation before that time that their boys never should be sent across the water again. Now you are willing to do it, are you? You are willing, upon some technicality, to make the President—what shall I say—eat his own words? No; I would not be disrespectful to the President for the world; but you are making it possible for him to do that which would not be done by the merest man



upon the street, who will keep his faith in spite of everything.

In Boston on October 30, 1940, as I have stated, the President said:

And while I am talking to you mothers and fathers I give you one more assurance. I have said this before, but I shall say it again and again.

Why should he say it again and again if he did not mean it?

Your boys are not going to be sent into any foreign wars. They are going into training to form a force so strong that, by its very existence, it will keep the threat of war far away from our shores.

Sufficient, thus, is the language of the President.

Mr. President, I shall read the plat-forms of the two parties again. They have been read here, but they have been read to no purpose. There is no man here who can hear them or can read them and reach any other conclusion but that I have stated.

The American people are determined that war, raging in Europe, Asia, and Africa, shall not come to America.

We will not participate in foreign wars, and we will not send our Army, naval, or air forces to fight in foreign lands outside of the Americas, except in case of attack.

I am at a disadvantage here now. I would be able to characterize thoroughly and wholly language such as this used by the ordinary man and the ordinary woman. I would be able to excoriate them and subject them to the denunciation which they deserved if they broke their word. But I cannot do that with the President of the United States, and I shall not do it. It is sufficient merely to read his utterances, and then you must determine whether you are going to keep his faith for him, or whether you are going to break his faith for him.

The substitute I have presented is very plain, and is one which has been rather carefully drawn. Gentlemen constituting the board of governors of the textual amendments worked upon this for some hours, and several others took a hand in it, and they have worked out what finally they have thought is an amendment which will mean just what it says and will do just what it says, and will provide for keeping our boys out of Europe.

If you do not want that, it is easy for you to vote against it; and I do not blame anyone. I realize the pressure that is brought to bear in this sort of a fight. I understand something of the real fight that is on today, and I know something of what is in the wind in regard to this particular measure. Let it be, and let it come just as gentlemen see fit. Let every one of us stand here and in his own right let him risk, if he has to, political extinction. Let him stand here and do what he deems to be right; and that we are right a thousand fold cannot be denied. If we stand here and practice what we believe to be the appropriate thing we will stick here forever. But I make no mistake. Let others not. I know exactly what we are up against here, and it would not make any difference if we were trying to write the Ten Commandments, as was stated yesterday, into the proposed law, if it were not permitted by the chief mogul

of this Nation to permit us to write the Ten Commandments into the law, he would but have to say so in order to have them stricken out.

I leave the subject with you. I do not intend to exhaust myself talking upon the subject longer. I shall not say more concerning it. But I say, for God's sake be men, be men, be men. Stand on your two legs. Be not afraid to say that the main thing in this bill that is felt throughout the Nation is that we will not permit our boys to be sent abroad, that we are going to keep them at home, that we will yield everything we can yield to Great Britain, and we will yield everything which may be sought by Great Britain or by England, but the real thing we will not yield, the one thing we will hold fast to, is our own blood, and we are entitled to it. The people who are not willing to permit you to hold fast to your own blood can vote otherwise.

I leave with you this question. I am not in fit condition to talk to you about it. I am filled with emotion when I talk to you about it. I am filled with indignation when I talk to you about it. I am filled with the fire of all men who have any sort of bowels in them, and I am filled with a desire to see you stand up and keep your word, keep the word of the President for him even if he will not keep it for himself. The two parties were asking it, the campaign orators were asking it, all of you people who talked on the stump, or nearly all of you, stated in so many words you would do it. I have the record here, and I would read it if it would not take too much time. But nearly every Member of this body has stood upon the stump and said he would not permit the boys to be taken abroad in any foreign war. They have all said it and all pledged themselves to it. Keep your pledges, keep your pledges. Never mind whether anyone else keeps his or not, keep your pledges.

It is not difficult to keep pledges. All you need to do is to stand up, to have the guts that God gave you, to have the nerve which should be in you, to have the decency which should actuate you. Every man of you should have all of these characteristics in order that you may save from bloody graves the boys of America. [Manifestations of applause on the floor and in the galleries.]

The PRESIDING OFFICER. The Chair admonishes the occupants of the galleries that it is strictly contrary to the rules of the Senate for the occupants of the galleries to give any expression, in any way whatever, of approval or disapproval. The Chair will ask the visitors in the galleries to conform to the rules of the Senate.

Mr. BARKLEY. Mr. President, I do not intend to consume the time of the Senate in discussing the proposed substitute. It is the same proposition we have been discussing for some days, and the same one upon which, in a different guise, we have just voted. I hope the amendment will be defeated, and I ask for a vote.

Mr. LA FOLLETTE. I ask for the yeas and nays.

Mr. SHIPSTEAD. Mr. President, I merely desire to state that, in my opin-

ion, a vote on this amendment will determine in great measure, will decide as by the cast of a die, whether we shall send an expeditionary force to foreign countries. That is what the amendment involves. There can be no misunderstanding about the meaning of the amendment. I hope it will be adopted.

Mr. WILLIS. Mr. President, it had been my intention to observe the long-time tradition that new Members of the Senate should listen, rather than be heard.

I have heard with great benefit the able discussion for and against the measure. I have read the testimony of men of wisdom who appeared before the Foreign Relations Committee. All this information, digested, has but confirmed the decision which I publicly announced recently, that I must vote against the enactment of H. R. 1776.

It would not seem necessary, therefore, for me to take very much time in expressing my views upon the bill. Indeed, I hesitate to do so for fear that I may be accused of delaying the final consideration of this very important proposal.

But let us not forget that after the present comes the long future. The consequence of our acts of a moment may be far more serious, far more enduring and tragic for free government, than any delay in fixing the cause, purposes, and objects of war.

If defense of our country through aid to England is the primary objective of the bill, it can be speedily accomplished by a measure to grant direct loans. Therefore, this objective need not be delayed by a little more time to discuss what other motives may be openly expressed in the bill, or may be lurking underneath its primary intent.

I believe that the Congress and the country generally are in favor of granting aid to Britain, but I feel also that the country is overwhelmingly opposed to granting aid if involvement in war is to be the result. This opinion has been corroborated by the great volume of letters which have come across my desk, expressing a frantic appeal that we do not involve our Nation in war. You have all received similar appeals. They come from fathers who have missed from their sides the tread of sons in whom they were so proud. They come from mothers whose hearts still ache with a pain that not even the message of the Prince of Peace can assuage. They come from thousands who believe that the happiness of their children lies in preserving a free and peaceful America.

It is not altogether an emotional plea. Today I received from a very dear friend, a businessman in a Middle Western State, a fine representative of the best citizenship of America, a letter which expresses the fear that is in the hearts of millions of our people, not only that we may be involved in war, but that we may shatter the confidence of the youth of our country in our Nation's integrity. He writes:

There is one point which I think should be clarified, but how to clarify it, I do not know. Last evening I went down to the Chicago & Milwaukee depot to see a train-load of boys go through on their way to Camp Grant. Among them was my nephew.



A finer, more clean-cut, intelligent group of young men I have not seen in many a day. All of these young men are eager and anxious to serve their country. They are perfectly willing to make whatever sacrifice is necessary to protect and defend our own liberty and our own soil. But, for the past two decades we have been telling these young men that they would never again be compelled to fight on foreign soil.

I have a son 24 years of age, who would go any time he might be required, and in fact, who has already tried to get in the service, to defend our own shores. But neither his mother nor I are willing for him to go to a foreign country.

The point I am trying to make is that I am fearful that our present defense program is being used as a cloak to push us into the present conflict. I know what I am talking about when I say that the Middle West is strongly opposed to sending our young men out of the United States.

What a terrible and tragic hoax it will be if the people are misled, and if these young men, now going to camp, find themselves, 6 months or a year hence, on their way to a foreign battlefield. We must not deceive these young men.

The whole thing is so inextricably mixed up and confused that none of us, I fear, are thinking quite straight. I confess that, having at my disposal the facilities for all of the general knowledge one could ordinarily gain, I, personally, am confused. But, for God's sake let us not deceive our young people. I will feel that I have failed as a father if I am a party to this deception.

Can't someone in Washington clarify and unravel these two projects—namely, home defense and aid to Britain, because the two are becoming a hopeless tangle in the minds of most people.

That letter, Senators, is the reason why I am impelled to trespass upon your courtesy in the important matter of considering this bill, why I am impelled to stress the need for etching our objectives more clearly and for giving new assurance to the American people that what we are doing is honest, forthright, and deserving of their trust.

Now I think we should frankly say to the people of the country: "That is a war bill."

When we have given, as we would by the adoption of this measure, to the Commander in Chief of the Army and Navy the right to manufacture, procure, sell, exchange, lease, or dispose of in any other way, notwithstanding the provisions of any other law, to any government he may choose any defense commodity, article, or information; to repair or recondition in our harbors any defense article or commodity for any other government, such as warships, contrary to our agreement with the other nations of this hemisphere, and to release any defense article or commodity for export to any government, when we have delivered into the hands of one man all this power, then we shall have converted our Nation into a military dictatorship under the guise of making it an arsenal of democracy.

When we have given one man the responsibility to participate in the war councils of Great Britain in order to determine when and where and on what terms this aid is given, then we are participating in their war; then we are in the war; and actual fighting and all-out participation of materials and ships and planes and men will follow when our aggressive program is resisted.

Let all of us face this issue squarely, as many have faced it so frankly on the floor of the Senate when they said they were willing to accept the responsibility of war, if need be, to carry out the provisions of this measure.

You who vote for this bill will find little comfort if, when the thunder of war rolls, you go back home and try to tell the fathers and mothers and sons and daughters that you did not intend to get this Nation into war.

Those of us who oppose this bill must accept the responsibility of shaping the course our country is to follow if we refuse these powers to the Chief Executive. I am ready to face that challenge because I feel there will be less danger to America if we do not participate with other nations in the prosecution of their war until we have built our own defenses, shall have prepared against the dangers which will follow the war, and shall have safeguarded our own integrity and our own form of free government.

Sometimes I think this bill could aptly be styled the "loose-leaf" bill, because it permits the time-to-time exercise of so many powers that are not clearly defined, and for the results of which the country will be held responsible. It permits the withdrawal of powers which have been written into the permanently bound agreements of our country. It permits the addition of unending pages of debt and it removes the balance sheet of solvency for this country for generations to come. It may change the whole charter of our America system and leave only the hollow cover of what was once sound, free government.

What a regrettable thing it is that this issue was not submitted at the recent general election. Or was it submitted? Both major parties declared in their platforms that we should not become involved in the war in Europe. Nearly all of us who were candidates in that campaign asked for the votes of the people on our ardent declaration that we would keep this country out of war, and that we would not send an American soldier across the seas to die on the battlefields of Europe.

Now, if within a space of a few months we have utterly failed to keep that pledge, how sadly we will have undermined the faith of our people in democracy, whose first line of defense is the ballot.

We may have the power to forget or ignore those pledges, but do we have the right to do so? Does it not tend to weaken democracy and confidence in representative government when the promises held out in exchange for support by the ballot may be destroyed after the ballot is cast?

But in spite of preelection promises by both parties, the proposal for war is somehow before us. It is urged with fervor and upon substantially the same theory which led us to make war in 1917—the theory that the Eastern Hemisphere might be saved for democracy and thus our own democracy made more secure. Times change, but history and our emotional responses have a faculty for repeating. The gravest need in this time of decision is to proceed cautiously, considering in the meantime whether the

first World War may not have made of us an economically distressed, suffering, and saddened people, and at the same time made of Europe a stronghold of the enemies of democracy.

We can hope for no benefits for ourselves nor for the world from another so-called war "to make the world safe for democracy." However it might terminate, we would emerge from it a nation more confused and impoverished in a world more destitute and less safe for democracy.

Now, to clarify the issue again. Is it not now a primary emotion that we must crush Hitler with little thought of the consequences that the prosecution of such an emotional objective might entail? Everywhere men vie with each other in devising more forceful anathemas to hurl at this infamous international bandit.

It is a most natural characteristic that we personally should resent the oppression of peoples and desire to resist the aggressor who would trample upon the right of any people to choose their own form and mode of government. This right we have always claimed for ourselves, and originally acquired against great and forceful opposition from the Eastern Hemisphere, where different views have generally, if not always, prevailed among the strong.

But, wherever our sympathies may lie, we cannot fairly devote the fortunes and the lives of Americans to the task of defending all who are unfortunate enough to be subject to aggression, or live in a part of the world where wars of conquest and acquisition—ruthless wars of aggression—have been the historical rule. Such defense, if begun, hardly can stop short of some aggression on our part, which is no less aggression, though we regard it sincerely and wholly altruistic in its purpose—to give other nations the benefit of democracy by causing them to adopt it.

Our forefathers escaped the Old World and its despotism in order to build an America safe for liberty and the ideals of freedom—not to build in America an instrument of war to correct the evils in the countries which they escaped.

Can we not accept their wisdom? Have we grown so strong, so eager for a part in world affairs, so world conscious that we cannot resist the wars that are not ours or the intrusions of our philosophy on the people of Europe who do not understand and cannot apply it?

If it is our object to destroy German power, with what do we intend to supplant it? And what, then, shall our course be with respect to the influence of Russia, the first, largest, and potentially most powerful of the opponents of democracy?

Does not a dispassionate review of the situation impress us with the hopelessness of our best emotional answers and the grave need of sound enduring wisdom, invoked in the calmest of judgment and the long vision of history? If our own place in history is important, we might well consider whether the judgment of President Washington is not a better guide than our generous but dangerous and self-destructive emotions. We have



a moral obligation to our Nation to think deeply on the gravity of the situation which confronts us, internally as well as externally.

Now let us clarify our minds still further.

Can we tolerate the conception that America stands in fear and is driven in her extremity to war in another hemisphere for her defense at home, or that our liberty and democracy are dependent for defense upon the capacity and willingness of any foreign nation or empire to defend us against the world?

Do we—really, seriously—fear that the army, the navy, or the air fleet of a foreign power will invade our land?

If we fear our ability to defend ourselves from attack by arms from without, we are, or soon shall be, lost—for there is no nation upon which we can depend or ever have been able to depend to risk its fortunes that we may be safe.

Our safety within lies in strength within. Our safety against risk from without depends upon, and should depend upon, and only upon, the courage and strength of our own arms, ships, and wings, manned by Americans, upon whom we can call with assurance that there will be no failure of response.

France depended upon England, England upon France, Czechoslovakia and Poland upon both. All are now subjected or are in danger and distress.

Is it not rather that we fear an invasion or infiltration of foreign thought—which no navy, however large, can stop, which our armies cannot shoot, or our airplanes bomb?

If it is infiltration of foreign ideologies we fear, war in Europe is no defense. The defense is to regain our domestic prosperity. Anarchy, revolution, fascism, communism, nazi-ism are not born and do not thrive in the atmosphere of plenty, but are born and thrive where democracy fails to justify itself, fails of vigilance and promise, and the people become impoverished, weakened, and incapable of resisting. No nation could, without dominating us, defend us against these internal dangers.

Today's question is not a question of courage for battle; it is a question of courage for wisdom.

If we come as near to the destruction of our democracy and our economic happiness by a second World War as we have come by the first, the two will be sufficient to complete the destruction.

Are we to become practiced and habitual crusaders for democracy and American ideals, crusading in any part of the world where the liberty or land of any nation is encroached upon or threatened by any other nation whose philosophy of government we do not approve?

If we know, as we do, that the people will follow us wherever we lead, because we are the beckoning arm of their government, and if their loyalty and sense of unity is so great that, against their will and judgment, they shall not hesitate if we command, then how much greater, how much more inspiring, how much more commanding is our duty of loyalty to such people to follow the direction of their known wishes and observe the limitations of their mandate.

The objection of the people, registered almost unanimously, is to war—not to giving aid to any nation we shall choose to aid in a manner inconsistent with our principles and our best judgment. But what we are now considering is not assistance, but war, and we are asked to delegate our duty to accept or reject war. The measure which we are now considering contemplates war, gives power necessary only for war, and which, if used, is war. If there is doubt as to the necessity or desirability of war, the intent for war, then there is no occasion for this particular measure.

We have voted billions for defense—billions which we neither ask nor know how we shall repay. We have had no hesitancy in this. But are these billions to be indirectly or directly devoted to a war which, if its first stage, the defense of Great Britain, is successful, then becomes a war of invasion, for purposes which we may not be able to endorse but to which we shall be committed?

If the war be one again to end all war, shall we not be duty-bound to police the peace? And if we contemplate policing the peace of Europe or Asia, may we not be assured of war against us by peoples and nations who will resent our restraints and our impositions?

Is it conceivable that a nation so largely unemployed and unrecovered from the longest and most severe post-war depression of history should consider another "altruistic" foreign venture at arms that spells generations more of impoverishment, suffering, and uncertainty of democracy?

We must clarify our minds still further.

Consider whether this is our war. Did we cause it, or any of the causes of it, even if it be traced back to the unfinished war of 1917-18? Did we permit the growing boldness and war power of Germany, which easily could have been checked at the outset if European politicians and businessmen had found that most desirable? Did we join in encouraging the development of that power? Did we cause the failure of other nations of Europe to measure correctly the menace which they sought to control only by diplomacy and appeasement? Did we have or seek to have control of the European nations in their diplomacy and policies which have brought them to their present circumstances?

This is not our war. It is a very logical war entirely explainable by the conditions, relations, and policies in the Eastern Hemisphere. It is a war long expected in Europe, and surprising only in that its date, or the strength of Germany, or the direction of its aggression, or the nature of its support by other nations, was somewhat miscalculated.

It is precisely such a war for our defense as was the first World War, which was no war for our defense at all. No European nation has ever begun a war for the defense of America. If our need for such a war were desperate, we could not expect any European nations to accept, and could not ask them to accept, the burden of prosecuting such a war or joining us in the prosecution unless they had extraneous and compelling causes of their own.

We are yet, thank God, a nation of idealists. We know that the nations of the Eastern Hemisphere are realists. They are not so greatly concerned as to how they may be considered here, but as to how they may fare there. We cannot fairly criticize them for their judgments in such respects. They have their people too, to consider—their national policies and ambitions. But we cannot forget that it was Winston Churchill, Britain's peerless leader, who once said, "I would make a pact with the devil to save Britain." That devil may yet turn out to be Russia.

Do we want to do anything? Do we have valid reason for doing anything? The answer is in the affirmative. But it is an answer of reason and not of war, an answer made in the recent election after much discussion of and declaration for means by peaceful methods. The answer is that we will do everything that we could or should do short of war and, may I add, short of the adoption of a theory that we must decimate the people of Europe or incarcerate them in the bonds of poverty and foreign rule in order to preserve our own democracy or to stand to our own defenses.

It is an answer that does not shift the burden of our defense to any shoulders but American shoulders; that does not admit that we cannot ourselves deal with un-American ideas in America or preserve the liberty and the culture we have made and long preserved. It is an answer that will not burden our people with unlimited commitment to war and that will not send their sons to fight a foreign war. It is an answer that does not abandon our democratic processes or the duty we owe to the people. It is an answer that all nations can understand and that can stand in history, not as a reflection of idealistic passion and bitterness but as a reflection of wisdom and of justifiable service to our people.

The answer rests in admitted facts. Near our shores, our possessions, and our valid interest the British Empire has possessions. Within this hemisphere she has great interests. Such outposts and interests are not and would not be of great value to her unless she should find herself in conflict with us. They add nothing to her security and only increase the possibility of our dangers. We need such outposts and interests for our own protection. England needs materials for her defense. Our moneys for purchase of needed defense positions can be used by her for the purchase of such material as she finds advisable.

We should not be asked to advance defense matériel gratuitously and then, perhaps, be required substantially to purchase the holdings which England has and does not need and which we do not have but do need. If she should refuse our needs, how great should we think hers? How great should we think she thinks hers?

Can we conceive of any reason why such transactions should not be had? Is anything less fair to our own people, who can trace their present condition to the last war in which they went to the aid of England?



We have a duty to exercise fair judgment in our own interest. The Government has this duty as one of loyalty of service to the people who are masters of their Government. If we are not to abandon all conception of our material duties to our people, then justice calls for wise and fair transaction and not gratuities and entangling alliance for war.

Let us get something else clear for the record.

As a final consideration, we may well ask, If England succeeds in her defenses, what then? Does she mean to cleanse Europe? If so, does she expect our soldiers? And does the cleansing of Europe mean the reduction of communism, which is one of our infiltrations? Or will England join forces with Russia for the preservation of peace? If so, who will defend us against the forces of communism?

We have but two available courses in America with respect to major foreign wars. We can stand aloof from the conflict, gathering our strength for our own defense, increasing our capacity to help the stricken people when their wars have ended, ready to use our peaceful persuasion for peace at all times and to stand as an example of the prosperity and fearless strength of democracy and peace.

Or we can take a view that we are so big that we cannot escape the evils of foreign war, the ills and ailments of foreign people, and that we must either bring them to our standards or harmonize our standards with theirs so that the world, in a sense, will have unity, and people everywhere share alike in war and misfortune or in peace and prosperity. This is the marriage of nations; but in that house are many false wives.

In broad essence, this is the thought of those who believe an international brotherhood as practical as it would be ideal if happily effective; of those who believe that mere loyalty to family, to blood, to nation, is too narrow a loyalty for the full performance of our obligation to world society.

Opposed to this is the doctrine, not of isolation, but of loyalty to nation, of realism that takes into account human nature and the divergent construction of people and philosophies, that places value on loyalty to one home, one vow, and one nation. This was the way of Washington, until lately the way advocated by nearly all Americans—and even now the way advocated by real Americans.

I cannot avoid thinking more of Americans—any and all Americans—than of that fine and honest body of common people who have long been the blood, the sustaining force, of Great Britain's Empire; a body of people who may be trusted, when they can themselves speak; who hold moral principle and national integrity so high that, if their principles always found expression in government, there would be a complete world confidence in the certainty and character of their international policies and undertakings. I am thinking more of Americans than of the great body of German common people and students whose honesty, industry, and genius have been so often admired by the world. I am not

thinking that there cannot be community of ideals among such sturdy and honorable peoples and ours; but I am thinking that some tremendous force constantly draws and holds those common interests apart, that no statesmen have ever been able to unite all nations, and that not war, but eventual wisdom which we can neither buy nor force, will accomplish that objective, if it is ever accomplished, in a distant future.

Our problems are the problems of this century, of a world as it is and may yet long remain. Our duty in this century as Americans is the duty to Americans first. Before we can secure ideals for the world we must first make secure our own.

As such an American in such times, I ask, Why has great fear of things external seized this once-strong America? Is it the people who fear? Or is it Congress? I think it is neither. America needs no further writing down of her courage and power to defend herself. We need only the writing up of so much debt as will enable us to acquire our long-delayed defense with a dispatch commensurate with any emergency and to meet the mandate for aid to England.

If we have not the courage to restrain our emotional responses, the courage to preserve the power to exercise our duties, the courage to insist upon fair exchange with England, and the courage not to go blindly or to authorize the people to be involved blindly in war, then I shall pray that the President, to whom Congress will delegate such duties, shall have the infinite wisdom, the vision, the restraint, and the courage to perform our duties better than we shall have done. I shall join all Americans who praise that wisdom and that virtue which save America from emotion, from war and from the dangers of war to American economic liberty and democracy.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from California [Mr. JOHNSON] in the nature of a substitute for the amendment of the Senator from Louisiana [Mr. ELLENDER], as modified.

Mr. CLARK of Missouri. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. LA FOLLETTE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Caraway	Holman
Aiken	Chandler	Hughes
Andrews	Chavez	Johnson, Calif.
Austin	Clark, Idaho	Johnson, Colo.
Bailey	Clark, Mo.	Kilgore
Ball	Connally	La Follette
Bankhead	Daneher	Langer
Barbour	Davis	Lee
Barkley	Downey	Lodge
Bilbo	Ellender	Lucas
Bone	George	McCarran
Brewster	Gerry	McFarland
Bridges	Gillette	McKellar
Brooks	Glass	McNary
Brown	Green	Maloney
Bulow	Guffey	Mead
Bunker	Gurney	Miller
Burton	Harrison	Murdoch
Butler	Hatch	Murray
Byrd	Hayden	Norris
Byrnes	Herring	Nye
Capper	Hill	O'Mahoney

Overton	Smathers	Tydings
Pepper	Smith	Vandenberg
Radcliffe	Stewart	Van Nuys
Reed	Taft	Wallgren
Reynolds	Thomas, Idaho	Walsh
Russell	Thomas, Utah	Wheeler
Schwartz	Tobey	White
Sheppard	Truman	Wiley
Shipstead	Tunnell	Willis

The PRESIDING OFFICER. Ninety-three Senators having answered to their names, a quorum is present.

Mr. WHEELER. Mr. President, I rise to say that I shall vote for the amendment offered by the Senator from California [Mr. JOHNSON]. I had intended originally to vote for the amendment offered by the Senator from Louisiana [Mr. ELLENDER]; but because of the fact that the amendment of the Senator from Louisiana means nothing whatsoever at the present time, I shall vote for the substitute which has been offered by the Senator from California.

The modified amendment offered by the Senator from Louisiana provides:

At the end of the bill add the following new section:

"SEC. 10. Nothing in this act shall be construed to change existing law relating to the use of the land and naval forces of the United States, except insofar as such use relates to the manufacture, procurement, and repair of defense articles, the communication of information and other noncombatant purposes enumerated in this act."

Mr. President, anyone who votes for the amendment of the Senator from Louisiana with the idea that it means anything at all is, in my judgment, certainly going to be sadly mistaken.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. WHEELER. I yield.

Mr. CLARK of Missouri. The Senator is certainly mistaken if he says such a vote would not mean anything. It would mean the Senator from Louisiana would get his name on the amendment, even though a different amendment from the one he originally proposed.

Mr. WHEELER. Let me say that in my judgment the amendment offered by the Senator from Louisiana means nothing at all at the present time.

The Senator from California has pointed out that practically every Member of the Senate who campaigned in the last election, both party platforms, and both candidates for the Presidency said specifically that we would stay out of war. I have quotations from a speech made in Baltimore, I think, by the Republican candidate, when he said that if Mr. Roosevelt were elected President of the United States, we would be in the war by April 1, but that if he, Mr. Willkie, were elected to the Presidency of the United States, he would see to it that no boys would be sent across the water and that he, Mr. Willkie, would keep us out of war. That was Mr. Willkie's promise to the American people, made from one end of the country to the other, that was the platform pledge, and that was the statement made by all Republican speakers in the United States, so far as I heard them on the radio.

Mr. President, as I have said, likewise the Democratic Party platform went on record for the same policy. The



President of the United States, in his Philadelphia speech and in other speeches made the same statement.

If we intend to keep faith with the American people, what excuse can there be, let me ask, not to write into the bill the provision contained in the party platforms that American boys shall not be sent to fight on foreign soil? Some Senators say "It is not necessary"; but I submit it is necessary. Otherwise, in view of the fact that the question has been raised here, if we vote down the amendment, our vote will be interpreted by a great many people—and I think rightly so—as meaning that we are giving an invitation to the President of the United States to send American boys across the water.

In addition to that, under the interpretation put upon the Constitution by the Attorney General of the United States—with which interpretation I disagree, and with which the chairman of the Foreign Relations Committee said he disagreed—the President as Commander in Chief can send American boys any place he chooses, even into combat areas. He can even use them for offensive purposes, if the construction placed upon the Constitution regarding the Presidential power as Commander in Chief is correct.

That is not only the view of the Attorney General of the United States, but it is the view of the Senator from Texas [Mr. CONNALLY], who has upheld that interpretation. The majority leader, the Senator from Kentucky [Mr. BARKLEY], has stated on the floor of the Senate that he approves the decision of the Attorney General of the United States and thinks it is correct.

Some Members of the Senate and some other authorities hold that the President does have that power unless he is prohibited from exercising it by action of the Congress. In other words, some say that unless the Congress exerts the power given it under the Constitution, the President can so act.

I do not subscribe to that idea; but in order that there can be no question about Congress having asserted itself, no question regarding what the Congress of the United States intended, I submit that we should adopt the amendment which has been offered by the Senator from California.

If we are honest with ourselves, if we are honest with the people who sent us to the Congress of the United States, if we are honest and if we believe in the platform pledges that have been given, then there cannot be any question about how we should vote on the pending amendment.

Let me call attention to the fact that yesterday the Senator from Kentucky [Mr. BARKLEY], our distinguished leader, rose on the floor of the Senate and indicated that he had some private information which he thought was of sufficient importance to prevent us from adopting this amendment because it might interfere with the program of the President of the United States, but yesterday's Evening Star, in an article by John C. Henry, on the front page, says:

#### WHITE HOUSE DENIES PRESSURE ON AID BILL AMENDMENTS

President Roosevelt and administration lieutenants are refraining entirely from efforts to influence any Senate votes on proposed amendments to the lease-lend legislation, the White House declared today in refuting stories that pressure is being brought against various Senators.

"The White House is not, through the President or anyone else, exerting any pressure or asking anyone to vote for or against or be paired in any way on any proposed amendments," Stephen T. Early, Presidential secretary, told a press conference.

#### APPLIES TO ELLENDER PLAN

This blanket pronouncement applies to the Ellender amendment, which would expressly withhold authorization for sending an expeditionary force outside the Western Hemisphere, Mr. Early added.

"The President is keeping his hands off this legislation," Mr. Early continued, "and, since he is, other administration leaders are doing the same."

Is that the understanding of the Members of the Senate of the United States? If the Secretary of State is opposed to the Ellender amendment, as we have been told by some Members of the Senate, then apparently he is not doing what the President of the United States wants to have done, for the President wants to keep his hands off, he says. Of course, President Roosevelt is in line with the Democratic platform; his statement is in line with his promises made at Philadelphia; yet we are told that the Secretary of State does not want the Ellender amendment as it was originally presented. Whom are we going to believe?

In addition to that, on the one hand, we hear the question, Why can you not trust and leave it entirely up to the administration as to what shall be done with these powers? One of the reasons is the confusion caused by Secretary Ickes, who says we are in the war; and by Secretary of Commerce, Jesse Jones, who says we are in the war.

Let me read a statement from one of the great columnists of this country; a man who always has advance and inside information as to what is going on in the inner circle, and who is known as a New Deal columnist, a man who was sent out during the campaign by New Dealers to my State to tell the people there whom they should elect to the various offices 2 years ago. He came out there and campaigned, and, as a matter of fact, made speeches for a Member of the other House, who was defeated. He says in his column:

America will fight. We will be in the war by April for all practical purposes, and probably—

And probably—

without a declaration of war.

Mr. President, who do you suppose made that statement? It was made by Jay Franklin—

and probably without a declaration of war.

That statement by Jay Franklin is not new; it has been made time and time again by inside New Dealers who are now saying that we are in the war.

Mr. President, let me take you back a little and call your attention to a joint

resolution which was introduced into the Senate at the last session of Congress by a distinguished Member of this body. If this bill passes, I want to say he ought to get the credit for having advanced the idea, for the provisions of the pending bill embody the ideas of the distinguished Senator from Florida [Mr. PEPPER]. Let me read from the joint resolution (S. J. Res. 263) which was introduced by him on May 24, 1940. The title is—

Authorizing limited aid short of war to foreign governments resisting the unprovoked military aggression of Germany.

And the joint resolution reads:

Whereas the German Government in violation of the general treaty for renunciation of war concluded at Paris, August 27, 1928, commonly known as the Kellogg Pact or Pact of Paris, to which treaty both the United States and Germany are parties, has deliberately adopted war as an instrument of national policy, and in defiance of all rules of international law has deliberately violated the territories of neutral countries; and

Whereas such unlawful aggressions threaten the peace and security of the United States—

Was there anybody here who agreed with that statement at that time? The Committee on Foreign Relations threw the resolution out of the committee by an overwhelming vote. Whose votes did the Senator from Florida get? He got his own vote, and the vote of the Senator from Pennsylvania [Mr. GUFFEY]. He was ridiculed upon the floor of the Senate, in the newspapers, by New Dealers, and by leaders on our side of the Chamber; and yet the identical words and the identical statements and the identical thoughts are in the lease-lend bill, and they are being expressed day after day and day after day by our leader and the other proponents of the pending measure. So far has the propaganda taken us down the road.

I want to commend the Senator from Florida for his brilliance and his insight. He had almost the vision of a clairvoyant. I do not know what clairvoyant it was, whether it was Mrs. Vehling or who it was, but it was some clairvoyant either from Chicago or New York.

I continue reading from the resolution:

Whereas by such unlawful aggressions Hitler and Germany have forfeited their right to claim the protection of international law; Therefore be it

Resolved—

Yesterday the Senator from Georgia, the chairman of the Committee on Foreign Relations, stood on the floor of the Senate and called attention to what George Washington had said. The Senator said there was one paragraph in George Washington's Farewell Address which he thought had been overlooked, and which ought to be called to the attention of the Senate. What was it? He quoted George Washington as saying that we ought not to hate any nation, and we ought not to be preaching hate. What do we hear on the floor of the Senate? We have heard nothing except hate preached on the floor of the Senate with reference not only to one nation but with reference to two nations, with reference to three nations, with reference



to practically every nation except one, the British Empire.

I have not any hatred for the British Empire, as I have repeatedly said; but I do not entertain any hatred for any other nation. I may dislike the things that those nations stand for, and I do dislike the philosophy of their government; but it is not in my heart to say that we as a nation, and I as a representative of the people in the Congress of the United States, stand upon the floor of the Senate and in the halls of Congress and say, "I hate this man," or "I hate that man." Let me remind Senators also that this particular individual or that particular individual may be put down, but this may be what a great many persons say it is, a world revolution; and a world revolution cannot be put down by wiping out one man.

In this joint resolution the Senator from Florida goes on to say:

That the President be authorized to give aid short of war to the recognized Governments of Great Britain, France, Austria, Czechoslovakia, Poland, Norway, Denmark, Holland, and Belgium, and such other countries as may be subject to unprovoked military aggression by Germany in violation of the Kellogg Pact or of the rules of international law—

This bill, the lend-lease bill, goes further than did the joint resolution of the Senator from Florida. He advocated giving aid short of war, not in violation of international agreements—

upon payment of such purchase price as the President may fix—

What is being done in this bill? We are doing exactly what the Senator from Florida proposed, we are giving the President power to sell anything at any price the President may fix.

such aircraft, ships, artillery pieces, and other war supplies, materials, and equipment as in his judgment can be spared without imperiling the safety of the United States.

Again we are going further than the Senator from Florida went 7 months ago, because he confined his joint resolution specifically to war materials, whereas, as I said in my statement the other day, under this bill there can be given not only to the nations mentioned in the Senator's joint resolution, but to any nation on the face of the globe anything from the gold buried in the hills of old Kentucky to Willie buttons. [Laughter.]

*Provided*, That the governments to which such aircraft, ships, artillery pieces, and other war supplies, materials, or equipment are sold and delivered agree to assign if, as, and when requested by the President, any and all contracts that they may have with manufacturers in the United States for such aircraft, ships, artillery pieces, and other war supplies, materials, or equipment.

Mr. President, I say again that if any man in the Senate ought to have credit for the idea of this piece of legislation, it ought to be given to the distinguished Senator from Florida [Mr. PEPPER].

Six months ago there were men in America who knew something of the administration's blueprint.

If you will recall, I said on the floor of the Senate at that time that the idea was not entirely original with the Senator from Florida. I said I gave him credit for

being on the inside and speaking the mind of the administration, because I knew where he got his information, and I knew the sources from which it came, because some of the same sources had advocated the same thing to me.

Six months ago, if we had only listened, we would have known that this proposed legislation was in the wind. I refer, of course, to the Senator from Florida [Mr. PEPPER]. So when on June 4, more than 7 months ago and nearly 5 months before election, the Senator from Florida introduced a resolution proposing that the President be given unlimited powers in selling all types of military equipment to certain powers, I knew the die had been cast.

Some of the Senators flouted the idea, but when the Senator from Florida introduced that joint resolution I knew at that particular time that the die was cast. Then the Senator from Florida came before the resolutions committee of the Democratic National Convention and spoke in favor of this very proposal, and he came there representing, in my judgment, the views of the administration, because subsequent events have absolutely led to the conclusion that when the Senator from Florida came before the convention he was carrying out the views of the administration; he was the administration's spokesman at that particular time.

The Senator's joint resolution was mild, of course, by comparison with the pending bill. It was a typical trial balloon, designed to test feeling. It proposed that materiel be sold, that it be delivered within the United States, and it specified the particular nations that we were to aid. We leave it wide open, but the Senator's address explaining that joint resolution and the need for it, and the Senator's subsequent addresses in the days that followed, could be used today in behalf of the pending bill.

Hear what the Senator from Florida said on June 3:

The world condition has grown incalculably more dangerous to the security of the United States than it was. \* \* \* Where is it better to defend the United States? I say there is one place for defending the United States, and that is where the danger lies. That danger is in one place and one cause—in Europe and the cause is Adolf Hitler.

That language could be substituted for the language which has been used on the floor of the Senate with reference to this particular piece of legislation. If we accept that philosophy, of course we ought to be over in Europe, fighting at the present time, if we could land troops there.

The Senator from Florida went pretty far that day—pretty far for the state of mind then existing in the Senate; and when taken to task by other Senators as to whether he was not in fact working up a hysteria to involve this country in war he drew back and explained that he was only advocating aid "short of war." Has any one heard the Senator from Florida speak about aid "short of war" since November 5 has come and gone?

But listen to what the Senator from Florida said the next day, June 4. The

Senator from Florida returned to the war. He said:

I know he [Hitler] looks hungrily upon the bursting storehouse of the Western Hemisphere. \* \* \* That involves the necessity of our going beyond our own shores and building bases in other countries and along the shores of other nations, it involves placing our fleet not only in North America, but in Central and South America.

Again I congratulate the Senator from Florida for his foresight, because I say I do not know whom he consulted, whether it was a clairvoyant or some one else who gave him that inside information; but certainly I want to repeat in his presence what I said while he was out of the Chamber: If anybody is entitled to any credit upon the passage of this bill it is the Senator from Florida [Mr. PEPPER], because this bill puts in words and in exact style what he said, excepting that it goes further than what the Senator advocated in his speech on the floor and in his joint resolution. If I am wrong about that, I call upon the Senator to challenge me and state where in I am wrong.

Mr. CHANDLER. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. BROWN in the chair). Does the Senator from Montana yield to the Senator from Kentucky?

Mr. WHEELER. Yes.

Mr. CHANDLER. I do not want the Senator from Florida to get puffed up, because the Senator from Montana really said the Senator from Florida was used as a trial balloon, and he thought the Senator from Florida got the idea from somebody else.

Mr. WHEELER. I think the Senator from Kentucky will agree that the idea was not entirely his own; that the Senator from Florida worked it out in collaboration with others.

Mr. CHANDLER. I am willing to give him credit for it. Let us give him credit for it.

Mr. WHEELER. So am I. I am going to give him credit for it; but I am not going to take it away from the Senator from Florida and give any credit to the junior Senator from Kentucky.

Mr. CHANDLER. The junior Senator from Kentucky was not asking for any credit. I merely want the Senator from Florida to know that in his absence the Senator from Montana said he was a trial balloon.

Mr. WHEELER. No, no; I did not say he was a trial balloon.

Mr. CHANDLER. The Senator said he was used as a trial balloon.

Mr. WHEELER. No; I said the joint resolution was a trial balloon.

Mr. CHANDLER. The Senator said he was used as a trial balloon.

Mr. WHEELER. No; I did not say that, and the Senator cannot put those words in my mouth. I said the joint resolution was a trial balloon, and I still say it was a trial balloon; and I still say it was the administration's idea which has been made effective and written into this legislation.

Does not this language of the Senator from Florida sound strangely familiar



now? The safeguards to which the Senator refers are "short of war," and the fact that the President is an honorable man. That was the language he used. Of course, the first safeguard has been shunted aside; and, as for the second, when has a republic placed its security on so tenuous a thing as the good intentions of one man?

The Senator from Florida is not through yet, however. He tells us:

So I say to the citizenry of America that this is not a remote war.

I am quoting him.

It has already cost every man, woman, and child in America many dollars, and already the basis has been laid for costing many more.

Do Senators hear that last phrase—"already the basis has been laid for costing many more"? I wish to refer to what was said last June 4 by the Senator from Florida, who has been the official spokesman in this body for the administration on foreign policy; and I say that without any reflection on the Senator, but I do not think it is possible to come to any other conclusion than that he was the spokesman of the administration on this floor, because he advocated step by step and step by step what is now being urged. Either he was the spokesman for them, or they were following him. I do not care which conclusion is reached, one or the other must be accepted as the correct thesis. The Senator spoke on June 4, and told us that even then the basis had been laid for throwing a great additional burden of cost on the American people.

On June 5, the following day, the junior Senator from Florida was upset. That morning the Senate Foreign Relations Committee had met and voted 19 to 2 against taking favorable action on the Senator's resolution—the resolution I have just recently described. One of the two who voted for the resolution was the Senator from Florida himself—but 19 men in that committee, fearing involvement in war, rejected the proposed broad grant of power to the President only 6 short months ago. So the Senator from Florida was—I shall not say angry; he was baffled and hurt, and perhaps slightly upset, that only one other man in the committee was ready to involve America in the war. And so the Senator from Florida took the floor that afternoon and made a speech such as only the able Senator from Florida can make. He sounded then, on the floor of the Senate, the note which has been sounded since—he sought to rebunk the debunking of the first World War.

Are we so blind—

He shouted—

that we cannot see that this is our war.

A feeling had grown up in America, he declared, that America should have had nothing to do with the first World War. But, he added:

The wiser judgment of our country prevailed. The age-old sentiments of our people came to life again.

He did not say how they were brought to life—

America roused herself—

He added—

and went to war. Once again—

He asserted—

America is rousing herself and the Senators are callous.

What confuses me—

He plaintively admitted—

is that a stirring appeal from the American people can be so callously ignored.

But the Senate was deaf; it had not heard this stirring appeal from the American people, which only the Senator from Florida, in some mysterious way, had heard. It has not heard that stirring appeal yet, so far as I know. The Senator from Florida must have suddenly realized that perhaps he had gone too far, so he hastened to explain:

Everyone knows that I am an inconsequential Member of this body—

I do not agree with him—

of new tenure and little influence.

Again I do not agree with him. He continued:

I do not propose to offer leadership, but I do propose to be one voice from the country calling the American Senate to action that is characteristic of its great career.

The Senator from Florida was not going to offer leadership; after all, that was the province of the eminent Senator from Kentucky, who apparently up to that time did not have the information which only the Senator from Florida had. But the Senator from Florida proposed to continue to be the voice—he said the "voice from the country." May not Senators now fairly ask, "Whose voice?"

The next day, June 6, the Senator from Florida was back on his feet again. But by this time other Members of this body were roused; the statements of the Senator from Florida were bellicose, and some Senators proposed to ascertain whether the Senator advocated war. The able Senator from North Carolina [Mr. BAILEY] asked the Senator from Florida if he advocated an outright declaration of war. Said the Senator from North Carolina:

He [Senator PEPPER] is asking us manfully to take the responsibility and go to the rescue of the Allies. That, in my judgment, is nothing more or less than asking us to become active participants in the war; and if that is the issue \* \* \* let us debate it, but let us not make any mistake about it or any indirection about it. Men who are in possession of their senses ought at least to know what they are doing when they go about something which may get us into war.

As I pointed out a moment ago, there was nothing in the resolution offered by the Senator from Florida at that time which took us as far toward war as does the pending bill, because the pending bill authorizes what are plainly, to everyone who is familiar at all with the fundamental principles of international law, violations of international law, whereas the Senator's resolution provided that nothing should be done in violation of international law, but that everything short of war should be done.

The Senator from Florida, having been twice rebuffed by adverse votes in his own Senate Foreign Relations Committee, introduced a second resolution, a lit-

tle less broad than his first, but still proposing a wide grant of powers to enable the President to do about as he would please in aiding belligerents.

The Senator from Illinois [Mr. LUCAS] was disturbed about this proposed grant of power, a grant, mind you, which did not begin to encompass what is now proposed. The Senator from Illinois asked:

If we would not, as a Congress, divest ourselves of practically all authority to provide for an adequate national defense, and place the authority solely in the President of the United States to make the determination?

I see in the Chamber the Senator from Pennsylvania [Mr. GUFFEY], and I compliment him on his vote and his farsightedness at that time, because he was the only member of the Committee on Foreign Relations who voted with the Senator from Florida, and, as he will recall, they were somewhat ridiculed, if not publicly, at least privately, because of their statements and their votes. The same things which were being said by the Senator from Florida at that time are being said on the floor of the Senate at this time in exactly the same vigorous manner, and seconded by other Senators, just as the Senator from Pennsylvania seconded the Senator from Florida at that time.

I shall not burden the Senate further with this full-dress rehearsal for the weeks of debate we have just gone through. It makes interesting reading—and even more interesting speaking. I want to mention only one more thing. As this debate of 6 months ago drew to a close, the Senator from Florida really rose to great heights in an exhortation to the Senate that these great powers be given to the President. Listen to him:

I say that if we did what we ought to do, we could pass these bills—

Referring to his pending resolution to give the President power to lend or lease or sell our military matériel—

We could pass these bills in a few minutes—

Senators, hear that—

pass these bills in a few minutes—

Does that not have a familiar ring?—and the rest of our time would be taken with every Senator in his seat.

His heart throbbing with the excitement of the occasion, saying in unequivocal words to the President of this country, "We loose the shackles that restrain you. We tear down the restrictions that limit the reach of your strong and brave hands."

So, Mr. President, more than 6 months ago Congress was being asked to abdicate, to turn over to the President the powers which the Senator from Florida and the Senator from Pennsylvania thought he should have.

Cannot Senators understand it is not a question of trusting the President, be he Mr. Roosevelt or Mr. Jones? What is being advocated is an abdication of our whole form of government, it seems to me.

Thomas Jefferson said—and I call this to the attention of Senators, although I know that to speak of Thomas



Jefferson at this time is outmoded—Thomas Jefferson said:

Trust no man. Put your trust in the Lord.

Senators may contend, and I do not question their sincerity or good faith, that the pending bill is an abdication of legislative powers, but many Senators thought otherwise when the resolution of the Senator from Florida was before us, and events will prove, I believe, that the lend-lease bill is an abdication of power.

As a matter of fact, not one Senator alone but any number of Senators criticized the Senator from Florida, and stated in substance that what he was trying to do was to take this country into war. When some of us rise on the floor now and say that the pending bill seeks to take us into war and that the bill is a step toward war and will eventually take us into war, we are only saying what others of our colleagues said 6 months ago.

Mr. LEE. Mr. President, will the Senator yield?

Mr. WHEELER. I yield.

Mr. LEE. I should like to correct the Senator from Montana. I am not a member of the committee to which the Senator referred. The Senator will recall that I raised my voice, not once, but several times on the floor of the Senate, advocating aid to Britain as the best means of keeping America out of war, and I firmly believe that if we had given the power to the President then to aid Britain it would have increased America's chances to stay at peace, and I believe that every day we delay the passage of the pending measure we are increasing America's chances to be plunged into war.

Mr. WHEELER. I am glad to stand corrected, because I wish to give the Senator from Oklahoma due credit. He was another Senator who took leadership and tried to force upon us the foreign policy which the Foreign Relations Committee is trying to put through at the present time. He is another Senator who stood side by side with the Senator from Pennsylvania and the Senator from Florida. I certainly do not wish to detract anything from his share in the role that was taken by the other Senators. I congratulate the Senator from Oklahoma, I congratulate the Senator from Pennsylvania, and I congratulate the Senator from Florida on their vision, although I did not agree with them at that time. I stood with the other 93 Senators in this body saying that we should not get into war, and that we should not turn over to the President dictatorial powers. I stood with the leaders, and with the chairman of the Foreign Relations Committee, and the great majority of the Members of the Senate.

The Senator from Florida is very modest. He claims he is only a humble Member of the Senate and that he has no influence. I do not think so, let me say to the Senator from Florida, because not only have events proved that he was farsighted, but that he likewise had more influence in this body than all the other leaders or claimed leaders in the Senate of the United States.

Mr. President, when the Senator from Florida in the future rises and says that such and such is the foreign policy, his statement should be accepted by the Senate. We ought to know that although his policy might not be adopted immediately, it surely would be adopted in a comparatively short time, because we should know that when the Senator speaks he is either leading the administration or else he has advance information as to what the administration is thinking.

Mr. President, having paid this tribute to the Senator from Florida for his leadership in the conduct of our foreign affairs, I shall conclude by saying what I said before, that because of the confusion which exists in the minds of many Senators, and because of the Attorney General's rulings, and because of the interpretations which have been placed on certain legislation, we ought to be meticulous as to what we write into the pending legislation. If we are not in favor of sending American boys to Europe to fight on foreign soil, then we should have the intestinal stamina and courage to stand up and say so, and we should consider the question, not in the light of how a foreign nation will think about our action, but how it will affect America, American mothers, and the boys of America, and we should think of it in the light of the promises we made to the people of the United States in the last campaign.

Mr. PEPPER. Mr. President, my plea is nolo contendere. [Laughter.]

Mr. BARKLEY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Ellender	Murray
Aiken	George	Norris
Andrews	Gerry	Nye
Austin	Gillette	O'Mahoney
Bailey	Glass	Overton
Ball	Green	Pepper
Bankhead	Guffey	Radcliffe
Barbour	Gurney	Reed
Barkley	Harrison	Reynolds
Bilbo	Hatch	Russell
Bone	Hayden	Schwartz
Brewster	Herring	Sheppard
Bridges	Hill	Shipstead
Brooks	Holman	Smithers
Brown	Hughes	Smith
Bulow	Johnson, Calif.	Stewart
Bunker	Johnson, Colo.	Taft
Burton	Kilgore	Thomas, Idaho
Butler	La Follette	Thomas, Utah
Byrd	Langer	Tobey
Byrnes	Lee	Truman
Capper	Lodge	Tunnell
Caraway	Lucas	Tydings
Chandler	McCarran	Vandenberg
Chavez	McFarland	Van Nuys
Clark, Idaho	McKellar	Wallgren
Clark, Mo.	McNary	Walsh
Connally	Maloney	Wheeler
Danaher	Mead	White
Davis	Miller	Wiley
Downey	Murdock	Willis

The PRESIDING OFFICER. Ninety-three Senators having answered to their names, a quorum is present.

Mr. BARKLEY. Mr. President, the yeas and nays have already been ordered on the pending substitute. I do not wish to consume the time of the Senate in discussing it. I simply wish to refer to two effects that are sought to be ac-

complished by the substitute. The effect of the substitute or the substance of it has been debated here for days. It is an effort on the part of the Senator from California, and would be regarded as an effort on the part of the Senate, to bind the Appropriations Committees, and to bind the Congress in advance in respect to future appropriations for the armed forces of the United States. It is our belief that we cannot now anticipate what the conditions may be at the time the appropriations may be brought here by the Appropriations Committees.

It has always been customary for Congress to place such limitations on the appropriations as it saw fit, and when appropriations come in, if Congress sees fit to restrict the expenditure of money for any purpose under the conditions which exist at the time the Congress is asked to make the appropriations, it seems to me it would be time enough then to deal with that question.

We cannot now anticipate conditions which may exist when the appropriation bills come before Congress. Therefore it is unwise in this bill to try to put limitations and restrictions on appropriations which may be before us in the future, dealing with conditions which may then exist.

In addition, if the amendment should be adopted, and have any effect, if there should happen to be anywhere in the world under the command of the President any officer or enlisted man coming under the category named in the amendment of the Senator from California, he would have to be brought back to the United States, or be required to serve without pay. Certainly we do not wish in advance to say that hereafter Congress may not appropriate money to pay the salaries of even those who are in our land forces, no matter where they may be, under the command of the President of the United States.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. LUCAS. I regret that I did not hear the latter part of the statement just made by the Senator from Kentucky. It seemed to me to be rather important. Will the Senator repeat it for my benefit?

Mr. BARKLEY. The last statement I made was that, in addition to the fact that the amendment attempts to bind the hands of Congress and of the Appropriations Committee in the future in bringing in appropriations for the pay of land forces under conditions which we cannot now foresee, if it should be adopted and have any effect it would require the President to bring back to the territory of the United States, or to the Philippine Islands, or to other possessions of the United States any of our land forces from anywhere in the world where they might be stationed under his orders, or require such persons to serve without pay. We do not want to fix restrictions in advance in this bill which might make it necessary for members of the American Army, stationed anywhere the President, as Commander in Chief, thinks the interests of the American people require that they be stationed, either



to be brought back home or required to serve without pay.

Mr. WHEELER. Mr. President, at this time I send to the desk, and ask to have read, a dispatch to the Boston Transcript, dated Tuesday, March 4, by Helen Kirkpatrick, who represents the Chicago Daily News and the Boston Evening Transcript in London. The dispatch is dated London, March 4. It is brief, and I ask that it be read.

The PRESIDING OFFICER. Without objection, the dispatch will be read.

The legislative clerk read as follows:

[From the Boston Evening Transcript of March 4, 1941]

UNITED STATES MANPOWER IMPERATIVE TO BRITAIN, BUSINESSMEN SAY, OPPOSING OFFICIALS

(By Helen Kirkpatrick)

LONDON, March 4.—Britain needs American manpower. Without men as well as material, Britain cannot win this war.

That is the view (contrary to London's official position) expressed to me by key businessmen on a tour of the industrial Midlands, where despite war's devastation, life carries on courageously and production is not seriously curtailed, as yet.

One American businessman whose factories here and in the United States turn out important small parts said, "I don't think Britain can win without United States manpower. If we have decided that American interests demand German defeat, then our people at home are kidding themselves that any policy short of war will accomplish that."

And that is the general view expressed by every businessman you meet. On the production side these men are cheerful. Production has not been affected comparably to material damage, nor has U-boat warfare, so far, cut down essential supplies from the United States. Food is another question.

Mr. JOHNSON of California. Mr. President, first I wish to express my very deep thanks to the Senator from Kentucky for his tender solicitude for certain troops who may be at large at certain times and may have to be brought back to this country. I recognize the great hardship which would be imposed on them. There would be little we could do about it. It is a dreadful thing; but it speaks well for the heart of the Senator from Kentucky, which always beats in unison with that of humanity, to have him express today his deep regret that some men might be called back to this country because of the amendment.

As to the first objection he makes, the amendment is the conventional way, which has been followed during the 24 years I have been a Member of the Senate, by which to limit the activities of certain boards, individuals, or Government agencies. We cut the appropriation and leave it in such shape that it cannot be used for certain purposes. It is the conventional way which is used all the time.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. JOHNSON of California. I yield.

Mr. BARKLEY. Very frequently in the appropriation bills themselves we limit the scope of the expenditure.

Mr. JOHNSON of California. Yes.

Mr. BARKLEY. But it is not conventional or customary, in advance of an appropriation, to attempt to limit the

scope of an appropriation not yet before us.

Mr. JOHNSON of California. Yes; it is.

Mr. BARKLEY. It is customary to do it in the bill itself.

Mr. JOHNSON of California. It has been done many times in the manner provided in the amendment. As I recall, in the case of a bill having to do with troops in Nicaragua we were seeking to have the troops brought back home, and we took away the appropriation, or limited the appropriation in such fashion that the troops had to come back home.

Mr. President, the whole question presented here is, Do we want to send the boys of America over to Europe in Europe's war? That is the whole question. If we do, let us vote against this particular amendment. If we do not, let us vote for the amendment. I readily admit that if we so desire we have the power to send American boys to Europe where they will be blown to pieces. However, we have no moral right to do so.

That is the whole question. It is up to us.

Mr. BARKLEY. Mr. President, I do not wish to prolong the argument, and I do not wish to get into a controversy with the Senator from California; but I do not think the issue as stated by him is the issue before us.

Mr. JOHNSON of California. We shall not have any trouble over the issue.

Mr. BARKLEY. The Senator and I will not get into a personal argument.

The Senator stated that the issue in connection with his substitute is that those in favor of sending an army to Europe will vote against his substitute, and those who are against sending an army to Europe will vote for his substitute. That is not the issue. I say that with all due respect to the Senator. There is not a line or syllable or suggestion in the bill which we are now considering which even deals with sending an army to Europe, Asia, or anywhere else. The bill does not even deal with the subject. The point is that the Senator is undertaking to bind the future action of Congress and appropriations committees by stating the circumstances under which they may make appropriations.

Mr. JOHNSON of California. No.

Mr. BARKLEY. I contend that it will be time enough to deal with the appropriations when they are brought before us and Congress is asked to pass upon them. There is nothing in the bill which remotely squints at any violation of any promise that anybody in the United States has ever made, either in or outside the United States Senate; and a vote against the Senator's amendment is not a vote in violation of any promise anybody has made.

Mr. JOHNSON of California. Absolutely, it is.

Mr. BARKLEY. That is the Senator's opinion.

Mr. JOHNSON of California. That is my opinion; and the Senator's opinion is different.

Mr. BARKLEY. That is correct.

Mr. JOHNSON of California. Our intention is not to bind the hands of anybody on earth except one man—

Mr. BARKLEY. Oh, no. The Senator says:

Except in time of war—

Mr. JOHNSON of California. Yes.

Mr. BARKLEY. The amendment says:

Except in time of war, no funds heretofore or hereafter appropriated shall be available to compensate, maintain, supply, or equip (1) any officer or enlisted man—

And so forth.

Mr. JOHNSON of California. Exactly.

Mr. BARKLEY. The amendment undertakes to bind Congress in advance by saying that hereafter Congress may not appropriate money to compensate, maintain, supply, or equip any officer or enlisted man—

Mr. JOHNSON of California. But we are binding them when? In time of peace, and not in time of war.

Mr. BARKLEY. Congress may deal with each appropriation as it arises.

Mr. JOHNSON of California. We deal with appropriations when they arise. It does not make any difference whether we deal with them one day, or whether we deal with them the next day.

I repeat, the question is, Will we send our boys, or assent to the sending of our boys, to Europe to embark in Europe's war?

SEVERAL SENATORS. Vote! Vote!

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from California [Mr. JOHNSON] in the nature of a substitute for the amendment of the Senator from Louisiana [Mr. ELLENDER], as modified. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The Chief Clerk called the roll.

Mr. HILL. I announce that the Senator from New York [Mr. WAGNER] is unavoidably detained from the Senate. He has a pair with the Senator from Kansas [Mr. REED] who is also unavoidably detained. I am advised that if present and voting the Senator from New York would vote "nay," and the Senator from Kansas would vote "yea."

The Senator from Oklahoma [Mr. THOMAS] and the Senator from Utah [Mr. THOMAS] are unavoidably detained. I have been requested to announce that if present and voting, they would vote "nay."

The result was announced—yeas 35, nays 56, as follows:

#### YEAS—35

Adams	Davis	Nye
Aiken	Gillette	Reynolds
Barbour	Gurney	Shipstead
Bone	Holman	Taft
Brooks	Johnson, Calif.	Thomas, Idaho
Bulow	Johnson, Colo.	Tobey
Burton	La Follette	Vandenberg
Butler	Langer	Walsh
Capper	Lodge	Wheeler
Clark, Idaho	Lucas	Wiley
Clark, Mo.	McCarran	Willis
Danaher	McNary	

#### NAYS—56

Andrews	Brewster	Chandler
Austin	Bridges	Chavez
Bailey	Brown	Connally
Ball	Bunker	Downey
Bankhead	Byrd	Ellender
Barkley	Byrnes	George
Bilbo	Caraway	Gerry



Glass  
Green  
Guffey  
Harrison  
Hatch  
Hayden  
Herring  
Hill  
Hughes  
Kilgore  
Lee  
McFarland

McKellar  
Maloney  
Mead  
Miller  
Murdock  
Murray  
Norris  
O'Mahoney  
Overton  
Pepper  
Radcliffe  
Russell

Schwartz  
Sheppard  
Smathers  
Smith  
Stewart  
Truman  
Tunnell  
Tydings  
Van Nuys  
Wallgren  
White

#### NOT VOTING—4

Reed  
Thomas, Okla. Thomas, Utah Wagner

So the amendment of Mr. JOHNSON of California in the nature of a substitute for Mr. ELLENDER's amendment, as modified, was rejected.

Mr. TAFT, Mr. BARKLEY, and Mr. MALONEY addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Ohio.

Mr. TAFT. Mr. President, I offer an amendment, which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. At the end of the bill it is proposed to add the following new section:

SEC. —. Nothing contained in this act shall be deemed to confer any additional powers to authorize the employment or use of persons in the land or naval forces of the United States at any place beyond the limits of the Western Hemisphere, except in the Territories and possessions of the United States, including the Philippine Islands.

Mr. GEORGE. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Georgia?

Mr. TAFT. I yield.

Mr. GEORGE. I rise to make a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. GEORGE. I inquire whether the amendment offered by the Senator from Ohio [Mr. TAFT] is intended to be in the nature of a substitute.

The PRESIDING OFFICER. The Senator from Georgia has made a parliamentary inquiry as to whether the amendment offered by the Senator from Ohio [Mr. TAFT] is intended to be in the nature of a substitute.

Mr. TAFT. Mr. President, I am explaining. I am offering as a substitute for the Ellender amendment, which is now before the Senate, the Ellender amendment which was before the Senate day before yesterday. It seems to me that at that time we had a perfectly definite issue. There has been some talk about delay. If the Senate had been given an opportunity to vote on that question, we should have had this amendment out of the way at least 24 hours sooner. Apparently the leaders are unwilling to permit that question to be voted upon if they can help it. I believe that the Senate has the right to pass on the question which was originally presented. No one can possibly think that the amendment now before the Senate is by any chance the same amendment that was first offered and debated day before yesterday.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. ELLENDER. Will the Senator point out the difference between the two amendments from the legal standpoint—not from the policy-making standpoint, but from the legal standpoint? Do they not mean the same thing?

Mr. TAFT. The amendment which is now before the Senate is not at all clear to me. The amendment says:

Nothing in this act shall be construed to change existing law relating to the use of the land and naval forces of the United States—

I do not know what the existing law is. Of course, the President has some constitutional rights; but whether the amendment is intended to affect those, I do not know—

except insofar as such use relates to the manufacture, procurement, and repair of defense articles, the communication of information, and other noncombatant purposes enumerated in this act.

Let me say to the Members of the Senate that I do not think that language means anything. What the amendment says is that—

Nothing in this act shall be construed to change existing law \* \* \* except insofar as such use—

of land and naval forces relates to this law. Certainly, when we say—

and other noncombatant purposes enumerated in this act—

We mean every other purpose enumerated in the act.

I do not suppose that the proponents of the bill claim that there are any combatant purposes; so the language means all other purposes. All the amendment does, therefore, is to say that nothing shall be construed to authorize the use of the land and naval forces of the United States except insofar as the provisions of the bill may authorize them. In other words, it does not mean anything; the last clause absolutely contradicts the first clause; but it seems to me the amendment presented by the Senator yesterday does mean something.

I voted for the amendment of the Senator from California [Mr. JOHNSON]. I think it presents the issue better. I think that amendment would absolutely prohibit the use of the land and naval forces, and it would carry out better the desired purpose. But the Ellender amendment does something. It does lay down a congressional policy; it does say to the President, "No matter how you may use the powers contained in this bill, you shall always use them having in mind the fact that you shall not end up by sending the land and naval forces of the United States outside the Western Hemisphere." That is a declaration of policy that anybody can understand.

The new Ellender amendment has eliminated all reference to the Western Hemisphere; and, for all practical purposes, nobody who reads that amendment in the newspapers will think that we have made any declaration whatever about the use of the land and naval forces of the United States.

Mr. ADAMS. Mr. President—

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Colorado?

Mr. TAFT. I yield for a question.

Mr. ADAMS. I will try to confine myself within the bounds of the question. The Senator, as I understand, is presenting the original Ellender amendment without change?

Mr. TAFT. That is correct.

Mr. ADAMS. I should like to inquire if it would not improve the amendment to eliminate the word "additional." I do not have the language of the amendment before me, but I think by the use of the word "additional" there is an implication of the existence of powers on the part of the administration to take the land and naval forces abroad. The amendment the Senator has offered provides that this bill shall not be deemed to confer any "additional powers." It seems to me what should be said is that this bill shall not confer "any power."

Mr. TAFT. There are two answers to that. My observation during the last few days has been that Senators who have accepted amendments to their amendments or substitutes have made mistakes; have made them worse than they were in the beginning, and have confused other Senators. In the second place, I admit that the President has some power to send American naval vessels outside the Western Hemisphere. He may send them to various places in the world, and no doubt there are naval vessels in foreign waters now. In other words, I would rather omit the word "additional," but leaving it in does not imply anything except that he now has the power, perhaps, to send some naval vessels to some ports of the world; and I have no doubt he has that power, and has done so.

There has been some criticism of the demand that the powers of the President under this bill should be limited; there has been criticism of the large number of amendments offered, criticism about quibbling on this word and quibbling on that word. This bill was pictured yesterday by the learned Senator from Georgia as just a little bill to lend money and coordinate purchasing, and nothing else. If this bill had been that, there never would have been this debate; it would have been passed long ago.

I do not know who drew the bill, but I say that it is most ingeniously drawn to give every power possible to the President to carry on and assist other nations in carrying on the war against Germany. As originally presented, it was so broad that had it passed, in my opinion, the Congress would have surrendered all further powers to have anything whatsoever to say on the subject of foreign policy. Under the terms of the bill the President could, without ratification by the Senate, make any treaty or agreement with any country in the world; he could make any kind of a deal to give them this or that article which we own in consideration of some promise of theirs—and that is what a treaty is. Under this bill, as originally drawn, I say he could make any treaty he desired with any nation in the world without further congressional approval.

The man who was smart enough to draw that kind of a bill knew what he was doing. No one who is so skillful as



that would have used the broad words "transfer," "facility," "otherwise procure" unless he intended them to mean what they do actually mean, and unless he intended to give the broadest possible construction to those words.

The reason for the vast number of amendments to the bill is the tremendously broad powers given by the bill. No one ever thought before of having our Government give orders for foreign governments. No one ever thought before of giving the President the power to back any nation in the world against any other nation in the world with American goods and American money. Under this bill the President could back Bolivia against Paraguay if he wanted to, on the ground that there was something of a Fascist tendency in the government of Paraguay. Nobody ever thought before of providing a method by which we would hold indefinitely title to American goods while they were used in a war in Europe. No one has ever thought before of drafting a law that would permit the mixing of our fleet with the British Fleet or any other fleet, and loaning our vessels right and left as the Commander in Chief might want to do at a particular moment.

No one ever thought before of drawing a bill that provided that money appropriated for one purpose may be used for an entirely different purpose; that money appropriated for our Army may be used for the British Army. No one ever thought before of financing other nations by buying goods for them in all sections of the world.

I say that the amendments already adopted show that the bill as drawn was subject to criticism. It was drawn with the widest possible powers, drawn in a way of which anyone ought to be ashamed, if he has already seen the amendments we have adopted. We have put an end to the power of appropriation indirectly to the American Army, to the complete blank check which the bill originally provided. We have adopted an amendment providing a definite method of valuing American goods which are going to be given away. We adopted, with the approval of the committee, an amendment prohibiting convoys; we have adopted an amendment which admits that under the original bill American ships carrying American munitions could have gone right through war zones. We adopted an amendment which provides that they cannot go into war zones. We have not adopted any amendment providing they cannot go to belligerent countries, and, unless we do adopt such an amendment, American ships will carry munitions of war to foreign countries. I say that if the man who drew this bill merely wanted a little bill to loan money and coordinate purchasing, why did he not do just that, instead of inventing unheard-of powers? Then we would not have had any trouble in passing it.

I do not take so much stock in the dictatorship suggestion as applied to our domestic affairs, but I do say that this bill as originally drawn, unless further amended, gives absolutely unlimited power to the President to manage foreign affairs of the United States, to make

treaties with other nations, and supersede all the powers over foreign affairs given to the Senate of the United States.

As a matter of fact, does the bill do those little things which it was supposed to do? Does it, in fact, coordinate the purchasing? If coordination of purchasing is desirable, why have we not coordinated the purchasing of 24 Government departments and agencies? We have not coordinated the purchasing for the Army and the Navy. Only this morning appeared the report of the Temporary National Economic Committee. They say an examination of purchase orders for 45 different Federal agencies shows "little regard for opportune timing" in making the purchases "with probable substantial losses to the Government" in individual instances. We are not making our Army buy through our Navy; we are not coordinating our own purchases. It is said that some foreign governments are buying here. As a matter of fact, there is only one government today that is doing any buying that amounts to anything and which cannot be handled in the normal course by private enterprise, and that is the British Government. This bill intends to put British purchasing under our Army and our Navy, or give it to Harry Hopkins. If it intends to put British purchasing under our Army and our Navy, then it will take England 60 days longer to order anything, to get any contracts for the things the British want. If the British have to go through the red tape in our War Department, they will not improve their condition. The British Purchasing Commission would far rather buy directly from American manufacturers. Or else the administration of the bill is to be put under Harry Hopkins. As far as we can judge, he is to be the administrator of the bill; and instead of cutting down the number of purchasing agencies, all we shall do will be to add another. Instead of the Army buying for the Army, and the Navy buying for the Navy, and the British buying for themselves, we propose to have our Army buying for the Army, and our Navy buying for the Navy, and Harry Hopkins buying for the British. We shall have just as many purchasing agencies.

As a matter of fact, Mr. President, I think the best authorities will tell us that there should not be coordinated purchasing. What we want is coordination of control, coordination of priorities, a coordinating body that will build up productive capacity, that will see that the plants are there to manufacture the things that are needed. We had a War Industries Board; and I think everybody recognizes that during the World War, when we finally got a board with one man at the head of it—Mr. Baruch was the head of it—that was as good a system as we could have. Did Mr. Baruch do any purchasing? Not to the extent of 1 cent. All he did was to coordinate the purchasing of the Army and the Navy and the other different Government Departments, and the British and the French, to assign priorities, and to see that they got what they wanted. As a matter of fact, this bill does not coordinate purchasing.

Yesterday the Senator from Georgia [Mr. GEORGE] said:

In the bill we seek to give to the President, through his executive officers, the powers to funnel the whole effort in our plants, our factories, our fields, our mines, and our forests through one executive channel or agency. That is only plain business judgment.

But this bill does not channel the whole effort through one agency.

The British cannot do anything today without going to the O. P. M. If that statement refers to the O. P. M., they already have full power over the British purchasing. I talked yesterday to a manufacturer of machine guns in New Haven who was offered a British order, and he came down and asked the O. P. M. about it, and they said, "No; we need your facilities." Later on they released him to the British, and assigned that particular order to the British.

We are coordinating British purchasing today. They have a commission here in Washington. They are just as anxious to comply with the O. P. M.'s views as Harry Hopkins is going to be when he is appointed to do the British purchasing.

I say the whole theory that this bill in any way provides a coordinated system of purchasing is a complete mistake. We already have power to coordinate the purchasing by other agencies. As far as priorities are concerned, in the bill we passed last year—the act to expedite the national defense—it is provided that all naval contracts or orders, and all Army contracts and orders, shall, at the discretion of the President, take priority over all deliveries for private account or for export. That power has been exercised; and the only thing that has interfered with any British priority is the President's order for priorities for our own Army and our own Navy. If that priority section is not quite broad enough, the addition of about two words would make it just as effective as it could possibly be.

I say the bill does not carry out the very thing that is supposed to be one of the purposes of the bill.

In the second place, the bill is apparently entirely unnecessary to give surplus American material to Great Britain. Only yesterday the Senator from Georgia [Mr. GEORGE] said:

He [the President] had given ships to Great Britain, or sold them. He had sold airplanes to Great Britain. He had traded 50 destroyers—war vessels if you please—to Great Britain. After Dunkerque he gave or sold to Great Britain 800,000 rifles and other arms and munitions.

If the President had power to do that after Dunkerque, he has power to do it today. We do not need this bill to give him power to transfer surplus American materials to England. He can do that under existing law. Of course, in the case of the Army, he does have to get the certificate of the Chief of Staff that it is surplus material, that we do not need it for our own defense, or, in the case of the Navy, the certificate of the Chief of Naval Operations; and if this bill goes through, he will not have to get that certificate; but that is the only difference between



the disposition of surplus materials without this bill and the disposition of surplus materials with this bill.

As a matter of fact, the only thing that Britain really asked for was credit. Secretary Morgenthau, in his testimony, said this:

What the British Treasury does is simply this: \* \* \* The late British Ambassador, Lord Lothian, was the man who made the first announcement as to their needs, and simply put at our disposal the cold, hard facts—they are not in any way hysterical about it, but they simply say: "Gentlemen, here are the facts as to the amount of dollars that we can raise; and we do not want to place orders in this country that we cannot pay for; and we have reached the limit of our dollar resources. But we are desirous of placing additional orders, because this is the only place that we can come to, as we can no longer get supplies from France."

The only thing Lord Lothian asked for was credit so that he could buy the things he wanted in the United States. We could give that credit by a simple joint resolution. We could pass it here this afternoon in this body without a single dissenting vote.

No; the trouble is that the concept behind this bill—and the man who drew this bill had that larger concept—was something very different from just the procurement of the matériel, the coordination of purchasing, or the extension of credit. This bill is intended to give the President of the United States the right to carry on an undeclared war against Hitler through all the countries in the world that we can subsidize, through all the countries that we can undertake to buy to go out and fight Mr. Hitler. It would even permit the President to direct the carrying on of wars or stimulate wars in other parts of the world. If this bill is passed the Senate will surrender all treaty-making power, because any agreement in the world can be made under the bill.

The bill, for instance, would permit the President, as I see it, to set up bases of American supplies in Singapore, or in Gibraltar, or in Egypt, or in England itself. So long as the lease-lend provision remains in the bill it means that he can retain the title in the United States in violation of the Neutrality Act.

A question came up today as to whether or not taking out the word "transfer" means that American goods cannot be delivered in England or any other country. It seems to me perfectly obvious that if we give power to sell, we give power to deliver. I do not see anything that will prevent the United States delivering things they sell in England under this bill just as much as in the United States. Why not? We have superseded the Neutrality Act. Look at the next word after "transfer"—"exchange"—power to exchange. If we exchange our property for British property, is it not just as reasonable to exchange it in England as it is to exchange it in the United States?

Look at section 8 of the bill. Section 8 of the bill says:

The Secretaries of War and of the Navy are hereby authorized to purchase or otherwise acquire arms, ammunition, and implements of war produced within the jurisdiction of any country to which section 3 is applicable,

whenever the President deems such purchase or acquisition to be necessary in the interests of the defense of the United States.

We can buy goods in Australia, and we can ship them in our ships to England. We can even buy them in England. Certainly, if we can buy English goods in England, we can deliver our own goods in England. There is not any restriction whatever on the power of the United States under the bill to take American goods to England or anywhere else in the world, and set up American bases containing tanks and all kinds of equipment, and dish that equipment out to the Greeks, or to the Turks, or to the British themselves, just as we might be willing to sanction this little expedition or that expedition to Africa, or Asia, or Australia, or some other part of the world.

Of course, under the lease-lend bill we would retain title even after we delivered the goods, but we can certainly retain possession until the very last moment when we are prepared to carry out finally the act of lending.

As an example, suppose when we get through here we send a portion of the fleet to Gibraltar. That is a fairly reasonable thing, under this bill. We may want to lend the British destroyers. We may want the destroyers to be right where they will be useful. It will be a very reasonable thing, if this bill shall be passed, for the President to send 20 destroyers to Gibraltar, and let them lie in the harbor there, teach the British how to use those destroyers, and whenever a British destroyer is damaged in any way and has to be laid up for a week, turn over one of our destroyers. It merely proves that the bill itself contemplates that goods can be taken out of this country, can be taken to England or somewhere else, and loaned at those points.

American war goods can move across the ocean in American boats to belligerent countries, if this bill is passed, subject only to the war-zone limitation in our amendment, and that, of course, can be changed by the President at will. For practical purposes we might send our fleet to Singapore, and although the fleet is not supposed to go out from Singapore and actually fight the Japanese, the knowledge that it is there in combination with the British, the fact that at any moment any boat may be loaned to the British and taken by them out to battle against the Japanese, certainly is a clear implication of the pending bill. Constantly there are rumors that parts of our fleet are on the way to Singapore.

The bill certainly authorizes the British Fleet to use our ports as bases for their operations. Traditionally that has always been looked upon as an act of war. We collected damages from Great Britain in the Alabama case because they did just exactly that to us.

The Neutrality Act is repealed, in fact, and we are in fact authorizing the President to make war if he desires to do so. Above all, we are giving him power to sit back and run this war, to decide how the British can run it, to decide whether he will give them material to go on and fight for another month, or whether he will force them to make peace. We are giving him the power to be the great

protagonist of all the anti-Hitler forces in the world, to run the war as he chooses to run it.

I say we cannot do that long and stay out of physical combat. It makes it our war. Our people feel that if it is our war, why should we not go the whole limit and use our men as well as our materials. If we are justified in giving the President powers of that kind, then in substance we are making it our war. I say the proponents of the bill are in an utterly inconsistent position. Protesting that they have no intention of going to war, they threaten us with Hitler. They assert we cannot possibly maintain our way of life if the philosophy of Mr. Hitler prevails. They list the countries overrun by Mr. Hitler, and suggest that we are next. Of course that is an argument for war, but at the same time they protest that they have not the slightest intention of sending armed forces abroad, although they refuse to say so in so many words in the bill.

The distinguished Senator from Georgia asked yesterday why we voted \$13,000,000,000 of the taxpayers' money for the defense of this Nation except upon the theory that we faced an unparalleled condition. I say we voted it for the defense of the United States. The real difference between the draftsman of the pending bill and those of us who oppose it is this: Where shall that defense take place? Shall it take place on the Atlantic and Pacific Oceans, or shall it take place in the English Channel?

I favor the defense on the oceans, because I think we can make our force sufficiently strong so that while we are defending that line no one, not Hitler himself, will dare attack us across those oceans, and we shall insure our peace. I say if we adopt the other policy, if we say that the British Channel is our frontier, if we say we cannot permit anyone, Hitler or anyone else, to have complete control of all Europe, then we will be in war the rest of our lives. We will be assuming the position the English had to take for many years. We will have to maintain the balance of power in Europe. We will have forever to defend the British Isles, across a very narrow vulnerable channel some 13 miles wide. We will have forever a vulnerable position, inviting attack from the continent, just as the Philippines make us vulnerable in the Far East.

Mr. President, I say that the course of going to war, the course of intervening in the European war, is a course which in the end is vain. We cannot war against philosophies, we cannot war against religions and "isms." War will kill democracy not save it. This policy really is a policy of manifest destiny about which we heard in the Spanish War time, the policy that we should go out and run the world. Either we are not going to send troops, in which case the war is certainly a deadlock, in which case Hitler is certainly going to remain the dominating factor in Europe, in which case we will have all the dangerous results of such a complete domination of Europe; or we are going to Europe, and when we get there, we are going to have to send our men and police Europe.



Are we going to leave an army of occupation in Germany, or are we to get out and let them do again what they have done in the past 20 years? Are we going to involve ourselves perpetually in European policy? Our policy should be to defend the Atlantic and Pacific Oceans.

I shall vote against the bill, and the more votes there are against the bill, to some extent, the better I like it. But this matter of getting into war is a question of degree. We have gone beyond the neutrality stage. We are doing various things which might get us into war. I do not think any of the things we are doing now will get us into war, but I know that if we go to the full extent this bill provides, we will be in war. If Mr. Hitler comes to think we have shot our bolt and done everything we can, I think he is going to be more inclined to go to war in order to get Japan in, and so to divert our attention from aid to Britain.

I think that if we went the whole way we could go under this bill, we would most certainly get into the war, although I wish to make it clear that the bill itself does not make war. The bill merely gives the President the power to make war. I think the President still is going to accord largely with what public opinion is, and I think when we lay down this new policy it is perfectly proper that we should say, "Now, here is a policy which is dangerous. We have restricted many of the things which might get us into war, and we want you to understand that nothing in this policy we are establishing, strange as it is, extreme as it is—unsound as I think it is—there is nothing in this policy which finally is intended by us to lead to the landing of troops on European soil."

I think if we say that, the President's whole policy, and the powers he is going to exercise under this bill, are going to be restricted by that declaration of policy.

As a matter of fact, the Senator from Georgia stated very well my theory of the President's power. He said:

My view of it has been, without any attempt to indicate all the limitations which must be kept in mind, that generally speaking the President may send the Army and the Navy to protect American rights, American property, and the lives of American citizens. That contemplates, in my judgment, primarily, defensive action and not offensive action.

Mr. President, that is a distinction which I believe to be a sound distinction. The President could not today send the Army or Navy to Germany and land the Army in Germany to make aggressive war. That would be beyond his constitutional power. But he has the power to defend America. I say that in this bill we are laying down a great new policy, that if the President says it, the defense of Britain becomes the defense of the United States. We give him that power. We provide that he can say that the defense of Britain is our defense, and he can give the British all our Army and our Navy and everything they want to carry out that defense. I say it follows from that that the President's constitutional power is expanded so that it

may well be argued—and certainly the present Attorney General could well argue—that the President's power is expanded so that he could land troops in the protection of British interests, as well as in the protection of American interests.

I do not think that today the President could land a regiment of troops at Gibraltar, in the midst of a war. There is no reason for such landing. I think it would be beyond his constitutional power. But once this bill is enacted, I say he could land a regiment of troops in Gibraltar. He would be aiding in the defense of Britain. He would be saying that the defense of Britain is the defense of the United States. His constitutional powers are expanded, not by the express terms of the bill but by the whole policy laid down in the bill, and I say we can accomplish a legal restriction of his constitutional powers if we say, "In adopting this policy we do not intend to expand your constitutional powers to send men to the defense of Britain."

The Ellender amendment, as originally presented, is a declaration of policy—is a declaration of policy which is as important as anything we can do to assure what every Senator here says he wants—that this bill shall be a bill to aid Britain—short of war.

Mr. BARKLEY. Mr. President, I do not intend to thresh out old straw that has already become somewhat weather-beaten. I merely wish to say, speaking for the committee and for the supporters of the bill generally, including the Senator from Louisiana [Mr. ELLENDER], who offered the original amendment, that I hope the substitute offered by the Senator from Ohio will be rejected, and that thereafter the Ellender amendment, as now presented to the Senate, will be adopted. [Cries of "Vote!" "Vote!" "Vote!"]

Mr. TAFT asked for the yeas and nays.

The yeas and nays were ordered.

Mr. ELLENDER. Mr. President, I desire to detain the Senate for not more than 2 or 3 minutes. The main object I had in mind when I first offered my amendment was to allay the fears of the mothers of this country. I feel certain that the substitute amendment which I have offered to my original amendment will accomplish that very thing. It has been said by a certain group in the Senate that the bill will lead us to war. Another group says it will keep us at peace. If it means war, our armed forces would have to be put to use. So as to remove that possibility under the bill as written, I have provided by my substitute amendment that nothing in this act shall be construed to change existing law relating to the use of the land and naval forces of the United States except under specific conditions, enumerated therein. Our troops could not be sent anywhere to fight unless the President now has the power to do so. Neither my original amendment nor the substitute therefor seeks to withdraw or curtail such powers as the President can now exercise.

Mr. NORRIS. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. NORRIS. I was one of the Senators who was anxious to support the first amendment which the Senator from Louisiana offered. The Senator now says that one of the objects he had in mind was particularly to allay the fears of the mothers of the country, who thought that this measure was in reality a declaration of war. Now the Senator says that he has not changed the legal effect of the language. Has he not changed it, however, so that those mothers whose fears he wanted to allay will not be able to understand it, even though its legal effect is the same? Does the Senator expect the mothers of the country to analyze the legal effect? For argument's sake let us admit the legal effect is the same. The Senator says he wanted to allay the fears of the mothers of the country but it seems to me he has left out of his substitute amendment the very thing contained in his original amendment which would set their fears at rest.

Mr. ELLENDER. I am convinced that the pending amendment will have the same effect as the original amendment. As I have just indicated, if the bill is a war measure, as has been advanced by some, the President will be unable to send troops abroad unless he now has the power under existing law, if my amendment is adopted. The only difference is that the original amendment presents, in a measure, a declaration of policy.

My original amendment recognized existing powers in the President and provided that the pending bill must not be construed as conferring upon him the right to employ or use persons in the land or naval forces of the United States. The modified amendment provides that nothing in the bill shall be construed to change existing laws relating to the use of the land and naval forces of the United States except under certain exceptions that are specified. These exceptions are necessary because we propose to manufacture defense articles for foreign governments in Government-owned arsenals. Under existing laws men of our naval and land forces are employed in those arsenals, hence the exception. In like manner are the other exceptions made necessary. I believe that the amendment makes it plain that troops cannot be sent abroad; that is, the bill cannot be construed to give the President such a power.

Mr. NORRIS. Mr. President, will the Senator yield further?

Mr. ELLENDER. Yes.

Mr. NORRIS. Technically that may all be true, but what is exciting the minds of those whose fears the Senator wants to set at rest is the fact that under the bill the President could send our armed forces into foreign countries, and the Senator provided in the original amendment that nothing in this act should be construed to give the President that authority. That would have meant something to those people who were afraid, even though they were erroneously frightened.

Mr. ELLENDER. The substitute carries almost exactly the same language and means the same thing as I have tried to explain.



Mr. NORRIS. I know, but it is in legal terms, and not in terms which the people for whose benefit the Senator offered it will understand. The Senator took out of it the very language that would be perfectly plain to them. The Senator says it did not change the legal effect any, but I think the Senator has taken away the virtue of his amendment.

Mr. ELLENDER. What I also had in mind was to make it a reality, and I am convinced that my present amendment will have the very effect I intended.

Mr. NORRIS. I admit for argument's sake that its legal effect is just the same; that is what the Senator wants to say, as I understand.

Mr. ELLENDER. Yes.

Mr. NORRIS. But he has taken out the expression that would be so readily understood by the millions of people who believe this bill gives the President the authority to send our troops abroad, which the Senator does not claim is in the bill, and neither do I. But there are some who do make that claim. The Senator wanted to allay the fears, particularly of mothers who honestly believe that this is a war measure, and the Senator placed language in his original amendment which readily told them so they could thoroughly understand that that was not to be the object of the bill.

Mr. ELLENDER. The amendment makes it certain that the President shall have no right to send troops abroad under the pending bill. That should give assurance that it is a material-aid bill and that the sending of troops abroad cannot be accomplished.

SEVERAL SENATORS. Vote! Vote! Vote!

Mr. ELLENDER. Mr. President, judging from the tempo of Senators they are not desirous of hearing more from me, and I would judge that they are ready to vote.

Mr. CLARK of Missouri. Mr. President, I desire to say only a word. I am in a somewhat embarrassing position with regard to voting on the pending substitute, which is the original Ellender amendment now proposed as a substitute for the pending Ellender amendment. I say that I am in a somewhat embarrassing position, as I think some other Senators are, for the reason that I had intended to vote against the original Ellender amendment before the present Ellender amendment was substituted for it, because I knew that it was a fraud on the American people, because I knew that the Ellender amendment did not actually mean anything, that it would not bring about any protection, and would not relieve the fears of the American people, and we might get in the war either by convoying ships or by sending American troops overseas.

Since I had intended to vote against the original Ellender amendment, I have had some qualms about voting for it as a substitute for the present Ellender amendment. A rereading of the present Ellender amendment leads me to believe that it is as negative and as bad as was the original, which is still preferable to the Ellender amendment in its present form. While the original Ellender amendment was misleading to the American people, it did not achieve

any actual damage. To my mind the Ellender amendment in its present form does actual damage.

Therefore I have no hesitation in saying that little as I thought of the original Ellender amendment, I think the present Ellender amendment is infinitely worse.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. CLARK of Missouri. I yield.

Mr. ELLENDER. I feel that the amendment as it is now before the Senate has an excellent chance of passage; and I am convinced that the same legal effect which was intended for the amendment in its original form will result from the substitute which I sent to the desk yesterday. And I may further add that no one has challenged that statement.

SEVERAL SENATORS. Vote! Vote!

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Ohio [Mr. TAFT] in the nature of a substitute for the amendment of the Senator from Louisiana [Mr. ELLENDER], as modified. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The Chief Clerk called the roll.

Mr. HILL. The Senator from Oklahoma [Mr. THOMAS], the Senator from South Carolina [Mr. SMITH], the Senator from Washington [Mr. BONE], and the Senator from New York [Mr. WAGNER] are unavoidably detained.

The Senator from South Carolina [Mr. SMITH] is paired with the Senator from Oklahoma [Mr. THOMAS]. The Senator from Kansas [Mr. REED], who is necessarily absent, is paired with the Senator from New York [Mr. WAGNER]. I am advised that if present and voting, the Senator from South Carolina and the Senator from Kansas would vote "yea," and the Senator from Oklahoma and the Senator from New York would vote "nay."

Mr. ELLENDER. My colleague [Mr. OVERTON] has been called from the Chamber on official business. I am advised that if he were present and voting he would vote "nay."

The result was announced—yeas 38, nays 51, as follows:

#### YEAS—38

Adams	Davis	Nye
Aiken	Gerry	Reynolds
Barbour	Gillette	Shipstead
Brewster	Gurney	Taft
Bridges	Holman	Thomas, Idaho
Brooks	Johnson, Calif.	Tobey
Bulow	Johnson, Colo.	Vandenberg
Burton	La Follette	Walsh
Butler	Langer	Wheeler
Byrd	Lodge	White
Capper	Lucas	Wiley
Clark, Mo.	McCarran	Willis
Danaher	McNary	

#### NAYS—51

Andrews	George	Murdock
Austin	Glass	Murray
Bailey	Green	Norris
Ball	Guffey	O'Mahoney
Bankhead	Harrison	Pepper
Barkley	Hatch	Radcliffe
Bilbo	Hayden	Russell
Brown	Herring	Schwartz
Bunker	Hill	Sheppard
Byrnes	Hughes	Smathers
Caraway	Kilgore	Stewart
Chandler	Lee	Thomas, Utah
Chavez	McFarland	Truman
Clark, Idaho	McKellar	Tunnell
Connally	Maloney	Tydings
Downey	Mead	Van Nuys
Ellender	Miller	Wallgren

#### NOT VOTING—6

Bone	Reed	Thomas, Okla.
Overtton	Smith	Wagner

So Mr. TAFT's amendment in the nature of a substitute for Mr. ELLENDER's amendment, as modified, was rejected.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Louisiana [Mr. ELLENDER], as modified.

Mr. NORRIS. Mr. President, I offer a substitute for the pending amendment, and ask that it be stated.

The PRESIDING OFFICER. The clerk will state the amendment.

The LEGISLATIVE CLERK. Mr. NORRIS offers the following substitute for the pending amendment:

Nothing in this act shall be construed to authorize the President, without the consent of Congress, to send the armed forces of the United States to fight on foreign soil.

Mr. NORRIS. Mr. President, I was one of the Senators who were anxious to vote for the so-called Ellender amendment as it was originally presented. I know it is said—and probably it is true—that legally, in a technical sense, it would not change anything. The same thing may be said, I think, of the substitute which I have offered. Ordinarily, I would not vote for a proviso such as I have now presented to the Senate; and I will vote for it only because of the extraordinary circumstances and conditions which I think now exist.

I may be foolish in being affected by those conditions. It may seem almost silly when I confess, to begin with, that I offer an amendment that does not change the legal effect of the measure. I am inclined to think that is true, although there are others, wiser than I, who do not agree with me regarding that matter.

There is nothing in the original bill, as I understand, that has anything to do with the sending of troops by the President into foreign countries. That is not authorized by the bill; but, Mr. President, there are a great many persons in the United States, just as patriotic as we are, just as honest as we are, who think the bill is a war measure. I do not agree with them. I do not think it is. I do not think it will bring us into war. I have so argued publicly. I am conscientious in that belief. Yet I know there are millions of people, including the mothers mentioned by the Senator from Louisiana [Mr. ELLENDER] when he said that one of the objects he had in mind in offering his amendment was to appease their fears, who do not agree with me. There are Senators here who do not agree with me, who think this is a war measure. It has been denounced on the floor of the Senate as a war measure.

However, regardless of whether the bill is or is not a war measure—and I do not believe it is—the fears of these people, particularly of the women of the country, that the bill will bring us into war and that it authorizes the President to take the Army right into war, are what have impelled me to offer the amendment. I have offered the amendment to appease those fears. I want to



relieve, if I can, the agony of millions of patriotic mothers, even though I believe they have no cause for fearing as they do.

Mr. DANAHER. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Connecticut?

Mr. NORRIS. I yield.

Mr. DANAHER. I thank the Senator for yielding. I am sure I have a great deal of sympathy with the Senator's objective; and yet I wonder if the Senator's amendment would not narrow the scope of the bill's operations so greatly as actually to hamper our country in its own proper defense.

Let me ask the Senator if the language as he has submitted it would not preclude our sending our soldiers, for example, to South America, or even to Halifax, and to similar points in Canada.

Mr. NORRIS. No.

Mr. DANAHER. As I understand, the Senator's amendment would limit the use of the armed forces.

Mr. NORRIS. To fight on foreign soil.

Mr. DANAHER. On foreign soil. As I understand "foreign soil," surely a country in South America, or even Canada, would be within the meaning of that term.

Mr. NORRIS. To send a ship to Halifax would not be to fight in Halifax.

Mr. DANAHER. That is correct.

Mr. NORRIS. That is not the object of the amendment.

Mr. DANAHER. Mr. President, will the Senator further yield?

Mr. NORRIS. Yes.

Mr. DANAHER. I wonder if we cannot actually clarify the matter further by adding the words—

outside of the Western Hemisphere, or the Territorial or insular possessions of the United States, including the Philippine Islands.

Mr. NORRIS. Mr. President, that language has been in most of the amendments. I have not looked with very much favor upon it, although I have never objected to it. If I thought it would strengthen the present amendment I would not have any objection to putting it in, although I do not see much virtue in it.

I am not one of those who agree that we necessarily should defend all South America and the Western Hemisphere. I believe we should be undertaking a job that would be about as great as that of going over and fighting on European soil.

Mr. DANAHER. Mr. President, will the Senator yield?

Mr. NORRIS. I yield.

Mr. DANAHER. The Senator will remember that we have passed various acts which deal with our defending or assisting in defending South American countries. Moreover, let me suggest to the Senator the possibility that if some invading force or, if we choose, some "fifth columnist" force, were to take possession of the Government, let us say, of Brazil, we might very easily, for our best interests, decide that American soldiers or American armed forces should be sent to fight on foreign soil, and thus to defend us in that particular.

I therefore respectfully suggest to the Senator from Nebraska that the language of his amendment would actually limit the scope of the reasonable and proper defense of the United States; and therefore I ask his sympathy toward the proposed additional language I have suggested.

Mr. NORRIS. Mr. President, I have great respect for the judgment and opinion of the Senator from Connecticut, as I have for the membership of this body generally. I am afraid I am in disagreement, perhaps, with most Members of this body on the question of sending our Army, if necessary, to South America. When that question arises, I shall meet it as best I can to satisfy my conscience; but I would not say now that if Brazil, for instance, announced herself tomorrow as being in favor of Germany and invited Germany to set up colonies there, I would at once proceed against Brazil with the armed forces of the United States. In a case of that kind I do not believe our country would be justified either in law or in morals in taking such a course. I may be wrong about that; I do not want to bring that into discussion of this question if I can avoid it. I hope we will never have to meet it, and I admit that I would be under great embarrassment if there were now presented to me the question whether I would say to all South America and every country in it and Central America and Mexico, "We will send our Army and our Navy to fight you if you set up a government under Hitler, for instance, on this continent." I would hate to be presented with that question, and right now, if I were presented with it, I would not be in favor of taking such action.

Mr. GREEN. Mr. President—

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Rhode Island?

Mr. NORRIS. I yield.

Mr. GREEN. If the amendment of the Senator from Nebraska were adopted, it would prevent, would it not, the sending of armed forces to the bases leased to us by Great Britain?

Mr. NORRIS. I do not think so.

Mr. GREEN. Why not?

Mr. NORRIS. Because we have leased them, and, for the purposes of the lease and for the time being, they are ours.

Mr. GREEN. Oh, no.

Mr. NORRIS. Oh, yes; I think so.

Mr. BARKLEY. Mr. President, will the Senator yield to me for a moment?

Mr. NORRIS. It had not occurred to me that that thought would be presented, or that it could be. I now yield to the Senator from Kentucky.

Mr. BARKLEY. Under the Senator's amendment, could we, for the purpose of protecting the Panama Canal, send the armed forces of the United States into the Republic of Panama, which is foreign soil?

Mr. NORRIS. I do not think it is.

Mr. BARKLEY. It is.

Mr. NORRIS. We own title in fee to the whole canal and 10 miles on each side of the canal.

Mr. BARKLEY. We own the Canal Zone.

Mr. NORRIS. Yes.

Mr. BARKLEY. But we do not own and have no jurisdiction over the Republic of Panama. In order to protect the Panama Canal, it might be necessary to do that; and we have an agreement and treaty with the Republic of Panama that will permit us to do that without the Senator's amendment.

Mr. NORRIS. The pending bill does not prohibit that, does it?

Mr. BARKLEY. Not at all.

Mr. NORRIS. Then this amendment would not have any effect on it, because all this amendment refers to is this bill.

Mr. BARKLEY. I do not want to argue with the Senator, but the amendment presents the same objection that has been presented all along, in that it notifies all the world that we declare a policy under which we will not send our armed forces into a foreign country to fight; and even if we had justification for sending them there under some circumstances they would not be permitted to fight; they would merely have to stand and take it.

Mr. NORRIS. I cannot agree with the Senator.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. NORRIS. Let me first answer the Senator from Kentucky. This amendment applies only to the pending bill. There is no doubt, in my judgment, the power exists in the President to use the Army and Navy to defend the Panama Canal without this proposed law; and, therefore, the proposed law does not affect that authority. It has nothing to do with it, and, if it has not anything to do with it, then neither has my amendment.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. NORRIS. I yield.

Mr. TYDINGS. I appreciate what the Senator is seeking to accomplish, but this thought occurred to me during the colloquy: We frequently read about a plane being shot down crossing over Switzerland, or a plane being shot down crossing over some other neutral country, such as happened in Yugoslavia the other day. To what extent could our Army planes fly over the air of other countries if the Senator's amendment were adopted?

Mr. NORRIS. It would not change the situation at all.

Mr. TYDINGS. In other words, they could be shot down, could they not?

Mr. NORRIS. I suppose so. If they could without the bill, they could with the amendment; the adoption of the amendment would not affect that situation. Senators must not get the idea that I am trying to change anything in the pending bill.

Mr. TYDINGS. I am not taking issue with the Senator; I am trying to get his point of view. As I understand, if the Senator's amendment were adopted, Army planes could not fly over Panama beyond the 5-mile strip that runs from the Atlantic to the Pacific.

Mr. NORRIS. Could they now?

Mr. TYDINGS. Yes; they could now.

Mr. NORRIS. Then, they could then.

Mr. TYDINGS. I do not so see it, because the Senator's amendment would



provide that nothing in this act shall be construed to authorize the President, who is the Commander in Chief of the Army and Navy, without the consent of Congress, to send the armed forces of the United States to fight on foreign soil.

I think I know what the Senator is driving at, and I do not think what I am suggesting would defeat his purpose; but if we were to send the marines to Nicaragua, for example, that would be a physical placing of an armed force on foreign soil, as it would be if we were to send a military plane from Tampa, Fla., to Panama over Nicaragua, because in international law the air over a nation belongs to the nation.

Mr. NORRIS. I presume it does, but this amendment would not change that, and does not propose to do so.

Mr. TYDINGS. I do not see, if my contention is sound, how the purpose the Senator has in mind will be accomplished.

Mr. NORRIS. Perhaps it will not be, but the amendment does not undertake to change any law whatever. I do not believe that by the pending bill there is authority given to the President, without the consent of Congress to send our Army to fight in foreign fields. I may be asked, "Then why this amendment?" My answer to that is, I want to relieve the agony that is breaking the hearts, I think, of millions of women in this country who have been led to believe, and do believe just as honestly as we believe anything, that the President, as soon as this bill is passed, will send the Army across the ocean into Germany to fight the battles of England over there.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. NORRIS. Yes.

Mr. TYDINGS. I can sympathize entirely with what the Senator is desiring to accomplish, but the President himself has said that he is not going to do that; and if he signs the bill, without which it cannot become a law, it seems to me that if we adopt the Senator's amendment, we will have merely passed another New Year's resolution, so to speak.

Mr. NORRIS. That may be. The President—and I was going to mention that—has said repeatedly that he does not intend to send an army across the ocean and that our boys shall not be sent across the ocean. I am not one who doubts the President's word; I am not one who has been criticizing this bill; to the very best of my ability I supported it from the day it was introduced. I may be ignorant when other men are wise, but I cannot be classified as a man who is trying to hold up the bill or anything of that kind, because, as the Senate knows, I have refrained even from talking in the Senate about it, and confined what I have had to say to statements over the radio. I did that purposely because I was not in sympathy with the long delay and the long discussion which have taken place, and I did not want by any act of mine to do anything that would cause more delay. I feel embarrassed even in presenting this amendment, for I should like to have the pending measure disposed of. I should like, however, to have an opportunity, since it has arisen, to say a few words.

The Senator from Louisiana has changed his amendment so that it seems to me necessary for the original idea to be brought back before the Senate.

Mr. CONNALLY. Mr. President, will the Senator yield for a question?

Mr. NORRIS. I will yield in a moment. I am trying to bring that back, but I do not want to cause any delay. I do not believe the pending bill is a war measure. I think, as a matter of fact, all we can do to help England in this struggle means peace instead of war. Who is going to declare war against us? Is Hitler going to do it? Does any man think he is a fool? Consider Hitler's history for the last 2 or 3 years. No matter how much one may hate him, it has to be admitted that he has done almost impossible things, remarkable things. He is no fool. Does he want to win the war that he is now waging against Great Britain? Why, of course he does. Does he want to add any more enemies to his cause when he is fighting to defeat England? Would he declare war against us? If he wanted to, he could have done so long ago. He is not in the habit even of declaring war when he wants to fight. When he wants to conquer somebody and thinks he is strong enough to do it, he proceeds to do it. He does not have to claim, according to his theory, that it is right, or that he has any right to do it. If he has the might, that is all he needs to satisfy his conscience, if he has such a thing about him.

I now yield to the Senator from Texas. Mr. CONNALLY. Mr. President, the Senator has covered the matter I had in mind.

Mr. NORRIS. Very well.

Mr. CHANDLER. Mr. President, will the Senator yield for a question?

The PRESIDING OFFICER (Mr. HILL in the chair). Does the Senator from Nebraska yield to the Senator from Kentucky?

Mr. NORRIS. Yes.

Mr. CHANDLER. Has the President of the United States, under the existing law, authority to send the armed forces of the United States to fight on foreign soil without a declaration by Congress?

Mr. NORRIS. So far as I know, he has not any such authority under any law with which I am familiar. I think the President could use the armed forces of the United States to defend the citizens or the property of the United States anywhere in the world, and Presidents have repeatedly done so. Sometimes they have done so when I thought they did not have a right to do so under the Constitution. Mr. CHANDLER. Yes; I understand, sir; but the President has not the right to send the armed forces of the United States to fight on foreign soil without a declaration of Congress?

Mr. NORRIS. Generally, I should say he has not.

Mr. CHANDLER. Then the Senator agrees that we are not giving it to him with the passage of this bill?

Mr. NORRIS. I have said so many times. I am not arguing a legal proposition here, or that this amendment helps the matter out legally. I am thinking, Mr. President, of the broken hearts of people all over this country, in agony

day after day and night after night, when they are praying to us not to pass this bill because they believe the President will immediately take the Army and go over to Germany and commence to fight. I do not believe that for a moment. I have tried many times to say so in public and in letters, in articles, and in other correspondence; but, for some reason, many of our people are honestly convinced that that is what this bill is. It is not that kind of a bill. I do not think it is. I think they are wrong in that belief, but they are sincere in it.

I know what it means for a mother to lose her son in war. I know that in my own family there was one other son besides myself, and I know that when he was killed on the battlefield of Resacca in the Civil War, my mother, from the announcement of that fact, carried a broken heart with her to her grave, although she lived to be over 80 years old. She never got over it. She was not reasonable about it; she was unreasonable about it. When I grew to manhood and understood the situation I tried to convince her that she was wrong about some of the conclusions she had reached, but I never made any headway. Reason fled to the winds. Her sorrow was too great. Her boy was dead, and it was impossible to reason her out of the positions she took and always assumed up to the day of her death. I myself could not defend many of them; I knew that; but she always maintained them.

There are millions of such mothers, some who have already lost a son on the battlefield, who have others who are of military age, and they are thinking about their boys. There are hearts of mothers in agony by the millions all over this country, wrongfully I think, but they are just as sincere as though they had good cause. I want to say in this bill something that will relieve that agony and will bring relief to those millions of women. I want to have it said in the bill itself, "This is not a measure that is going to take your boy over to Germany or some other place to fight on foreign soil."

That may be a foolish idea to have, Mr. President. It may not be technically correct. It is perhaps indefensible on technical legal grounds. I would not vote for it in the case of any amendment if there were not such a sentiment as that, or one similar to it, behind it.

Mr. BONE. Mr. President, will the Senator yield?

Mr. NORRIS. I yield.

Mr. BONE. Merely to emphasize the fact that the fear does exist, I read a dispatch from Des Moines, Iowa, dated February 24 of this year, being part of a speech by John Thomas Taylor, American Legion legislative representative in Washington, who spoke before the Iowa Legislature, in which speech he declared that the present war will last at least 10 years and we shall have millions of men in it before it is over. He also declared that American merchantmen would be convoyed to England by the United States Navy sometime after the bill has passed.

Whether that be true or whether there be a scintilla of truth in it, the fact is that John Thomas Taylor, who represents the



American Legion here, said that to the Iowa State Legislature; and statements of that kind have been so widely repeated that of course the fears are well-grounded.

Mr. NORRIS. I do not think the fears are well grounded.

Mr. BONE. I mean they are well grounded in the minds of those who believe them.

Mr. NORRIS. To them the fears are genuine.

Mr. BONE. That is what I mean.

Mr. NORRIS. I do not think this war is going to last 10 years. I believe that the greatest stroke we can make for peace is to help England win this war. If England defeats Hitler, the war is over. If England goes down, all Europe goes under the control of Hitler. I am not one of those who think he is going to come across the ocean and attack us right away. I do not believe that is sensible. I do not believe that is reasonable. He would not stand any show if he did that; but he is coming eventually if he carries out his program. He will have to make preparations. He will commence an economic pressure, which, after all, is often just as great as a military pressure. It probably will be years before he will have a machine large enough and powerful enough to come across the ocean and attack us; but in the meantime, as I see the picture, if he controls Europe—as he will if England goes down—he will commence, by the commercial route, to conquer South America.

Look at the picture as it must be looked at by reasonable men and reasonable minds. Why should not Hitler get the trade of South America? It would fall into his lap. How long would it be before practically all the trade of South America would be with Europe; and how long would it be, when he controlled Europe, before our trade would dwindle and decay and pass away as the driving wind?

Mr. DANAHER. Mr. President—

Mr. NORRIS. When he has us conquered by economic pressure, in the meantime he is getting ready, increasing his army. He has behind him, to help him, all of Europe. He has all the resources of Europe behind him. He has the Kingdom of Japan behind him, helping him; and Hitler and Mussolini and Japan and Russia will all be engaged in the race in which everybody says we are going to engage.

O Mr. President, it is fine to listen to men as often they pluck the eagle's tail and say, "We are the most powerful nation in the world; we can fight the whole world." If England goes down, we will have that opportunity in 10 or 15 years.

In the meantime, what will we have been doing? We will have been in the race of building up armaments so as to have the greatest navy, the largest army, the greatest number of flying machines in the world. How are we going to win that race? There will be Japan, Italy, Russia, Hitler—all in the race. They can build a battleship for one-half what it costs us. They can put a flying machine into the air for less than half what it

costs our Government. They are going to work slaves, in reality. They have already built up powerful machines, which, when combined, will be greater than ours.

Do we realize what it will mean when we go into that race? Do we realize what taxation alone will have to be imposed? Do we realize that all our people, if we are to come out equal in the race, must practically become slaves; that of every dollar anyone makes 90 or 95 cents will go to the Government for the building of armaments, for building ships, for building fighting planes, for building undersea ships—U-boats?

We will be beaten in that race. We might just as well face the facts. We cannot expect to win the race. After participating in it for 10 years, where will we be? Where will taxation take us? We will be gone. We will not be able to survive unless we have a revolution, which none of us want. We will have to submit to a condition which will make us all slaves if we are to stand any show in the race. We will have to give all our substance and all our labor and happiness. The homes and everything we have will disappear because every energy that is in us will have to be put forward to build engines of death, and that will take us down to destruction, even though we never reach the point of firing a shot. We will kill ourselves by our own preparations.

Mr. President, it seems to me that when the Senator from Louisiana [Mr. ELLENDER] offered his original amendment, the managers should have said, "We will agree to it." The President has said he did not want to send men across the seas. We have all said it. The world knows it. We need not think we are deceiving Japan or anyone else. If the Ellender amendment means now the same it meant before, Japan will know it, will she not? The trouble is the people we intended to reach will not understand the new amendment. Everyone says, "If you do not intend to do it, why not say so in the law?" And why not give the reasons to these people who are afraid, even though their fears are imaginary? A nightmare is as real, even though one is asleep, as though it occurred when he was awake.

Mr. President, if those who had charge of the bill had agreed to this amendment, I think the bill would have been passed before this. There would have been many more votes in the Senate for the bill than there will be without it or something along the same line.

It would not harm anyone; it could not possibly do any harm. It does not in its terms contain any harm, and its effect will be only to relieve the stricken hearts which are sorrowful today because of the fear they have, which perhaps to a great extent is unfounded.

Mr. DANAHER. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. HILL in the chair). Does the Senator from Nebraska yield to the Senator from Connecticut?

Mr. NORRIS. I yield.

Mr. DANAHER. Will the Senator bear with me for a moment longer?

Mr. NORRIS. Yes.

Mr. DANAHER. If the Senator will permit, I should like to recur to my suggestion as to a proposed enlargement of the language of his amendment merely to add "outside of the Western Hemisphere and the insular and territorial possessions of the United States, including the Philippine Islands." I make the suggestion for this reason: The Senator has very ably described the situation as he sees it as justification for the proposed substitute for the Ellender amendment. When the President spoke to us on January 6th of this year, he said:

Even if there were no British Navy, it is not probable that any enemy would be stupid enough to attack us by landing troops in the United States from across thousands of miles of ocean, until it had acquired strategic bases from which to operate.

It well may be that an attempt might be made to acquire strategic bases from which to operate within the meaning of what the President thus described, and if the bases on which landings might be made were to be located, let us say, in Greenland, or let us say in Canada, it would certainly seem to me that, although such areas are foreign soil, they are so contiguous to us that we should defend them. I should not like to have any interpretation placed on the language of the Senator from Nebraska which would purport to limit our defense of such areas. I therefore ask the Senator from Nebraska to consider that thought, and see whether we cannot amend the language of his amendment.

Mr. NORRIS. Has the Senator prepared the language which he thinks should be inserted?

Mr. DANAHER. No; I can easily do so and submit it.

Mr. NORRIS. I will ask the clerk at the desk to send the amendment back to me.

Mr. GEORGE. Mr. President, this is identical with the other amendment, with the change of only one or two words. Surely the Senate has already voted, on the last vote on the Ellender amendment, on practically the same language. In point of fact it is the same amendment the Senator is now suggesting. The amendment on which we have just voted is identical with the suggestion now being made by the Senator from Connecticut. I would make a point of order against it, because we might as well get the matter settled.

While I am on my feet I wish to say to the Senator from Nebraska, with respect to the amendment which he has offered, that everyone sympathizes with his purpose. No one is at cross purposes with the general statement that we are not going to send our Army out of the United States to foreign countries, ordinarily speaking. The Senator has very frankly said that all it says is that there is nothing in the bill which authorizes our Army to go into a foreign country; and that is true. Therefore it seems to me that it is highly improper to be negating a thing which is not in the bill at all. There is not a line or a word in the bill which authorizes the President to exercise any power with the armed forces of the United States, so far as making war is concerned.



In addition to that, even if we desire to declare publicly that we are not going to send our forces into a foreign country, and even though there is nothing in the bill which squints at it at all, this proposal, in my opinion, is harmfully misleading. It is a declaration of policy that if Canada is invaded right along the American border, we will not do anything about it until we have a debate in the Congress of the United States.

We could not even send our armies to Panama to defend the Canal. Today we are congratulating ourselves that we have gotten a concession from the Republic of Panama, outside the Canal Zone, which will make it possible for us to provide an effective defense of the Canal itself. We would have to withdraw our troops from a position in the Republic of Panama where, by permission of that Republic, they are today allowed to be and to exercise certain military power and prerogatives.

If Cuba were invaded we could not do anything about it. We could not send an army a single foot beyond the boundaries of the United States. We could not, of course, protect any part of the United States outside the United States itself, and this would be a declaration of public policy. Nothing would be more harmful, Mr. President. If we mean that we want the President to try to preserve peace we must give him the opportunity to use the powers which he has, and not hamstring him by declarations of this kind.

I know the Senator from Nebraska does not mean to do anything of that kind, and I know he has sympathy with the general purposes of the measure, but the difficulty is that if we make a declaration of public policy such as this, it will be misunderstood everywhere in the world. Across the headlines of every newspaper in Japan, for instance, will be emblazoned that the United States Congress has declared that we will not send our troops into any foreign country.

Mr. President, no matter what sort of revolution might start in Mexico, or what sort of revolution might start in any other part of Central or South America, no matter what sort of revolution might start within 10 miles of the Panama Canal, upon which we are dependent—without a long debate in Congress we could not send the marines there.

I do not think the Senator from Nebraska wants to bring about such a situation. I know that is not his purpose. I sympathize with his general purpose to allay all the fears we can. We do not want to arouse fears. But my conviction is that if we should stand on the bill, and say that it does not authorize the President to use a single soldier anywhere, we would be on much safer ground. When we attempt to put negatives of this kind in the bill, and vote for them, in my judgment we are misleading many people, at home and abroad, who ought not to be misled.

I do not think this provision will allay any fears. I think if we write into the bill every suggestion that has been made we will have so tied our hands that when passed the bill will not be effective for the purposes we are advocating; and

if it is not to be effective, we might as well vote straight against it.

I should never commit myself to the doctrine that notwithstanding our treaty obligations made within the last few months to defend the Western Hemisphere, we shall declare here in a bill that we will not send our troops into any foreign country.

Mrs. CARAWAY. Mr. President—

The PRESIDING OFFICER (Mr. HILL in the chair). Does the Senator from Georgia yield to the Senator from Arkansas?

Mr. GEORGE. I yield the floor.

Mrs. CARAWAY. I simply wish to speak for the mothers who are not afraid. I have received letters from all over the country. I have two sons who are in the Army. I think they will be much safer if we do not amend the bill than they will be if we do; and I am standing for the bill as it is.

Mr. NORRIS. I think it ought to be said in answer to what the Senator from Georgia has said, as I see it at least, that the argument he has made does not apply at all to the substitute which I have offered. It shows on its face it has reference to this bill and to nothing else.

But, Mr. President, I have great respect for the Senator's judgment, and if he thinks his argument does apply, and that under the amendment as it now is we could not send our Army to defend anybody in this hemisphere outside the United States, I have concluded to modify my amendment, as suggested by the Senator from Connecticut, by adding to it the following language:

Outside of the Western Hemisphere or the Territorial or insular possessions of the United States, including the Philippine Islands.

The PRESIDING OFFICER. The modified amendment offered by the Senator from Nebraska as a substitute for the Ellender amendment, as modified, will be stated.

The legislative clerk read as follows:

Nothing in this act shall be construed to authorize the President, without the consent of Congress, to send the armed forces of the United States to fight on foreign soil outside of the Western Hemisphere or the Territorial or insular possessions of the United States, including the Philippine Islands.

Mr. NORRIS. I ask for the yeas.

The yeas and nays were ordered.

Mr. CONNALLY. Mr. President, with the amendment changed, as the Senator from Nebraska has agreed to change it, by implication the President could send soldiers, without the consent of Congress, to fight in any of our possessions. The Senator does not mean to do that. He does not mean to authorize that, I am sure.

Mr. NORRIS. The Senator from Texas does not agree with the Senator from Georgia, then, in the argument he made?

Mr. CONNALLY. I hope I shall make myself a little clearer in a moment. My contention is that this amendment, like Ellender amendment No. 1 and Ellender amendment No. 2, legally does not mean anything. But the vice in them

all is that, while everyone admits that legally they have no effect whatever, they are hung out in the show window to deceive—I do not mean that in an improper way—but they are hung out like a beautiful new Easter gown, to give assurance to all the mothers who pass by that now these things cannot happen, but we know that legally they can happen, and they may happen. By such amendments we say, "We want to make you believe something that legally we know cannot occur."

Let me show why they do not mean anything. Suppose we were a court, and we were called on to construe the language of the amendment.

To begin with—

Nothing in this act shall be construed—

The judge would pick up the bill and would run through it. He would say, "I wonder why they adopted that language. There is nothing in the bill that touches this subject, top, side, or bottom. Why do they say that 'Nothing in this act shall do this' when there is nothing in the act that anybody could by any stretch of the imagination find provided or authorized any such action?"

The Senator from Georgia—and I am trying to harmonize my views with his—expressed the view that this amendment was intended to create the belief in the minds of people that the acts which are inhibited could not be done. But the Senator from Georgia did not admit that they had that legal effect at all. The vice in the amendment is the creation of something which in fact is not true.

Mr. President, I sympathize with the Senator from Nebraska. I have the very greatest admiration and respect and affection for him. I admired his courage when on the question of our entry into the World War he voted "nay." I voted "yea," but I have great respect for his courage. It took tremendous courage to vote "nay." I think every Member of the Senate has an affection and admiration for the Senator from Nebraska, and we applaud his intentions in this matter. But this is his amendment:

Nothing in this act shall be construed to authorize the President, without the consent of Congress, to send the armed forces of the United States to fight on foreign soil outside of the Western Hemisphere or the Territorial or insular possessions of the United States, including the Philippine Islands.

If there is anything in the bill which authorizes the President to send any troops anywhere—there is not, but if there is—under the terms of the amendment, he could send them anywhere in the Western Hemisphere for the purpose of fighting, without a declaration by Congress.

As I said earlier in the day, when we get away from the concrete highway and wander around on side roads and little lanes, we fall into difficulties. That is what all the amendments which have been offered today would do.

Of course, the Senator from Nebraska does not intend to authorize anything of that kind; yet a court, or anybody else, would naturally infer that we are only prohibiting a certain use of armed forces.



I do not think it is legally a prohibition, because there is nothing in the bill to authorize such a thing. But if the amendment would have any legal effect at all, it would have the legal effect, by implication, of authorizing the sending of troops. As was well pointed out by other Senators, if the amendment has any effect, except a psychological effect, we could not send an army to Cuba, Mexico, or Canada.

Psychological effects are the worst effects. If we propose to do something legally, let us do it. Let us not create a psychological state of mind among the mothers and fathers of the United States when a statement is not true, when it is not backed up by facts, when it has no legal foundation. There is already enough excitement. There is already enough passion being stirred. There are already enough fears being aroused.

Let us speak plainly and courageously to the American people. Let us say only those things which we mean, and let us say them in language so plain that it cannot be mistaken. Let us not admit, as was admitted on this floor yesterday a number of times, that such amendments have no legal effect whatever. Yet when their authors are challenged they say, "We want to reassure somebody. We want to give assurances."

They want to give assurance when they can give no assurance, and thereby break the hearts of the people if anything of that kind should occur.

If such amendments have any legal effect, we ought not to adopt them, for the simple reason that if they have any legal effect at all, as has already been suggested, we could not land armed forces in Cuba, at our very doors, to prevent a foreign power from establishing a base there and attacking us. We could not send an army to Mexico. We could not protect Canada, to the north of us.

Of course, if Germany or any other country should attack us, it would probably not undertake to land a force in front of our land batteries. Foreign enemies will not come over here and say, "Here is a fort. We will land in front of the fort, where they can shoot the day-lights out of us." They will make a flank attack. They will come in from Mexico, South America, Cuba, or Canada, or perhaps across the Bering Straits from Russia. So it is in those localities and possessions that we want to be free to act.

Congress cannot always be in session. Suppose tomorrow, in the absence of the Congress during a recess, some military or naval demonstration should be made against some of the contiguous territories by a foreign power. Do we want the Commander in Chief to sit in the White House and do nothing about it until he can get Congress back here and introduce half a dozen Ellender amendments to declare what we shall do? No. We want the Commander in Chief of the Army to send the Army and the Navy down there immediately, instantly. What do they go there for? The amendment says we shall not send them down there to fight. We hope we do not send them down there to fight, but unless they are prepared to fight there is no use in sending them there. A navy which can-

not fight in defense of the United States is no navy. An army which cannot fight when it is necessary to fight is not much of an army.

Mr. BONE. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield.

Mr. BONE. Assume that an amendment of this kind were incorporated into the bill. Does the Senator from Texas feel, in view of his general knowledge of the state of mind of the President, that the President would be inclined to do more or less? Would he be inclined to take a dangerous step which he would not take if such an amendment were not in the bill?

Mr. CONNALLY. I am not prepared to say. It is difficult for me to know my own mind, much less other people's minds. I cannot always know my own mind.

Mr. BONE. If such an amendment were in the bill, it would not incite the President to do a wrong thing. He would not be tempted to do something wrong that he would not otherwise do. That is the thought.

Mr. CONNALLY. I will answer the Senator, I do not know what is in the President's mind. I assume that the President will do what he thinks is right. I assume that he will act according to law. I assume that he will act in accordance with his oath to support the Constitution of the United States.

But if the amendment would have the effect which the Senator from Washington anticipates it might have—the effect of persuading or influencing the President to do something he might not otherwise do—it is unfair to the President for us to undertake to do anything unless we do it in a legal and constitutional way. We have duties here, and he has duties over yonder in the White House. I do not want to hamper him in the performance of his duties, and I do not want him to hamper us in the performance of our duties. Whatever we do by way of legislation, we ought to do it under the Constitution and in a legal way. We ought to make the law say just exactly what we mean.

Every Senator who has offered such amendments admits that legally they have no effect whatever, but it is said they have a psychological effect. Yes; but when we tell somebody something and try to make him believe it, when it has no foundation in law or in fact, we are committing a wrong. We are giving him a viewpoint that does not exist. Then, if the things which are feared should happen, some good woman may say, "I am no lawyer. I am no Supreme Court. I cannot construe all these technicalities; but you said that you were reassuring us. I read the debates and you said you were putting that provision in the bill to assure us that a certain thing would not happen, and now it has happened."

We cannot explain by saying, "My good woman, when we put that provision in the law we knew it had no legal effect. We knew that it would not and could not control the President, but we were so concerned about you that in order to keep you quiet we just put on a little

varnish and slicked it up and made it look pretty so that you would accept it until the excitement had died down, and perhaps forget it."

I will not vote to do that.

SEVERAL SENATORS. Vote! Vote!

The PRESIDING OFFICER. The question is on agreeing to the modified amendment offered by the Senator from Nebraska [Mr. NORRIS] in the nature of a substitute for the amendment of the Senator from Louisiana [Mr. ELLENDER], as modified.

Mr. NORRIS and Mr. CLARK of Missouri asked for the yeas and nays.

The yeas and nays were ordered; and the Chief Clerk called the roll.

Mr. HILL. The Senator from South Carolina [Mr. SMITH], the Senator from Oklahoma [Mr. THOMAS], the Senator from New York [Mr. WAGNER], and the Senator from Kansas [Mr. REED] are unavoidably detained.

The Senator from South Carolina [Mr. SMITH] is paired with the Senator from Oklahoma [Mr. THOMAS]. The Senator from Kansas [Mr. REED] is paired with the Senator from New York [Mr. WAGNER]. I am advised that if present and voting, the Senator from South Carolina and the Senator from Kansas would vote "yea," and that the Senator from Oklahoma and the Senator from New York would vote "nay."

The result was announced—yeas 39, nays 52, as follows:

#### YEAS—39

Adams	Davis	Nye
Aiken	Gerry	Reynolds
Bankhead	Gillette	Russell
Bone	Holman	Shipstead
Brewster	Johnson, Calif.	Taft
Bridges	Johnson, Colo.	Thomas, Idaho
Brooks	La Follette	Tobey
Bulow	Langer	Vandenberg
Burton	Lodge	Walsh
Butler	Lucas	Wheeler
Capper	McCarran	White
Clark, Mo.	McNary	Wiley
Danaher	Norris	Willis

#### NAYS—52

Andrews	George	Murdock
Austin	Glass	Murray
Bailey	Green	O'Mahoney
Ball	Guffey	Overton
Barbour	Gurney	Pepper
Barkley	Harrison	Radcliffe
Bilbo	Hatch	Schwartz
Brown	Hayden	Sheppard
Bunker	Herring	Smathers
Byrd	Hill	Stewart
Byrnes	Hughes	Thomas, Utah
Caraway	Kilgore	Truman
Chandler	Lee	Tunnell
Chavez	McFarland	Tydings
Clark, Idaho	McKellar	Van Nuys
Connally	Maloney	Wallgren
Downey	Mead	
Ellender	Miller	

#### NOT VOTING—4

Reed  
Smith  
Thomas, Okla. Wagner

So Mr. NORRIS' modified amendment in the nature of a substitute for the amendment of the Senator from Louisiana [Mr. ELLENDER], as modified, was rejected.

Mr. MALONEY. Mr. President, if the parliamentary situation permits, I should like to ask that the amendment which I have sent to the desk be read.

The PRESIDING OFFICER. Is the Senator's amendment an amendment to the amendment of the Senator from Louisiana as modified?

Mr. MALONEY. It is offered as a substitute for it.



The PRESIDING OFFICER. As a substitute for it?

Mr. MALONEY. Yes.

The PRESIDING OFFICER. The clerk will state the amendment.

The LEGISLATIVE CLERK. On page 5, between lines 4 and 5, it is proposed to insert the following new subsection:

SEC. 10. Except in time of war, no member of the land or naval forces of the United States and no naval vessel or military or naval aircraft shall be permitted to enter or travel through any combat area defined as such in any proclamation of the President issued pursuant to section 3 of the Neutrality Act of 1939; but nothing in this subsection shall be construed to prohibit (1) any member of the land or naval forces from acting as an observer or in a similar non-combatant capacity, or (2) the use of any naval vessel or aircraft to assist in the evacuation of citizens of the United States who are in any foreign country under the authority of the Department of State.

Mr. MALONEY. Mr. President, I ask unanimous consent to have inserted in the RECORD a message relating to the bill from members of the faculty and administration of Connecticut College, New London, Conn., together with the signatures attached to it.

The PRESIDING OFFICER. Is there objection?

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

CONNECTICUT COLLEGE,

New London, Conn., March 6, 1941.

Hon. FRANCIS T. MALONEY,

Senate Office Building,

Washington, D. C.

DEAR SENATOR MALONEY: We, the undersigned, members of the faculty and administration of Connecticut College, urge the speedy passage of the lend-lease bill, and deplore any tactics that might be used to delay this action. We consider the passage of the bill vital to the preservation of American liberties and the security of democracy.

Katherine Blunt, president; Louise Potter, assistant to the president; Mary C. DeGanger, John K. Cochran, Marjorie Dilley, Clarinda Phillips, Florence L. Harrison, Florence M. Warner, Dorothea Starbuck Miller, Esther C. Cary, Rosemond Truz, Dorothy Bethurum, Margaret V. Davis, Henry W. Lawrence, Pauline H. Dederer, Frank Yorrig, Elizabeth C. Wright, Sarah R. Jones, Hyla M. Snider, Mary C. Weigh, Katherine T. Floyd, M. Robert Cobbledeck, A. W. Burdick, Hannah A. Roach, John P. Seward, Ruth Hill Wood, Rita Barnard.

CONNECTICUT COLLEGE,

New London, Conn., March 6, 1941.

Hon. FRANCIS T. MALONEY,

Senate Office Building,

Washington, D. C.

DEAR SENATOR MALONEY: We, the undersigned, members of the faculty and administration of Connecticut College, urge the speedy passage of the lend-lease bill, and deplore any tactics that might be used to delay this action. We consider the passage of the bill vital to the preservation of American liberties and the security of democracy.

Mildred Burdett, Frances Lee Ramburg, Kathryn O'Keeffe, Dorothy E. Lyon, Edith Ford Sollers, E. Frances Botsford, Sibyl A. Haus-

man, Margaret W. Kelly, Mary C. McKee, Margaret S. Chaney, Carola Leonie Ernst.

CONNECTICUT COLLEGE,

New London, Conn., March 6, 1941.

Hon. FRANCIS T. MALONEY,

Senate Office Building,

Washington, D. C.

DEAR SENATOR MALONEY: We, the undersigned, members of the faculty and administration of Connecticut College, urge the speedy passage of the lend-lease bill, and deplore any tactics that might be used to delay this action. We consider the passage of the bill vital to the preservation of American liberties and the security of democracy.

Elizabeth R. Ebert, Avis Borden, Clayton W. Howard, Serena G. Hall, Rosamond C. Logan, Eleanor S. Warren, Henry Russell Hitchcock, Robert Fulton Logan, Marguerite Hanson, Florence Hier, John P. Seward, G. E. Kinson.

Mr. MALONEY. Mr. President, I have voted against each one of the amendments which up to this time have been offered as substitutes for the original Ellender amendment because I have not wanted to tie the hands of the Commander in Chief, because I have not wanted to give comfort to potential enemies, because I wanted to take full advantage of every opportunity to aid Great Britain up to the point of danger of our involvement. It seemed to me that some of these amendments offered completely false hopes to the people of the country. It seemed to me that in some instances, in some of the amendments, we abandoned our rights. Some of the amendments, to me, at least, presented ambiguity. There was an uncertainty about what we might or might not do under them.

My amendment, I think, is different, Mr. President. I think the language is clear. I do not believe there is any uncertainty about it. It requires no special study, and, in my judgment, is completely in keeping with every contention of the distinguished and able chairman of the Committee on Foreign Relations. It provides just one thing—that our naval vessels and armed forces shall keep out of the combat areas, as defined by the President of the United States, for a single purpose, a purpose which has been declared time and again by every single Senator who has spoken on this bill. That purpose is to keep us from involvement in war to the extent of mortal combat.

I want to go all the way short of that in my desire to give aid to Great Britain. I do not want to set up a single unnecessary barrier. I am willing, to the full extent to which the Chief Executive thinks it necessary and wise, to give England equipment and material and ships; but if we are to keep faith with ourselves, if we are to take full advantage of our rights as Members of Congress to contribute to peace, Mr. President, we shall accept this amendment. The rejection of this amendment, in my judgment, would be failure on our part to fully do our job.

The amendment, in my judgment, makes the bill a better bill, and gives full aid to England, short of involvement. If we will keep our vessels from the combat

areas where the submarines are cruising and where the bombs are falling, there is little likelihood that we shall become involved; but if our vessels, as convoys or otherwise, do go into these zones, and they suffer attack, just so surely as that happens we shall be in the war.

I know that at this late hour and at this time in the debate the Senate is not anxious to hear a lengthy discussion. I shall not impose upon it longer. I rather suspect that some Members may regard it as an insult to their intelligence for me to talk further about so simple an amendment.

Mr. President, I ask for the yeas and nays on the amendment.

The yeas and nays were ordered.

Mr. TAFT. Mr. President, will the Senator yield for a question?

Mr. MALONEY. Yes.

Mr. TAFT. Was the proclamation to which the Senator refers issued under section 3 of the Neutrality Act?

Mr. MALONEY. That is correct.

Mr. TAFT. My recollection was that that was the one that related to combat zones. The proclamation was issued at the beginning under section 1.

I desire to ask the Senator another question. The amendment begins "except in time of war." Does that mean a war in which the United States is engaged?

Mr. MALONEY. Of course.

Mr. TAFT. I do not think it necessarily means "of course," because what we are dealing with today in this bill is a foreign war; and it seems to me the very existence of the combat zones is an indication of the existence of war. I think the amendment should be amended to make it clear that the war referred to is a war in which the United States is engaged.

Mr. MALONEY. I am perfectly willing to accept that language. In every bill we have ever written, so far as I know, in which we have referred to war, we have used this sort of language.

Mr. TAFT. I think that is true, except here. The very bill before us deals with foreign war; so the only reason for the existence of combat zones is the existence of a foreign war.

Mr. MALONEY. I am quite willing to accept the Senator's language.

Mr. TAFT. I suggest, then, the insertion of words to make the first clause read "Except in time of war in which the United States is engaged."

Mr. MALONEY. I should like to modify my amendment in that respect.

The PRESIDING OFFICER. The Senator from Connecticut modifies his amendment, which will be stated as modified.

The legislative clerk read as follows:

Except when the United States is engaged in war, no member of the land or naval forces of the United States and no naval vessel or military or naval aircraft shall be permitted to enter or travel through any combat area defined as such in any proclamation of the President issued pursuant to section 3 of the Neutrality Act of 1939; but nothing in this subsection shall be construed to prohibit (1) any member of the land or naval forces from acting as an observer or in a similar noncombatant capacity, or (2) the use of any naval vessel or



aircraft to assist in the evacuation of citizens of the United States who are in any foreign country under the authority of the Department of State.

Mr. McCARRAN. Mr. President, I ask unanimous consent to have inserted in the RECORD at this point, and in connection with the remarks of the able Senator from Connecticut, an editorial appearing in this morning's Times-Herald entitled, "The Two Ellender Amendments," which to my mind sets forth the public mind and the public view at this time as to the Ellender amendments.

Mr. CLARK of Missouri. Mr. President, which two Ellender amendments? [Laughter.]

The PRESIDING OFFICER. Without objection, it is so ordered.

The article is as follows:

[From the Washington Times-Herald of March 7, 1941]

#### THE TWO ELLENDER AMENDMENTS

For some days past, Senator ALLEN J. ELLENDER (Democrat of Louisiana) has been trying to get the Senate to attach the following amendment to H. R. 1776, the dictatorship bill:

"Nothing contained in this act shall be deemed to confer any additional powers to authorize the employment or use of persons in the land or naval forces of the United States at any place beyond the limits of the Western Hemisphere, except in the Territories and possessions of the United States, including the Philippine Islands."

This would be an extremely mild restriction on the powers granted the President by H. R. 1776 as originally written.

Under the original bill the President could send American armed forces in any strength anywhere in the world. Under this amendment he would have only the Western Hemisphere to play around in, plus the Philippines.

But yesterday afternoon Senator ELLENDER after lengthy conferences, offered the following substitute for his first amendment:

"Nothing in this act shall be construed to change existing law relating to the use of the land and naval forces of the United States, except insofar as such use relates to the manufacture, procurement, and repair of defense articles, the communication of information and the other noncombatant purposes enumerated in this act."

#### INTERESTING DIFFERENCES

The difference between the two amendments is interesting, to say the least. Fully as interesting is the question why the administration has fought the original Ellender amendment so bitterly.

The original amendment says, in so many words, that H. R. 1776 does not authorize the sending of an A. E. F. II anywhere outside the Western Hemisphere—something which the administration has said all along it has no intention of doing anyway.

Senator ELLENDER's substitute amendment omits all mention of the Western Hemisphere; contents itself with a declaration that H. R. 1776 does not change existing law on the use of American land and naval forces. The existing law referred to, we assume, is the constitutional provision giving Congress, not the President, the power to declare war.

We hope that is the existing law referred to. It is about time for Congress to remember that constitutional provision, what with H. R. 1776 as first written conferring absolute war-dictator powers on the President, including the power virtually to declare war. Under the original bill, the President would have power to send American fighting men into places and situations so loaded with international dynamite that we'd be at war the moment they got there.

#### WHY NOT BE SPECIFIC?

But how does anybody know that Congress, by passing H. R. 1776 with the substitute Ellender amendment instead of the original, won't be granting the President power to send an A. E. F. II anywhere?

What's the matter with a specific declaration, in plain English, that Congress does not want our men sent to other people's wars? Especially since the administration has been assuring us these many weeks that it feels the same way about an A. E. F. II?

With all due respect to Secretary of State Hull, his warning that the original Ellender amendment would encourage the Japanese to do some more aggressing in Asia does not sound overly convincing. Or if that's the whole truth of the matter, how will the substitute amendment encourage the Japs to do any less aggressing in Asia?

The enemies of H. R. 1776 have been smart to press for a showdown on this no-A. E. F. II amendment. They would be smart, we think, to keep on pressing for such showdown; smart and patriotic. The people ought to know (1) whether Congress intends to abdicate or to keep its constitutional power to declare war or refuse to declare war; and (2) exactly why the administration is so unwilling to have the legislation merely repeat in plain English the 1940 campaign promises not to send American boys to any foreign wars.

Mr. WHITE. Mr. President, I do not know what has happened to the Maloney amendment, but I desire to ask a question about it.

In view of the Senator's statement that this language, "Except in time of war," means "Except in time of war in which the United States is engaged," accepting that interpretation of those few words, what is the effect of the amendment upon a situation when the United States is at peace and two other nations are at war?

The United States is now at peace. In those circumstances, would this amendment prohibit sending our representatives to a country at war, other than the United States?

Mr. MALONEY. The amendment provides:

But nothing in this subsection shall be construed to prohibit (1) any member of the land or naval forces from acting as an observer or in a similar noncombatant capacity.

Mr. WHITE. But, as I understand, the prohibition applies only when the United States is at war. Am I right about that? Suppose the United States is not at war.

Mr. MALONEY. The Senator will understand that the amendment is to apply only when we are not involved in war.

Mr. WHITE. That is, when we are at peace.

Mr. MALONEY. That is correct.

Mr. WHITE. I am still puzzled; but when we are at peace the amendment does not apply?

Mr. MALONEY. No; that is not so.

Mr. WHITE. Then when we are at war the amendment applies?

Mr. MALONEY. Will the Senator state his question and let us approach it from there?

Mr. WHITE. I do not know that I can state it fully. What troubled me was I understood the Senator to say that this provision, "except in time of war," meant "except when the United States is en-

gaged in war." What I asked, or tried to ask, was whether that affects a situation when the United States is at peace and other nations are at war, and we want to send our observers to the other nations.

Mr. MALONEY. It certainly is not intended to do that; and, as I understand the language, it does not prevent such action.

Mr. BARKLEY. Mr. President, I wish merely to say about the amendment that it is really an effort to amend section 3 of the Neutrality Act which authorizes the President to issue proclamations delineating combat zones, etc., and which provides that when he has done so it shall be unlawful for any citizen of the United States or any American vessel to proceed into or through any such combat area. The Neutrality Act describes the term "American vessel" to mean any vessel documented or any aircraft registered or licensed under the laws of the United States. The Neutrality Act did not contemplate the inclusion of naval vessels in that prohibition, and the description of American vessels does not include the United States Navy. The amendment which has been offered by the Senator from Connecticut undertakes to say that unless we ourselves are actually engaged in warfare the President cannot send any naval vessel or naval aircraft or any military aircraft into any combat zone proclaimed by the President under section 3 of the Neutrality Act.

Mr. ADAMS. Mr. President, may I add a word?

Mr. BARKLEY. I yield.

Mr. ADAMS. Does not the amendment go beyond that, and provide that no member of the land or naval forces, and so forth, may be sent into combat areas? In other words, the President could not send an Army officer to the legation in London.

Mr. BARKLEY. It is true, it goes further than that. But I was undertaking to show by the definition of the words "American vessel" in the Neutrality Act that it was not intended to cover the Navy.

Mr. MALONEY. Mr. President, will the Senator from Kentucky yield?

Mr. BARKLEY. I yield.

Mr. MALONEY. Did I understand the Senator from Colorado to say that my amendment would prevent the sending of someone to England?

Mr. ADAMS. I have only heard it read, but as I heard it, it provided that no member of the land or naval forces may, at a time when the United States is not at war, enter any combat zone.

Mr. MALONEY. Yes, but there is further language.

Mr. BARKLEY. It does prohibit that, except that it says:

But nothing in this subsection shall be construed to prohibit (1) any member of the land or naval forces from acting as an observer or in a similar noncombatant capacity, or (2) the use of any naval vessel or aircraft to assist in the evacuation of citizens of the United States who are in any foreign country under the authority of the Department of State.

So that under the amendment the only thing any member of the naval or mili-



tary forces would be authorized to do by direction of the President would be merely to stand around and watch, or to bring back American citizens in a foreign country who are under the jurisdiction of the State Department.

Mr. ADAMS. Could a military or naval attaché be sent to London?

Mr. BARKLEY. I presume that a military or naval attaché would be regarded as a military or naval observer. That would be my interpretation. That is what I understand they are sent abroad for.

Mr. ADAMS. It is a very liberal interpretation.

Mr. BARKLEY. It may be, but we have been pretty liberal here in interpreting language.

I do not wish to discuss the matter. It is in line with all the amendments which have been voted on by the Senate this afternoon, and I certainly hope the amendment will not be agreed to.

Mr. MALONEY. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. MALONEY. I wish to challenge the statement that this amendment is in line with the others which have been offered. It is entirely different. There is nothing ambiguous about it.

Mr. BARKLEY. There is not a thing ambiguous about it.

Mr. MALONEY. It definitely states that our vessels cannot go into a combat zone, as defined by the President, in accordance with the Neutrality Act which we wrote.

Mr. BARKLEY. It is a little different in language, but it still is in line with the objections which have been made and the efforts which have been made to prescribe limitations within which the President may act. It goes further in this respect, that whereas there is nothing in the bill which attempts to amend the Neutrality Act, except certain portions with reference to cash and carry, it does attempt to put within the prescription of section 3 of that act every Army officer, every enlisted man, every naval vessel, no matter how the President might find it necessary to send them into even an area marked off by him, not to evacuate American citizens, not to observe what is going on, but to protect the interests of the United States under his constitutional authority.

Mr. MALONEY. Mr. President, will the Senator yield further?

Mr. BARKLEY. I yield.

Mr. MALONEY. I do not desire to prolong the debate at a time when Senators do not care to listen, but I should like to have the majority leader tell me for just what purpose we might send one of our armed vessels into one of the combat areas, other than the ones I have provided for in my amendment.

Mr. BARKLEY. The only provision made in the Senator's amendment is that some officer or enlisted man of the Army or Navy may be sent over as an observer.

Mr. MALONEY. Or any member of the diplomatic corps.

Mr. BARKLEY. Oh, yes, or a vessel sent over to evacuate American citizens, not ordinary American citizens, but only those under the jurisdiction of the State Department.

Mr. MALONEY. That is not so. The Senator has not correctly read it. It applies to anyone who is there under the authority of the State Department.

Mr. BARKLEY. Certainly. That is, for instance, one who had a passport.

Mr. MALONEY. Yes.

Mr. BARKLEY. But that does not remove the objection.

Mr. MALONEY. That includes everyone who is legally there.

Mr. BARKLEY. There may be many purposes which we cannot foresee for which the President might be compelled to send an American naval vessel into a combat zone, not merely to observe what is going on. If we had intended to include the Navy in the Neutrality Act, we certainly would have said so, and would not have limited the interpretation of the words "American vessel" by the provision for American registry, and so on.

Mr. MALONEY. Mr. President, although the majority leader does not seem to know it, we did include the Navy in the Neutrality Act. I will set that aside for a moment, to state that under the Constitution, whether or not the Navy was included in that act, we have a perfect right to set down here rules and regulations for the government of the Navy. This is what the Neutrality Act does provide, which very definitely affects all naval craft which fly our flag:

SEC. 3. Whenever the President shall have issued a proclamation under the authority of section 1 (a), and he shall thereafter find that the protection of citizens of the United States so requires, he shall, by proclamation, define combat areas, and thereafter it shall be unlawful, except under such rules and regulations as may be prescribed, for any citizen of the United States or any American vessel to proceed into or through any such combat area.

If they can take a naval vessel into a combat area without taking citizens of the United States through it, I would like to know how.

Mr. BARKLEY. That is a very restricted and is, believe, a technical definition, because we have to construe the language of the Neutrality Act when it says "citizens of the United States" and "American vessels." The act provides:

The term "American vessel" means any vessel documented, and any aircraft registered or licensed, under the law of the United States.

It certainly does not apply to Army aircraft, because they are not licensed; it does not apply to naval vessels, because they are not registered or documented under the laws of the United States.

Mr. MALONEY. Of course not. That is the purpose of my amendment.

Mr. BARKLEY. When we read section 3, which prohibits American vessels going into these areas, in connection with the definition of American vessel, it cannot be construed to include naval vessels.

Mr. MALONEY. The President of the United States named the combat areas himself.

Mr. BARKLEY. I understand that.

Mr. MALONEY. I have asked the majority leader if he could visualize a single, solitary reason why an American vessel,

other than for the purposes outlined, should be in a combat area.

Mr. BARKLEY. The Senator knows that in a situation which changes from day to day it is utterly impossible to visualize or foresee for a period of 24 hours a condition which might exist anywhere on the water which might require the President, in the performance of his duty, to send aircraft or a naval vessel there to protect the interests of the United States. I have not a catalog of all the instances which might arise, but certainly this provision should not be put on this bill, because it has no place in it, it seems to me. It is not contemplated, in the purpose of the bill, which is to aid certain belligerent nations by the furnishing of things, and it seems to me this would put an additional and unnecessary and harmful handicap around the President in the exercise of his duty as Commander in Chief of the Army and Navy. I hope the amendment will be rejected.

Mr. MALONEY. Mr. President, I should like to call the attention of the Senate to the fact that the bill has been before us for months, and during that period of time I have given it very careful study, and I have acted with care on each of the amendments, and now, in connection with an amendment which very definitely takes the position which we have all pleaded for, the majority leader is not able to visualize, is not able to even think of a single, solitary excuse for one of our naval vessels being in a combat area, excepting for the purposes which are permitted in the amendment. I think the amendment should be adopted in order that the Senate of the United States may keep faith with itself. I ask for the yeas and nays.

The PRESIDING OFFICER. The yeas and nays have already been ordered. The question is on the amendment offered by the Senator from Connecticut in the nature of a substitute for the amendment of the Senator from Louisiana [Mr. ELLENDER], as modified. The clerk will call the roll.

The Chief Clerk called the roll.

Mr. HILL. The Senator from Washington [Mr. BONE], the Senator from Kansas [Mr. REED], the Senator from South Carolina [Mr. SMITH], the Senator from Oklahoma [Mr. THOMAS], and the Senator from New York [Mr. WAGNER], are unavoidably detained.

The Senator from New York [Mr. WAGNER] is paired with the Senator from Kansas [Mr. REED]. I am advised that if present and voting, the Senator from New York would vote "nay" and the Senator from Kansas would vote "yea."

I am advised that the Senator from Oklahoma [Mr. THOMAS], if present and voting, would vote "nay."

The result was announced—yeas 30, nays 60, as follows:

#### YEAS—30

Aiken	Davis	Reynolds
Brewster	Holman	Shipstead
Bridges	Johnson, Calif.	Taft
Brooks	Johnson, Colo.	Thomas, Idaho
Bulow	Langer	Tobey
Burton	Lodge	Vandenberg
Butler	McNary	Walsh
Capper	Maloney	Wheeler
Clark, Idaho	Mead	Wiley
Danaher	Nye	Willis



## NAYS—60

Adams	George	Miller
Andrews	Gerry	Murdock
Austin	Gillette	Murray
Bailey	Glass	Norris
Ball	Green	O'Mahoney
Bankhead	Guffey	Overton
Barbour	Gurney	Pepper
Barkley	Harrison	Radcliffe
Bilbo	Hatch	Russell
Brown	Hayden	Schwartz
Bunker	Herring	Sheppard
Byrd	Hill	Smathers
Byrnes	Hughes	Stewart
Caraway	Kilgore	Thomas, Utah
Chandler	La Follette	Truman
Chavez	Lee	Tunnell
Clark, Mo.	Lucas	Tydings
Connally	McCarran	Van Nuys
Downey	McFarland	Wallgren
Ellender	McKellar	White

## NOT VOTING—5

Bone	Smith	Wagner
Reed	Thomas, Okla.	

So the amendment of the Senator from Connecticut [Mr. MALONEY] to the amendment of the Senator from Louisiana [Mr. ELLENDER], as modified, was rejected.

Mr. REYNOLDS. Mr. President, the pending measure is a national-defense bill, but it provides only for the national defense of foreign nations. If foreign nations are to be provided assistance under this bill, there is one foreign nation that I do not think should be aided, for the reason that that foreign nation is certainly in partnership with Hitler. I refer to the Union of Soviet Socialist Republics. Therefore I ask for the yeas and nays upon the following amendment:

(f) Nothing in this act shall be construed to authorize or permit the authorization of the granting of any aid to the Union of Soviet Socialist Republics.

Mr. BARKLEY. Mr. President—

The PRESIDING OFFICER. The Chair wishes to advise the Senator from North Carolina that his amendment would not be in order at this point.

Mr. BARKLEY. I was going to ask the Senator from North Carolina if he offers that amendment as a substitute for the pending Ellender amendment.

Mr. REYNOLDS. No.

Mr. BARKLEY. Then it is not in order.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. REYNOLDS. I yield.

Mr. CLARK of Missouri. The present Ellender amendment, which I believe is about the third, is still pending. Before we vote on the Ellender amendment I should like to ask to have it read to see whether it has been changed again in the last 4 or 5 minutes.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Louisiana [Mr. ELLENDER] as modified.

Mr. McNARY. May the amendment be stated?

The PRESIDING OFFICER. The clerk will state the amendment as modified.

The legislative clerk read as follows:

Nothing in this act shall be construed to change existing law relating to the use of the land and naval forces of the United States, except insofar as such use relates to the manufacture, procurement, and repair of defense articles, the communication of information and other noncombatant purposes enumerated in this act.

Mr. CLARK of Missouri. On that I ask for the yeas and nays.

The yeas and nays were ordered, and the Chief Clerk called the roll.

Mr. HILL. I announce that the Senator from Washington [Mr. BONE], the Senator from South Carolina [Mr. SMITH], the Senator from Oklahoma [Mr. THOMAS], the Senator from New York [Mr. WAGNER], and the Senator from Kansas [Mr. REED] are unavoidably absent.

The Senator from New York [Mr. WAGNER] is paired with the Senator from Kansas [Mr. REED]. If present and voting, the Senator from New York would vote "yea." I am not advised how the Senator from Kansas would vote.

The Senator from South Carolina [Mr. SMITH] and the Senator from Oklahoma [Mr. THOMAS], if present and voting, would vote "yea."

The Senator from Connecticut [Mr. MALONEY] is detained on official business.

The result was announced—yeas 65, nays 24, as follows:

## YEAS—65

Andrews	Ellender	Miller
Austin	George	Murdock
Bailey	Gerry	Murray
Ball	Glass	Norris
Bankhead	Green	Overton
Barbour	Guffey	Pepper
Barkley	Gurney	Radcliffe
Bilbo	Harrison	Russell
Brewster	Hayden	Schwartz
Bridges	Herring	Sheppard
Brown	Hill	Smathers
Bulow	Holman	Stewart
Bunker	Hughes	Thomas, Utah
Burton	Johnson, Colo.	Truman
Butler	Kilgore	Tunnell
Byrd	Lee	Tydings
Byrnes	Lodge	Van Nuys
Caraway	Lucas	Wallgren
Chandler	McFarland	White
Connally	McKellar	Wiley
Downey	McNary	Willis
	Mead	

## NAYS—24

Adams	Gillette	Reynolds
Aiken	Hatch	Shipstead
Brooks	Johnson, Calif.	Taft
Capper	La Follette	Thomas, Idaho
Chavez	Langer	Tobey
Clark, Idaho	McCarran	Vandenberg
Clark, Mo.	Nye	Walsh
Danaher	O'Mahoney	Wheeler

## NOT VOTING—6

Bone	Reed	Thomas, Okla.
Maloney	Smith	Wagner

So Mr. ELLENDER's amendment, as modified, was agreed to.

Mr. REYNOLDS, Mr. DANAHY, and Mr. LUCAS addressed the Chair.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. REYNOLDS. Mr. President, I offer the amendment, which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment offered by the Senator from North Carolina will be stated.

The LEGISLATIVE CLERK. On page 5, between lines 4 and 5, it is proposed to insert the following new subsection:

(f) Nothing in this act shall be construed to authorize or permit the authorization of the granting of any aid to the Union of Soviet Socialist Republics.

Mr. REYNOLDS. I ask for the yeas and nays.

The yeas and nays were ordered; and the legislative clerk called the roll.

Mr. HILL. I announce that the Senator from Kansas [Mr. REED], the Senator from South Carolina [Mr. SMITH], the Senator from Oklahoma [Mr. THOMAS], and the Senator from New York [Mr. WAGNER] are unavoidably absent.

The Senator from Kansas [Mr. REED] is paired with the Senator from New York [Mr. WAGNER]. I am advised that if present and voting, the Senator from Kansas would vote "yea," and that the Senator from New York would vote "nay."

The Senator from Oklahoma [Mr. THOMAS], I am advised, would vote "nay" if present.

The result was announced—yeas 35, nays 56, as follows:

## YEAS—35

Aiken	Danaher	Reynolds
Ball	Davis	Shipstead
Brewster	Gurney	Taft
Bridges	Holman	Thomas, Idaho
Brooks	Johnson, Calif.	Tobey
Brown	Johnson, Colo.	Vandenberg
Bulow	La Follette	Walsh
Burton	Langer	Wheeler
Butler	Lodge	White
Capper	McCarran	Wiley
Clark, Idaho	McNary	Willis
Clark, Mo.	Nye	

## NAYS—56

Adams	Gerry	Murdock
Andrews	Gillette	Murray
Austin	Glass	Norris
Bailey	Green	O'Mahoney
Bankhead	Guffey	Overton
Barbour	Harrison	Pepper
Barkley	Hatch	Radcliffe
Bilbo	Hayden	Russell
Bone	Herring	Schwartz
Bunker	Hill	Sheppard
Byrd	Hughes	Smathers
Byrnes	Kilgore	Stewart
Caraway	Lee	Thomas, Utah
Chandler	Lucas	Truman
Chavez	McFarland	Tunnell
Connally	McKellar	Tydings
Downey	Maloney	Van Nuys
Ellender	Mead	Wallgren
George	Miller	

## NOT VOTING—4

Reed	Thomas, Okla.	Wagner
Smith		

So Mr. REYNOLDS' amendment was rejected.

Mr. LUCAS. Mr. President, I offer an amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Illinois will be stated.

The CHIEF CLERK. At the end of the bill it is proposed to insert the following new section:

SEC. —. In order to promote national unity and to provide more effectively for the national defense, there is hereby established a special joint committee to be composed of the majority leader and the minority leader of the Senate, the majority leader and the minority leader of the House of Representatives, the chairman of the Senate Committee on Foreign Relations, and the chairman of the House Committee on Foreign Affairs. The committee shall select a chairman from among its members. The committee shall, from time to time, at the request of the President, meet with the President and consult with him with respect to matters relating to the national defense. The provisions of this section shall cease to be in effect on July 1, 1946.

Mr. LUCAS. Mr. President, I withdraw my amendment temporarily.



The PRESIDING OFFICER. The amendment is withdrawn.

Mr. REYNOLDS. Mr. President, if this is a national-defense bill we should protect our Government against sabotage and espionage. We should provide for the safety of our national-defense program against saboteurs, by prohibiting the employment by our Government of any Communists, Nazis, or Fascists. Therefore, I offer the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment offered by the Senator from North Carolina will be stated.

The LEGISLATIVE CLERK. At the end of the bill it is proposed to add the following new section:

Sec. —. No person who is a Communist, Nazi, or Fascist, and who is employed in any department or agency of the United States on the date of enactment of this act shall, after such date, be permitted to remain in such employment, or be paid any compensation out of funds available to any such department or agency.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from North Carolina.

Mr. REYNOLDS. Mr. President, I ask for the yeas and nays.

The yeas and nays were not ordered.

Mr. CLARK of Missouri. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Ellender	Murray
Aiken	George	Norris
Andrews	Gerry	Nye
Austin	Gillette	O'Mahoney
Bailey	Glass	Overton
Ball	Green	Pepper
Bankhead	Guffey	Radcliffe
Barbour	Gurney	Reed
Barkley	Harrison	Reynolds
Bilbo	Hatch	Russell
Bone	Hayden	Schwartz
Brewster	Herring	Sheppard
Bridges	Hill	Shipstead
Brooks	Holman	Smathers
Brown	Hughes	Smith
Bulow	Johnson, Calif.	Stewart
Bunker	Johnson, Colo.	Taft
Burton	Kilgore	Thomas, Idaho
Butler	La Follette	Thomas, Utah
Byrd	Langer	Tobey
Byrnes	Lee	Truman
Capper	Lodge	Tunnell
Caraway	Lucas	Tydings
Chandler	McCarran	Vandenberg
Chavez	McFarland	Van Nuys
Clark, Idaho	McKellar	Wallgren
Clark, Mo.	McNary	Walsh
Connally	Maloney	Wheeler
Danaher	Mead	White
Davis	Miller	Wiley
Downey	Murdock	Willis

The PRESIDING OFFICER. Ninety-three Senators having answered to their names, a quorum is present.

The question is on agreeing to the amendment offered by the Senator from North Carolina [Mr. REYNOLDS].

Mr. REYNOLDS. Mr. President, for the benefit of those Senators who were not here a moment ago I desire to say I have offered an amendment which would prohibit the employment by our Government of any Communists, Nazis, or Fascists. The question is whether we want our Government to employ such people. If this is a national-defense program, we should protect our Government and

should prevent sabotage and espionage by any Communists or Nazis, or Fascists who may now be employed by our Government.

Mr. LEE. Mr. President, will the Senator yield?

Mr. REYNOLDS. I yield.

Mr. LEE. I desire to state that I favor the Senator's amendment providing that Communists, Nazis, and Fascists now on the pay rolls of the Government shall be discharged.

Mr. REYNOLDS. Or any in the future who may be employed.

Mr. LEE. Yes. I favor that, and I will vote for it if I get a chance.

Mr. REYNOLDS. I thank the Senator very much.

Mr. President, I ask for the yeas and nays on my amendment. It merely involves the question whether we want Nazis and Communists and Fascists employed by our Government.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. CONNALLY. Mr. President, I rise to a point of order that the yeas and nays already having been refused, that settles it.

The PRESIDING OFFICER. The Chair will advise the Senator from Texas that it has been the custom and precedent when the yeas and nays have been requested and have been denied, and then a quorum call has been taken, and then the yeas and nays are again asked for, to grant the second request, if sufficiently seconded.

Mr. BARKLEY. Mr. President, I desire to address a question to the Senator from North Carolina. We have heretofore from time to time placed in appropriation bills a limitation—and such a limitation is now in effect with respect to all of them—providing that the funds appropriated shall not be expended for the employment in the Government service of anyone who believes in, or advocates, the overthrow of the Government of the United States by force or violence. That law is now on the statute books, and it is effective with respect to all appropriations. I think we have all voted for it.

The question is whether on this bill there is any need for another provision in addition to that which is practically already in effect in the current appropriations. This is an extraneous matter; it has no relation to the subject of the bill. In view of the fact that such a limitation is already the law, as provided in the appropriation bills and as placed there by Congress, what is the need of burdening this bill with another provision which would carry out the law already in existence with respect to previously made appropriations, and which no doubt will be carried with respect to future appropriation bills?

Mr. REYNOLDS. I say to the Senator that I think we ought to be provided the opportunity in this particular bill, in view of the fact that it is supposed to be a national-defense bill, to express our opinions as to whether Communists and Nazis and Fascists should be employed by the Federal Government.

Mr. BARKLEY. Of course the Congress has already expressed its opinion on that subject.

Mr. REYNOLDS. It is true that we have heretofore said that no funds could be appropriated for the payment of Communists, Nazis, and Fascists; but at the same time there may be some who would volunteer to work for the Government for nothing. There are a number of dollar-a-year men. Some Communists, Nazis, and Fascists might volunteer to work for nothing. Their services might be accepted. [Laughter.] This amendment provides an opportunity of assuring the American people that the Members of the Senate of the United States of America are absolutely against having Communists, Nazis, or Fascists being in the employ of our Government, whether compensated or not.

Mr. BARKLEY. Does the Senator think that any one who is able to work for the Government for a dollar a year or for nothing is likely to be a Communist?

Mr. REYNOLDS. Yes; because it would be an excellent idea for those who are engaged in espionage to work their way into the Government service so as to secure information which otherwise they could not secure.

Mr. BARKLEY. Of course, there is some responsibility on those who employ persons to work for the United States Government to ascertain whether any such condition exists; and that obligation is just as binding on them now as it would be if the amendment were adopted.

Mr. REYNOLDS. That is true; but that obligation does not have anything to do with the fact that the Dies committee in its investigations stated that there were more than 528 such persons now employed by the Government. Concerning that statement, yesterday I called Mr. STARNES, who is a member of the Dies committee, and he said that so far as he knew those persons were still in the Government's employ. He said something ought to be done about it.

Now I am offering to do something about it. If the Members of this body want to countenance such a situation as that, very well. If they do not, very well. I have expressed my opinion against Nazis, Fascists, and Communists working for the Government. If the Members of this body do not want to vote on that question it is all right with me.

Mr. MEAD. Mr. President, while we are discussing this subject I ask unanimous consent to have noted in the RECORD a number of petitions I have received with respect to the bill.

The first petition is from the students of Brooklyn College. The petition bears 779 signatures, all in favor of the lease-lend bill.

The second petition is from the students of Sarah Lawrence College, at Bronxville, N. Y., with 40 signers against the bill.

The third petition is a report of a referendum at Elmira College, showing a large majority in favor of the bill.

The fourth petition is submitted as the result of a meeting of a group, the number of which is not given, at New York University, who are recorded as against the bill.

The fifth, Mr. President, is from the faculty and staff of Hunter College, and



Hunter High School, with 236 signers recorded as favoring passage of the bill.

The last is from Cornell University, where 913 members of the student body favor the immediate passage of the bill.

The PRESIDING OFFICER. The petitions, telegrams, and so forth, presented by the Senator from New York will lie on the table.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from North Carolina [Mr. REYNOLDS].

Mr. REYNOLDS. I ask for the yeas and nays.

The yeas and nays were not ordered.

Mr. REYNOLDS. Mr. President, if this is a national-defense bill, we ought to deport from this country all aliens who have not been in thorough accord with our American way of life. Therefore, I have already sent to the desk, and I offer to this bill, an amendment providing for the immediate deportation of alien Harry Bridges.

I offered this amendment when the Senate was discussing the Selective Service Act; and friends of mine in the Senate prevailed upon me not to insist upon it at that time, because they said the amendment was not germane to the subject of the bill itself. I respectfully submit that we in this country cannot carry on and make progress with our national-defense program if we have among us, and in our midst, alien Communists such as Bridges has been declared to be.

I therefore ask that the Members of this body be permitted the opportunity to say whether or not they want Bridges to remain in this country during this, our so-called national emergency. Therefore, I ask for the yeas and nays.

The PRESIDING OFFICER. The Chair will advise the Senator from North Carolina that the Senate has not yet voted on the first amendment the Senator from North Carolina offered.

Mr. REYNOLDS. But I understood from the Presiding Officer that not enough Senators signified their desire to say whether or not they were willing to permit Communists and Nazis and Fascists to work for our Government.

The PRESIDING OFFICER. The Senate denied the request for the yeas and nays, but the amendment has to be disposed of. It has to be voted on. The question is on the amendment of the Senator from North Carolina.

Mr. TOBEY. Mr. President, far be it from me to take issue with the Chair; but I glanced through the Chamber—the request only called for 15 votes to constitute one-third—and I counted 16. I wondered, in view of that fact, if the Chair would not entertain a second request for a yea-and-nay vote. There certainly were in the Chamber 16 Members, if I can count straight, who raised their hands, and only 15 are required for a roll call.

SEVERAL SENATORS. Oh, no.

Mr. TOBEY. One-third, as I understand, are required.

SEVERAL SENATORS. One-fifth.

Mr. TOBEY. One-fifth, under the rules, of the last recorded vote.

Mr. CONNALLY. Oh, no.

Mr. TOBEY. On which there were 75 votes, and one-fifth of 75 would be 15.

Mr. CONNALLY. One-fifth of those present.

Mr. TOBEY. One-fifth of those who were recorded on the quorum call. Seventy-five were recorded there, and one-fifth of that number is 15.

Mr. LUCAS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Illinois will state it.

Mr. LUCAS. What is the parliamentary situation when a Senator is not satisfied with a decision that the Chair makes?

The PRESIDING OFFICER. Time has elapsed. The Senator from New Hampshire raised no question about the decision the Chair made at the time the Chair made its decision. Therefore, the Chair holds to its decision.

Mr. HATCH. Mr. President, was any appeal taken from the decision of the Chair?

The PRESIDING OFFICER. No appeal was taken.

Mr. HATCH. There is nothing before the Senate, then.

The PRESIDING OFFICER. Yes; the amendment of the Senator from North Carolina is before the Senate.

Mr. HATCH. Then, let us vote on the amendment.

The PRESIDING OFFICER. The amendment has not yet been disposed of.

Mr. VANDENBERG. Mr. President, would the Chair entertain a further request for a showing of hands as to whether or not a yea-and-nay vote is desired?

The PRESIDING OFFICER. Is there objection to that request?

Mr. BARKLEY. Mr. President, it is up to the Chair. I do not want to be meticulous about the matter; but twice the Chair submitted the request to the Senate. Twice the Senate refused to order a yea-and-nay vote. I do not know how many times Senators want to have the Chair pass on that question, or have the Senate itself pass on it; but it seems to me that when the request has been made and submitted twice, that certainly ought to be enough.

Mr. VANDENBERG. It seems to me the Senator from North Carolina is entitled to a record vote on his amendment if he wants one. It might save time if we would give him a record vote.

Mr. REYNOLDS. Mr. President, let me say to the Senator from Michigan that I immensely appreciate what he has had to say, but I put the matter before this body, and got the fact of record that I was opposed to any Communists or Nazis or Fascists working for my Government. If the Members of this body do not want to go on record as being opposed to their employment, it is all right with me. I am not going to insist upon a record vote. I am just trying to keep my record straight.

Mr. VANDENBERG. Mr. President, do I correctly understand that the Senator from North Carolina withdraws his request for a record vote?

Mr. REYNOLDS. No; I do not. I desire to provide the Members of the Senate with that opportunity, because I know the American people want to know whether or not the Members of this body want Communists, Fascists, and Nazis working for the Government. I, there-

fore respectfully request that I may have a record vote, if that is the proper manner in which I should put the request to the Chair.

Mr. BARKLEY. Mr. President, the question posed by the Senator from North Carolina is not one which is really quite fair to the Senate. We have, on numerous occasions heretofore, and it is now the law, provided against the employment of the very persons the Senator is now seeking to have excluded from employment.

Mr. REYNOLDS. The present law only goes to the extent of excluding from employment those openly advocating violence. If the Senator will pardon me, I have a recollection that the word "violence" is employed; and one may be a Communist without being a vicious Communist in respect to spilling blood. There are other ways of causing trouble beside the use of the stiletto.

Mr. BARKLEY. The law provides against the employment of anybody, whether he is a Communist or a Nazi or Fascist or a Democrat or a Republican or anybody else, who advocates the overthrow of the Government of the United States by force.

Mr. REYNOLDS. By force.

Mr. BARKLEY. By force; yes.

Mr. REYNOLDS. I desire to cover the case of Communists who do not care to use the cold steel, but who use propaganda methods which are much more deadly than any steel, bayonet, or rifle that has been invented or fashioned.

Mr. TOBEY. Mr. President, a parliamentary inquiry. Who has the floor?

The PRESIDING OFFICER. The Senator from Kentucky rose. The Senator from Kentucky has the floor.

Mr. TOBEY. Will the Senator yield to me?

Mr. BARKLEY. Just a moment; I desire to read an excerpt to the Senator from North Carolina.

Mr. REYNOLDS. I submit that the word "force" is employed in the present law.

Mr. BARKLEY. Yes. This is simply a sample of one of the provisions in all appropriation bills. It happens to be one making appropriations for the United States Maritime Commission for emergency cargo-ship construction, and for other purposes. After making the appropriation, it says:

*Provided, That no part of this appropriation shall be used to pay the salary or wages of any person who advocates or who is a member of an organization that advocates the overthrow of the Government of the United States by force or violence.*

Mr. REYNOLDS. "By force or violence."

Mr. BARKLEY. That prohibition applies to anybody, whether he is a Communist or a Nazi or a Fascist, or no matter what he is.

Mr. REYNOLDS. Yes. I want to catch the Communists who do not believe in using force and violence, but who use the tongue and the radio and the newspaper and the magazine columns; and I therefore ask for the yeas and nays on my amendment.

Mr. TOBEY. Mr. President, will the Senator from Kentucky yield?



Mr. BARKLEY. I yield to the Senator from New Hampshire.

Mr. TOBEY. Addressing my remarks to the majority leader, my only purpose in rising in this matter was because when the call for the yeas and nays was made I made a quick count, and I counted 16 hands; and I felt, sir, that when there was an honest doubt in my mind I could not do anything else but refute or question the decision of the Chair. It seems to me beyond peradventure that in the United States of America, in this high deliberative body, we ought to welcome a record vote and a roll call, and reaffirm and let the American people know that there is no room on the pay rolls of the Federal Treasury for Communists and Fascists.

Why gloss this thing over? Why not, in the spirit of gentlemen and Senators, say, "We will give you a chance for a record vote," if there is any question about it? Why stand on a technicality and close the door to a free expression of opinion by a record vote for all time, so that the people may know where their hired men in the Senate stand, if you please?

Mr. BARKLEY. Mr. President, so far as I am concerned, the Senate always has a perfect right to do anything it desires to do. The rules provide that in order to have a record vote one-fifth of those present must raise their hands in advocacy of taking a record vote. The question was twice submitted to the Senate. There is no rule of the Senate which requires a Senator to hold up his hand. We have no derrick here to raise men's hands. It is all up to the Members of the Senate as to whether they shall second a demand for a record vote. Twice that question was submitted to the Senate, and twice it failed to get the required number, and, of course, under the rules of the Senate, the Chair is charged with the duty of making the count. It seems to me that any Senator could look around and in his own way make his own count and raise some question about the count of the Chair, but the Chair looks into the faces of all Senators, he is in a better position to make the count accurately than we are by switching around in our chairs and trying to determine how many Senators have their hands up. It seems to me that the Senate twice having refused to ask for a roll call, the Chair is within his right, and the Senate is within its right in not having the matter submitted again.

Personally, I have no objection to going on record in this matter. I have heretofore voted for the provisions now in the law; but I do not think the question has anything to do with the bill before us, and I do not think the bill should be encumbered and that it is not fair to the Senate to say that because Senators do not want to delay consideration of the bill by roll calls on this matter, they are either afraid to go on record or that they want Communists, Fascists, and Nazis in the employ of the Government of the United States. We have all unanimously voted heretofore against that very thing.

If this amendment is a proper one on the pending bill, of course, the field is

wide open with respect to what sort of people we might bar from employment in the Government of the United States. So far as I am concerned, the Senate can vote as it pleases.

Mr. REYNOLDS. In view of what the majority leader has stated, I feel confident that the Members of the Senate would like to have an opportunity to reaffirm their objection to our Government employing Nazis, Fascists, and Communists. Therefore I ask for the yeas and nays.

Mr. HATCH. I make a point of order.

The PRESIDING OFFICER. The Senator will state it.

Mr. HATCH. I make the point of order that the Senator's request has already been ruled on.

The PRESIDING OFFICER. The Chair has ruled on it twice, and both times there has been an insufficient number seconding the demand for the yeas and nays.

Mr. VANDENBERG. A parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. VANDENBERG. In the interest of expedition, knowing as I do the ability of the Senator from North Carolina to discuss this subject for an hour or two, if necessary, I ask unanimous consent that the Chair be permitted to resubmit the request for the yeas and nays.

The PRESIDING OFFICER. The Senator from Michigan asks unanimous consent that the demand for the yeas and nays be in order for resubmission. Is there objection to the request of the Senator from Michigan? The Chair hears none.

All in favor of taking a vote on the amendment offered by the Senator from North Carolina by yeas and nays will hold up their right hands and keep them held up until counted. [After a pause.] A sufficient number having seconded the demand, the yeas and nays are ordered.

Mr. ADAMS. Mr. President, I wish to call attention to some matters which I think the senior Senator from Louisiana [Mr. OVERTON] is better equipped to discuss. I have presented on the floor during this session three or four appropriation bills in which there was a provision far more drastic than the one pending before us. The Committee on Appropriations were confronted with this problem. There was a flat declaration somewhat of the kind the Senator from North Carolina offers now. The General Accounting Office said to us, "You are imposing an unsupportable burden upon the General Accounting Office. If the General Accounting Office must find out that every individual who comes to be paid does not come within the proscribed class, the burden upon the General Accounting Office will be practically endless."

The Committee on Appropriations endeavored to meet the problem. They endeavored to prevent the inclusion of these undesirable people on the rolls, and at the same time to protect the General Accounting Office from a tremendous burden of expense and delay in making payments. We provided under the leadership of the senior Senator from

Louisiana [Mr. OVERTON] a penalty provision, so that it was made a heavily punishable crime for anyone to attempt to draw pay from the Federal Government if he belonged to one of the proscribed classes. In other words, instead of putting the burden upon the General Accounting Office to check up, it was made an offense, a heavily punishable offense, for anyone in the proscribed classes to remain on the Government pay roll. That put the burden of proof on the prosecuting officer to punish the man who was guilty.

The amendment of the Senator from North Carolina would merely take the individual off the roll. Under the amendment of the Senator from Louisiana, if a man permitted himself to remain on, he would be punished for being on the roll.

I suggest that the Senator from Louisiana, who is now in the Chamber, and who has followed that matter more closely than I, supplement what I have been attempting to state. I think the present form of the amendment is not satisfactory.

Mr. OVERTON. Mr. President, I was not in the Chamber at the time the Senator from North Carolina offered his amendment, and I have not had an opportunity to read it. I have a copy now before me. It provides:

No person who is a Communist, Nazi, or Fascist, and who is employed in any department or agency of the United States on the date of enactment of this act shall, after such date, be permitted to remain in such employment, or be paid any compensation out of funds available to any such department or agency.

Mr. President, I gave a great deal of thought to this question, and, as stated by the able Senator from Colorado, who is chairman of the subcommittee which considered a number of appropriation bills, I offered an amendment to each of the appropriation bills which I thought covered this situation.

Let us undertake in our minds to put the amendment of the Senator from North Carolina into practical operation. What provision is made to determine whether or not an employee is a Communist, a Nazi, or a Fascist? What penalty is attached to his being employed while in such a class? What penalty is there addressed against a person who is a Communist, Nazi, or Fascist, and who is employed by the Government?

As the Senator from Colorado has well stated, if this amendment shall be adopted, then the General Accounting Office will have to make an investigation of every employee on the pay rolls of the Federal Government, and institute an independent investigation to determine whether or not such an employee is a Communist, Nazi, or Fascist.

Mr. REYNOLDS. Mr. President, in answer, may I say—

Mr. OVERTON. Just a moment. I think this is a fair illustration of the impracticability of undertaking to amend legislation on the floor. I think an amendment of this kind should be incorporated in the various appropriation bills. That was my view of the



matter, and I carefully prepared amendments and they were carefully studied by the Committee on Appropriations, and they have uniformly been adopted by this body. I understand that now in the House of Representatives similar amendments are being attached to appropriation bills.

Mr. REYNOLDS. Mr. President, in answer, we are proposing by the pending bill to give away billions of dollars to foreign governments for their protection and for their national defense. In view of the fact that we are proposing to give away billions of dollars to foreign governments for their protection and national defense, I think we can afford to expend at least a few hundred million dollars to investigate every employee of the Government of the United States for the protection and the defense of the United States.

Mr. OVERTON. May I ask the Senator from North Carolina who is to make the investigation, according to the amendment?

Mr. REYNOLDS. Let those in charge of the various departments do so, because they are the ones who would be held responsible.

Mr. OVERTON. The amendment does not so state.

Mr. REYNOLDS. I know, but the bill says our Government shall not employ any such persons.

Mr. McKELLAR. Mr. President, will the Senator from Louisiana yield?

Mr. OVERTON. I yield.

Mr. McKELLAR. I think the Senator from Louisiana is absolutely correct in his contention that there should be a methodical, a proper, a legal, and an inexpensive way of determining who are Communists, Nazis, and others and therefore should not be in the employ of the Government. The Committee on Appropriations, as the Senator has said, has undertaken to deal with that matter, and has done so in respect to all the appropriation bills which have come before it up to this date, and it will continue to do so, in my opinion. In the circumstances, it seems to me that it would be very much better to follow the course the Appropriations Committee has already taken, and do the job and do it well in that way, rather than in the haphazard method which is suggested.

Mr. BONE. Mr. President, will the Senator from Louisiana yield?

Mr. OVERTON. I yield.

Mr. BONE. I am interested in this matter. Is it not a fact that the theory which the Senator from North Carolina now advances has been incorporated in our appropriation legislation; that his ideas have been carried out right along? That has been my understanding. He has been attempting to do this a long time, and I think his ideas have finally become incorporated in our appropriation legislation.

Mr. BYRNES. If the Senator from North Carolina will allow me, I should like to read to him what the law provides.

Mr. REYNOLDS. That has already been read by the majority leader.

Mr. GILLETTE. Mr. President, will the Senator from Louisiana yield?

Mr. OVERTON. I yield.

Mr. GILLETTE. The Senator from Louisiana and several other Senators have been referring to the provisions of this kind in appropriation laws, and I approve them, but I have in mind that in a similar provision in the relief appropriation bill of last year, where there was a prohibition against using the money for the employment of persons or for the relief of persons advocating subversive activities, all that was necessary was for any person to file an affidavit that he did not belong to such an organization, and that was prima facie evidence, and no provision was made for any machinery to inquire into the matter.

Mr. OVERTON. That is true in reference to what we did last year, but it is not true with reference to what we are doing this year. We attach a severe penalty clause.

Mr. McKELLAR. That was the position the Senator from Louisiana took then to correct the very situation the Senator from Iowa suggests.

Mr. OVERTON. I took the position that anyone who advocated the overthrow of this Government by force of arms would not hesitate to make an affidavit that he was not advocating the overthrow of the Government, and therefore, in the amendments I offered in the Committee on Appropriations, and which have uniformly been adopted, I have fixed a rather severe penalty.

Mr. BARKLEY. Mr. President, will the Senator from Louisiana yield?

Mr. OVERTON. I yield.

Mr. BARKLEY. In the language of the appropriation bills which carried this inhibition an effort has been made, I understand, to use legal language which is enforceable. There is no legal definition of a "Nazi."

Mr. OVERTON. That is correct.

Mr. BARKLEY. The word "Nazi" is an abbreviation. It means one who belongs to the National Socialist Democratic Party in Germany. That is where it had its beginning and that is its meaning. All Germans are not members of that party. Only one-fifth of the entire German population belong to that party. But that is the name of a particular party.

Suppose an employee of the Government is suspected of being a Nazi and his superior officer says, "I am going to discharge you because you are a Nazi," and the man replies, "All right. What is a Nazi?" Then if the officer tries to define it, the man says, "Prove I am one." How is he going to do it?

The same thing applies to Fascists. The word "Fascist" is a name that was adopted in Italy as descriptive of the particular political organization of Mussolini. Suppose a Government employee is charged by his superior officer, under the language employed here, of being a Fascist. I do not know how one is going to establish whether a man is or is not a Fascist, but it is easy to establish whether a man or woman advocates the overthrow of the Government of the United States by force or violence. So that under the language which is now in the statutes there is a legal way to determine the question, to find out whether one advocates such a thing, and there is machinery being set up to enforce that statute. I do not see how the adoption

of this amendment in its present form could do any good.

Mr. OVERTON. Mr. President, the Senator is absolutely correct. Under the language now incorporated in the different appropriation laws it is simply a fact which must be established, "Do you advocate or are you connected with an organization that advocates the overthrow of the Government by violence?" If we adopt an amendment of this character, to start with, we would have to define what a Communist is, and we would have to define what a Nazi is, because a distinction is made between Communists, Nazis, and Fascists. It would be necessary to define what a Fascist is, in order that the provision may be enforced, because there is no definition of what constitutes Communists, Fascists, or Nazis.

Mr. DANAHER. Mr. President, will the Senator from Louisiana yield?

Mr. OVERTON. I yield.

Mr. DANAHER. Mr. President, I thank the Senator. Last summer the Senator from Texas [Mr. CONNALLY], the Senator from Arkansas [Mr. MILLER], and I spent many long hours in conducting hearings as we attempted to define the type of subversive activity, or the subversive type of organization, which should and could properly be inveighed against under our law. We tried to find a fundamental principle upon which to base a requirement that members of all such organizations should be registered, either with the State Department or with the Department of Justice, as each of two bills provided. In our efforts to do that we canvassed the situation just about as closely, I assure the Senator, as could be done. We had representatives of the State Department before us, we had representatives of the Department of Justice before us, and after a very great deal of effort we drew up a provision.

Now I should like, in the time of the Senator from Louisiana, to ask the Senator from North Carolina to withdraw the proposed amendment, to the end that we all bend our efforts, for I am sure we are all sympathetic with the aim and the objective of the Senator from North Carolina to achieve such definition adequately and properly as will cover every objective the Senator from North Carolina has in mind.

Mr. OVERTON. Mr. President, I think that is a very good suggestion, and I shall be very glad to cooperate with the Senator from North Carolina and the Senator from Connecticut in preparing such legislation. But it ought to be referred to a committee, it ought to be carefully considered and prepared with a great deal of care, it ought to be placed in an independent bill, or else be considered by the Committee on Appropriations, as we have been considering it there.

Mr. DANAHER. Mr. President, will the Senator again yield?

Mr. OVERTON. I yield.

Mr. DANAHER. I made my request of the Senator from North Carolina, in the interest of trying to be helpful in the attainment of what he has in mind, but only to do it on some proper, workable basis, and not leave everything all bogged up in a snarl of inadequate definition



and inadequate machinery to achieve what he has in mind.

Mr. REYNOLDS. Mr. President, does the Senator from Louisiana yield?

Mr. OVERTON. I yield the floor.

Mr. REYNOLDS obtained the floor.

Mr. JOHNSON of Colorado. Mr. President, will the Senator yield?

Mr. REYNOLDS. I yield.

Mr. JOHNSON of Colorado. I wish to ask the Senator from North Carolina a question. I notice in section 3 of the bill the provision that under certain conditions and circumstances the Government shall—

Manufacture in arsenals, factories, and shipyards under their jurisdiction, or otherwise procure, to the extent to which funds are made available therefor, or contracts are authorized from time to time by the Congress, or both, any defense article for the government of any country whose defense the President deems vital to the defense of the United States.

I wanted to ask the Senator, Does his proposal apply to men employed as provided for by this bill in connection with the defense program?

Mr. REYNOLDS. Certainly; it authorizes the Secretary of War and the Secretary of the Navy to make employment of men in connection with the defense program.

Mr. JOHNSON of Colorado. I should like to ask the Senator whether any appropriation for defense has carried a provision such as is contained in the amendment suggested by the Senator from North Carolina?

Mr. REYNOLDS. Not that I know of. Therefore, I ask for a vote on my amendment.

Mr. BARKLEY. Mr. President, has the Senator concluded his remarks?

Mr. REYNOLDS. Yes.

Mr. BARKLEY. I apologize to the Senate for taking so much time, but the Senator from Georgia, the chairman of the Foreign Relations Committee, as we all know, is laboring under some difficulty. This proposition presents, of course, what might be regarded as an embarrassing situation to Senators, but I think we must have the courage to do the sensible thing here regardless of anything else. We have all been voting for this very proposition in legal language that can be enforced. There is no definition in the bill or in the amendment of what is a Nazi, a Fascist, or even a Communist. It seems to me the Senator from Louisiana and the Senator from Colorado, the Senator from Tennessee, and other Senators who have been working on this matter certainly have labored diligently to protect the United States against the very thing that is in the mind of the Senator from North Carolina, and I have no doubt that in every appropriation bill which will be passed at this session of Congress that language will be included, and I shall cooperate with the Senator from North Carolina and all Senators on the Appropriations Committee to have that language inserted in a legal way that will be enforceable.

Therefore it seems to me that no one who votes against this amendment under these circumstances can be chargeable with favoring any subversive influences being carried on in the Government of

the United States, or that anyone who believes in subversive influences shall be employed by the Government of the United States. It is not a test of our position on that subject if we vote against the amendment, which is ineffective, and which has no standard by which it can be enforced.

Mr. HAYDEN. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. HAYDEN. That is exactly the representation that was made to us by Colonel Harrington, the late head of the Works Progress Administration. We placed a general provision of this kind in the law, and Colonel Harrington came back to the Appropriations Committee and said:

You have given me an utterly impossible task. I cannot take all those on the W. P. A. in the United States and line them up and find out whether they are advocating the overthrow of the Government. We cannot expect the General Accounting Office not to pay anyone any money unless such a charge is affirmatively proven.

So there was our difficulty. Now we have arranged in a practical, business-like way to accomplish the result, and therefore I feel that in voting against this proposal I am in no manner committing myself to the support of Communists, or Fascists, or Nazis.

Mr. BARKLEY. That is the feeling I have about it, and I think that is the feeling that all other Senators should have. It seems to me that under the language contained in the appropriation bills it would be legal to proceed against anyone, regardless of what organization he belonged to, whether he was a Democrat or a Republican, if he believed in overthrowing the Government of the United States by force or by violence. Such a person would be subject to that law and should be proceeded against.

There may be some persons who may be described as Nazis or Fascists who do not believe in the overthrow of the Government of the United States by force or by violence. One cannot always determine a man's convictions or beliefs by the organization to which he belongs. It is sometimes difficult to tell whether persons are Democrats or Republicans, simply by calling them by those names. We must have a legal definition, or a legal situation which can be dealt with, something upon which the Government can put its hands in undertaking to force out of the Government anyone who might come under the prohibition of this proposal.

Mr. ADAMS. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. ADAMS. Allow me to furnish a bit of information. The House, in passing on the first deficiency appropriation bill, adopted the clause to which reference is now being made. The House is now accepting the program which comes from the Senate, so I think it is following that policy.

Mr. BARKLEY. I thank the Senator. There is no danger that there will be any lapse in this provision of law, so far as the present Congress is concerned. It will be contained in all the appropriation bills, and we are in no danger of having

exist such a situation that we cannot reach these people, if they are reachable, and if they are guilty. It seems to me that under the circumstances the Senate would not be justified in doing the frivolous thing, which, with the greatest respect for everyone, it seems to me we would do if we adopted the proposed amendment.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. CONNALLY. Let us suppose we adopted this amendment and it went into the bill. There is no penalty attached. If an employer were to employ a man who is a Communist, there would be no penalty assessed against the employer for retaining such a man in his employ. It seems to me that the way the amendment is drawn it does not mean anything. All the amendment declares is that it is our wish that Communists be taken off the jobs. You cannot look in their mouths and tell whether they are Communists.

Mr. BARKLEY. You can look into the mouth of a horse and tell how old he is, but you cannot look into the mouth of a man and tell whether he is a Communist, a Fascist, or a Nazi.

Mr. JOHNSON of Colorado. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. JOHNSON of Colorado. I wish to submit a question to the Senator from North Carolina with regard to contracts in the defense program. Do the prohibitions which are written into the appropriation measures apply to factories which are given money under the defense program?

I notice from the newspapers that it is claimed that Communists are working here and there in the defense program. Do the prohibitions which the Appropriations Committee have been writing into appropriation bills affect privately owned and operated factories which are using Federal money? On page 2, section 3 provides for the Federal Government operating arsenals, factories, and shipyards under its jurisdiction.

Mr. HAYDEN. I will say to the Senator that if the pay roll is a Government pay roll, all the prohibitions apply.

Mr. JOHNSON of Colorado. It is Government money which is being used.

Mr. HAYDEN. I understand. We are paying money to contractors. We do not attempt to look into the pay rolls of contractors. That is something else. But if a person is on the Federal pay roll, the prohibition applies.

Mr. BARKLEY. Mr. President, if the Government, for any purpose under the law, should take over private factories and the employees should become Government employees, the prohibition would apply. Of course, the Government does not attempt to dictate to a contractor who has a contract with the Government whom he shall employ. If we did that, of course, it would mean an enormous complexity in our situation. But the prohibition would apply to any set of employees in any factory the Government might take over and operate in order to produce defense articles.



Mr. TOBEY. Mr. President, will the Senator yield for a question?

Mr. BARKLEY. I yield.

Mr. TOBEY. On page 4 of the pending bill, subsection (d) of section 3 provides:

Nothing in this act shall be construed to authorize or to permit the authorization of conveying vessels by naval vessels of the United States.

It has been stated by the chairman of the Foreign Relations Committee of the Senate—and I think by the distinguished majority leader—that that has no force of law, but that it merely expresses the sentiment against conveying ships by our Navy. If we take the amendment offered by the distinguished Senator from North Carolina on that basis alone, I think it is worthy of consideration and support. It expresses a sentiment against the menace in this country, in these times of stress and trial, of the Fascist and Communist groups, wherever they may be found, and whatever they may be called. By the same token, all we propose to do is to create a vis a tergo, which, being interpreted, means the strength of the back that is in the philosophy of the Senator from North Carolina and many of the rest of us. I believe the amendment should be agreed to on that basis alone, irrespective of the remarks made by the distinguished Senator from Kentucky.

Mr. BARKLEY. With all due respect to the Senator from New Hampshire, he does not present an analogous situation.

Mr. TOBEY. Only to the extent that both provisions create a sentiment.

Mr. BARKLEY. The provision with respect to conveying is:

Nothing in this act shall be construed to authorize or to permit the authorization of conveying vessels by naval vessels of the United States.

That language was inserted in the House in order to make certain that Congress would not authorize the conveying of ships in the bill. Nothing in the bill authorizes it, but in order that nobody could construe the bill to mean that we are authorizing it, the House inserted this provision, and the Senate has retained it. Of course, that is a psychological lifting of fears which might have had no foundation. It might be supposed to cover a situation which might in some conceivable condition exist in the mind of somebody.

We already have a law against the very thing at which the proposed amendment strikes, and it is written in language which can be enforced and it is enforceable. I realize how important it is over and over again, time after time, every day, to reiterate that we are against the employment of persons who want to overthrow the Government of the United States, whether they be Communists, Nazis, Fascists, Socialists, or whatever they may be; but when we already have a provision against it in legal language which is enforceable and which will be retained in every appropriation bill under circumstances which will make it workable, it seems to me not only that the pending amendment is extraneous and unnecessary but that it is unwise to encumber the bill with such a provision.

Mr. TOBEY. I readily agree with the Senator that the analogy is not on all

fours with the suggestion of the Senator from North Carolina, but I think we should constantly reaffirm our hatred and distrust of such groups in America.

I hope the amendment may prevail.

Mr. BARKLEY. We are doing it every week and will continue to do it every time there is an appropriation bill before us, and it will be done in a much better way than would be possible as a part of this bill.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from North Carolina [Mr. REYNOLDS]. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. THOMAS of Utah (when his name was called). I have a pair with the senior Senator from New Hampshire [Mr. BRIDGES]. I have been informed that, if he were present and voting, he would vote as I intend to vote. Therefore I am at liberty to vote. I vote "nay."

Mr. WILEY (when his name was called). On this question I have a pair with the senior Senator from Virginia [Mr. GLASS], who is not present. I therefore withhold my vote. I am informed that, if the senior Senator from Virginia were present and voting, he would vote "nay." If I were at liberty to vote, I should vote "yea."

The roll call was concluded.

Mr. HILL. I announce that the Senator from North Carolina [Mr. BAILEY], the Senator from Mississippi [Mr. BILBO], the Senator from California [Mr. DOWNEY], the Senator from Virginia [Mr. GLASS], the Senator from South Carolina [Mr. SMITH], the Senator from Oklahoma [Mr. THOMAS], the Senator from Maryland [Mr. TYDINGS], the Senator from New York [Mr. WAGNER], the Senator from Montana [Mr. WHEELER], and the Senator from Kansas [Mr. REED] are unavoidably detained from the Senate.

The Senator from New York [Mr. WAGNER] has a general pair with the Senator from Kansas [Mr. REED].

The result was announced—yeas 29, nays 53, as follows:

#### YEAS—29

Aiken	Johnson, Calif.	Russell
Brooks	Johnson, Colo.	Sheppard
Bulow	La Follette	Shipstead
Butler	Lee	Stewart
Capper	Lodge	Thomas, Idaho
Clark, Idaho	McCarran	Tobey
Clark, Mo.	McFarland	Vandenberg
Danaher	McNary	Walsh
Davis	Nye	Willis
Holman	Reynolds	

#### NAYS—53

Adams	Ellender	Miller
Andrews	George	Murdoch
Austin	Gerry	Murray
Bail	Gillette	Norris
Bankhead	Green	O'Mahoney
Barbour	Guffey	Overton
Barkley	Gurney	Pepper
Bone	Harrison	Radcliffe
Brewster	Hatch	Schwartz
Brown	Hayden	Smathers
Bunker	Herring	Taft
Burton	Hill	Thomas, Utah
Byrd	Hughes	Truman
Byrnes	Kilgore	Tunnell
Caraway	Lucas	Van Nuys
Chandler	McKellar	Wallgren
Chavez	Maloney	White
Connally	Mead	

#### NOT VOTING—13

Bailey	Langer	Wagner
Bilbo	Reed	Wheeler
Bridges	Smith	Wiley
Downey	Thomas, Okla.	
Glass	Tydings	

So Mr. REYNOLDS' amendment was rejected.

Mr. CLARK of Missouri. Mr. President, I offer an amendment, which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The clerk will state the amendment of the Senator from Missouri.

The LEGISLATIVE CLERK. On page 3, line 1, after the word "transfer", it is proposed to insert the word "title."

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. CLARK of Missouri. I yield.

Mr. BARKLEY. The language ought to be "title to" instead of just "title", because it provides for sale, transfer, exchange, and so forth.

Mr. CLARK of Missouri. Does the Senator mean that the word "to" should be added?

Mr. BARKLEY. Yes; it ought to be "transfer title to" the property referred to.

Mr. CLARK of Missouri. I am willing to accept that modification, Mr. President.

The PRESIDING OFFICER. Without objection, the amendment as modified is agreed to.

Mr. REYNOLDS. Mr. President, I offer the amendment, which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The clerk will state the amendment offered by the Senator from North Carolina.

The LEGISLATIVE CLERK. At the end of the bill it is proposed to add the following new section:

SEC. —. Notwithstanding any other provision of law, the Attorney General is hereby authorized and directed to take into custody forthwith and deport forthwith to Australia, the country of which he is a citizen or subject, the alien, Harry Renton Bridges, whose presence in this country the Congress deems hurtful.

Mr. REYNOLDS. Mr. President, if this is a national-defense bill, I respectfully submit that one of the very first things we should do in order that our national-defense program may be not interfered with is to rid this country of alien Communists, those who have been engaged in subversive activities. Therefore, by this amendment I ask for the deportation of a gentleman known, I dare say, to all of us as Mr. Harry Bridges. My amendment faces the issue as to whether we want to deport Bridges or whether we want to leave him in the country. I ask for the yeas and nays.

Mr. ADAMS. Mr. President, may I ask the Senator a question?

The PRESIDING OFFICER. Does the Senator from North Carolina yield to the Senator from Colorado?

Mr. REYNOLDS. I yield.

Mr. ADAMS. This is a bill for the purpose of aiding Great Britain, and we would not aid Great Britain by deporting Bridges. [Laughter.]

Mr. REYNOLDS. If the amendment were adopted, he would be sent to Australia, and I dare say they would not want him there. However, we must look



to our interests in America at least once in a while before considering aid to foreign countries.

I ask for the yeas and nays.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from North Carolina. The yeas and nays are demanded. Is there a sufficient second?

The yeas and nays were not ordered.

Mr. REYNOLDS. Mr. President, I ask for a roll call.

The PRESIDING OFFICER. A roll call is asked for.

Mr. BARKLEY. Mr. President, a roll call has already been refused.

The PRESIDING OFFICER. The roll call was denied because of lack of a sufficient second.

The question is on agreeing to the amendment offered by the Senator from North Carolina.

Mr. BARKLEY. Mr. President, I wish to state that the matter of the deportation of Harry Bridges is now in the hands of the Attorney General, and he is proceeding with respect to the matter. That matter certainly has no business in a bill of this sort.

Mr. REYNOLDS. Mr. President, I desire to state that I introduced this amendment last fall at the special session of Congress, at which time we were considering the Selective Service Act. At that time I was told that Bridges was being investigated by the F. B. I., and I was told that if I would withdraw the amendment I could almost be assured that Bridges would be taken into custody and would be out of the country within 30 days. That was many, many months ago; and Bridges is still here. I desire to ask whether we have come to the point where we cannot deport an enemy of this Government? Shall we sit idly by and permit Bridges, an alien Communist who, I dare say, has created more trouble in this country for the Government of the United States and its law-abiding people than any other single individual or any group of individuals, to stay in the United States to carry on the activities that he has been carrying on for years?

I ask for a record vote on the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from North Carolina.

Mr. McCARRAN. Mr. President, I desire to make a brief observation. An affirmative vote on the amendment would be an affirmative declaration that the departments of this Government, on which democracy depends, have failed. It would be an affirmative declaration that our departments are not capable or competent to carry out the duties imposed on them. It would be an affirmative declaration that our Department of Labor is so incompetent that it should be abolished. This is no place or time to decide a matter of that kind.

Mr. CONNALLY. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Nevada yield to the Senator from Texas?

Mr. McCARRAN. I yield.

Mr. CONNALLY. Let me suggest to the Senator that when he referred to the

Department of Labor his reference should have been to the Department of Justice, because I understand that the matter of the deportation of Harry Bridges has been referred to the Department of Justice.

Mr. McCARRAN. I thank the Senator for his comment. Let it be understood that what I said should have been with reference to the Department of Justice.

Mr. CONNALLY. The proceedings are now pending in the Department of Justice.

Mr. REYNOLDS. Mr. President, in answer to the Senator I desire to state that last year a bill providing for the immediate deportation of Bridges was introduced in the other House by Representative ALLEN of Louisiana. The House voted upon it, and there were only a few votes against the bill. It was sent to the Senate, but was never passed on here. The House evidently did not concede what has been stated by the able Senator from Nevada. I ask for a vote on the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from North Carolina.

The amendment was rejected.

Mr. VANDENBERG. Mr. President, I offer an amendment, which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Michigan will be stated.

The LEGISLATIVE CLERK. On page 3, commencing in line 5, it is proposed to strike out the words "except after consultation with the Chief of Staff of the Army or the Chief of Naval Operations of the Navy, or both" and insert in lieu thereof "unless the Chief of Naval Operations in the case of naval-defense articles, or the Chief of Staff of the Army in the case of military-defense articles, or both in the case of joint-defense articles, shall first certify that such articles are not essential to the defense of the United States."

Mr. VANDENBERG. Mr. President, I think the Senate is thoroughly familiar with the issue presented by the amendment I have offered. The amendment came closer to winning the approval of the Foreign Relations Committee itself than did any other amendment. It was defeated only by a vote of 13 to 10.

At the present time the law of the country, as established in the National Defense Act of June 28, 1940, reads as follows:

SEC. 14. (a) Notwithstanding the provisions of any other law, no military or naval weapon, ship, boat, aircraft, munitions, supplies, or equipment, to which the United States has title, in whole or in part, or which have been contracted for, shall hereafter be transferred, exchanged, sold, or otherwise disposed of in any manner whatsoever, unless the Chief of Naval Operations, in the case of naval material, and the Chief of Staff of the Army in the case of military material, shall first certify that such material is not essential to the defense of the United States.

That, Mr. President, is the existing law. The obvious purpose is to throw this small degree of protection around the existing defense facilities of the United States, and to guard them against any

needless error of judgment in respect to parting with our own defense articles and transferring any portion of them to some other country.

Mr. President, that salutary provision, mild as it is, is eliminated in the pending bill. To repeat, the provision in the existing law requires a certificate from the Chief of Staff of the Army or from the Chief of Naval Operations of the Navy before any defense material may be sent to some other government. The certificate must declare that the material is not needed for the defense of the United States.

The pending bill would eliminate that provision, although the bill obviously contemplates an infinitely greater traffic in our own defense facilities than has heretofore occurred.

Instead of that provision the bill timidly says that none of these transfers shall occur except after the President has consulted with the Chief of Staff of the Army or the Chief of Naval Operations of the Navy, or both. In other words, the provision confesses a wistful congressional anxiety that when the President starts to lend or lease or give away our own defense facilities, he will not entirely forget our own defense necessities; but, having thus admitted the anxiety, the bill is satisfied to ask the President that he please talk it over with our experts before he does anything.

Mr. President, two fundamental questions are undoubtedly involved in everybody's mind in connection with this bill. There is undoubtedly an almost unanimous agreement that we want to extend maximum material aid to Britain, provided—and the proviso is certainly in the hearts of many of us—provided, first, that we do not ourselves become a cobelligerent; and, second, that we do not dissipate the essential nucleus of our own national defense.

This question goes to the second of these considerations. It seems to me we ought to be able to agree that we do not want to dissipate the essential nucleus of our own defense. That involves a question of judgment as to what portion of our defense facilities we can safely lease, lend, or give away, and what proportion we need to maintain for ourselves against the possible day of judgment of England should fail—which God forbid—and we should be required upon our own resources to face the world and to implement our obligation to defend democracy in the Western Hemisphere. If that moment arrives, we must, so far as we can, anticipate the necessity and be prepared to confront the challenge.

Therefore, Mr. President, I repeat, it becomes a matter of desperately important judgment from day to day, as the bill is administered, what portion of our defense facilities we can safely permit the President to lend, lease, sell, or give away to other governments in whose defense we have a common interest.

I submit that it is not fair to leave that desperately important question of judgment solely to the President of the United States. It is not fair to him; it is not fair to the Congress, which is delegating to him this tremendous authority; it is not fair to the country, which is entitled to know that the nucleus of its own



defense is not being impaired from time to time.

What is the minimum protection that Congress can write into the law at this point? It seems to me the answer is perfectly obvious: It is the same protection that we wrote into the National Defense Act of 1940, which is the law today, and which ought not to be repealed or impaired. What does it require. Simply that when our own defense facilities are to be loaned, leased, sold, or given away, the President of the United States shall have a certificate from the highest experts in the Army and the Navy, upon whom we have to rely for our technical information, that the transaction does not impair the essential home defense of the Government of the United States itself.

I am sure no one wants any transfers made that impair the essential nucleus of our own defense. If they do not, why not say so?

I concede that this is still a very thin reed to lean upon, because of course the Chief of Naval Operations and the Chief of Staff of the Army are subordinates of the President in his capacity as Commander in Chief, and they are essentially under his jurisdiction; but if it may be a matter of record, on the responsibility of the head of the Army and the head of the Navy, when these transfers are made, that no transfer is taking place which impairs the essential defense of our own United States, we shall have at least created a minimum of precaution against an error in judgment which otherwise, under fortuitous circumstance, might prove to be highly costly.

I am simply proposing to reenact the existing law, as agreed to less than 10 months ago by the Congress of the United States, and signed by the President himself. I am saying that when we are deliberately proposing in larger degree than ever before to part with our defense facilities, it is the last time rather than the first when we ought to abandon this minimum of protection.

Mr. President, that is the statement of the case. I feel so keenly in regard to the fundamental importance of it that I am going to ask for the yeas and nays and a record vote. Beyond that, I am ready to submit the matter to the Senate.

Mr. TAFT. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. PEPPER in the chair). The absence of a quorum is suggested. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Byrnes	Hatch
Aiken	Capper	Hayden
Andrews	Caraway	Herring
Austin	Chandler	Hill
Bailey	Chavez	Holman
Ball	Clark, Idaho	Hughes
Bankhead	Clark, Mo.	Johnson, Calif.
Barbour	Connally	Johnson, Colo.
Barkley	Danaher	Kilgore
Bilbo	Davis	La Follette
Bone	Downey	Langer
Brewster	Ellender	Lee
Bridges	George	Lodge
Brooks	Gerry	Lucas
Brown	Gillette	McCarran
Bulow	Glass	McFarland
Bunker	Green	McKellar
Burton	Guffey	McNary
Butler	Gurney	Maloney
Byrd	Harrison	Mead

Miller	Russell	Truman
Murdoch	Schwartz	Tunnell
Murray	Sheppard	Tydings
Norris	Shipstead	Vandenberg
Nye	Smathers	Van Nuys
O'Mahoney	Smith	Wallgren
Overton	Stewart	Walsh
Pepper	Taft	Wheeler
Radcliffe	Thomas, Idaho	White
Reed	Thomas, Utah	Wiley
Reynolds	Tobey	Willis

The PRESIDING OFFICER. Ninety-three Senators have answered to their names. A quorum is present. The question is on agreeing to the amendment of the Senator from Michigan [Mr. VANDENBERG].

Mr. VANDENBERG and other Senators called for the yeas and nays.

Mr. BARKLEY. Mr. President, I shall not indulge in any lengthy argument. I merely wish to state that the National Defense Act of 1940 dealt with an entirely different situation from that which exists at this time. The bill we are now considering provides that the President shall consult the Chief of Staff of the Army and the Chief of Naval Operations. It seems to me that is sufficient. After all, the theory of the bill is based upon the idea that we have to fix authority in the President of the United States. If we provide that before he can do any of the things provided for in the act he has to have the consent of the Chief of Staff and the Chief of Naval Operations, which is really what the amendment amounts to, we in effect make them all administrators of the law, so far as any transfers of equipment are concerned.

In the emergency which exists, if there should, unfortunately, be any disagreement between the Chief Executive and the Chief of Staff or the Chief of Naval Operations, the decision of his subordinates would overcome the decision of the President. There is no one in the Navy of the United States who is better informed about the Navy than is the President of the United States. It has been one of the things to which he has devoted his entire life. I do not know that there would be any difference of opinion between the President and the Chief of Naval Operations, but if there should be, under the amendment offered by the Senator from Michigan the President of the United States would be impotent to carry out the provisions of the act. For this reason I hope the amendment will be rejected.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. TAFT. As I understand, there is nothing in the bill which even says that the transfers of Army and Navy material shall be from surplus stock. There is nothing in the bill, so far as I can see, which requires the President even to retain for the United States a complete Army and a complete Navy. Would the Senator object at least to a standard, a statement that the President shall not transfer defense articles unless he finds they are surplus?

Mr. BARKLEY. No; I would not agree to such a suggestion, I may say frankly to the Senator from Ohio. That raises the very question involved in the amendment now pending. What is a surplus? Who is to decide whether there is a surplus?

Is a surplus something which we do not need at all, or is it something which while useful we can dispense with? If we go into all those fine distinctions of what is surplus and what is not surplus in order to empower the President to do what we are proposing, we get into a labyrinthine maze of complexities which would make it impossible for the President or anyone else to administer the law.

Mr. VANDENBERG. Mr. President, if the Senator will yield, I do not want the issue to be confused. There is nothing about surpluses in the amendment.

Mr. BARKLEY. I agree there is nothing about surpluses, but the Senator from Ohio raised the question of surpluses. We have not talked about surpluses on either side of the pending question, or about having a surplus of something before the President can administer the act. I certainly would not agree to any such restriction as that.

Mr. VANDENBERG. Mr. President, I merely wish to say, in very brief response to the Senator from Kentucky, that we have had this provision of law since last June; and if it has caused any serious embarrassment to the President, we at least are not advised of the fact. All that is proposed to be done is to create a record that transfers to other governments of any of our facilities be certified by the Chief of Staff of the Army or the Chief of Naval Operations of the Navy as not essential to the defense of the United States. I merely submit, in a sentence, that if it was sound public policy for the last 10 months for Congress to require the certificates from the technical experts of the Army and Navy that their essential defense facilities were not being impaired or invaded by gifts or sales or transfers abroad, if it was advisable during the last 10 months, it certainly becomes a matter of multiplied advisability when this bill is passed, which contemplates infinitely greater transfers and therefore an infinitely greater necessity for some other degree of prudence in defending the essential defense of our own United States.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. VANDENBERG. I yield.

Mr. BARKLEY. The outstanding instance in which this provision of the present law has been effective is in regard to the 50 destroyers, in which case the Chief of Naval Operations certified that they were not essential to our defense. Even then there were charges that the Chief of Naval Operations had been compelled by some sort of persuasion on the part of the President of the United States to make that substitution. It was not true, but he was subjected to that charge. When the Attorney General rendered his opinion that the transfer was legal there was then the charge—and it has been reiterated over and over again in the debate—that the Attorney General's opinion was incorrect, and by implication that the President had forced him to render such an opinion. Of course, that is an indictment of both the Attorney General and the President.

Certainly, if those charges are well founded, then the amendment of the Senator would not be effective. If they are not true, we should not create such a



situation that similar assertions without the slightest foundation could be made with respect to certifications required under the amendment.

Mr. VANDENBERG. Mr. President, insofar as the episode to which the able Senator from Kentucky refers is concerned, I merely observe that I think the President of the United States was exceedingly fortunate in being able to point to a certificate from the Chief of Naval Operations when this controversy arose regarding the destroyer transaction. This amendment is just as much to the advantage of the President, in the long run, as it is to the advantage of the people and the Congress and to the preservation of the essential nucleus of our own national defense.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Michigan [Mr. VANDENBERG].

Mr. BARKLEY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Ellender	Murray
Aiken	George	Norris
Andrews	Gerry	Nye
Austin	Gillette	O'Mahoney
Bailey	Glass	Overton
Ball	Green	Pepper
Bankhead	Guffey	Radcliffe
Barbour	Gurney	Reed
Barkley	Harrison	Reynolds
Bilbo	Hatch	Russell
Bone	Hayden	Schwartz
Brewster	Herring	Sheppard
Bridges	Hill	Shipstead
Brooks	Holman	Smathers
Brown	Hughes	Smith
Bulow	Johnson, Calif.	Stewart
Bunker	Johnson, Colo.	Taft
Burton	Kilgore	Thomas, Idaho
Butler	La Follette	Thomas, Utah
Byrd	Langer	Tobey
Byrnes	Lee	Truman
Capper	Lodge	Tunnell
Caraway	Lucas	Tydings
Chandler	McCarran	Vandenberg
Chavez	McFarland	Van Nuys
Clark, Idaho	McKellar	Wallgren
Clark, Mo.	McNary	Walsh
Connally	Maloney	Wheeler
Danaher	Mead	White
Davis	Miller	Wiley
Downey	Murdoch	Willis

The PRESIDING OFFICER. Ninety-three Senators having answered to their names, a quorum is present.

Mr. CONNALLY. Mr. President, I realize that the hour is growing late, and that Senators are probably restless and want to vote on the bill, and I hope we shall vote on it tonight and go home. But I wish to submit a few remarks on the amendment offered by the Senator from Michigan [Mr. VANDENBERG].

The whole theory of the bill is that we are placing upon the President the responsibility for its administration. I agree with that theory. This is a high responsibility, and I want to leave that responsibility right on the President. But the Senator from Michigan is so anxious to relieve the President of the United States of that responsibility that he offers his amendment so that the President will have an able-bodied "alibi" to begin with. In other words, if in carrying out the provisions of the bill something should happen which the Senator from Michigan may think he should criticize and which the Senator

from Montana—I do not see him present now; perhaps he is consulting the Ellender amendment somewhere [laughter]—if something were to be done that these Senators felt they should criticize, the President would have a perfect "alibi" and could say, "Yes; I did that because the Chief of Staff of the Army said it was O. K."

Then, what would the Senators say to the President of the United States? It would be no longer his responsibility; it would be the responsibility of the Chief of Staff. If the President should give away some battleships or some destroyers, the Senator from Michigan would rise, and his clarion voice would ring out in denunciation of the action of the President, but all in the world the President would need to say would be, "Why, the Chief of Naval Operations certified that those ships were not needed for our defense." Then what would the Senator from Michigan be able to do but to "cuss out" the Chief of Naval Operations?

Mr. President, in this bill we are giving authority to the President of the United States as Commander in Chief of the Army and the Navy. The amendment of the Senator from Michigan would turn over that authority to a subordinate, not to the President. It would give the power, not to the President of the United States, but to the Chief of Staff of the Army. An officer not elected by the people, an officer who has no function except as an Army officer, is the one who would speak for the Nation. The Chief of Naval Operations, as to naval equipment, would be the one who would have the power, not the President of the United States. Not the Commander in Chief of the Army and the Navy, but the Chief of Naval Operations, a subordinate, would have charge, and would tell his Commander in Chief what he could do and what he could not do.

It is perfectly appropriate that we should require the President to consult these officers. They are technical men. It is perfectly proper for him to consult them as to disposition of naval or military equipment, but when he consults them, and when he obtains the information, the responsibility and the duty is in the President of the United States to make the decision, and he is the only one of the three who is really responsible to the people of the United States. He is the only one of the three who is responsible to the Congress. The Congress which passes this bill, and places in the President's hands these powers, should be able to hold him accountable, rather than be obliged to hunt up the Chief of Staff and the Chief of Naval Operations.

Mr. President, it seems to me that the amendment runs counter to the whole philosophy of the bill. It runs counter to the proper integration of military and executive authority in that it allows a subordinate to control and dominate the action of his chief.

Mr. President, would you want the first sergeant to tell the captain what he can do or what he cannot do? Would you want a corporal to emerge from his quarters and issue orders to the colonel of the regiment? I do not think you would.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield.

Mr. LUCAS. I ask the able Senator from Texas what would happen under these circumstances: Let us assume that the Chief of Staff was in Panama on constant duty, and the President of the United States was here. Would it be necessary for the Chief of Staff to run back and forth every time the President wished to make a decision on matters of this kind? I can imagine a situation in which the Chief of Staff, or the Chief of Naval Operations might be many miles away; and it seems to me it would cause a considerable amount of trouble and bother if the Chief of Staff of the Army or the Chief of Naval Operations had to come to the President every time the President wanted to make a decision involving the national-defense program. It might interrupt the regular order of affairs both in the Army and the Navy.

Mr. CONNALLY. I quite agree with the Senator from Illinois that there might be a great deal of physical annoyance and delay involved, which, of course, would be incidental to the larger question of policy and of ultimate control.

Mr. President, would you like to see the president of a bank taking orders from the teller? Would you like to have the teller say, "Mr. President, you cannot make this loan because it is not a good loan"? Would you like to have the Vice President, who is the Presiding Officer, take orders from the Sergeant at Arms of the Senate, a subordinate? Mr. President, this is not a wise amendment. We do not take orders from subordinates if we have any authority and any sense of responsibility.

I realize that the Senator from Michigan is prompted by the highest motives. As the Senator from Michigan knows, I regard him very highly. He was my candidate for the Republican nomination for President of the United States. [Laughter.] That shows the esteem in which I hold him. But that contest is over, and I have to treat him now on a basis of equality with other Senators.

For the reasons I have undertaken to give, Mr. President, I wholly disagree with the wisdom, the philosophy, and the practicality of this amendment, and I hope the Senate will reject it.

Mr. VANDENBERG. I ask for the yeas and nays.

The yeas and nays were ordered; and the Chief Clerk proceeded to call the roll.

Mr. REYNOLDS (when his name was called). I have a pair with the senior Senator from Alabama [Mr. BANKHEAD], who is unavoidably detained on official business. I therefore withhold my vote. If I were at liberty to vote I should vote "yea." If the Senator from Alabama were present and voting, I am informed he would vote "nay."

Mr. THOMAS of Utah (when his name was called). On this question I have a pair with the senior Senator from New Hampshire [Mr. BRIDGES]. I transfer that pair to the senior Senator from North Carolina [Mr. BAILEY] and will vote. I vote "nay."

Mr. WILEY (when his name was called). On this question I have a pair with the senior Senator from Virginia [Mr. GLASS] and therefore withhold my vote. If I were at liberty to vote I should



vote "yea"; and I am informed that if the Senator from Virginia were present he would vote "nay."

The roll call was concluded.

Mr. HILL. I announce that the Senator from North Carolina [Mr. BAILEY], the Senator from Mississippi [Mr. BILBO], the Senator from Missouri [Mr. CLARK], the Senator from California [Mr. DOWNEY], the Senator from Virginia [Mr. GLASS], the Senator from South Carolina [Mr. SMITH], the Senator from Oklahoma [Mr. THOMAS], the Senator from Indiana [Mr. VAN NUYS], the Senator from New York [Mr. WAGNER], and the Senator from Kansas [Mr. REED] are unavoidably detained from the Senate.

The Senator from Kansas [Mr. REED] is paired with the Senator from New York [Mr. WAGNER]. I am advised that if present and voting, the Senator from Kansas would vote "yea," and that the Senator from New York would vote "nay."

I am advised that if present and voting, the Senator from North Carolina [Mr. BAILEY], the Senator from Mississippi [Mr. BILBO], the Senator from California [Mr. DOWNEY], the Senator from Virginia [Mr. GLASS], the Senator from Oklahoma [Mr. THOMAS], and the Senator from Indiana [Mr. VAN NUYS] would vote "nay."

I am also requested to announce that if present and voting, the Senator from Missouri [Mr. CLARK] would vote "yea."

Mr. AUSTIN. I announce that the senior Senator from New Hampshire [Mr. BRIDGES] is necessarily absent from the Senate temporarily. If he were present he would vote "yea."

The result was announced—yeas 36, nays 45, as follows:

#### YEAS—36

Adams	Clark, Idaho	McCarran
Aiken	Danaher	McNary
Austin	Davis	Nye
Ball	Gerry	Shipstead
Barbour	Gillette	Taft
Brewster	Gurney	Thomas, Idaho
Brooks	Holman	Tobey
Bulow	Johnson, Calif.	Vandenberg
Burton	Johnson, Colo.	Walsh
Eutler	La Follette	Wheeler
Byrd	Langer	White
Capper	Lodge	Willis

#### NAYS—45

Andrews	Hatch	Norris
Barkley	Hayden	O'Mahoney
Bone	Herring	Overton
Brown	Hill	Pepper
Bunker	Hughes	Radcliffe
Byrnes	Kilgore	Russell
Caraway	Lee	Schwartz
Chandler	Lucas	Sheppard
Chavez	McFarland	Smathers
Connally	McKellar	Stewart
Ellender	Maloney	Thomas, Utah
George	Mead	Truman
Green	Miller	Tunnell
Guffey	Murdock	Tydings
Harrison	Murray	Wallgren

#### NOT VOTING—14

Bailey	Downey	Thomas, Okla.
Bankhead	Glass	Van Nuys
Bilbo	Reed	Wagner
Bridges	Reynolds	Wiley
Clark, Mo.	Smith	

So Mr. VANDENBERG's amendment was rejected.

Mr. DANAHER. Mr. President, I have an amendment at the desk, which I asked to have lie on the table the other day, and which I now call up.

The PRESIDING OFFICER. The amendment offered by the Senator from Connecticut will be stated.

The CHIEF CLERK. On page 7, line 19, after the word "direct", it is proposed to insert a colon and the following new language: "Provided, That nothing in this act shall be construed to confer upon the President or any such department, agency, or officer the power or the authority to establish control or censorship in any manner not now provided by law, over the use of the radio, the press, or other instrumentality engaged in the publication or dissemination of news, opinion, or information; and no rule or regulation shall be promulgated or fixed which shall abridge or interfere with the freedom of speech or of the press."

Mr. DANAHER. Mr. President, the proposed amendment and section 9 thus correlated would read as has just been stated. I have submitted the matter only briefly to the senior Senator from Georgia [Mr. GEORGE], chairman of the Committee on Foreign Relations, in the hope that he might have an opportunity to study it meanwhile and see whether or not he could concur and agree to the cogency leading to the adoption—as I hope—of the proposed amendment. I know that the Senator from Georgia has done his very best today, under most difficult circumstances, and I do not know whether he has had time to examine the amendment.

Without unduly detaining the Senate, I should like to point out that there is no limitation in section 9 with reference to what powers of censorship or limitation may be imposed upon the use of the radio, the newspapers, or other media of public information. In view of the language here and there in the bill dealing with the release of information, or even the suppression of such information as the President feels it would not be compatible with the public interest to disclose, it is easily discernible that rules and regulations with reference to the release of information, or even the use of information thereafter, can be so framed as to impose upon the country a degree of censorship. That that particular fear is well grounded, I think, can be perceived from the House hearings which have been proceeding with reference to House bill 3368. I think that bill has possibly been passed by the other House while we have been debating this matter. That bill would set up an office downtown which would control public information. How far it would constitute a limitation upon, or an extension of, the powers under the pending bill, I have no means of knowing. I have not seen the House hearings, and I understand they have not as yet been printed.

Mr. HAYDEN. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Connecticut yield to the Senator from Arizona?

Mr. DANAHER. I yield.

Mr. HAYDEN. Would the Senator have any objection to adding to his amendment a further provision that nothing in this act shall be considered to repeal or in any manner alter the 12 tables of the Roman law? [Laughter.] It seems to me that proposal would be about as germane to this bill as the suggestion he has made.

Mr. DANAHER. Mr. President, of course, I recognize the fact that the Senator from Arizona is facetious in his expression, and does not understand that it is any part of our function to repeal the Roman law. However, I believe, Mr. President, that there are on our statute books today statutes dealing, through the Federal Communications Commission, with the radio. I do not under any circumstances ask that the limitations contained in existing law be altered. Quite the contrary; the amendment definitely says that there shall be no limitation in any manner not now provided by law.

Mr. President, if we are to have this type of bill, which provides, on page 6, in lines 17 and 18, in connection with the requirement that the President shall report to the Congress, that such information shall be submitted to us, and only such as he shall deem it compatible with the public interest to disclose, there is sufficient groundwork there to include from then on the power under section 9 to make such rules and regulations and to promulgate such rules as actually shall constitute a limitation upon the right of the press to report the doings or the dealings under the proposed legislation.

Mr. BARKLEY. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Connecticut yield to the Senator from Kentucky?

Mr. DANAHER. I yield.

Mr. BARKLEY. I do not desire to break in on the Senator's sentence; but I wonder what language or what word there is anywhere in the bill which creates in the mind of the Senator the fear that the President, or anyone connected with the Government, could impose any form of censorship on the press, or on the radio, or on any other public method of disseminating information to the people.

Mr. DANAHER. That is a fair question. Let us suppose, Mr. President, that the Military Affairs Committee last week had before it General Marshall. Let us suppose that his testimony was taken in executive session, and that it was off the record. Let us suppose that his testimony had to do with the disposition of defense articles under this purported legislation. Let us suppose that through one medium or another the press ascertains a great deal of the information which was disclosed by the General to the Military Affairs Committee. Let us assume that under the authority contained in section 9 there shall have been promulgated rules and regulations creating a penalty upon the press or upon any man who reports over the radio any information thus obtained. The power to make rules and regulations, once conferred, is so far-reaching that it even reaches the point of making possible specific penalties against those who violate the rules and regulations.

Mr. BARKLEY. Mr. President, will the Senator yield at that point?

Mr. DANAHER. I yield.

Mr. BARKLEY. The mere fact that section 9 authorizes the President to make regulations to carry out the provisions of this bill, and only of this bill, not of any other measure, certainly cannot be stretched by any feat of the imag-



ination to include the right of the President to put a censorship on the radio or on the press.

The Senator from Connecticut cited the illustration of the Chief of Staff coming before the Military Affairs Committee, as he did a few days ago, and, in executive session and presumably in confidence, giving the committee information that he thought ought not to be made public, not because the American people are not entitled to all information, but because, if the American people should obtain that information, foreign nations also would obtain it. In that instance the question arose as to the ethics of any member of the committee divulging that information, which finally seems to have gotten into the press. It brought about a good deal of discussion. I am not going into that subject. I myself have always felt that when I, as a member of a committee, listened to any officer of the Government who gave us confidential information, I ought to respect the confidence, and ought not to reveal the information to the public.

There are some men, not only here but outside the Senate, who believe that any information, no matter what it is, that pertains to the Government of the United States, ought to be made public. I remember that there was a former Member of this body who maintained that he did not regard as confidential anything that was presented to a committee, and he would immediately go out and tell the reporters what had occurred in a confidential executive session.

I do not entertain that view. I believe that when any officer of the Government comes before a committee and gives the members of the committee information in confidence and in executive session—and if there were no reason for that confidential relationship there ought not to be an executive session—a member of the committee who intends to go out and divulge that information to the public ought to say so to the witness, so that the witness would know that he was not actually in an executive session, and that what he said would be revealed to the public, probably in a garbled fashion. However, there is nothing in the bill—not a thing, not a syllable anywhere—that gives the President or anybody else any authority to impose censorship on anybody, certainly not on a committee, certainly not on the radio, and certainly not on the press. Section 9 is only the usual section giving the President power to carry out the provisions of the bill, none of which deal with censorship, or deal with the press, or deal with the radio, or deal with any other method of disseminating information.

There is in the bill a provision that the President may give to a foreign government information concerning a defense article. That is a necessary provision, because it would be a stupid thing for us to turn over, either under sale or lease or otherwise, to any other government, defense articles and leave the other government in the dark as to how to operate it.

Mr. DANAHER. I agree.

Mr. BARKLEY. So it has been provided in the bill that the President may

give to that country information concerning the defense article, and only that; that is all.

I suppose it will not be contended that from the mere fact that the President gives such information to the government to which he transfers or sells or leases the article it would follow that the information ought to be made public in such a way that an enemy would obtain that information concerning the operation or the mechanism inside the defense article.

Mr. DANAHER. I have no quarrel with the Senator on that basis—not the slightest. I agree.

Mr. BARKLEY. It seems to me the Senator is conjuring up a situation that does not exist, by any stretch of the imagination, in this bill.

Mr. DANAHER. Mr. President, if the Senator will look at page 6, lines 17 and 18, I should like to ask him a question or two about that part of the bill. It certainly expressly provides, in these words:

The President from time to time \* \* \*

I skip the irrelevant parts—

shall transmit to the Congress a report of operations \* \* \* except such information as he deems incompatible with the public interest to disclose.

As long as that very clause is in the bill, will the Senator say that under section 9 the President will not be empowered to make rules and regulations with reference to the manner of executing that requirement?

Mr. BARKLEY. No; I do not think there is any relationship. The President is there required once every 3 months, at least, to report to Congress his transactions with respect to the administration of the bill.

Mr. DANAHER. Yes.

Mr. BARKLEY. Except in cases in which, for public reasons, he feels that it would be injurious to make the information public. Therefore, in that case, he simply does not convey that information to Congress. He keeps it locked within his own bosom. I do not see how such a denial can have any relationship to the President's withholding from Congress information that he thinks it would be injurious to report to Congress.

Mr. DANAHER. All right. Now, suppose someone ascertains the very information, if you choose, which the President wishes to withhold from the Congress. Does not the Senator feel and does he not know that under section 9 the President will be empowered to make rules and regulations with reference to the release of such information, whether or not it should have been released?

Mr. BARKLEY. Of course, it is always possible for leaks to occur. I suppose that even when information is exclusively within the possession of the President himself—which he must obtain, naturally, from other sources—there may be leaks. There is no way to avoid that; and yet there is nothing in the bill which gives the President authority to punish anybody. If somebody in a department or somewhere else divulges information which the President himself would not feel justified in revealing to Congress, there is nothing in the bill which authorizes him, under rules and regulations or

otherwise, to punish anybody—any newspaper, or any radio commentator, or anybody else, as I see it—for commenting on, or even undertaking to divulge, the information which the President himself does not see fit to convey to Congress.

Mr. DANAHER. But, Mr. President, the moment section 9 becomes law, the President will be empowered to make rules and regulations with reference to the dissemination of news or the publication of any such item, whether or not it was intended to be released; and that is exactly the situation upon which rules and regulations will proceed.

Mr. OVERTON. Mr. President—

Mr. BARKLEY. Section 9 is the same section, almost word for word, that is put in bills in which the President is given certain authority, and then he is authorized to make rules and regulations.

Mr. DANAHER. I agree.

Mr. BARKLEY. Those rules and regulations do not pertain to some imaginary situation outside the scope of the bill, but the section provides that the President may, from time to time, promulgate such rules and regulations as may be necessary and proper to carry out any of the provisions of the bill. The carrying out of the provisions of the bill is a positive situation, denoting action of some kind. The mere withholding from Congress of information that the President may possess which he thinks the public ought not to have because other interests elsewhere in the world might obtain it if it is made public certainly does not, it seems to me, remotely authorize him to issue any proclamation or make any rules or regulations that would punish in any way anybody who violated any confidence in regard to information that he might obtain which the President withheld from Congress.

Mr. OVERTON. Mr. President—

The PRESIDING OFFICER. Does the Senator from Connecticut yield to the Senator from Louisiana?

Mr. DANAHER. I do.

Mr. OVERTON. I should like to ask the Senator from Connecticut whether or not amendment I of the Constitution provides that Congress shall not enact any law abridging the freedom of the press.

Mr. DANAHER. It does. It says the Congress shall not do so. That is correct.

Mr. OVERTON. And that it shall not enact any law abridging the freedom of speech.

Mr. DANAHER. That is correct.

Mr. OVERTON. Does the Senator from Connecticut consider the radio an instrument of speech?

Mr. DANAHER. Yes.

Mr. OVERTON. Perhaps, if the Senator will pardon me, I might suggest that his amendment would cover the whole situation by providing that—

Nothing in this act shall be construed as repealing amendment I of the Constitution of the United States.

That would cover the radio and all forms of speech and of the press.

Mr. DANAHER. Mr. President, has the Senator concluded?

Mr. OVERTON. I have concluded.

Mr. BARKLEY. Mr. President, will the Senator from Connecticut yield at



that point for just a moment, in connection with what the Senator from Louisiana has said?

Mr. DANAHER. I should like very much to conclude my remarks.

Mr. BARKLEY. I should like the Senator to comment on this aspect of the matter: If Congress itself cannot pass any law abridging the freedom of speech or of the press, it certainly cannot authorize any agency of the Federal Government to do so.

Mr. DANAHER. Mr. President, has the Senator concluded?

Mr. BARKLEY. I have.

Mr. DANAHER. I thank the Senator. The first amendment, so far as it is pertinent, reads thus:

Congress shall make no law \* \* \* abridging the freedom of speech or of the press.

That is what the first amendment says with reference to the duty of Congress—that we shall make no law abridging the freedom of speech or of the press.

Mr. OVERTON. Let me ask the Senator, who else can make laws?

Mr. DANAHER. The Constitution also says that the Congress shall have the power to dispose of and make all needful rules and regulations respecting the disposition of property belonging to the United States; but we are giving away that power. We are distributing that power to the President. Under this bill we are giving him power to decide the defense of what nations shall be deemed vital to our defense. We are giving him that power. In other words, we are surrendering, item by item, those very phases of differentiation between what powers are his and what powers are ours; and when we, under the first amendment—

Mr. OVERTON. Mr. President—

The PRESIDING OFFICER. Does the Senator from Connecticut further yield to the Senator from Louisiana?

Mr. DANAHER. Just one moment. When the Senator from Louisiana [Mr. OVERTON], or the Senator from Arizona [Mr. HAYDEN], or the Senator from Kentucky [Mr. BARKLEY] simply says that the first amendment can be reincorporated into this amendment of mine, that is just exactly what I have done; but I say only that when we confer on the President this rule- and regulation-making power, as we are conferring on him all other powers, he shall not have power to make rules and regulations which shall contravene the first amendment. That is the situation.

The first amendment prohibits Congress from making rules and regulations, or laws, if you choose, abridging the freedom of speech; but it does not say anything to the effect that the President shall not make them under section 9, and that is precisely why this amendment is a requisite of this particular phase of the bill.

Mr. OVERTON. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Connecticut yield to the Senator from Louisiana?

Mr. DANAHER. Yes; I do.

Mr. OVERTON. If Congress has not authority to enact any law abridging the

freedom of press or the freedom of speech, how can it delegate such power to the President or anybody else? How can it do that if Congress itself does not possess the power?

Mr. DANAHER. Mr. President, we have undertaken in the past to divest ourselves of our legislative function. We did it in the Schechter case, which went to the Supreme Court of the United States, and they held that we had invalidly done so.

Mr. OVERTON. Mr. President, will the Senator again yield?

Mr. DANAHER. I yield.

Mr. OVERTON. Is it a legislative function to abridge the freedom of the press? Is it a legislative function to abridge freedom of speech?

Mr. DANAHER. It is a function that we shall not part with. In our proposed legislation we say that the President shall be required to make reports of operations under the bill, except as to certain information which he deems incompatible with the public interest, and we also empower him to make rules and regulations governing what will happen if some Department head or some officer shall make available to the press or to the radio the very information which the President says he shall not disclose. If it goes beyond that, and some of the gentlemen whose names have been mentioned frequently in the press as looking right now toward a degree of censorship shall have entrusted to them the enforcement of this particular legislation, then they will be such departments, agencies, or officers as will come within section 9, and be empowered to make the regulations.

That is the purpose of the amendment. Let me add that it has engaged the attention of leading journalists and leading professional men in that field. In fact, the Senator from Ohio [Mr. TAFT] day before yesterday submitted a very able telegram from Dean Carl Ackerman, of the Graduate School of Journalism of Columbia University, expressing his fears with reference to this very legislation.

So I submit that if the amendment will do no good, as its opponents say, it will do no harm, if there be no intention of doing any such thing, in just exactly the same way that we find on page 5 of the bill the following provision:

Nothing in this act shall be construed to authorize or to permit the authorization of convoying vessels.

That is paragraph (d).

Paragraph (e) provides:

Nothing in this act shall be construed to authorize or to permit the authorization of the entry of any American vessel into a combat area.

All through the bill there are various interpolations of that sort. I submit that this amendment does no more than say that nothing in this legislation shall be deemed to authorize doing something which contravenes the Constitution. That, Mr. President, is a safeguard to which the public is entitled under this legislation.

I ask for the yeas and nays on the amendment.

The PRESIDING OFFICER. The Senator from Connecticut calls for the

yeas and nays on his amendment. Is the demand seconded?

The yeas and nays were not ordered.

Mr. DANAHER. I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum is suggested. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Gerry	Nye
Aiken	Gillette	O'Mahoney
Andrews	Green	Overton
Ball	Guffey	Pepper
Barbour	Gurney	Radcliffe
Barkley	Harrison	Reynolds
Bilbo	Hatch	Russell
Bone	Hayden	Schwartz
Brewster	Herring	Sheppard
Brooks	Hill	Shipstead
Brown	Holman	Smathers
Bulow	Hughes	Smith
Bunker	Johnson, Calif.	Stewart
Burton	Johnson, Colo.	Taft
Butler	Kilgore	Thomas, Idaho
Byrd	La Follette	Thomas, Utah
Byrnes	Langer	Tobey
Capper	Lee	Truman
Caraway	Lodge	Tunnell
Chandler	Lucas	Tydings
Chavez	McCarran	Vandenberg
Clark, Idaho	McFarland	Van Nuys
Clark, Mo.	McKellar	Wallgren
Connally	McNary	Walsh
Danaher	Maloney	Wheeler
Davis	Miller	White
Downey	Murdock	Wiley
Ellender	Murray	Willis
George	Norris	

The PRESIDING OFFICER. Eighty-six Senators having answered to their names, a quorum is present.

The question is on agreeing to the amendment offered by the Senator from Connecticut [Mr. DANAHER].

Mr. DANAHER. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. DANAHER. Mr. President, several of the Senators now present have not been in the Chamber during the discussion, and I wish to call to their attention two provisions of House bill 3363, which provides for the creation of an office of Government reports, to which is being appropriated the sum of \$1,500,000.

Among the functions of this board will be that of assisting the President in dealing with special problems requiring the clearance of information between the Federal Government and State and local governments, the collection and distribution of information concerning the purposes and activities of the executive departments and agencies for the use of the Congress, administrative officials and the public, and items of that sort.

Mr. President, all the proposed amendment I have offered will do is provide that under section 9 of the pending bill there will be no power to make such rules and regulations as will impose a censorship on the radio and upon the press.

The PRESIDING OFFICER. The yeas and nays have been ordered; and the clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. REYNOLDS (when his name was called). I have a pair with the senior Senator from Alabama [Mr. BANKHEAD], who is detained on official business. If I were permitted to vote, I should vote "yea." If the Senator from Alabama were present and voting, he would vote "nay."



Mr. WILEY (when his name was called). On this vote I have a pair with the senior Senator from Virginia [Mr. GLASS]. If he were present, he would vote "nay." If I were permitted to vote, I should vote "yea."

The roll call was concluded.

Mr. HILL. I announce that the Senator from North Carolina [Mr. BAILEY], the Senator from Alabama [Mr. BANKHEAD], the Senator from Mississippi [Mr. BILBO], the Senator from California [Mr. DOWNEY], the Senator from Virginia [Mr. GLASS], the Senators from New York [Mr. MEAD and Mr. WAGNER], the Senator from South Carolina [Mr. SMITH], the Senator from Oklahoma [Mr. THOMAS], the Senator from Indiana [Mr. VAN NUYS], and the Senator from Kansas [Mr. REED] are unavoidably absent.

The Senator from Kansas [Mr. REED] is paired with the Senator from New York [Mr. WAGNER]. I am advised that if present and voting, the Senator from Kansas would vote "yea," and the Senator from New York would vote "nay."

I am also advised that the Senator from North Carolina, the Senator from Alabama, the Senator from Mississippi, the Senator from California, the Senator from Virginia, the junior Senator from New York, the Senator from Oklahoma, and the Senator from Indiana, if present and voting, would vote "nay."

The result was announced—yeas 33, nays 48, as follows:

## YEAS—33

Aiken	Clark, Mo.	Nye
Ball	Danaher	Shipstead
Barbour	Davis	Taft
Bone	Gurney	Thomas, Idaho
Brewster	Holman	Tobey
Brooks	Johnson, Calif.	Tydings
Bulow	La Follette	Vandenberg
Burton	Langer	Walsh
Butler	Lodge	Wheeler
Capper	McCarran	White
Clark, Idaho	McNary	Willis

## NAYS—48

Adams	Green	Murdock
Andrews	Guffey	Murray
Austin	Harrison	Norris
Barkley	Hatch	O'Mahoney
Brown	Hayden	Overton
Bunker	Herring	Pepper
Byrd	Hill	Radcliffe
Byrnes	Hughes	Russell
Caraway	Johnson, Colo.	Schwartz
Chandler	Kilgore	Sheppard
Chavez	Lee	Smathers
Connally	Lucas	Stewart
Ellender	McFarland	Thomas, Utah
George	McKellar	Truman
Gerry	Maloney	Tunnell
Gillette	Miller	Wallgren

## NOT VOTING—14

Bailey	Glass	Thomas, Okla.
Bilbo	Mead	Van Nuys
Bankhead	Reed	Wagner
Bridges	Reynolds	Wiley
Downey	Smith	

So Mr. DANAHER's amendment was rejected.

Mr. TAFT. Mr. President, I submit an amendment.

The PRESIDING OFFICER. The clerk will state the amendment.

The LEGISLATIVE CLERK. On page 2, line 10, it is proposed to strike out the period, insert a colon, and add:

*Provided*, That such article has been produced or manufactured in the United States.

Mr. TAFT. Mr. President, the purpose of the amendment is to confine our financing to goods produced or manufac-

tured in the United States. That is a very simple purpose. It carries out the procedure which was followed during the World War. In that war we loaned about \$10,000,000,000, and, so far as we can find out, all of it was loaned for defense goods to be shipped out of the United States to the warring nations.

Under the present bill it seems to me perfectly clear that we can finance goods which are manufactured or produced in Australia, in South America, or in any other country in the world. I see no reason for our undertaking any such program. For instance, under the bill we can buy Brazilian cotton and ship it to Great Britain. We can buy Australian wool and finance the sale of Australian wool to Great Britain. It seems to me we are today straining our financial resources far beyond anything that is reasonable. We are facing a deficit next year of \$10,000,000,000. If we add the financing of goods to be sold here in the United States to Great Britain, it will, during the next year, add to that deficit anywhere from two billion to five billion dollars.

We do not have the money ourselves. We must borrow it from the American taxpayers, or we must borrow it from the banks, and build up an inflationary situation which is going to be extremely dangerous to the United States. I know of no reason why Australia and the British Dominions should not finance their own shipments to Great Britain. They have every stake in this matter that we have. I know of no reason why South America should not finance her exports to Great Britain.

After all, the British Empire produces about \$750,000,000 worth of gold annually, and if Senators will examine the figures presented by Mr. Morgenthau they will see that all that gold is apparently going to the British Dominions to pay for things they are supplying. His statement does not say that any of that gold is going to the United States to pay for what is to be bought here. That is to be obtained on credit.

It seems to me that at least we might confine the financing of this war to the things that we ourselves are going to produce. I have yet to hear an argument presented against that suggestion. I have yet to hear any reason presented why we should finance shipments from all over the world to Great Britain or to any other European country.

If South America has a few deficiencies somewhere, after all, we can loan them up to \$500,000,000 under the Export-Import Bank bill. We have already loaned the Argentine \$100,000,000. We do not need to finance exports from the Argentine to Great Britain. We do not need to finance our competitors in agricultural products.

It seems to me that after this bill shall have been passed we will face the most serious financial problem we have ever faced. We shall have to levy additional taxes. Secretary Morgenthau himself recommends that we raise 60 percent of the additional expense through taxes. If, in addition to all the aid we give Great Britain, we are going to pay for aid to Australia and other countries in the world, and if 60 percent of the cost shall

be paid through increased taxes, that additional aid will mean a considerably increased load of taxes on the people of the United States. The other 40 percent is going to be borrowed from the banks. All this will probably result in building up a situation of the greatest danger.

After all, we are preparing physically, but up to date there has not been the vestige of a plan of economic and financial preparation. It seems to me the restriction proposed is a reasonable one; and on the amendment, Mr. President, I ask for the yeas and nays.

Mr. CLARK of Missouri. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Ellender	Murray
Aiken	George	Norris
Andrews	Gerry	Nye
Austin	Gillette	O'Mahoney
Ball	Green	Overton
Barbour	Guffey	Pepper
Barkley	Gurney	Radcliffe
Bilbo	Harrison	Reynolds
Bone	Hatch	Russell
Brewster	Hayden	Schwartz
Bridges	Herring	Sheppard
Brooks	Hill	Shipstead
Brown	Holman	Smathers
Bulow	Hughes	Stewart
Bunker	Johnson, Calif.	Taft
Burton	Johnson, Colo.	Thomas, Idaho
Butler	Kilgore	Thomas, Utah
Byrd	La Follette	Tobey
Byrnes	Langer	Truman
Capper	Lee	Tunnell
Caraway	Lodge	Tydings
Chandler	Lucas	Vandenberg
Chavez	McCarran	Van Nuys
Clark, Idaho	McFarland	Wallgren
Clark, Mo.	McKellar	Walsh
Connally	McNary	Wheeler
Danaher	Maloney	White
Davis	Miller	Wiley
Downey	Murdock	Willis

The PRESIDING OFFICER. Eighty-seven Senators having answered to their names, a quorum is present.

Mr. BARKLEY. Mr. President, I wish to say a word regarding the amendment offered by the Senator from Ohio. Senators observe that the amendment is offered to that part of the bill containing the definitions of defense articles. Section 2 provides:

Sec. 2. As used in this act—

(a) The term "defense article" means—

(1) Any weapon, munition, aircraft, vessel, or boat;

(2) Any machinery, facility, tool, material, or supply necessary for the manufacture, production, processing, repair, servicing, or operation of any article described in this subsection;

(3) Any component material or part of or equipment for any article described in this subsection;

(4) Any other commodity or article for defense. Such term "defense article" includes any article described in this subsection: Manufactured or procured pursuant to section 3, or to which the United States or any foreign government has or hereafter acquires title, possession, or control.

The Senator from Ohio offers the following language:

*Provided*, That such article has been produced or manufactured in the United States.

The effect of this amendment would be to make it impossible for the United States to furnish any of the nations contemplated in this act any materials not produced or manufactured in the United States.



There are certain strategic materials for which we have provided heretofore as a part of our national defense. I shall not attempt to give a complete category. Certainly it includes copper, rubber, tin, it might include antimony, it might include magnesium, and other materials, metals especially, which we do not produce in the United States in sufficient quantities or may not produce in sufficient quantities. Certainly some of them we do not produce at all. Yet under the proposed amendment it would be impossible for the Government of the United States to procure any of these articles elsewhere, and either lend, lease, or in any other way dispose of them to the nations we are trying to assist.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. CLARK of Missouri. Is it not true that the theory on which we have accumulated such stores as we have of those articles was that they are articles vital for our own defense? Is it not also true that if we were to transfer them by gift, or lend them, or lease them, or in any other way dispose of them to some other nation, we would to that extent weaken our own defense?

Mr. BARKLEY. Assuming that we could not lend, lease, or otherwise dispose of strategic materials we have procured under the appropriation of, I think, \$100,000,000; the amendment which has now been offered would make it impossible for the United States to procure any of them in addition to what we have already for our own defense, in order that we could out of them manufacture any defense article that we might dispose of by leasing, lending, or sale.

Mr. CLARK of Missouri. Will the Senator expatiate a little more on that? I do not so understand the amendment.

Mr. BARKLEY. I shall be glad to expatiate.

Mr. CLARK of Missouri. The Senator knows we have been trying to accumulate a store of rubber, tin, manganese, antimony, and one or another of the strategic materials which are not produced in the United States. The Senator says that we could not buy them for our own defense.

Mr. BARKLEY. No; I say that we could not buy them under this amendment.

Mr. CLARK of Missouri. Or give them away to some other country?

Mr. BARKLEY. Or to lease them, or sell them, or transfer them, or in any way dispose of them to any other nation. I am not talking now about the materials we have already bought under the authorizations and appropriations heretofore made by Congress. I am talking about the impossibility under this amendment of procuring any of those very same things in the future, in addition to what we have for ourselves, for the purpose of transferring them, leasing them, or lending them to any other country.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. CLARK of Missouri. Apparently what the Senator means to say is that having a deficiency of those articles for our own defense, the Senator now claims that the amendment would prohibit us

from transferring to somebody else the articles we need for our own defense.

Mr. BARKLEY. No. The Senator misunderstands my position.

Mr. CLARK of Missouri. I shall be very glad to have the Senator explain it.

Mr. BARKLEY. We always have a deficiency in such things as rubber. We do not produce rubber. Not only must we import it from other countries for ourselves, but it is conceivable that we may have to import it or purchase it in order to turn it into some sort of defense articles. For instance, an army truck would be a defense article. Trucks require rubber tires. We might assume that we already have enough rubber for our own use. It would be of no avail to furnish an army truck to any country whose defense was deemed vital to ours unless we could furnish tires with it; and under the terms of the pending amendment we could not procure any rubber from anywhere in the world outside the United States in order to put tires on an army truck which we might sell, lease, lend or otherwise dispose of to a nation contemplated in the bill. The same thing might be true of other materials. We all want to provide for the sale of things which we ourselves have in surplus quantities, and naturally we prefer to sell, lease, and dispose of things which we have on hand as a surplus, whether strictly speaking, they be military articles or whether they be articles which provide the thing which once induced a great man to say that an army travels on its stomach. I refer to feed, food, and things of that sort. But if we are to manufacture in our arsenals, or procure in any other factories, the defense articles contemplated and described in the bill, we certainly do not want to restrict the President in his power to buy the ingredients, especially metals, wherever he may find them, when they are not to be found in the United States, in order that he may completely equip any article of defense contemplated in the description.

Mr. CLARK of Missouri. Of course, the Senator is familiar with the fact that while the British Empire has been buying agricultural commodities in South America and various other places and paying cash for them, the bill permits the British to continue to do so, while at the same time permitting the British to obtain munitions, cannon, airplanes, battleships, or anything else as a loan or gift from the United States.

Mr. BARKLEY. Mr. President, there is nothing we can do to prevent England from buying agricultural products in South America.

Mr. CLARK of Missouri. Mr. President, if the Senator will yield, as I understand the amendment it is designed to do that very thing.

Mr. BARKLEY. I do not think so. It does not touch the question of Great Britain's ability to buy agricultural products in South America. I do not know how we could by law prevent her from doing so. The question of international exchange is a very delicate one, upon which most of us are not qualified to expatiate at length, if I may steal the Senator's word. One trouble which England now has in buying from us is the question of

obtaining dollar exchange. An entirely different economic situation may exist in South America by reason of England's relationship with some country in South America, where peso exchange, or some other exchange, may prevail. However, under the terms of the amendment not only would we be prohibited from fabricating any defense article out of materials not wholly produced in the United States—

Mr. TAFT. Mr. President, will the Senator yield?

Mr. BARKLEY. Just a moment.

Mr. TAFT. The amendment does not say that.

Mr. BARKLEY. Mr. President, I wish to finish this thought, if the Senator will permit me.

The PRESIDING OFFICER. The Senator declines to yield.

Mr. BARKLEY. Not only would the amendment prohibit the President of the United States from fabricating a defense article out of anything not obtained in the United States, but it would make it impossible for him to procure anywhere else in the world a completed article that might be infinitely closer to the battlefields of Europe or the seat of defense of Great Britain than we are. He could not buy a defense article for the benefit of Great Britain, even if it were within 100 miles of Great Britain or the battlefields of Europe, if we ourselves had the particular article on hand to sell, lease, or transfer to England. Thus it would be obligatory upon the President to send an article all the way across 3,000 miles of the Atlantic Ocean because it was produced in the United States, whereas under an emergency situation he might be able to obtain it within half the distance or a quarter of the distance, and get it to the relief of England much more rapidly.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. TAFT. If it can be obtained in Portugal, for instance, why on earth should not England buy it in Portugal? Why should we buy it in Portugal to give it to England?

Mr. BARKLEY. I could not give any reason that would be satisfactory to the Senator from Ohio.

Mr. TAFT. I wish to point out that the Senator overstates the amendment. The article must be either produced or manufactured in the United States. It might be an agricultural product, or copper, or some other metal. The amendment does not say that every constituent material must be produced in the United States. The particular finished article must be either manufactured or produced in the United States. So the amendment does not provide that every constituent part in every machine shall come from the United States, but it must be either manufactured or produced in the United States.

Mr. BARKLEY. Then it would be impossible, under the Senator's amendment, for us to buy raw rubber anywhere else in the world—

Mr. TAFT. Certainly. The British own a large number of rubber plantations in the Dutch East Indies. Why on earth should we finance purchases of rubber from the Dutch East Indies?



Mr. BARKLEY. In the view of the Senator from Ohio, why ought we to finance anything under this bill? His attitude is that we ought not to finance anything under the bill.

Mr. TAFT. No. The Senator is mistaken. I am used to stating clearly my own view. My view is that we should lend England enough money to buy what is necessary in this country; but I say—and it is a perfectly reasonable distinction—that we should not finance the purchases of England all over the world, when England has \$14,000,000,000 worth of property outside the United States and outside Europe, scattered all over the world. Why should she not finance her own purchases in the very sections where she has wealth? Why should we pay for them?

Mr. BARKLEY. If the Senator is correct in that respect, he ought not even to favor his own bill, which provides \$2,000,000,000 credit for England.

Mr. TAFT. I do favor it.

Mr. BARKLEY. Otherwise—

Mr. TAFT. Mr. President—

The PRESIDING OFFICER. Will the Senator from Kentucky suspend for just a moment? Will the Senator from Ohio be kind enough to obtain the permission of the Senator who has the floor?

Mr. TAFT. Mr. President, I ask the Senator to yield.

The PRESIDING OFFICER. Does the Senator from Kentucky yield to the Senator from Ohio?

Mr. BARKLEY. I yield.

Mr. TAFT. A moment ago the Senator said that under the terms of the amendment we could not finance purchases of copper and other strategic materials. The Senator himself, in opening the debate on the bill, showing the great dangers we would be under if we were attacked by Mr. Hitler, said:

Only about one-half of the strategic materials vital to our life and our defense are available in the Western Hemisphere. There are 14 of such strategic materials listed by the Munitions Board, and only 3 of them are to be had in any quantity from Latin America, and only half of them are available in small quantities.

One of these strategic materials is rubber, of which we use 500,000 tons annually, and not more than 10-percent of this can be obtained in Latin America in a period of less than 8 years. Though we may be able to obtain a quantity of tin from Bolivia, for the manufacture of which I understand we are soon to establish a plant in the United States, we would depend almost entirely upon the Axis Powers for rubber, silk, chromium, and many other commodities which we cannot produce or obtain elsewhere.

The Senator says that we have accumulated these strategic materials because if we do get into war we cannot possibly get them anywhere else. Now the Senator says that one of the reasons against the amendment is that we want to send these things to England, and again deplete the very strategic materials which the Senator says are absolutely essential for our own defense.

Mr. BARKLEY. One of the reasons why I support the bill is because it is designed to prevent the very situation which I described in the address to which the Senator refers, when I said that only one-tenth of our requirements of certain

metals can be obtained in the Western Hemisphere, and that we cannot obtain in the Western Hemisphere any of the rubber we need. If these things are essential to our defense, and the bill is designed to help England defend what is in the interest of our own defense, certainly we ought to be permitted, if we can do so, to buy those strategic materials elsewhere in the world, and, if necessary, transfer, sell, or lease them to England or other countries.

Mr. BYRNES. Mr. President, will the Senator from Kentucky yield?

Mr. BARKLEY. I yield.

Mr. BYRNES. Would the language proposed by the Senator from Ohio preclude the purchase of Norwegian, Danish, or other foreign-owned ships constructed beyond the limits of the United States?

Mr. BARKLEY. Undoubtedly it would. If it is necessary, through the facilities of dollar exchange, to enable Great Britain, Greece, China, or any other country in whose interest we are seeking to pass this legislation to obtain as soon as possible things that are emergent, we certainly ought not to be required to buy them in the Orient, bring them to the United States, manufacture them into defense articles, and then ship them across the ocean. Under the terms of the Senator's amendment that is what we would be required to do. Certainly the amendment should not be agreed to.

Mr. GILLETTE. Mr. President, may I have the attention of the Senator from Ohio for a question?

Mr. TAFT. Certainly.

Mr. GILLETTE. While I am deeply sympathetic with the purpose of the Senator, I am wondering whether his amendment, if agreed to, would entirely destroy section 8 of the bill, which permits the Secretary of War and the Secretary of the Navy to purchase articles which the President deems necessary from the jurisdiction of any country to which section 3 is applicable.

Mr. DANAHER. Mr. President, let me say that I have another amendment which proposes to strike out section 8; but I did not offer that amendment in this connection because it seemed to me that if there was anything proposed—such, for instance, as is proposed by the Senator from South Carolina—we could limit section 8, instead of removing it entirely, to a provision that the Secretaries of War and of the Navy could buy, for instance, ships from the Danes, if they wanted to buy them. I do not know what possible excuse there could be for buying other people's property, but there might be some, and I wanted to hear what it was. However, I have another amendment to strike out section 8 if this amendment should be adopted.

Mr. GILLETTE. I thank the Senator.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Ohio [Mr. Taft].

Mr. TAFT. I ask for the yeas and nays.

The yeas and nays were ordered, and the legislative clerk proceeded to call the roll.

Mr. WILEY (when his name was called). I have a pair on this vote with the senior Senator from Virginia [Mr. GLASS]. If I were permitted to vote, I

would vote "yea." I understand the senior Senator from Virginia [Mr. GLASS] would vote "nay" if present and voting.

The roll call was concluded.

Mr. HILL. I announce that the Senator from North Carolina [Mr. BAILEY], the Senator from Mississippi [Mr. BILBO], the Senator from Washington [Mr. BONE], the Senator from Idaho [Mr. CLARK], the Senator from California [Mr. DOWNEY], the Senator from Iowa [Mr. GILLETTE], the Senator from Virginia [Mr. GLASS], the Senator from South Carolina [Mr. SMITH], the Senator from Oklahoma [Mr. THOMAS], the Senator from Indiana [Mr. VAN NUYS], the Senator from New York [Mr. WAGNER], and the Senator from Kansas [Mr. REED] are unavoidably detained.

The Senator from Kansas [Mr. REED] is paired with the Senator from New York [Mr. WAGNER]. I am advised that if present and voting, the Senator from Kansas would vote "yea," and the Senator from New York would vote "nay."

I am also advised that if present and voting, the Senator from North Carolina, the Senator from Mississippi, the Senator from California, the Senator from Virginia, the Senator from Oklahoma, and the Senator from Indiana, would vote "nay."

The result was announced—yeas 28, nays 54, as follows:

#### YEAS—28

Aiken	Davis	Shipstead
Brewster	Holman	Taft
Bridges	Johnson, Calif.	Thomas, Idaho
Brooks	La Follette	Tobey
Bulow	Langer	Vandenberg
Burton	Lodge	Walsh
Butler	McCarran	Wheeler
Capper	McNary	Willis
Clark, Mo.	Nye	
Danaher	Reynolds	

#### NAYS—54

Adams	Green	Murdock
Andrews	Guffey	Murray
Austin	Gurney	Norris
Ball	Harrison	O'Mahoney
Bankhead	Hatch	Overton
Barbour	Hayden	Pepper
Barkley	Herring	Radcliffe
Brown	Hill	Russell
Bunker	Hughes	Schwartz
Byrd	Johnson, Colo.	Sheppard
Byrnes	Kilgore	Smathers
Caraway	Lee	Stewart
Chandler	Lucas	Thomas, Utah
Chavez	McFarland	Truman
Connally	McKellar	Tunnell
Ellender	Maloney	Tydings
George	Mead	Wallgren
Gerry	Miller	White

#### NOT VOTING—13

Bailey	Gillette	Van Nuys
Bilbo	Glass	Wagner
Bone	Reed	Wiley
Clark, Idaho	Smith	
Downey	Thomas, Okla.	

So Mr. Taft's amendment was rejected.

Mr. CLARK of Missouri. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Brewster	Byrnes
Aiken	Bridges	Capper
Andrews	Brooks	Caraway
Austin	Brown	Chandler
Ball	Bulow	Chavez
Bankhead	Bunker	Clark, Mo.
Barbour	Burton	Connally
Barkley	Butler	Danaher
Bone	Byrd	Davis



Ellender	Lodge	Schwartz
George	Lucas	Sheppard
Gerry	McCarran	Shipstead
Green	McFarland	Stewarts
Guffey	McKellar	Stewart
Gurney	McNary	Taft
Harrison	Maloney	Thomas, Idaho
Hatch	Mead	Thomas, Utah
Hayden	Miller	Tohey
Herring	Murdock	Truman
Hill	Murray	Tunnell
Holman	Norris	Tydings
Hughes	Nye	Vandenberg
Johnson, Calif.	O'Mahoney	Waidgren
Johnson, Colo.	Overton	Welsh
Kilgore	Pepper	Wheeler
La Follette	Radcliffe	White
Langer	Reynolds	Wiley
Lee	Russell	Willis

The PRESIDING OFFICER. Eighty-four Senators having answered to their names, a quorum is present. The bill is before the Senate and open to further amendment.

Mr. WILEY. Mr. President, I send to the desk an amendment which I ask to have stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Wisconsin will be stated.

The CHIEF CLERK. At the end of the bill it is proposed to add a new section, as follows:

SEC. 10. No funds shall be made available to any foreign government under the authority of this act unless such foreign government agrees that it will not directly or indirectly use such funds to procure any agricultural commodity other than an agricultural commodity produced in the United States or its Territories or possessions; and no agricultural commodity shall be procured for, or disposed of to, any foreign government under the authority of this act unless such agricultural commodity was produced in the United States or its Territories or possessions.

Mr. WILEY. Mr. President, the farmers of America constitute the first line of defense or offense. All my amendment does is to require that if we furnish money so that England may buy agricultural products, she shall buy those products in the United States.

I say this is not mere selfishness; it is merely common sense. The farmers of America in this period constitute the forgotten men. What do I mean? I mean, generally speaking, that the increased cost of living as represented in food products does not result from the increase the farmer gets.

Mr. President, a few moments ago I asked the majority leader to adjourn this session. My reason for doing so was that while orders have gone out that no amendments shall be considered—and I use the word "considered" advisedly—nevertheless I think that when the great farm industry asks for some kind of relief it should have consideration in the United States Senate. So I am going to carry on, and I ask the attention of Senators. I am not speaking for myself. I am speaking for the forgotten men of America.

I say that if there has been any increase in the cost of foodstuffs, the farmer has not been getting the benefit of it. In some commodities there have been slight increases; but compare those increases with what labor is getting. Compare the average farmer's receipts with what the secretaries in my office and in your office get. The average farmer gets about one-half what they do. All I am asking is that the money

loaned England with which to buy agricultural products shall be utilized to buy agricultural products in America. In other words, if she should borrow \$1,000,000,000 from us under this plan with which to buy agricultural products—not any other products, but agricultural products—I ask that she agree to use it to buy \$1,000,000,000 worth of American agricultural products.

It is very easy here in Washington to forget the other fellow. It is so easy because we are living here, as it were, in the lap of the gods. We do not know what hard times are. We have not any depression, because we have 200,000 pay rollers who contribute every 2 weeks to the economic prosperity of this community. We have in this country a large amount of agricultural surpluses. We have a weakened backbone in this Nation. By that I mean that the farmers of this country are the backbone of the country, and for years they have had no consideration.

What have we done? We have fixed a minimum wage for labor, and we are paying our labor down here to construct an airfield from \$16 a day up to \$20 a day. That is more money than a great many farmers in my State get in a month. I am not asking in this amendment for any subsidy. I am merely asking that the money we loan to England for the purchase of agricultural products shall be used for the purchase of American agricultural products.

Mr. President, I certainly appreciate the great attention I am receiving from the majority leader and the other Senators on the majority side.

Mr. OVERTON. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Louisiana?

Mr. WILEY. I will not yield at this time, except for a question.

The PRESIDING OFFICER. The Senator yields for a question.

Mr. OVERTON. Before I ask the question, I may observe that I am paying close attention to the Senator's remarks.

Mr. WILEY. I thank the Senator. It is an unusual situation.

Mr. OVERTON. I wish to ask the Senator whether there is any provision in the bill to lend funds to any foreign government.

Mr. WILEY. If the distinguished Senator from Louisiana does not see in the bill a power conferred upon the President to take the whole scheme into his hands and arrange credits if necessary, then I do not think anything I can tell him will enlighten him on the subject.

Mr. OVERTON. Mr. President, if the Senator will further yield—

The PRESIDING OFFICER. Does the Senator from Wisconsin further yield to the Senator from Louisiana?

Mr. WILEY. Yes.

Mr. OVERTON. I am very much interested in agriculture; but I fail to see in the bill any provision which authorizes the loaning of any sum of money to any foreign government. I shall be very glad if the Senator from Wisconsin will point it out to me.

Mr. WILEY. The hour is late; and if the distinguished Senator from Louisi-

ana wants me to spend an hour or so in going into the details of the bill, I shall be very happy to do so. The word "lend" is very apparent right on the face of the bill.

Mr. TYDINGS. Mr. President—  
The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Maryland?

Mr. WILEY. I yield.

Mr. TYDINGS. I did not hear the Senator's amendment read in full, because there was so much confusion in the Chamber at the time it was being read; but I should like to ask the Senator, if I properly understand the amendment, whether soybeans would be within the purview of the amendment?

Mr. WILEY. If there is any question about soybeans being an agricultural product, I think the Senator from Maryland might ask the Agricultural Department for a definition.

Mr. BARKLEY. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Kentucky?

Mr. WILEY. Yes.

Mr. BARKLEY. First, let me apologize to the Senator for any apparent neglect of which I was guilty in listening to his speech. I listened very carefully to it; but, as the Senator knows, now and then I have to confer with Members of the Senate on various matters, and I cannot always wait until a roll call is under way in order to perform that function. I had thoughtlessly asked one of my colleagues a question which attracted the attention of the Senator from Wisconsin, for which I profoundly apologize.

Mr. WILEY. Does the Senator really mean that?

Mr. BARKLEY. Absolutely.

Mr. WILEY. I accept the apology. [Laughter.]

Mr. BARKLEY. But I want to get to the point the Senator made about the word "lend." He seems to assume that because the word "lend" is in the bill, it refers to money. The word "lend," of course, relates back to the things that are described as defense articles; and defense articles are the following:

Any weapon, munition, aircraft, vessel, or boat—

None of those articles are money. Boats are not money.

Any machinery, facility, tool, material, or supply necessary for the manufacture, production, etc., of any article described in this subsection

Those articles still are not money.

Any component material or part of or equipment for any article described in this subsection

That is not money.

There is nothing in the bill, as the Senator from Louisiana says, which remotely authorizes the loaning of one nickel by the United States, or any citizen of the United States, to any government contemplated in the bill. So the amendment of the Senator from Wisconsin requiring that any money or credit given to any nation for the purpose of buying agricultural products shall be spent in the United States is utterly nugatory. It has no effect whatever, because there



is no provision in the pending bill, and there is no provision under any existing law, under which the Government of the United States can make a loan to any foreign country.

Mr. WILEY. Mr. President, if the distinguished Senator from Kentucky will read the amendment, he will see that it says—

No funds shall be made available to any foreign government under the authority of this act—

Mr. BARKLEY. That is prohibiting something that is not in the act.

Mr. WILEY. Yes. I realize that the purpose is, of course, not only to confuse the Senator from Wisconsin—

Mr. BARKLEY. Oh, no!

Mr. WILEY. But to get away from the constructive purpose outlined in the pending amendment.

Mr. BARKLEY. If the Senator will permit me, I am not seeking to confuse the Senator from Wisconsin, but I am trying to keep him from confusing the Senate. [Laughter.]

Mr. WILEY. I thank the distinguished Senator from Kentucky for that statement. I am sure he compliments me. I think we are all so confused at this late hour that no more confusion can be added to the existing confusion.

Mr. OVERTON. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Louisiana?

Mr. WILEY. Yes; I yield.

Mr. OVERTON. I suggest to the Senator that he is getting his amendment confused with the proposed substitute of the Senator from Ohio [Mr. TAFT], wherein, instead of giving the aid contemplated in this bill, it is proposed that we shall lend a certain sum to Great Britain.

Mr. WILEY. Mr. President, I cannot agree with that statement. I simply state that the whole scheme outlined in this bill is for Uncle Sam to get together a large sum of money so that he can arrange to give, lease, lend, or transfer to other nations the property mentioned in this bill.

I shall not be diverted from the purpose with which I started. I say that we may ignore, if we desire, the backbone of this country, and we may ignore it so long that backbone may break, and we will have a repetition of what has happened in other countries of the world whenever the great agricultural section of a nation has gone bankrupt.

Mr. President, I repeat, the farmer has his life invested in work. He labors from early morning until late at night. He is the only businessman who does not fix the prices of his own commodities, he is the only workman or laborer who does not set a price on his own labor. He is the only citizen of the United States for whom the Government has not legislated to establish a minimum wage or to enable him to get cost of production.

The amendment I have prepared to the bill merely provides that if we are to raise money and furnish it to England to buy agricultural products, those products must be purchased in the United States.

At this point I wish to read a part of a letter from the State Grange of Wisconsin, which I think is pertinent to the matter I am discussing. Listen to what a leader of the State grange says. And I wish to say to my colleagues that while tonight they may pass this thing up, we have an obligation to a section of the country which for 10 years has been gradually weakening and weakening because the farmers have not been able to get cost of production for their products, with the result that tens of thousands of farms have gone into the hands of the Government, the Government owns them, and a migratory problem has been created, and a problem has been created through the morale of hundreds of thousands of people being broken because they cannot get a decent return for a day's work.

Let me return to what the master of the Wisconsin State Grange says:

It is evident the lend-lease bill will pass Congress. We believe a provision should be written into this bill that any funds loaned to England under this act, which are used for the purchase of farm commodities, such commodities must be purchased in the United States. It would be very unfair to American agriculture to loan funds to England under the lend-lease bill, and then have such funds used to the detriment of American agriculture.

Mr. President, there he strikes the crux of the matter. Do we not owe an obligation to the farmers? If we are to make money available by direction or indirection so that Britain can buy agricultural products, are we going to permit it to come to pass that they will not use that money to buy our agricultural products?

Already it appears that Britain has been making heavy purchases of agricultural commodities from South American countries. That is fine. Let her buy it with her own money, but let us not provide her money with which to purchase agricultural products from South America.

In the entire defense and preparedness program ample provision has been made to safeguard the profits of industry, and labor has been assured a good wage. Therefore, it is only reasonable that American agriculture should have some protection in the expenditure of funds loaned or provided under the lend-lease bill. The large surpluses of agricultural commodities which are in the United States, especially in some of the staple crops, should be given first consideration.

Mr. President, I found that after I had this amendment prepared a somewhat similar amendment had been prepared by the Senator from Nebraska [Mr. BUTLER]. He has agreed, I understand, that his amendment will stand or fall with mine. While the language is not identical, they provide substantially for the same thing.

Let me say, Mr. President, that here is one opportunity for us to show just a little vision. My colleagues know what labor is getting, they know that industry is getting its share of what we are providing. Now please remember that we owe an obligation to the agricultural sections.

All I ask is a little insurance policy by providing that if this Government is to provide, directly or indirectly, a billion or two or three billion dollars to be loaned to Britain with which to buy ag-

ricultural products, the money to be used to purchase American products.

Mr. BUTLER. Mr. President, in view of the fact that the Senator from Wisconsin has commented on the amendment I proposed yesterday or the day before, I should like to have the privilege of saying a few words at this time in defense of what we may ask for agriculture.

I come from a State which is perhaps more nearly 100-percent agricultural than any other State in the Union. What the Senate may do with an amendment of this kind will have a tremendous meaning not only to Nebraska, but to all the agricultural area of the country.

We have been operating under very discouraging conditions. Agriculture has never recovered from the depression we encountered following the former great war. We are entering this war with tremendous surpluses of agricultural products, not only in our own country, but piled up in other Western Hemisphere countries. To the north of us there are several hundred million bushels of wheat, which is competitive with the several hundred million bushels of wheat now in storage in the ever-normal granary in the United States.

There is a tremendous amount of corn in storage, not only in this country but in the Argentine. I should like at this point to call attention to how that situation affects agriculture in our country. I hold in my hand a clipping taken from the press only a few days ago, which I will submit for the RECORD. It is from Buenos Aires and reads:

#### ARGENTINE GOVERNMENT TO LOSE HEAVILY ON CORN

BUENOS AIRES.—The Argentine Government, faced with the prospect of carrying over an enormous supply of corn on April 1 and the probability of another very large crop to be gathered starting next month, is trying to stimulate home consumption as much as possible. Recently it was announced that corn for domestic consumption would be sold at about 3 cents a bushel.

Each bushel sold in this manner will represent a very large loss to the Government, which paid 36 cents a bushel for shelled and 29½ cents for unshelled corn.

The Ministry of Agriculture, via press and radio, has started a campaign urging the population to take advantage of this offer by consuming as much corn as possible in every shape or form. Undoubtedly local consumption will increase considerably, but fears are expressed that the amount that can be consumed will not help very much to decrease the huge supplies which will remain.

My colleagues may wonder what application this may have to the amendment under consideration at the present time, and I shall tell them very directly. The pending bill provides that the Army or other agency designated by the President may make their purchases where they will. My amendment, which I shall ask to have printed in the RECORD at the conclusion of my remarks, provides that if loans are made to countries in Europe or elsewhere, with which agricultural commodities are to be purchased, those agricultural products must come from within the borders of the United States.

How can we treat the agriculturists of the United States more fairly? How much less can they ask than to have that one privilege? The agriculturists of the



United States number approximately 40,000,000. While I was visiting with the senior Senator from Nebraska [Mr. NORRIS] today, he mentioned a little incident showing how the great corporations at one time put little cooperatives out of business by making competition so severe where the cooperatives were doing business that they had to close up, and then the big corporations got the market.

With 3-cent corn in the Argentine, and the Army and other Federal agencies of this country using meat supplies from the Argentine, may I ask how the Nebraska farmer or the producers of other States are going to meet such competition, especially when their corn is left piled up, and the authorities refuse even to lend it to the drought-stricken farmers of Nebraska and other drought areas of the United States?

We are just to the west of the Missouri River. Just to the east of the Missouri River is Iowa, and there are piled up several hundred million bushels of corn in the ever-normal granary. Do you think, Mr. President, we can borrow any of it? No. They disposed of 25,000,000 bushels of it in one sale to the British Empire for delivery through Canada at approximately one-half the market price that we must pay out there.

I myself am a producer of meat, and I make shipments of fat cattle to Chicago perhaps on an average of once a week during the year. I know the unfavorable condition that prevails when Canadian cattle, finished on this 35- or 36-cent corn produced in Iowa, arrived at Chicago in competition with our own cattle. I know that situation, if other Senators do not, and I can say now that there are millions of other farmers and producers throughout the United States who realize that their condition is critical.

Mr. President, if we are to prevent agriculture from getting into a worse condition following the present emergency than its condition after the other Great War, we must take cognizance of the situation at this time and require that a fair and plain statement be contained among the provisions of the pending measure that any loans or gifts of agricultural products shall apply to agricultural products produced within our own territory.

I ask that my amendment be printed in the RECORD at this point.

There being no objection, the amendment was ordered to be printed in the RECORD, as follows:

(f) Nothing in this act shall be construed to authorize the President or any department or agency of the Government (1) to receive or accept any agricultural commodities which are competitive with any agricultural commodities produced within the United States or its Territories or possessions, either as a condition to the receipt by a foreign government of any aid authorized under subsection (a) or otherwise, or (2) to finance, directly or indirectly, the sale or other disposition of any agricultural commodities heretofore or hereafter received or acquired by the United States or any department or agency thereof if such agricultural commodities were not produced within the United States or its Territories or possessions.

Mr. TAFT. Mr. President, I should like to ask the Senator from Wisconsin a question. A good many Senators are

troubled regarding the provision that no funds shall be made available, because, strictly speaking, under the act no funds are made available to a foreign government. That may be the effect of it, but strictly speaking it is not done. I wish to suggest to the Senator from Wisconsin that he modify his amendment by striking out the first six lines, except the word "no" at the end of the sixth line, so his amendment simply raises one question, and will read as follows:

No agricultural commodity shall be procured for, or disposed of to, any foreign government under the authority of this act unless such agricultural commodity was produced in the United States or its Territories or possessions.

It seems to me that would reduce it to a very simple question and would eliminate a great deal of the trouble which I find to exist in the minds of various Senators with whom I have spoken.

Mr. WILEY. Mr. President, I should have no objection to adopting that suggestion, but it seems to me the amendment I have submitted might be called a two-barreled amendment. It provides, it is true, that no funds shall be made available to any foreign government under the authority of this act, unless that government agrees to use such funds with which to buy our agricultural products, but as suggested by the Senator from Ohio, there is the other clause—

No agricultural commodity shall be procured for, or disposed of to, any foreign government under the authority of this act unless such agricultural commodity was produced in the United States or its Territories or possessions.

It is very apparent to me that in the first place the Government has, as I said, put into effect a great scheme of selling bonds. If the bill is passed the Government will gather a great deal of money, how much we do not know, but billions of dollars. Though the bill does not suggest it, I hope the President will adopt the suggestion made by the distinguished Senator from Georgia [Mr. GEORGE], who said he hoped the Government would obtain collateral. What is the difference between the Government taking that money and buying the products, and then turning the products over to the British, or letting the British have the money and buy the products?

It seems to me the bill covers both cases. If it is the judgment of the Senator from Ohio that the amendment would be simplified if his suggestion were adopted, I should be glad to accept his amendment. At the same time it seems to me that we are simply shooting at a lot of hazy things, when what we ought to do is to cut through the whole matter and say, "We want to help the farmers this way, whether it be, in the last analysis, lending the British Government money, or providing them with materials or products."

The PRESIDING OFFICER. The amendment will be modified as requested by the Senator from Wisconsin.

Mr. TAFT. As modified, the amendment simply provides:

No agricultural commodity shall be procured for, or disposed of to, any foreign government under the authority of this act un-

less such agricultural commodity was produced in the United States or its Territories or possessions.

That is in substance the amendment I offered a short time ago, except that it is confined to agricultural commodities. The needs of the producers of agricultural commodities are greater than those of others. No one of the objections raised to my amendment by the Senator from Kentucky applies to agricultural commodities. The Senator objected only to metals and to the possible purchase of ships. So it seems to me the majority leader should be willing to accept the amendment. It is to the advantage of the farmer, and I can see no reasonable reason why we should finance the exporting of agricultural commodities from the Argentine, or from Australia, or any other part of the world in competition with our own agricultural commodities, of which we have a tremendous surplus in the United States.

Mr. THOMAS of Idaho. Mr. President, I, too, have received requests from farm organizations in my State to submit an amendment similar to the amendment offered by the Senator from Wisconsin. In view of his amendment, and the fact that other amendments have been offered covering the same subject, I shall not offer my amendment.

I was rather surprised that the leader of the majority took an attitude which seemed to indicate that the farmers of America were not entitled to consideration in the bill. I have taken no part in this discussion. I have not entered into the intricacies of the legal considerations involved, but from reading the newspaper headlines it occurs to me that the bill is for the purpose of appropriating funds so that the administration can buy, and can give or lend to foreign countries, various items of defense.

Only yesterday I noticed that the British Government has already set up a department in Washington for the purpose of buying food products. How are they going to buy them? We are going to finance the purchases. We are going to finance the purchase of airplanes, tanks, ships, and things of that kind. What will happen to the British Army which you are so anxious to aid, if you do not also provide foodstuffs for them? All the American farmer wants is that those food products be purchased here in America, and not in South America or some other part of the world. Under this, food products may be bought in Australia, New Zealand, Argentina, or anywhere else. It seems to me it would not be improper to say to the people of the country that the farmer has a part in this program.

I may say that I have been very intimately associated with the farming interests, both livestock and grain growing, and in spite of the 8 years of the New Deal farm program there has never been a time when the agricultural producers of this country were in worse shape than they are today. Even in 1933 they were not in as bad shape as they are now. We are inaugurating an extensive program of spending money for defense, and I am voting for those defense measures. However, I shall not vote for the pending bill.

I do not wish to take more of the Senate's time, but it seems to me that in



respect to the purchase of foodstuffs for the British Army, which Senators are so anxious to see win—and that Army must have foodstuffs or it will starve—it would be only proper that a limitation be placed in the bill providing that such foodstuffs be purchased here in America, if they are to go to Britain or to any other foreign country.

Mr. CAPPER. Mr. President, I call the attention of the Senate to a statement made by Mr. Chester C. Davis, agriculture's representative on the Advisory Commission for the Council of National Defense, dealing with the subject under discussion. He made the following statement at the annual meeting of the Illinois Agricultural Association 3 weeks ago:

Provision should be made, either as a part of the pending lend-lease bill or by negotiations accompanying it, whereby the United Kingdom will take from the United States the normal proportion of agricultural commodities which she must import. That England has not done so in recent months is understandable in view of the pressure on the dollar exchange available as means of payment in this country, but pending legislation should relieve that. I would like to see provision made that will give American cotton and wheat the same status under the proposed plan as manufactured goods, and I don't see how it can possibly be to England's disadvantage, under the new arrangement, to insist that she buy from the United States in approximately the relative proportion she did before this war started. Up to 2 years ago the United Kingdom bought from an eighth to a tenth of her agricultural imports from this country. By the end of 1940 our British farm exports had dwindled to about one-twentieth. I am afraid that if this continues it will be increasingly hard to get those markets back.

Mr. President, that statement is absolutely sound. The proposal embodied in the amendment offered by the Senator from Wisconsin [Mr. WILEY], as modified by the Senator from Ohio [Mr. TAFT]—and in fact I have a similar amendment myself—provides for what is only fair and just to American agriculture.

Mr. BARKLEY. Mr. President, I do not wish to take the time of the Senate to say more than that the amendment is utterly unnecessary. The Committee on Foreign Relations had before it an amendment offered by one of the members of the committee with respect to agricultural products. The committee feels—and I think it is justified in feeling—that the use of the word "commodity" includes all agricultural products. It is utterly ridiculous to assume that the President of the United States is going outside the United States to buy agricultural products to supply as defense articles. As a matter of fact, the machinery is already being set up in the Department of Agriculture. The Secretary of Agriculture has had numerous conferences, and the President has had numerous conferences, looking toward the integration of the use of commodities of defense into our agricultural situation under the terms of the bill, and the machinery is already being set up to carry out the provisions of the bill. This amendment is not necessary, and it ought not to be adopted. I hope the Senate will reject it.

Mr. BRIDGES. Mr. President, I think the majority leader has cleared the air,

in a way, by saying that there is no objection to the amendment because we should have faith that the idea will be carried out regardless. But I believe that this is one of the most logical amendments that has been proposed today. Why? Because we have spent billions of dollars in the past few years to aid the farmers of America, and we are spending hundreds of millions of dollars this year.

We have a tremendous surplus of agricultural commodities in this country. I do not come from an agricultural section, but I have a vital interest in the question, and I believe that the amendment offered by the Senator from Wisconsin [Mr. WILEY], as modified by the suggestion of the Senator from Ohio [Mr. TAFT], now is in simple, direct form. It is a logical amendment, which would give the farmers of the country protection, and give them a little more faith that such agricultural commodities as are leased or loaned abroad will be American products. We have heard much about Argentine beef. The amendment is a simple thing that can be done to give the farmers of the country direct protection and a little more faith in the manner in which the law will be executed.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Wisconsin [Mr. WILEY], as modified.

Mr. TAFT. I ask for the yeas and nays.

The yeas and nays were ordered, and the Chief Clerk called the roll.

Mr. HILL. I announce that the Senator from North Carolina [Mr. BAILEY], the Senator from Mississippi [Mr. BILBO], the Senator from Idaho [Mr. CLARK], the Senator from California [Mr. DOWNEY], the Senator from Iowa [Mr. GILLETTE], the Senator from Virginia [Mr. GLASS], the Senator from South Carolina [Mr. SMITH], the Senator from Oklahoma [Mr. THOMAS], the Senator from Indiana [Mr. VAN NUYS], the Senator from New York [Mr. WAGNER], and the Senator from Kansas [Mr. REED] are unavoidably detained from the Senate.

The Senator from Kansas [Mr. REED] is paired with the Senator from New York Mr. [WAGNER]. I am advised, if present and voting, the Senator from Kansas would vote "yea," and that the Senator from New York would vote "nay."

The Senator from North Carolina, the Senator from Mississippi, the Senator from California, the Senator from Virginia, the Senator from Oklahoma, and the Senator from Indiana, if present and voting, I am advised, would vote "nay."

The result was announced—yeas 36, nays 47, as follows:

#### YEAS—36

Aiken	Danaher	Nye
Austin	Davis	Reynolds
Ball	Gurney	Shipstead
Barbour	Holman	Taft
Brewster	Johnson, Colo.	Thomas, Idaho
Bridges	La Follette	Tobey
Brooks	Langer	Vandenberg
Bulow	Lodge	Walsh
Burton	McCarran	Wheeler
Butler	McNary	White
Capper	Murray	Wiley
Clark, Mo.	Norris	Willis

#### NAYS—47

Adams	Brown	Chandler
Andrews	Bunker	Chavez
Bankhead	Byrd	Connally
Barkley	Byrnes	Ellender
Bone	Caraway	George

Gerry	Lucas	Russell
Green	McFarland	Schwartz
Guffey	McKellar	Sheppard
Harrison	Maloney	Smathers
Hatch	Mead	Stewart
Hayden	Muller	Thomas, Utah
Herring	Murdock	Truman
Hill	O'Mahoney	Tunnell
Hughes	Overton	Tydings
Kilgore	Pepper	Wallgren
Lee	Radcliffe	

#### NOT VOTING—12

Bailey	Gillette	Smith
Bilbo	Glass	Thomas, Okla.
Clark, Idaho	Johnson, Calif.	Van Nuys
Downey	Reed	Wagner

So Mr. WILEY's amendment, as modified, was rejected.

Mr. BARKLEY. Mr. President, it is now nearly 10 o'clock. We have made considerable progress today, and I think it desirable that we suspend at this time until tomorrow. However, before making such a motion I desire to say that I hope when we reassemble in the morning we may be able to reach an agreement for limitation of debate on amendments. I shall not make that effort tonight.

Before I move that the Senate proceed to the consideration of executive business, I will state that I understand the Senator from Massachusetts [Mr. WALSH] desires now to offer an amendment, in order to have it pending, so as to be taken up tomorrow morning. I yield to him for that purpose.

Mr. WALSH. Mr. President, I offer the amendment which I send to the desk, and ask that it may be the pending question when we meet tomorrow.

The PRESIDING OFFICER. The amendment offered by the Senator from Massachusetts will be stated.

The CHIEF CLERK. On page 5, after line 4, it is proposed to insert the following new subsection:

(f) Nothing in this act shall be construed to authorize or to permit the authorization of the sale, transfer, exchange, leasing, lending, or otherwise disposing of to any such foreign government of any vessels, boats, munitions, or supplies of the United States Navy, or of any vessels or boats which have been ordered by or laid down for the United States Navy, or aircraft of the United States Navy, or any such aircraft now under construction which cannot be replaced by a better or more satisfactory craft within a period of 3 months, or any equipment or armament authorized by the Congress or ordered by the Navy Department for use in connection with such vessels, boats, munitions, supplies, or aircraft: *Provided, however*, That this section shall not repeal or modify any provision of Public Resolution No. 83, Seventy-sixth Congress (relating to assistance to other American Republics).

The PRESIDING OFFICER. The amendment offered by the Senator from Massachusetts will be printed.

Mr. WALSH. Mr. President, am I to understand that the amendment will be pending tomorrow morning?

The PRESIDING OFFICER. Yes; it will be.

Mr. DANAHER. Mr. President, when the House hearings on this bill were in progress Dr. William Cullen Dennis, who is president of Earlham College, in Richmond, Ind., testified at considerable length. His testimony appears at pages 572 and following of the House hearings.

There was incorporated in the RECORD a memorandum prepared by Dr. Wright, who appeared before the Senate Foreign Relations Committee. I believe Dr.



Wright's testimony or memorandum appears in the *RECORD* at page A1040.

I telegraphed Dr. Dennis, in Indiana, to inquire if I could have a memorandum from him in connection with the pending business which will be the first order to be dealt with tomorrow under the amendment offered by the Senator from Massachusetts [Mr. WALSH]. I have at hand the memorandum which Dr. Dennis has authorized me to make public for the information and guidance of the Senate. It is a splendid résumé of the entire legal phase of the problem confronting us. I ask unanimous consent that it be printed in the *RECORD* so that it will be available tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

MEMORANDUM ON CERTAIN POINTS RAISED IN CONNECTION WITH THE LEND-LEASE BILL

1. THE BILL IS IN ABSOLUTE CONFLICT WITH INTERNATIONAL LAW

I suppose that no responsible person would deny that for many years up to the time of the Kellogg Pact, international law, while permitting sales of contraband by private persons in neutral countries, forbade the sale of munitions or vessels of war or the loaning of money or any other assistance by or from a neutral government to a belligerent government. This distinction between private and public sales is basic. Citation is hardly necessary but it is easy:

Hall's *International Law*, eighth edition, by A. Pierce Higgins, section 217. (Hall is perhaps the leading authority on international law in the Anglo-Saxon world. The courts of England and America have almost written the footnotes to Hall's text.)

Moore, *Digest of International Law*, volume VII, page 973: "Nothing should be clearer than that a neutral government is bound to abstain from doing any act whatsoever that is in its nature unneutral. It should seem obvious that a neutral government cannot itself sell arms to a belligerent without a flagrant violation of neutrality, any more than it can itself supply money to a belligerent without a breach of neutral duty." John B. Moore is the dean of American international lawyers.

Hyde, *International Law*, volume II, page 699. (Hyde is John B. Moore's successor at Columbia.)

Oppenheim, volume II, page 423. A great modern English authority.

American *Journal of International Law*, July 1940; editorial by L. H. Woolsey, formerly solicitor for the Department of State, pages 498-503.

The authorities are substantially all collected and commented on in the comments on the Draft Convention on Rights and Duties of Neutral States in Naval and Aerial War, prepared by the Harvard Research in International Law, Prof. Philip C. Jessup, reporter. Supplement, American *Journal of International Law*, volume 33, 1939, pages 167 et seq. Article V, which bears specifically on this point, reads: "A neutral state shall abstain from supplying to a belligerent assistance for the prosecution of the war."

Since the Kellogg Pact, but more particularly since it became obvious about 1932-34 that the nations of the world had no intention of implementing the Kellogg Pact, a small group of earnest and capable internationalist "New Dealers" have promulgated the doctrine that the Kellogg Pact did not need implementing but that in and of itself it wrought a complete revolution in the international law governing neutrality and that whereas before the Kellogg Pact "war was the state in which a nation prosecutes its right

by force," thereafter there were two kinds of wars—ordinary wars and wars in which it was discovered by some process of divination by somebody that some nation was the "aggressor," in which latter case neutral states were released from the obligations of neutrality as understood under international law and allowed under the guise of being "supporting states," nonbelligerents or what nots, to take part in the war without participating in the actual fighting. Sometimes, as in the case of the so-called Budapest Articles of Interpretation, adopted by the International Law Association in Budapest, September 1934, this contention appears to have been based upon alleged rights growing out of the breach of a multilateral treaty; at other times it appears to have been suggested that the Kellogg Pact had become an integral part of international law itself, but the adherents of either theory seem to agree that if nation A "aggresses" against nation B, nations X, Y, and Z (all having ratified the Kellogg Pact) may thereupon violate the rules of international law with legal impunity.

The difficulty in my judgment with these fine-spun theories growing out of the Kellogg Pact is in the first place that international law is the law governing the relations of states, that it derives from unanimous consent, and that it is evidenced by the practice of states, and that there is a lamentable failure of any evidence of the practice of states to support the theory that the classical doctrines of neutrality have been displaced by the Kellogg Pact. When the Harvard Research attempted to codify the rights and duties of neutral states in naval and aerial war during the years 1936 to 1938, a great majority of the members still believed in the classical doctrines of neutrality. A minority, which enrolled among its members some very brilliant men, believed that the aggressor theory represented at least the law of the future if not existing law.

Under these circumstances two drafts were prepared, one of which a great majority believed substantially to represent existing law; the other was admittedly a futurist dream of what the world might be if the Kellogg Pact were implemented—if there were some method by which the states agreed that they could determine who was an aggressor. They then drew a draft convention as to how in that case nations ought to act toward an aggressor. This draft, in the language of the introductory note which is prefixed, "seeks to suggest the possible future development of the law rather than the law now in force."<sup>1</sup>

Secretary Stimson in the proceedings before the House Committee on Foreign Affairs on the lease-lend bill hearings (p. 103), relied on the Kellogg Pact and the Budapest Articles, which, like the Harvard Research, are without official authority, although their authors did not make it as clear as the men of the Harvard Research that they were not attempting to state existing law.

Secretary Hull, in his statement before the committee, so far as I understand it, made no serious effort to square the lease-lend bill with international law. In his opening statement he said: "We are confronted with a situation which is extraordinary in character" (p. 9). " \* \* \* Nothing but a realistic view of current developments can be regarded as a sane view" (p. 10). "Only the law of self-defense can be invoked from any practical standpoint."

Questioned by Mr. TINKHAM as to whether or not we had abandoned neutrality, he said: "There is no applicability of a combined doc-

trine of self-defense and neutrality in the general sense where the two conflict" (p. 23). Further pressed, he said: "We are keeping it [neutrality] alive, but the warring nations have abandoned it, if that will make it a little clearer to you" (p. 23). Just how the abandonment of neutrality by a belligerent makes anything clearer is not clear to me.

Again, he told Mr. TINKHAM "if the belligerent governments ignore all neutrality laws \* \* \* then we will undertake to respond to the law of self-preservation \* \* \* there are no facts on which to apply neutrality when the law of self-defense comes ahead" (p. 30).

In response to a question by Mrs. ROGERS as to whether allowing British ships to refit in this country "was in effect a breach of international law," he responded that "it would be in harmony with the law of national defense and I would not displace the law of national defense for some other rules that have been scrapped completely so far as defensive efforts are concerned" (p. 47). Further pressed as to whether what he was proposing "really would be contrary to international law," he took refuge in humor, telling Mrs. ROGERS, who had recalled his own questions as a member of the Ways and Means Committee, "My questions were much simpler than yours" (p. 47).

There is no mistaking Secretary Hull's position, which is not only frank but, if his facts were right, would be sound. No one denies the right of self-defense. Mr. SHANLEY correctly congratulated Mr. Hull on his frankness and his logic when he said, "When you place this whole question on the basis of defense you strike at the very heart of the preservation of America and cut through legal verbiage" (p. 11). In other words, Secretary Hull made no attempt to claim that a few theorists at Budapest had fundamentally changed international law, which rests on the practice of states. Secretary Hull said we are in danger and we have a right to resort to the law of self-defense. This is good law, but it is a question for the jury, which is in this case composed of 130,000,000 Americans, as to whether or not the facts justify the mass homicide which we are contemplating.

The House Committee on Foreign Affairs appears to have accepted Secretary Hull's self-defense theory, the mutuality theory of international law, and the Kellogg-Briand Pact theory. The Senate Committee on Foreign Affairs apparently (I have not seen the full text) stopped with the endorsement of the self-defense and mutuality theories.

As far as the prohibition of the Hague Convention with respect to the outfitting of foreign warships is concerned, that, of course, is not technically applicable because some of the parties belligerent are not parties to the treaty, but the convention was merely declaratory of the common international law of the world. So far as the suggestion is concerned that Germany has broken her treaty obligations with us and that we are thereby released to do anything we please against her, this harks back to the Kellogg Pact, which is the only treaty with us which so far as I know it has been alleged that Germany has broken, and the allegation is that she has broken that treaty by waging an aggressive war against Poland, Great Britain, et al. This contention simply means that we are to take upon ourselves under the Kellogg Pact the duty of passing upon the merits of every foreign war, and we are to feel free to commit unneutral acts against any nation which we deem to be in the wrong. This makes us the policeman knight errant of the world. I submit that Secretary Kellogg (however much he may have looked forward to the implementing of his pact by agreement among the nations as to a suitable method of determining who is an aggressor) would turn in his grave if he could know that the treaty to which he gave his

<sup>1</sup> See, however, Prof. Quincy Wright's opinion that the Harvard draft "does state substantially existing international law binding parties to the Pact of Paris." (American *Journal of International Law*, October 1940, p. 630, at p. 636.)



name and of which he was so proud was being used for any such purpose.

Like unto the foregoing is the mutuality theory of international law, i. e. the theory that because Germany has violated her neutral duties toward Belgium, Holland, et al., we are free to violate our neutral duties toward Germany. This simply means that if one member of the society of nations violates international law as respects nation A, nation B is at liberty to violate international law as respects the aggressor. Again this makes us and by the same token every other nation a policeman with equal rights. In other words, this is the law of the jungle, the Vigilantes, and the Indiana White Caps. Who is to pass upon these alleged violations of international law and international treaties? Are we to do it *ex proprio vigore*? That way lies chaos and madness and illimitable and universal war, and the fair struggle of international law and neutrality of which Washington, Jefferson, and Hamilton were the chief artificers will be shattered into bits until that remote time when our internationalist New Dealers can "grasp this sorry scheme of things entire and remold it nearer to their hearts' desire."

I respectfully submit that the contention that the lend-lease bill is in accordance with international law cannot be sustained. On the contrary, the bill carries congressional authorization and approval for the wholesale violation of international law at the pleasure of the Executive, and herein lies the chief virus of the lend-lease bill, which is untouched by any of the insignificant and face-saving amendments which have been adopted and which cannot be cured by any amendment because it is the essence of the bill. The chief effect, and I suspect the chief purpose of the lend-lease bill is to put the stamp of congressional approval upon what has been done and will be done by the Executive in violation of our neutral duties. The destroyer deal was a bold, high-handed and I believe illegal act, violating alike international, constitutional, and municipal law. The lend-lease bill practically if not technically cures the past and provides for the future. When this bill is passed, it will of course be the law, i. e. our statutory law, and who cares for either the Constitution or international law as between friends with hands across the sea?

## 2. THE BILL REPUDIATES THE DEMOCRATIC AND REPUBLICAN PLATFORMS

Intimately connected with the objection that the bill violates international law is the argument that it also repudiates the Democratic and Republican platforms. The Democratic platform read, "we will not participate in foreign wars," and it pledged to liberty-loving people wantonly attacked, "all the material aid at our command consistent with law and not inconsistent with the interests of our national defense." The Republican platform is substantially identical except that it promised such aid "as shall not be in violation of international law." But since international law is a part of the law of the land (*U. S. v. the Paquete Habana* (175 U. S. 677)), the two platforms mean the same thing.

It follows that if the bill violates international law it amounts to a repudiation of both the Democratic and Republican platforms upon which both the President and Congress were elected and which are the only basis which I know of, aside from Gallup polls and other straw votes and personal expressions of opinion, for saying that the American people are committed to aid for Britain at all. President Roosevelt twice read this plank of his platform during the campaign and promised to stand upon it. So far as I can recall, Mr. Willkie never read the plank during the campaign or made any specific reference to it. When Senator GILLETTE requested an interpretation at this time, Mr. Willkie said,

"That platform does not say that the Republican Party shall be bound to the laws that then existed; as the laws of our needs were passed." Senator GILLETTE inquired, "You mean by that, whatever laws were enacted later?" And Mr. Willkie replied, "Of course." Apparently, therefore, Mr. Willkie interprets the Republican platform merely as binding the party to regulate aid to Britain by law and his only quarrel with Mr. Roosevelt is that Mr. Roosevelt up to this time has regulated the aid himself without recourse to Congress. It would certainly have been a matter of great interest to the voters if this interpretation of Mr. Willkie's had been made available to them during the campaign.

One incidental and amusing byproduct of this interpretation is that according to this theory, international law, which derives from unanimous consent of all nations and is evidenced by their practice, could be changed from time to time by a majority vote of the American Congress. It is unfortunately true that Congress has on occasion, usually inadvertently, violated international law and treaty provisions, but it is a novel concept that it has a right to do so and that a party pledge to confine aid to Britain within the limits of international law merely means that the men who were elected on the platform containing this pledge will be in favor of observing international law until they get ready to vote for a statute which violates international law.

## 3. THE CONSTITUTIONALITY OR OTHERWISE OF NEW DEAL MEASURES

Many New Deal measures have been challenged as unconstitutional. Naturally these challenges were frequently not justified and were not sustained by the courts. Some of them were justified and were sustained; notably the N. I. R. A. codes were overthrown by a unanimous decision of the Supreme Court in the *Schechter* case. Louis Brandeis and Benjamin N. Cardozo were members of the Court at that time and united in this decision. The grounds of this decision were, first, the unconstitutional delegation of legislative power, and, second, the unconstitutional attempt to regulate intrastate commerce. The latter ground does not interest us here, but the first ground is vital. Congress under the Constitution is empowered among other things:

"To declare war.

"To provide and maintain a navy.

"To make rules for the government and regulation of the land and naval forces" (article I).

Again, "the Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States" (article III).

Granting that it is difficult to draw the line with respect to valid and invalid attempts to delegate legislative power, it is submitted that if there ever was an invalid delegation it has been achieved in the lease-lend bill, which delegates to the President of the United States the right to turn over the American Fleet to any foreign government for any consideration, direct or indirect, which he "deems satisfactory," thus empowering the President as a practical matter to take the United States into any war at any time on any side. Every attempt so far made in Congress reasonably to limit this illimitable authority has been beaten down by the supporters of the administration. The fact that the President has large powers as Commander in Chief of the Army and Navy, particularly in wartime, is, it is submitted, largely beside the point. The question is not as to these powers but as to the delegation of the powers specifically given to Congress "to declare war," to "maintain a navy," and "to dispose of . . . property belonging to the United States."

In reporting adversely on the Court-packing bill, the majority of the Committee on the Judiciary of the United States Senate said, "It is a measure which should be so emphatically rejected that its parallel will never again be presented to the free representatives of the free people of America." Its parallel has again been presented in the lease-lend bill.

## 4. THE REAL ISSUE

It is said that "the real issue is whether or not we feel that the United States would be in imminent danger if Great Britain is defeated." Of what are we supposed to be in imminent danger? At first it appeared to be immediate invasion. But the President has practically quit giving statistics as to the time from X to Y by airplane, and in the light of Hitler's nonperformance as respects crossing the British Channel, the supporters of the bill practically all concede that we might be able to defend the Atlantic Ocean. The emphasis is now put on economic danger after the war. This simply means that it is feared that Hitler will undersell us and that we are asked to fight what Philip La Follette justly calls a "war to avert war," i. e., to avert an economic war. This means that we are asked to kill the Germans to prevent their underselling us. I have enough faith in American democracy to believe we can compete with Hitler. If we cannot, I still don't want to fight him to protect our markets.

It is suggested that we are committing suicide by taking time to deliberate upon this measure. On the contrary, my submission is that we are being asked to commit suicide today on the theory that perhaps we may be murdered tomorrow. I believe that the real reason why so many of our good people are in favor of this bill and in favor of doing whatever they think necessary to defeat Hitler is because of their attachment to Great Britain and to the principles of freedom for which they believe England stands; and I submit that if Great Britain could be towed a thousand miles out into the ocean a great many good people would become reconciled to allowing Hitler to dominate Europe. Further, I believe that another fundamental reason why so many of our good people are in favor of war is because they think that England represents a righteous cause and the reign of law in the world, which is essential to civilization.

I hold no brief for Hitler. His sins are manifest. I do call as a witness, however, a great Englishman—Lord Lothian—to the mistakes which were made at Versailles and afterward and to the proposition that unless these mistakes were corrected, as they were not, Hitler would not be wholly to blame, even although he was the technical aggressor. The right is not so clear as to justify our intervention on that ground—as an international knight errant righting wrong.

If this bill were defeated and England does not succumb to an immediate assault *vi et armis* in the immediate future—and it is difficult to see how this bill could prevent this in any event—it is submitted that the natural result would be a negotiated peace, which would probably be much less oppressive and much more realistic than the Treaty of Versailles. England would doubtless be compelled to do what Lord Lothian long ago advised—namely, desist from further attempts to control the policies and destinies of the continent of Europe and confine herself to functioning as a world power. So far as European affairs are concerned, the tail would have to stop wagging the dog. This is rather a new concept to all of us, but to my mind it offers much better possibilities for the future than the invitation held out to us by Lord Lothian in his last two speeches—namely, that the United States should join Great Britain in imposing the Pax Britannica Americana upon the world.

With two propositions laid down by President Roosevelt I am in absolute accord—namely, that this is the greatest crisis we



have ever confronted, and that no course which is open to us is free from danger. The choice lies between joining Great Britain in an attempt to reconquer Europe and rule the world, of course, for the benefit of all mankind; or keeping out of the present conflict, building up our defenses, promoting justice at home, and standing ready to defend ourselves and such portions of the Western Hemisphere as we deem necessary for our defense against anyone who has the bad judgment to attack us. Why forego the advantages of so peculiar a situation? Why quit our own to stand upon foreign ground?

#### EXECUTIVE SESSION

Mr. BARKLEY. Mr. President, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

#### EXECUTIVE MESSAGE REFERRED

The PRESIDING OFFICER (Mr. PEPPER in the chair) laid before the Senate a message from the President of the United States nominating John Bright Hill, of Wilmington, N. C., to be collector of customs for customs collection district No. 15, with headquarters at Wilmington, N. C. (reappointment), which was referred to the Committee on Finance.

#### EXECUTIVE REPORTS OF A COMMITTEE

Mr. McKELLAR, from the Committee on Post Offices and Post Roads, reported favorably the nominations of sundry postmasters.

The PRESIDING OFFICER. If there be no further reports of committees, the clerk will state the nominations on the calendar.

#### POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. BARKLEY. I ask that the nominations of postmasters be confirmed en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### SELECTIVE SERVICE

The legislative clerk read the nomination of Brig. Gen. Vivian Collins to be State director for the State of Florida.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Brig. Gen. Herbert R. Dean to be State director for the State of Rhode Island.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

#### IN THE ARMY

The legislative clerk proceeded to read sundry nominations in the Army.

Mr. BARKLEY. I ask that the nominations in the Army be confirmed en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BARKLEY. If there are any more military nominations, I ask that they also be confirmed en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### IN THE MARINE CORPS

The legislative clerk proceeded to read sundry nominations in the Marine Corps.

Mr. WALSH. I ask that the nominations in the Marine Corps be confirmed en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered.

That concludes the calendar.

#### RECESS

Mr. BARKLEY. As in legislative session, I move that the Senate take a recess until 11 o'clock a. m. tomorrow.

The motion was agreed to; and (at 9 o'clock and 57 minutes p. m.) the Senate took a recess until tomorrow, Saturday, March 8, 1941, at 11 o'clock a. m.

#### NOMINATIONS

Executive nomination received by the Senate March 7 (legislative day of February 13), 1941:

##### COLLECTOR OF CUSTOMS

John Bright Hill, of Wilmington, N. C., to be collector of customs for customs collection district No. 15, with headquarters at Wilmington, N. C. Reappointment.

#### CONFIRMATIONS

Executive nominations confirmed by the Senate March 7 (legislative day of February 13), 1941:

##### POSTMASTERS

###### CALIFORNIA

Charlotte M. Nicolson, Lemongrove.

###### INDIANA

Lawrence Callaway, Butlerville.

###### WYOMING

Ida K. Dent, Rock River.

##### SELECTIVE SERVICE

Brig. Gen. Vivian Collins to be State Director of Selective Service for the State of Florida.

Brig. Gen. Herbert R. Dean to be State Director of Selective Service for the State of Rhode Island.

#### APPOINTMENTS IN THE NATIONAL GUARD OF THE UNITED STATES OF THE ARMY OF THE UNITED STATES

##### TO BE BRIGADIER GENERALS

Joseph Carson Hutchison

Stewart Garfield Collins

William Allen March

Thomas Edison Troiland

Eric Fisher Wood

#### APPOINTMENTS TO TEMPORARY RANK IN THE AIR CORPS, IN THE REGULAR ARMY

George Stewart Warren to be colonel.

William Cushman Farnum to be lieutenant colonel.

Charles Milton Cummings to be lieutenant colonel.

Stanley Keith Robinson to be major.

Willard Reno Shepard to be major.

#### APPOINTMENT IN THE REGULAR ARMY OF THE UNITED STATES

William Edward Bills to be a first lieutenant, Veterinary Corps.

#### APPOINTMENTS, BY TRANSFER, IN THE REGULAR ARMY OF THE UNITED STATES

##### TO ORDNANCE DEPARTMENT

First Lt. John Denton Armitage.

First Lt. John William Cave.

First Lt. Samuel Arthur Daniel.

First Lt. Horace Greeley Davisson.

First Lt. Angelo Ralph Del Campo, Jr.

First Lt. John Gardner Shinkle.

##### TO AIR CORPS

Second Lt. Charles Webster Bagstad.

Second Lt. Milton Carlton Barnard 2d.

Second Lt. Anthony Benvenuto.  
Second Lt. James Fant Berry.  
Second Lt. William Francis Coleman.  
Second Lt. Allan Ashley Crockett.  
Second Lt. Jack Stewart DeWitt.  
Second Lt. Raymond John Downey.  
Second Lt. James Francis Downing.  
Second Lt. John Ross East, Jr.  
Second Lt. Joseph Jackson Eaton, Jr.  
Second Lt. Dill Baynard Ellis.  
Second Lt. Charles Gillies Esau.  
Second Lt. Charles Richard Fairlamb.  
Second Lt. Harry Albright French.  
Second Lt. Elbert Dotterer Hoffman.  
Second Lt. Edward Franklin Hoover, Jr.  
Second Lt. Franklin Wolfram Horton.  
Second Lt. William Parham Kevan, Jr.  
Second Lt. John Richard Knight.  
Second Lt. Willis Franklin Lewis.  
Second Lt. Philip Courtney Loofbourrow.  
Second Lt. James Byington McAfee.  
Second Lt. Burton Elmo McKenzie.  
Second Lt. Henry Hudson Norman, Jr.  
Second Lt. James Lawson Orr.  
Second Lt. Ralph Anderson Osborn, Jr.  
Second Lt. Bradley Foote Prann.  
Second Lt. James McLaurin Ridgell, Jr.  
Second Lt. Virgil Alvin Schwab.  
Second Lt. Irvine Harrison Shearer.  
Second Lt. John Joseph Smith, Jr.  
Second Lt. Glenwood Gordon Stephenson.  
Second Lt. Warren Curtis Stirling.  
Second Lt. Julius Boswell Summers, Jr.  
Second Lt. Frank Benjamin Wagner.  
Second Lt. Edward Joseph Walker.  
Second Lt. Robert Hamilton Warren.  
Second Lt. Robert Lamar Williams.  
Second Lt. Victor Stanislaw Zienowicz.

#### APPOINTMENTS, BY TRANSFER, IN THE REGULAR ARMY

##### TO QUARTERMASTER CORPS

Capt. Webster Anderson.

First Lt. Wesley Skilton Calverley.

##### TO ORDNANCE DEPARTMENT

First Lt. Addison Vincent Dishman.

First Lt. John Franklin Foy.

First Lt. Edward Gray.

First Lt. Chalmer Kirk McClelland, Jr.

First Lt. Charles Lewis Register.

First Lt. August Schomburg.

First Lt. Albert Curtis Wells, Jr.

First Lt. George Warren White.

First Lt. George Millard Simmons, to Signal Corps.

First Lt. LeRoy Lutes, Jr., to Coast Artillery Corps.

#### PROMOTIONS IN THE REGULAR ARMY

##### To be lieutenant colonels

Norman Earl Hartman, Coast Artillery Corps.

Clarence Turner Davis, Infantry.

Frank Rate Williams, Infantry.

Harvey John Thornton, Field Artillery.

Harold Joseph LaCroix, Infantry.

George Joseph Engelthaler, Infantry.

Ralph Cobb Benner, Chemical Warfare Service.

Chester Eugene Sargent, Field Artillery.

Joseph Phillip Donnovin, Field Artillery.

Roy Lawrence Balferes, Field Artillery.

Andre Leonard Violante, Quartermaster Corps.

Leighton Nicol Smith, Finance Department.

Charles Wilbur Pence, Infantry.

Jerome Grigg Harris, Infantry.

Henry Eaton Kelly, Infantry.

Claude Bayles Mickelwait, Judge Advocate General's Department.

William Barmore Sharp, Infantry.

Marcus Ellis Jones, Cavalry.

Harold Patrick Hennessy, Coast Artillery Corps.

Walter Asbury Bigby, Infantry.

Fred E. Gaillard, Infantry.

##### MEDICAL CORPS

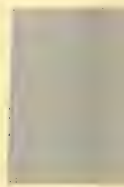
##### To be majors

Alexander Otis Haff, Medical Corps.

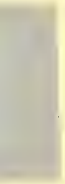
Orlo Charles Paciulli, Medical Corps.



21-11









77<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 1776

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## IN THE SENATE OF THE UNITED STATES

MARCH 8 (legislative day, FEBRUARY 13), 1941

Ordered to be printed with the amendments of the Senate numbered

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## AN ACT

Further to promote the defense of the United States, and for  
other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*  
3       That this Act may be cited as “An Act to Promote the  
4       Defense of the United States”.

5       SEC. 2. As used in this Act—

6       (a) The term “defense article” means—

7             (1) Any weapon, munition, aircraft, vessel, or  
8       boat;

9             (2) Any machinery, facility, tool, material, or  
10       supply necessary for the manufacture, production, proc-  
11       essing, repair, servicing, or operation of any article  
12       described in this subsection;



1           (3) Any component material or part of or equip-  
2           ment for any article described in this subsection;

3           (4) Any **(1)***agricultural, industrial or other com-*  
4           modity or article for defense.

5 Such term “defense article” includes any article described in  
6 this subsection: Manufactured or procured pursuant to section  
7 3, or to which the United States or any foreign government  
8 has or hereafter acquires title, possession, or control.

9           (b) The term “defense information” means any plan,  
10          specification, design, prototype, or information pertaining to  
11          any defense article.

12          SEC. 3. (a) Notwithstanding the provisions of any  
13          other law, the President may, from time to time, when he  
14          deems it in the interest of national defense, authorize the Sec-  
15          retary of War, the Secretary of the Navy, or the head of  
16          any other department or agency of the Government—

17               (1) To manufacture in arsenals, factories, and ship-  
18               yards under their jurisdiction, or otherwise procure,  
19               **(2)***to the extent to which funds are made available there-*  
20               *for, or contracts are authorized from time to time by the*  
21               *Congress, or both,* any defense article for the government  
22               of any country whose defense the President deems vital  
23               to the defense of the United States.

24               (2) To sell, transfer **(3)***title to,* exchange, lease,  
25               lend, or otherwise dispose of, to any such government



1 any defense article, but no defense article not manufac-  
2 tured or procured under paragraph (1) shall in any way  
3 be disposed of under this paragraph, except after con-  
4 sultation with the Chief of Staff of the Army or the Chief  
5 of Naval Operations of the Navy, or both. The value of  
6 defense articles disposed of in any way under authority  
7 of this paragraph, and procured from funds heretofore  
8 appropriated, shall not exceed \$1,300,000,000. **(4)***The*  
9 *value of such defense articles shall be determined by*  
10 *the head of the department or agency concerned or such*  
11 *other department, agency or officer as shall be designated*  
12 *in the manner provided in the rules and regulations*  
13 *issued hereunder. (5) Defense articles procured from*  
14 *funds hereafter appropriated to any department or*  
15 *agency of the Government, other than from funds author-*  
16 *ized to be appropriated under this Act, shall not be*  
17 *disposed of in any way under authority of this para-*  
18 *graph except to the extent hereafter authorized by the*  
19 *Congress in the Acts appropriating such funds or*  
20 *otherwise.*

21 (3) To test, inspect, prove, repair, outfit, recondi-  
22 tion, or otherwise to place in good working order **(6)**, *to*  
23 *the extent to which funds are made available therefor, or*  
24 *contracts are authorized from time to time by the Con-*  
25 *gress, or both, any defense article for any such govern-*



1       ment ~~(7)~~, or to procure any or all such services by  
2       private contract.

3           (4) To communicate to any such government any  
4       defense information, pertaining to any defense article  
5       furnished to such government under paragraph (2) of  
6       this subsection.

7           (5) To release for export any defense article  
8       ~~(8)~~disposed of in any way under this subsection to  
9       any such government.

10       (b) The terms and conditions upon which any such  
11       foreign government receives any aid authorized under sub-  
12       section (a) shall be those which the President deems  
13       satisfactory, and the benefit to the United States may be  
14       payment or repayment in kind or property, or any other  
15       direct or indirect benefit which the President deems  
16       satisfactory.

17       ~~(9)(c)~~ Neither the President nor the head of any depart-  
18       ment or agency shall, after June 30, 1943, exercise any  
19       of the powers conferred by or pursuant to subsection ~~(a)~~;  
20       nor shall such powers be exercised if terminated by a con-  
21       current resolution by both Houses of the Congress, except  
22       that until July 1, 1946, such powers may be exercised to  
23       the extent necessary to carry out a contract or agreement  
24       with such a government made before July 1, 1943.

25       (c) After June 30, 1943, or after the passage of a con-



1 *current resolution by the two Houses before June 30, 1943,*  
2 *which declares that the powers conferred by or pursuant to*  
3 *subsection (a) are no longer necessary to promote the defense*  
4 *of the United States, neither the President nor the head of any*  
5 *department or agency shall exercise any of the powers con-*  
6 *ferred by or pursuant to subsection (a); except that until*  
7 *July 1, 1946, any of such powers may be exercised to the*  
8 *extent necessary to carry out a contract or agreement with*  
9 *such a foreign government made before July 1, 1943, or*  
10 *before the passage of such concurrent resolution, whichever is*  
11 *the earlier.*

12 (d) Nothing in this Act shall be construed to author-  
13 ize or to permit the authorization of convoying vessels by  
14 naval vessels of the United States.

15 (e) Nothing in this Act shall be construed to authorize  
16 or to permit the authorization of the entry of any American  
17 vessel into a combat area in violation of section 3 of the  
18 Neutrality Act of 1939.

19 SEC. 4. All contracts or agreements made for the dis-  
20 position of any defense article or defense information pur-  
21 suant to section 3 shall contain a clause by which the foreign  
22 government undertakes that it will not, without the consent  
23 of the President, transfer title to or possession of such defense



1 article or defense information by gift, sale, or otherwise,  
2 or permit its use by anyone not an officer, employee, or  
3 agent of such foreign government.

4 SEC. 5. (a) The Secretary of War, the Secretary of the  
5 Navy, or the head of any other department or agency of  
6 the Government involved shall, when any such defense arti-  
7 cle or defense information is exported, immediately inform  
8 the department or agency designated by the President to  
9 administer section 6 of the Act of July 2, 1940 (54 Stat.  
10 714), of the quantities, character, value, terms of disposi-  
11 tion, and destination of the article and information so  
12 exported.

13 (b) The President from time to time, but not less fre-  
14 quently than once every ninety days, shall transmit to the  
15 Congress a report of operations under this Act except such  
16 information as he deems incompatible with the public interest  
17 to disclose. Reports provided for under this subsection shall  
18 be transmitted to the Secretary of the Senate or the Clerk  
19 of the House of Representatives, as the case may be, if the  
20 Senate or the House of Representatives, as the case may be,  
21 is not in session.

22 SEC. 6. (a) There is hereby authorized to be appro-  
23 priated from time to time, out of any money in the Treasury



1 not otherwise appropriated, such amounts as may be neces-  
2 sary to carry out the provisions and accomplish the purposes  
3 of this Act.

4 (b) All money and all property which is converted  
5 into money received under section 3 from any government  
6 shall, with the approval of the Director of the Budget,  
7 revert to the respective appropriation or appropriations out  
8 of which funds were expended with respect to the defense  
9 article or defense information for which such consideration  
10 is received, and shall be available for expenditure for the  
11 purpose for which such expended funds were appropriated  
12 by law, during the fiscal year in which such funds are  
13 received and the ensuing fiscal year (10); *but in no event*  
14 *shall any funds so received be available for expenditure after*  
15 *June 30, 1946.*

16 SEC. 7. The Secretary of War, the Secretary of the  
17 Navy, and the head of the department or agency shall in all  
18 contracts or agreements for the disposition of any defense  
19 article or defense information fully protect the rights of all  
20 citizens of the United States who have patent rights in and  
21 to any such article or information which is hereby authorized  
22 to be disposed of and the payments collected for royalties on  
23 such patents shall be paid to the owners and holders of such  
24 patents.



1       SEC. 8. The Secretaries of War and of the Navy are  
2 hereby authorized to purchase or otherwise acquire arms,  
3 ammunition, and implements of war produced within the  
4 jurisdiction of any country to which section 3 is applicable,  
5 whenever the President deems such purchase or acquisition  
6 to be necessary in the interests of the defense of the United  
7 States.

8       SEC. 9. The President may, from time to time, promul-  
9 gate such rules and regulations as may be necessary and  
10 proper to carry out any of the provisions of this Act; and he  
11 may exercise any power or authority conferred on him by  
12 this Act through such department, agency, or officer as he  
13 shall direct.

14 **(11)**SEC. 10. *Nothing in this Act shall be construed to*  
15 *change existing law relating to the use of the land and naval*  
16 *forces of the United States, except insofar as such use relates*  
17 *to the manufacture, procurement and repair of defense*  
18 *articles, the communication of information and other non-*  
19 *combatant purposes enumerated in this Act.*

20 **(12)**SEC. 11. *If any provision of this Act or the application*  
21 *of such provision to any circumstance shall be held invalid,*  
22 *the validity of the remainder of the Act and applicability of*







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## AN ACT

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Further to promote the defense of the United States, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

MARCH 8 (legislative day, FEBRUARY 13), 1941

Ordered to be printed with the amendments of the  
Senate numbered



Rulow	Hayden	Pepper
Bunker	Herring	Radcliffe
Burton	Hill	Reed
Butler	Holman	Reynolds
Byrd	Hughes	Russell
Byrnes	Johnson, Calif.	Schwartz
Capper	Johnson, Colo.	Sheppard
Caraway	Kilgore	Shipstead
Chandler	La Follette	Smathers
Chavez	Langer	Smith
Clark, Idaho	Lee	Stewart
Clark, Mo.	Lodge	Taft
Connally	Lucas	Thomas, Idaho
Danaher	McCarran	Thomas, Utah
Davis	McFarland	Tobey
Downey	McKellar	Truman
Ellender	McNary	Tunnell
George	Maloney	Tydings
Gerry	Mead	Vandenberg
Gillette	Miller	Van Nuys
Glass	Murdoch	Wallgren
Green	Murray	Walsh
Guffy	Norris	Wheeler
Gurney	Nye	White
Harrison	O'Mahoney	Wiley
Hatch	Overton	Willis

Mr. HILL. I announce that the Senator from Oklahoma [Mr. THOMAS] and the Senator from New York [Mr. WAGNER] are unavoidably detained from the Senate.

The VICE PRESIDENT. Ninety-three Senators having answered to their names, a quorum is present.

#### AMENDMENT OF ACT FOR GRADING AND CLASSIFICATION OF CLERKS IN THE FOREIGN SERVICE

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying papers, referred to the Committee on Foreign Relations:

#### To the Congress of the United States of America:

I commend to the favorable consideration of the Congress the enclosed report from the Secretary of State and the accompanying draft of proposed legislation to amend section 26 (d) of the act entitled "An act for the grading and classification of clerks in the Foreign Service of the United States of America, and providing compensation therefor," approved February 23, 1931, as amended.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, March 7, 1941.

[Enclosures: 1. Report of the Secretary of State. 2. Draft of proposed bill.]

#### SPECIAL COMMITTEE TO INVESTIGATE CONTRACTS UNDER THE NATIONAL DEFENSE PROGRAM

The VICE PRESIDENT. The Chair appoints the Senator from Missouri [Mr. TRUMAN], the Senator from Arizona [Mr. HAYDEN], the Senator from Texas [Mr. CONNALLY], the Senator from New York [Mr. MEAD], the Senator from Washington [Mr. WALLGREN], the Senator from Minnesota [Mr. BALL], and the Senator from Maine [Mr. BREWSTER] members of the special committee to investigate the national-defense program and the handling of contracts, authorized by Senate Resolution 71, agreed to March 1, 1941.

#### PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate by the Vice President, or presented by a Senator, and referred as indicated:

#### By the VICE PRESIDENT:

A letter in the nature of a memorial from Mrs. John F. Meyer, of Howell, Nebr., remonstrating against the enactment of House bill 1776, the lease-lend bill; to the table.

A paper in the nature of a memorial from Gilbreath Grange, No. 1193, of Mosheim, Tenn., signed by Mrs. M. W. Honeycutt, secretary, remonstrating against the enactment of House bill 1776, the lease-lend bill; to the table.

A statement in the nature of a memorial from Edith Abbott, of Chicago, Ill.; Dorothy D. Adams, of Boston, Mass.; and numerous other citizens of the United States, remonstrating against the enactment of legislation to deprive the Communist Party and its members of certain constitutional rights and guaranties; also against the alleged undemocratic utterances of some members of the Government which may tend to stimulate actions against Communists and against maintenance of the democratic way of life within the Republic; to the Committee on the Judiciary.

A joint memorial of the Legislature of the State of Oregon; to the Committee on Foreign Relations:

#### "Senate Joint Memorial No. 5

*"To the Honorable Senate and House of Representatives of the United States of America in Congress assembled:*

"We, your memorialists, the Senate and House of Representatives of the State of Oregon, in legislative session assembled, most respectfully represent and petition as follows:

"Whereas the outside fishing operations of the coast of Oregon, Washington, and British Columbia catch a substantial portion of the silver and chinook salmon originating from the streams in the States of Oregon, Washington, and British Columbia; and

"Whereas the outside fishing for silver and chinook salmon is entirely unregulated, taking unlimited numbers of silver and chinook salmon in all seasons of the year, many of which are immature; and

"Whereas the fishing so carried on is beyond the jurisdiction of the States of Oregon and Washington, and in order to properly control the same some Federal action must be taken: Now, therefore, be it

"Resolved by the Senate of the State of Oregon (the House of Representatives jointly concurring therein). That we urge the Congress of the United States to approve and pass such legislation as may be necessary so as to amend the present International Salmon Treaty to the extent that the duties of the International Salmon Commission shall include the investigation of all of the species of salmon in outside waters from the State of California to Cape Scott on Vancouver Island and that such fishing in such waters commercially come under the jurisdiction and regulation of said Commission to the end that there shall be the proper protection and conservation of said fish; and be it further

"Resolved, That copies of this joint memorial immediately be submitted by the secretary of state of the State of Oregon to the Chief Clerks of the United States Senate and House of Representatives and all Members of the Senate and House of Representatives of the United States from the State of Oregon."

A joint memorial of the Legislature of the Territory of Alaska; to the Committee on Post Offices and Post Roads:

#### "Senate Joint Memorial No. 2

*"To the Congress of the United States and the Honorable Secretary of the Department of the Interior, and to the Honorable Anthony J. Dimond, Delegate to Congress for the Territory of Alaska:*

"Your memorialist, the Legislature of the Territory of Alaska, in regular session assembled, respectfully represents that—

"Whereas the Government of the United States has expended more than \$50,000,000 in

the construction of a railway from Seward to Fairbanks, Alaska; and

"Whereas said railway was intended to serve as an arterial transportation unit and to derive its revenue from so-called feeder highways originating at the railway tracks; and

"Whereas it was known and believed at the time the railway was constructed that large areas of undeveloped mineral lands existed within convenient reach of said railway; and

"Whereas it was contemplated at that time to build highways tributary to said railway to encourage the development of natural resources and thereby justify the construction and operation of said railway; and

"Whereas the Government of the United States subsequently established a farm colony at Palmer, on said railway, for the purpose of developing the arable lands in that vicinity and establishing a permanent population along said railway; and

"Whereas said last-named enterprise has proved the great productive possibilities of the region and is fast becoming a great credit to Alaska and evidences the wisdom of Congress; and

"Whereas the future prosperity of said colony directly depends upon a continued increase of population for the consumption of its products, which increased population must largely engage in industries other than farming; and

"Whereas the area east of the Matanuska Valley for a distance of 150 miles is known to be of promising mineral character; and

"Whereas said area is now inaccessible; and

"Whereas the construction of a road or highway from Palmer, on said railroad, to Copper Center, on the Richardson Highway, would be of immense strategic value as well as a means to open up to exploration and settlement said promising mining and agriculture region: Now therefore

"Your memorialist, the Legislature of the Territory of Alaska, respectfully urges that immediate steps be taken toward the construction of such a highway or road.

"And your memorialist will ever pray."

#### By Mr. WALSH:

Memorials, numerously signed, of sundry citizens of the State of Massachusetts, remonstrating against all steps which may lead the Nation to involvement in war; to the Committee on Foreign Relations.

Memorials of sundry citizens of the State of Massachusetts, remonstrating against involvement in war and also the enactment of House bill 1776, the lease-lend bill; to the table.

#### MEMORIAL IN OPPOSITION TO THE LEASE-LEND BILL FROM STUDENTS OF COLGATE UNIVERSITY

Mr. MEAD. Mr. President, I present for noting in the RECORD, a memorial from William Slater, of Colgate University, Hamilton, N. Y., signed by over 300 of his fellow students, in opposition to House bill 1776, the pending lease-lend bill.

The VICE PRESIDENT. The memorial presented by the Senator from New York will be received and lie on the table.

#### RESOLUTION BY TOWNSEND CLUB, NO. 6, KANSAS CITY, KANS.

Mr. CAPPER. Mr. President, I present to the Senate a resolution adopted by Townsend Club, No. 6, of Kansas City, Kans., with a membership of 1,250, appealing to Congress to provide adequate pensions for deserving aged citizens, the money to be raised by a general tax levied upon taxpayers of all the States.

I ask unanimous consent that the resolution be printed as a part of my remarks in the RECORD.



There being no objection, the resolution was ordered to be printed in the *RECORD*, as follows:

KANSAS CITY, KANS., February 27, 1941.

Townsend Club, No. 6, of Kansas City, Kans., with a membership of 1,250, representing citizens of all walks of life, young and old, join in a plea that something be done to provide adequate pensions for our deserving senior citizens, and at their regular meeting have adopted this resolution:

"Whereas the members here assembled believe that a national, uniform system of old-age pension should be adopted throughout the United States of America; and

"Whereas the issues of unemployment and social security are two of the most vital problems confronting the people; and

"Whereas the proposals embraced in the Townsend bill (H. R. 1036) will greatly relieve, if not entirely abolish, unemployment and will provide to the people the American standard of living; and

"Whereas the various States of the Union are finding it difficult to raise a sufficient revenue to finance the payment of adequate pensions to the aged; and

"Whereas that a universal tax be levied and moneys so raised shall be divided pro rata and paid to all citizens of the United States who have attained the age of 60 years and over: Now, therefore, be it

*Resolved*, That we most respectfully urge upon the Congress of the United States of America to consider the basic principles of the Townsend bill (H. R. 1036) now in committee; and be it further

*Resolved*, That one copy of this resolution be forwarded to each of the following: The President of the United States, Franklin D. Roosevelt; the Honorable ROBERT L. DOUGHTON, chairman of the House Ways and Means Committee; the Honorable U. S. GUYER of Kansas; the Honorable ARTHUR CAPPER, Senator; and the Honorable CLYDE M. REED, Senator."

J. F. KILBY,  
President, Club No. 6.  
ROY R. RING,  
Secretary, Club No. 6.

#### BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. REYNOLDS:

S. 1057. A bill to place David J. Gilmer on the retired list of the Army with rank of captain; to the Committee on Military Affairs.

By Mr. SHEPPARD:

S. 1058. A bill to provide for the promotion of members of the Officers' Reserve Corps;

S. 1059. A bill to expedite the national defense by clarifying the application of the act of August 24, 1935 (49 Stat. 793) as to the requirement of mandatory performance and payment bonds in connection with supply contracts; and

S. 1060. A bill to extend the 6 months' death gratuity benefits, now paid only to dependents of officers and enlisted men of the Regular Army, to dependents of all officers, warrant officers, and enlisted men of the Army and Navy of the United States who die in line of duty while in active military service of the United States; to the Committee on Military Affairs.

By Mr. MEAD:

S. 1061. A bill to provide for additional clerical assistance to Senators from States having populations in excess of 5,500,000; to the Committee on Appropriations.

#### HOUSE BILL REFERRED

The bill (H. R. 3826) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June

30, 1941, and prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1941, and for other purposes, was read twice by its title and referred to the Committee on Appropriations.

#### ADDRESS BY SENATOR SHIPSTEAD ON LEND-LEASE BILL

[Mr. SHIPSTEAD asked and obtained leave to have printed in the *RECORD* a radio address on the lend-lease bill delivered by him on March 5, 1941, which appears in the Appendix.]

#### ADDRESS BY SENATOR BRIDGES ON THE LEASE-LEND BILL

[Mr. BRIDGES asked and obtained leave to have printed in the *RECORD* a radio address delivered by him on March 7, 1941, on the lease-lend bill, which appears in the Appendix.]

#### ADDRESS BY CHARLES H. MAHONEY ON SENATOR WHEELER'S BIRTHDAY ANNI- VERSARY

[Mr. NYE asked and obtained leave to have printed in the *RECORD* a radio address delivered by State Senator Charles H. Mahoney from Helena, Mont., on February 28, 1941, on the occasion of Senator WHEELER's birthday anniversary, which appears in the Appendix.]

#### MESSAGE BY CHRIS J. AGRAFIOTIS ON AID TO THE ALLIES

[Mr. BRIDGES asked and obtained leave to have printed in the *RECORD* a message broadcast on February 13, 1941, by Chris J. Agrafiotis, of Manchester, N. H., a member of the National Committee to Defend America by Aiding the Allies, which appears in the Appendix.]

#### LETTER FROM NATIONAL LABOR RELA- TIONS BOARD ON EMPLOYEE REPRESENTATION ELECTION PROCEDURE

[Mr. MURDOCK asked and obtained leave to have printed in the *RECORD* a letter from the National Labor Relations Board regarding the procedure of the Board in conducting elections to determine employee representation, which appears in the Appendix.]

#### ARTICLE BY MARK SULLIVAN ON LEND- LEASE BILL

[Mr. BYRD asked and obtained leave to have printed in the *RECORD* an article on the lend-lease bill by Mark Sullivan, which appears in the Appendix.]

#### PAST STATEMENTS BY WINSTON CHURCHILL—LETTER FROM FORMER SENATOR HOLT

[Mr. REYNOLDS asked and obtained leave to have printed in the *RECORD* an article from the *New York Inquirer* of March 3, 1941, regarding past statements of Winston Churchill, and including a letter from former Senator Rush D. Holt, which appears in the Appendix.]

#### COMMERCIAL AIRPLANE PRODUCTION OF GREAT BRITAIN

[Mr. REYNOLDS asked and obtained leave to have printed in the *RECORD* extracts from the *Washington Merry-Go-Round*, by Drew Pearson and Robert Allen, published in the *Washington Times-Herald*, Tuesday, March 4, 1941, in reference to Great Britain's continued airplane production for commercial use, which appears in the Appendix.]

#### MONEY, POLITICS, AND THE FUTURE, BY H. T. MILLS

[Mr. HOLMAN asked and obtained leave to have printed in the *RECORD* a pamphlet, entitled "Money, Politics, and the Future," by H. T. Mills, which appears in the Appendix.]

#### ARTICLE FROM CARLTONIAN ON NA- TIONAL DEFENSE

[Mr. SHIPSTEAD asked and obtained leave to have printed in the *RECORD* an article ap-

pearing in the *Carltonian*, official college paper of Carlton College, Minn., of the issue of February 16, 1941, relating to the shipment of raw materials to Great Britain, which appears in the Appendix.]

#### MORALE OF YOUTH—ARTICLE FROM NEW YORK TIMES

[Mr. MEAD asked and obtained leave to have printed in the *RECORD* an article from the *New York Times* of March 4, 1941, entitled "Keeping Up Morale Is Half N. Y. A's Task," which appears in the Appendix.]

#### FEBRUARY 20 ADDRESS BY SENATOR WALSH ON THE LEASE-LEND BILL

[Mr. WALSH asked and obtained leave to have printed in the *RECORD* a radio address delivered by him on February 20, 1941, on the subject of the lease-lend bill, which appears in the Appendix.]

#### FEBRUARY 23 ADDRESS BY SENATOR WALSH ON THE LEASE-LEND BILL

[Mr. WALSH asked and obtained leave to have printed in the *RECORD* a radio address delivered by him on February 23, 1941, on the subject of the lease-lend bill, which appears in the Appendix.]

#### THE PRESERVATION OF OUR HERITAGE— ADDRESS BY FORMER SENATOR HAT- FIELD

[Mr. NYE asked and obtained leave to have printed in the *RECORD* an address by former Senator Henry D. Hatfield, entitled "The Preservation of Our Heritage," which appears in the Appendix.]

#### AS WE SEE IT—EDITORIAL FROM MIAMI HERALD

[Mr. NYE asked and obtained leave to have printed in the *RECORD* an editorial from the *Miami Herald* of March 2, 1941, entitled "As We See It," which appears in the Appendix.]

#### A PRIMER OF INVASION—ARTICLE BY OSWALD GARRISON VILLARD

[Mr. NYE asked and obtained leave to have printed in the *RECORD* an article by Oswald Garrison Villard, entitled "A Primer of Invasion," published in the *Christian Century* of February 12, 1941.]

#### EDITORIAL FROM NEW YORK HERALD TRIBUNE ON NATIONAL UNITY

[Mr. HILL asked and obtained leave to have printed in the *RECORD* an editorial from the *New York Herald Tribune* of March 8, 1941, entitled "Unity Is Winning," which appears in the Appendix.]

#### EDITORIAL FROM JOHNSTOWN TRIBUNE ON LEND-LEASE BILL

[Mr. DAVIS asked and obtained leave to have printed in the *RECORD* an editorial from the *Johnstown (Pa.) Tribune* of March 6, 1941, entitled "Lease-Lend Means Dictatorship," which appears in the Appendix.]

#### PROMOTION OF NATIONAL DEFENSE

The Senate resumed the consideration of the bill (H. R. 1776) further to promote the defense of the United States, and for other purposes.

The VICE PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Massachusetts [Mr. WALSH], for himself and for the Senator from Ohio [Mr. TAFT], inserting on page 5, after line 4, a new subsection.

Mr. WALSH. Mr. President, as has been stated by the Chair, this amendment is offered not only in my own name but in conjunction with the senior Senator from Ohio [Mr. TAFT], who presented the viewpoint contained in the amendment to the Committee on Foreign



Relations of the Senate when the bill was being heard by that committee.

I desire very briefly to state my position on the amendment.

The amendment I have offered in no way seeks to control, regulate, or direct the Commander in Chief of the Navy in his supervision and control of the Navy and its movements. That should be very clear. In other words, this amendment does not interfere with the judgment of the President, nor with any decision he may make in reference to where our Navy should be sent, or what naval operations it should undertake.

The amendment is intended solely and only to prevent any lease, loan, transfer, or gift to any other nation of any naval vessels or naval aircraft not immediately replaceable—that is, within the space of 90 days—without the consent of Congress.

Its purpose is to leave in the control of Congress final decision with respect to the sale or gift of the ships and aircraft of the Navy now in commission or now under construction. Without such a restriction, we shall leave to the President, however wisely he may act or however lofty his purpose, absolute control over the extent to which he may dispose of our Navy, the extent to which he may transfer any part, small or large, of our Navy to other countries, whenever he is of the opinion that such a transaction can be said to be in the interest of our national defense.

If we enact this bill in its present form, without the amendment that I have offered, we are saying to the President, "Here is the Navy, not only for you to command and operate as you see fit, but also for you to loan or sell or give away as you see fit."

It is frequently said that our Navy is our first line of defense. It is our first line of defense, because with a strong and powerful navy, supplemented with a strong naval air force, we cannot be invaded. Whether any invasion be attempted or not, our Navy is our front line of protection. An overpoweringly strong navy certainly is much more important to our defense than is a weak navy. The stronger our Navy, the more secure will be our people, our freedom, and our institutions.

To give away our Navy, or any substantial part of it, is, to my mind, like the owner of a store or a house giving away the key, and thereby removing from the thief, the robber, or the gangster the first barrier to his destructive objectives.

Every vessel in the Navy is a strong barricade and a contributing fortress surrounding our country. We cannot afford to weaken it. I do not know of any of our naval officers who believe that we should give up any of our Navy and lessen our naval strength by transferring any of our ships to any other power.

Before the Committee on Naval Affairs last year the then Assistant Secretary of the Navy, Mr. Compton, testified that it was his opinion and that of Admiral Stark that no part of our Navy should be disposed of unless it could be replaced within 1 year.

Mr. ADAMS. Mr. President, will the Senator yield?

Mr. WALSH. I yield.

Mr. ADAMS. I desire to make an inquiry as to the amendment. I think I understand what the Senator intends, but I wonder if the amendment states just what he has in mind. It forbids the transfer of naval vessels and aircraft, and then, following that—

or any such aircraft now under construction which cannot be replaced by a better or more satisfactory craft within a period of 3 months.

I assume that the Senator meant to apply the limitation of replacement also to naval vessels, and not limit it merely to aircraft. Am I correct in that assumption?

Mr. WALSH. I do not know of any naval vessel that can be built in 3 months. That is the reason why the distinction was made.

Mr. ADAMS. Then the limitation is intended to apply only to aircraft?

Mr. WALSH. Yes.

Mr. ADAMS. That is the way it seems to be written.

Mr. WALSH. That is correct.

Within a few days Secretary Knox said, according to the press, that in his opinion no part of the Navy should be disposed of, or given away, or leased, or loaned. He added, however, that that was his personal opinion, separate and apart from what might be the views of the Commander in Chief.

Many persons who favored all-out aid to Great Britain are in sympathy with the suggestion that limitations should be put upon the disposition of our Navy, and I wish now to quote A. Lawrence Lowell, former president of Harvard University, chairman of the Executive Committee of the League to Enforce Peace, a great and outstanding supporter of the League of Nations and a member of the William Allen White committee:

The lend-lease bill authorizes any President of the United States, if he deems it in the interest of national defense, to lend, practically give away, our whole Navy and air force to any foreign nation, and turn over to it the whole military manufacturing power of the United States at his discretion.

Further he states:

The administration may well draw such a bill for Congress to circumscribe, but to pass it in this form could only be the result of hysteria, and the conditions do not justify hysteria here. Those of us who desire to help England to the utmost, whether it unfortunately leads to war or not, can do it best if we do not lose our heads.

The New York Times, which we know is a strong supporter of the present measure, stated in a recent editorial:

It is not necessary to abandon traditionally democratic safeguards at home in order to provide effective aid for Britain. It is not necessary to take out of the hands of Congress decisions of major policy in which Congress is entitled to participate. It is entirely possible to amend the bill in such a way as to insure Congress of such participation.

Representative FISH, in the House of Representatives, quoted Mr. Bullitt as stating when he appeared before the Committee on Foreign Affairs of the House that he would rather give away his own eyes than give away any part of the Navy. In consulting the report of the hearings, I find Mr. Bullitt attributed this statement to the President.

So far as I know, there is not an international lawyer who does not claim the giving away of warships to belligerent nations is an act of war. It seems to me no one can deny that. The amendment serves the purpose also of one effective barrier at least against involvement in the present war.

Admiral Stark is on record before the Committee on Naval Affairs as saying early last summer that our Navy could not be spared.

Admiral Leahy, former Chief of Operations, declared at about the same time:

When the projected defenses for the Caribbean Islands are completed invasion of the United States, Central America, or North and South America would be extremely hazardous.

I might continue to present quotations from various persons who, if they have not directly, at least indirectly, have shown a hesitancy and reluctance to consent to the lease, loan, sale, or transfer of naval vessels. But I wish now to proceed with a brief discussion of the argument which may be made by those who will oppose the amendment.

Mr. President, the pending bill—filled with grave risks that look in the direction of involving us in this war—does not go so far as to form an alliance; does not contemplate, so the proponents say, our Navy, armed forces, or air forces fighting side by side with the English and their allies.

If this is the fact, how can we seriously consider, in view of the fact that we have been building up our Navy rapidly to be prepared against any eventuality that may follow as a result of this war—how can we consider weakening our defenses?

In my humble opinion, the greatest aid that a united America can give to the world today—can give to Britain—unless we intend to go to war, is to build up its own defenses and to make them impregnable.

I recognize the argument that if the British lose and the British Fleet falls into the hands of the Germans, our position will become very much more precarious than it is at present. That is undoubtedly true. But, as I have said previously, it is speculation. It is an argument based upon many uncertainties. It is a series of "ifs."

Let me again remind my colleagues in this Chamber—let me again remind the public—that our naval experts hold to the opinion that even with our present Navy we could successfully ward off any attempted invasion of this country, provided we retain our fleet intact and base it in this hemisphere. Our fleet is competent to withstand any attack from any naval power, which would have first to cross the Atlantic or Pacific and operate thousands of miles from its home bases.

It seems to me that those who profess the fear that England is going to fall—which we all do not profess, and which we would all exceedingly regret—that England's Navy may fall into the hands of the Germans, that the Germans are going to attack us, should oppose the weakening of our defenses by giving away portions of our Navy.

Let us carry this question one step further. What is our situation? Where do we stand if we loan or give to Britain



some of our ships, and then, notwithstanding this aid, Britain is defeated and her navy sunk or captured?

Mr. President, when the pending bill was first introduced I wrote to the Navy Department and asked them what laws affecting the Navy would be repealed—I used the word “suspended”—if the bill were enacted into law, and I wish to read the reply which I received from the Navy Department.

DEPARTMENT OF THE NAVY,  
OFFICE OF THE SECRETARY,  
Washington, January 31, 1941.

MY DEAR MR. CHAIRMAN: Reference is made to your letter dated January 14, 1941, requesting copies of the laws relating to the Navy and Marine Corps which would be superseded by section 3 of the bill (H. R. 1776) to further promote the defense of the United States, and for other purposes.

There are enclosed herewith copies of laws which relate in one way or another to the disposal of Government property under the jurisdiction of the Secretary of the Navy. Time has not permitted of a search sufficiently exhaustive to warrant the statement that these are all the laws on the subject, but the list is thought to be reasonably complete.

The Navy Department does not consider it quite accurate to say that these laws will be superseded by the enactment of H. R. 1776. All of them would undoubtedly be negated, and in view of the wording of the bill it appears that at least one, section 14 (a)—

Which I shall read later—

of the act of June 28, 1940, would be repealed. Some of the others might continue to be effective in certain respects not covered in H. R. 1776.

It is hoped that the foregoing will be of assistance to you when the bill is before the Senate for consideration.

Sincerely yours,

JAMES FORRESTAL, Acting.

I then wrote to the Department and inquired what was meant by the word “negated” which the Department substituted for my word “suspended,” and I shall read the letter which I received in reply. I also asked them, so as to have it a matter of record, just what was provided in section 14 (a) of the act of June 28, 1940, which would be repealed.

MY DEAR SENATOR WALSH: Reference is made to your letter requesting further information with respect to the effect of section 3 of the bill H. R. 1776, “To further promote the defense of the United States, and for other purposes.”

The word “negated” as used in the letter dated January 31 was intended to convey the meaning that because of the wording of the bill “notwithstanding the provisions of any other law” the provisions of that bill could be carried out and would be completely operative. The distinction between the word “negated” and the word “suspended” was drawn because certain laws would continue to be effective for purposes not covered by the bill H. R. 1776. An example of this is the act of August 5, 1882, as amended.

Then the letter quotes the section that everyone agrees will be repealed by the enactment of this bill. I quote it:

Notwithstanding the provisions of any other law, no military or naval weapon, ship, boat, aircraft, munitions, supplies, or equipment, to which the United States has title, in whole or in part, or which have been contracted for, shall hereafter be transferred, exchanged, sold, or otherwise disposed of in any manner whatsoever unless the Chief of Naval Operations in the case of naval material, and the Chief of Staff of the Army

in the case of military material, shall first certify that such material is not essential to the defense of the United States.

That is the law which the distinguished Senator from Michigan [Mr. VANDENBERG] quoted yesterday in connection with his amendment, and which was enacted in June of last year. The letter continues:

The provisions of H. R. 1776 being diametrically opposed to the law above quoted it appears to the Navy Department that enactment of the bill would be tantamount to repeal of the prior law.

The letter is signed by Frank Knox, Secretary of the Navy.

On page 706 of the CONGRESSIONAL RECORD of February 6 are enumerated the laws affecting the Navy that will be negated or repealed. Part of the law of June 15 last I have quoted, but there are other provisions in our Navy laws that will be negated, which I should like to read:

No vessel, ship, or boat (except ship's boats) now in the United States Navy or being built or hereafter built therefor shall be disposed of by sale or otherwise, or be chartered or scrapped, except as now provided by law. (Sec. 7 of Public, No. 757, approved July 19, 1940.)

Again I quote from the law:

During a war in which the United States is a neutral nation it shall be unlawful to send out of the jurisdiction of the United States any vessel built, armed, or equipped as a vessel of war, or converted from a private vessel into a vessel of war, with any intent or under any agreement or contract, written or oral, that such vessel shall be delivered to a belligerent nation, or to an agent, officer, or citizen of such nation, or with reasonable cause to believe that the said vessel shall or will be employed in the service of any such belligerent nation after its departure from the jurisdiction of the United States (sec. 3 of title V of the act of June 15, 1917, 40 Stat. 222; U. S. C., title 18, sec. 33).

I will not take the time of the Senate to read additional provisions of existing law that will be negated, except to read one more section:

No old material of the Navy shall, after August 5, 1882, be sold or exchanged by the Secretary of the Navy, or by any officer of the Navy, which can be profitably used by reworking or otherwise in the construction or repair of vessels, their machinery, armor, armament, or equipment; but the same shall be stored and preserved for future use. And when any such old material cannot be profitably used as aforesaid, the same shall be appraised and sold at public auction after public notice and advertisement shall have been given according to law under such rules and regulations and in such manner as the said Secretary may direct: *Provided*, That the Secretary of the Navy is authorized, in his discretion, to sell, at the prices established for issue to naval activities, surplus scrap metals of the Navy to schools, colleges, and universities for use in courses of instruction in vocational training: *Provided further*, That any costs incident to the transportation or delivery of such scrap metals shall be charged to the purchaser.

Mr. President, that was the origin and beginning of the laws which provided for the disposition of certain naval property without the consent of Congress. Mark you:

No old material of the Navy shall after August 5, 1882, be sold or exchanged by the Secretary of the Navy, or by any officer of the

Navy, which can be profitably used by reworking or otherwise in the construction or repair of vessels, their machinery, armor, armament, or equipment; but the same shall be stored and preserved for future use.

Mr. CONNALLY. Mr. President, will the Senator yield at that point?

Mr. WALSH. I yield.

Mr. CONNALLY. The word “profitably” allows a considerable amount of discretion and latitude in determining whether the material can be reworked.

Mr. WALSH. Certainly.

The purpose of that law was to prevent the necessity of the Navy Department going to the Congress for permission to dispose of a rowboat, or a boat which had been completely damaged, or a vessel which was worthless and could not be repaired.

In the legislation of last year there was incorporated in one of the bills for the expansion of the Navy a further and very strict and rigid declaration against the transfer, sale, or disposition of any naval vessel.

Admiral Stark, who appeared before our committee, protested the House language. He said:

It so completely bottles the Navy up, and so completely prevents the Navy from disposing of old, antiquated, broken-down equipment and junk that we should have to come to Congress even for permission to do that.

So, at his request, the Senate committee modified the language of the House by including a provision that the law of 1882, to which I have referred, should not be repealed, leaving it possible for the Navy to dispose, in the manner provided in the law of 1882, of any naval vessel that is old and worthless and cannot be repaired or made serviceable to our country.

Perhaps, in this connection, I ought to call attention to the situation of our Navy at the present time, because it is important to know whether or not we are in a position to dispose of any naval vessels or naval aircraft.

Mr. President, our present naval strength is less than our naval strength of a year ago, due to the fact that 50 destroyers were given to the British in exchange for naval bases in British territory. It is not much less in strength than it was a year ago, and, of course, as we all know, it is rapidly increasing.

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. WALSH. I yield.

Mr. WHEELER. How much time is required to build a destroyer?

Mr. WALSH. A year and a half.

Mr. WHEELER. And a battleship?

Mr. WALSH. Four years.

Mr. WHEELER. How long does it take to build a submarine?

Mr. WALSH. More than a year; at least a year.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. WALSH. I yield.

Mr. LUCAS. Is that true under present conditions?

Mr. WALSH. No. The Senator from Illinois is familiar with the law which provides for speeding up naval construction. While I have no figures—and I do not know that anybody has—as to how much the time can be reduced, it is un-



doubtedly true that there will be a considerable reduction in the time required for building our destroyers, submarines, cruisers, and battleships. I understand the time for building a destroyer has been reduced from 18 months to 15.

Mr. BREWSTER. Mr. President, will the Senator yield?

Mr. WALSH. I yield.

Mr. BREWSTER. As I understand, the Senator's amendment would not in any way affect the authorization in the bill, as now amended, for Congress hereafter to appropriate money for defense articles for delivery to foreign governments.

Mr. WALSH. My amendment leaves to the Congress the whole matter of the disposition of the property of the Navy, to be carried out as Congress declares.

Mr. BREWSTER. I do not think I made my question clear. There is now a provision in the bill that no defense material hereafter appropriated for shall be given away except as hereafter specifically authorized by the Congress.

Mr. WALSH. Yes.

Mr. BREWSTER. The Senator's amendment would not restrict the Congress in any way in hereafter appropriating for aircraft or vessels, or any other defense material for the specific purpose of giving such material to a foreign government, would it?

Mr. WALSH. Not at all.

Mr. BREWSTER. Provided that the money was not appropriated for the United States Navy. That is, the Senator distinguishes sharply between our Navy and the grants to others.

Mr. WALSH. Exactly.

Mr. BREWSTER. We in New England naturally share the concern of the Senator from Massachusetts as to the Navy that is so vital to our defense. Personally I shall defer to his seasoned judgment and long experience as chairman of the Committee on Naval Affairs as to the most practical way to present the issue of the maintenance of our Navy intact. For this reason I shall not present the amendment which I had prepared before the Senator's amendment was offered.

The original bill left the Navy with practically no protection against its complete dissipation in the uncontrolled discretion of the President. Such action could not be consistent with the duty of Congress under the Constitution to provide for our common defense. The amendments heretofore adopted limiting future grants to specific congressional authorization limits very greatly the Presidential discretion. The provision for technical valuation of defense material minimizes the danger of errors in judgment.

Mr. WALSH. In the event the amendment which I am offering is defeated, does the Senator propose to offer his amendment?

Mr. BREWSTER. I do not.

Mr. WALSH. The Senator has submitted an amendment to which I have given a great deal of thought and study. I tried to prepare an amendment which would permit the giving away, lending, or leasing of a part of our Navy—perhaps the smaller vessels—retaining our cruisers, destroyers, and submarines. I came to the conclusion that the amendment

must provide for the complete closing of the door and a declaration for the conservation of our Navy as it is, and as it will increase. Even if it were possible to provide by an amendment that a certain portion of our Navy, certain types of vessels, or certain tonnage of our Navy, might be given to the Allies, I have reached the conclusion that such a position is untenable.

Once we begin giving away any of our naval vessels we cannot stop, and we must go to the limit and not stop until the British win. Once we go to the point where we give the major part of our Navy and the British lose, we shall have lost too. It is a terrific risk to diminish our national defenses, especially our first and last line of safety.

I sincerely believe that whatever else we may do in giving aid in the form of money, munitions, and all the implements of war other than the Navy, we are undertaking a tremendous risk in giving away any part of the first line of safety—the only line of safety—our Navy and our naval aircraft, the purpose of which is to keep the enemy from coming to our shores.

I am very glad the Senator from Maine takes the position he takes. We have talked the matter over. Much as we should like to give a part and say, "We will not miss this or that naval craft, because we have enough vessels to be safe with in the future," the moment we take that position it seems to me there is no stopping. If it should become necessary we should have to give all our Navy.

Mr. LA FOLLETTE. Mr. President, will the Senator yield?

Mr. WALSH. I yield.

Mr. LA FOLLETTE. I do not desire to divert the Senator from the line of his argument, but does he intend to touch upon the recent request from the Navy Department for legislation to give it flexibility in reallocating tonnage between various classes of ships, so that it would not have to follow the lines which Congress has laid down for the Navy? And does the Senator also intend to discuss the bearing of that request upon the possibility that if the Senator's amendment or some similar amendment is not adopted, and if the Congress gives the Navy power to reallocate the tonnage as between classifications, so long as it keeps the total tonnage up to the requirements of appropriations, we are already put on notice that there is in contemplation the very thing which the Senator fears?

Mr. WALSH. I will say to the able Senator from Wisconsin that it is my opinion that no matter what allocation there may be of naval vessels under any law which we may enact, and which is proposed in some suggested legislation, I do not think there would necessarily be authority under existing law, if the pending bill should be passed, to give away any part of our Navy.

Let me say to the Senator that, as I understand that request, I think language permitting that reallocation to a degree is embodied in legislation already enacted; so that, after we have authorized, let us say, the building of 5 battleships, if the Navy should say, "The war situation is such, because of what we have learned from the European war, that we

do not need those 5 battleships, and we will build only 4, and, instead of the fifth, we will build 100 boats of the mosquito fleet," the Navy would be authorized to do so. That is one of the reasons that was presented to the naval committee.

I know that there has been quite a change in the viewpoint of the Navy and of the President in reference to the type of naval vessels that we are beginning to need more and more. The President is of the opinion, and I think it may be said to be the opinion of the Navy, that there should be built a larger number of smaller vessels—harbor-defense vessels, motor vessels, submarine chasers—and unfortunately our Navy is deficient in having practically no vessels of that type. I am inclined to sympathize with the viewpoint that what we need very badly is a larger number of fast-moving motorboats, so frequently referred to as part of the mosquito fleet.

Let me now read the present composition of our Navy as of January 1, 1941: Battleships, 15; aircraft carriers, 6; heavy cruisers, 18; light cruisers, 19; destroyers, new, 85; destroyers, old, 74—we have only 85 new destroyers, although the old ones are in commission and usable—submarines, new, 37; submarines, old, 68; making a total of 322 combat vessels.

It is heartening to know that the following vessels are being built: Battleships, 17; aircraft carriers, 12; heavy cruisers, 14; light cruisers, 40; destroyers, 205; submarines, 80; total major combat vessels, or combatant vessels, as some persons call them, 363.

So with the 322 vessels we have and the 368 we are building, we shall have 690 naval vessels in all the categories. Of course they are getting older all the time; and the older vessels, of which we have a large number, will have in time to be taken out of commission, or be transferred.

Mr. GURNEY rose.

Mr. WALSH. I will yield in a moment, if the Senator from South Dakota will permit me to read further from the table I have in my hand. I desire to state that it is reported that Japan has recently launched 3 large-sized battleships and 3 pocket battleships. It is rumored that the Japanese have as many as 12 battleships under construction.

We have practically no small craft. The bill which we enacted last year provided for 400 such vessels, the construction of 280 to start at once. Thirty-six of them will be 165-foot submarine chasers; thirty 110-foot submarine chasers; twenty-four motor torpedo boats; eighteen 165-foot mine sweepers; thirty-two fleet mine sweepers; nineteen motor mine sweepers; and thirteen coastal mine sweepers.

Mr. GURNEY. Mr. President, will the Senator yield?

Mr. WALSH. I now yield to the Senator.

Mr. GURNEY. With reference to battleships, the Senator stated that we now have 15?

Mr. WALSH. Yes.

Mr. GURNEY. Does the Senator care to state how many more will be commissioned this year and next year?



Mr. WALSH. Two are to be finished very shortly and commissioned this year. Two were launched some few months ago. That means that they were in condition to take the water, but were not equipped as they will have to be in order to be assigned to the fleet and to be capable of taking their position as part of the naval fleet.

I have a table, which I will present in a moment, showing the number of vessels we have planned to build and complete each year in these various categories. I shall be pleased to do that.

Mr. CONNALLY. Mr. President, will the Senator yield for a question?

Mr. WALSH. Certainly.

Mr. CONNALLY. Can the Senator inform us whether or not it is the case that Great Britain does not stand in any pressing need of heavy naval vessels, but, rather, of the smaller types, such as destroyers, and probably small surface craft?

Mr. WALSH. That is my information—small, swift-moving craft, as well as destroyers.

Mr. CONNALLY. So the fact that the battleships are not yet completed is not of particular moment with regard to this particular bill?

Mr. WALSH. That is true. It is cited only for the purpose of indicating that we are on the way to make our Navy very much stronger than it now is; and if a greater number of vessels is needed in the future, the present naval strength is now needed.

Mr. BROWN. Mr. President, will the Senator yield?

Mr. WALSH. I yield.

Mr. BROWN. I understood the Senator to say that there are about 200 destroyers under construction, and that in ordinary times it takes about a year and a half to complete a destroyer, but that under some pressure at the present time we are building them in about a year.

Mr. WALSH. In about 15 months.

Mr. BROWN. Does that mean that at the end of the present calendar year we will have 200 additional destroyers in the United States Navy?

Mr. WALSH. I should not say within a year; I should say within 2 years. I will find directly the table which indicates the period of time of construction and the number of vessels we will obtain. For instance, it is said that we shall get 14 destroyers this year, and I think as many as 50 next year. I will be glad to present that information.

Here it is:

Destroyers building Jan. 1, 1941:

To be completed in 1941-----	17
To be completed in 1942-----	45
To be completed in 1943-----	86
To be completed in 1944-----	52
To be completed in 1945-----	4

Total----- 204

This table shows the danger of giving away any more destroyers. Between now and January 1, 1943, we will increase our destroyers by only 62.

Mr. BYRNES. Mr. President, will the Senator yield?

Mr. WALSH. Certainly.

Mr. BYRNES. The statement of Admiral Van Keuren within the week before the Appropriations Committee was

that there had been a considerable misunderstanding as to the period of construction of a destroyer. He stated that the period of construction of a destroyer at this time was 18 months, and their hope was to reduce it to 15 months.

Mr. WALSH. I understood there was to be a substantial reduction; I did not know that it was exactly that degree.

Mr. President, I should like to state, for the information of the Senate, our situation regarding naval airplanes. The number of planes of all categories on hand, including 1,350 planes 4 to 5 years old, as of January 1, 1940, was 2,145; the number on hand January 12, 1941, 2,590.

Planes on hand March 3, 1941: Combat planes, including 1,350 old planes, 1,571; training planes, 893; utility planes, 174; total, 2,638.

Planes on order March 3, 1941: Combat planes, 4,217; training, 1,559; utility, 235; total, 6,011. At the beginning of this year, of the 2,590 planes in possession of the Navy, 1,350 were from 4 to 5 years old. I think I am perfectly safe in asserting—if not the Senator from Illinois will correct me—that the information which the Senator disclosed at one of our committee meetings last year was that the number of modern combat planes was then approximately 300. That number has been increased because I notice in this table the total of old and new combat, mostly old, planes on March 3, 1941, was 1,571.

Mr. LUCAS. Mr. President, will the Senator yield there?

Mr. WALSH. I yield.

Mr. LUCAS. I am not sure that I recall the testimony of the admiral, but I am wondering whether the Senator is making a distinction, and whether he talks about combat planes he means combat planes which are being operated by the Navy from shore bases or a combination of shore-base combat planes plus the combat planes which are used from aircraft carriers and are attached to the ship as it goes to sea?

Mr. WALSH. I take combat planes to mean planes that are not training planes and that can be used for fighting purposes.

Mr. LUCAS. Either from the shore or from a ship?

Mr. WALSH. Yes. Our ships, as the Senator knows, are equipped with combat planes.

Mr. LUCAS. That is the observation I was going to make. As I recall the testimony before our committee, there is not a single ship at sea at the present time that is not adequately provided with combat planes. According to the testimony given before the committee we have the best naval aircraft of any navy in the world; our ships are better protected than the ships of any other navy from the standpoint of naval aircraft, and for every ship that is now being launched or every new ship that goes off the ways, as I recall the testimony, there will be a sufficient number of naval planes ready to protect and go along with that ship on any cruise it may make. Am I correct in that?

Mr. WALSH. In general, that statement is correct. I think that is particularly true of the new ships. I assume that the planes on the old ones become

antiquated rather quickly, perhaps more so than those on shore.

Mr. LUCAS. I think the testimony shows that we are very deficient in what we call combat shore planes; that is, planes which can operate from the shore and go a long distance out to sea. I think it might be very interesting to make this observation, Mr. President, while I am on my feet, that in September 1939, when the war broke out in Europe, the English Navy had only 360 combat naval planes to take care of their entire fleet. That was the testimony before the committee.

Mr. WALSH. Mr. President, I do not care to prolong the discussion of this amendment except, in conclusion, to say that I think we are dealing with a part of this bill and with an organization that is close and very dear to the affections of the American people. Our people love the Navy. They have—and deservedly so—a very sincere and deep and profound respect for it and a great pride in it. Its history is a glorious one. As a boy and now as a man advancing in years I have often wondered at the impression the marines on parade days make upon the public. We have heard the public along the line of march whisper when the Army goes by and the blue jackets go by, "Where are the marines?" "Here come the marines." The marines are the fighting force of the Navy. They have taken part in every single war in which this country has engaged. Their record is a glorious one. It is a grand military organization. I speak of this only because, somehow or other, I consciously feel that in the hearts of all our people, or, at any rate, of most of our people, except those who want us to go to war, in the hearts even of people who want us to give all possible aid to Great Britain, there are uplifted hands says, "Do not touch the Navy; leave our Navy alone. Give everything else, but do not touch our Navy. It is too essential and too much identified with our safety and security."

Mr. President, this amendment, if adopted, will leave the Navy secure and intact. It will assure the American people that at least this line of defense is undiminished, whatever hazards and misfortunes may come out of the European war to the countries now unfortunately participating in it.

I understand the urge to help and assist the country which is fighting so bravely for its safety and security; but, I repeat, while it may be selfish, the safety and security of America must always come first. I am convinced, from long study of this problem, that the greatest service the United States of America can render, first to itself, second to the world, and third even to Britain itself, by making it possible for us to preserve our civilization and our democracy here, is to retain the full strength of our Navy; for if we become entangled in the present war, if we deplete our Navy, we shall be taking risks and dangers the consequences of which no man can foresee. Even if England fails in this war, with our Navy strong and ever-growing and increasing, with a powerful fleet and powerful vessels, the best that can be made by human ingenuity, and with a growing, strong naval air fleet, we can stand before the Axis and say, "You may have succeeded



in your efforts on the continent of Europe to restrict democracy or to destroy it, but you cannot and will not enter the domain of the Western Hemisphere. We have a Navy which is impregnable, and which, day by day and year by year, is growing in strength and power. We have an air force; we have our own bases; and you know, as every other military strategist knows, that every mile a navy or planes move from their bases, they become weaker and weaker and weaker."

So long as we have a Navy and a naval air force able to protect our own shores and to encircle our own territory, we need fear no aggression from Europe. In my opinion, if—which we trust will never happen—the British should lose, the presence of a powerful and a strong and a mighty naval force in this country would have a powerful, either direct or at any rate indirect, influence in adjusting a treaty that would not be as cruel or as hard or as bad as it would be if England were defeated, if our Navy also were reduced in strength.

What a terrible tragedy it would be if we kept leasing and lending and giving away our naval vessels, and then defeat came, which is possible, although almost inconceivable. What would become of our own weapons that would have fallen into the hands of those who, it is alleged, are our enemies and are looking with sinister designs in our direction?

Mr. President and gentlemen of the Senate, do not throw away the key that locks the doors of safety in the Western Hemisphere. Do not unlock the door. Preserve our Navy; and this amendment will do it.

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. WALSH. I yield to the Senator from Montana.

Mr. WHEELER. I desire to ask the Senator a question.

Information has come to me that of the combat types of aircraft which were produced in January 1941 the Army got 18, the Navy 82, the British 308, and other foreign countries 25. My information is that these figures compare with 341 for the British in December 1940, during which month a total of 431 were delivered. Has the Senator any information with reference to that matter?

Mr. WALSH. No; I have not; but I assume that the Senator's figures are correct, because it is well known to the members of the Naval Affairs Committee, and I assume to the members of the Military Affairs Committee, that the policy of our Government has been to keep deferring the acceptance of planes ordered by it so that the British could have the right-of-way from manufacturers making both foreign and American airplanes.

Mr. WHEELER. It seems to me impossible that even if this bill should pass we could give away or lease or lend any more aircraft than we have been disposing of during 1940, and up to the present time in 1941, so far as airplanes are concerned of the combat type that are fit for service in Europe.

Mr. WALSH. In my earlier address on this bill I stated that in my opinion we could not give our Navy to Great Britain

except by depleting our own naval defenses and military defenses.

Mr. BARKLEY. Mr. President, I do not wish to occupy much of the time of the Senate on this amendment. Of course, I always hesitate to controvert or oppose any position taken by my friend, the Senator from Massachusetts, the chairman of the Committee on Naval Affairs; and I would not, of course, put my meager knowledge of naval affairs against his exhaustive knowledge on that subject.

The Senator has stated that his amendment goes to the heart of the bill. I agree. In my judgment, if the amendment of the Senator from Massachusetts should be adopted, it will cut the heart out of the bill. To that extent I agree with him.

I do not think we have to indulge in any fears about what the President of the United States will do with the Navy. If there is one branch of our service to which he has devoted his entire life, it is the Navy. Long before he ever became Assistant Secretary of the Navy under Woodrow Wilson he was interested in naval matters; and during the 8 years of the Wilson administration he probably had as intimate a knowledge of naval matters, and the strength of our Navy, and its use, as did anybody in the United States. He has continued that interest until this moment; and with the possible exception of some high naval officers I do not believe there is anybody who has a more intimate and detailed knowledge of the Navy of the United States than has President Roosevelt.

Mr. WALSH. Mr. President—

Mr. BARKLEY. I yield to the Senator from Massachusetts.

Mr. WALSH. I desire most heartily to concur in what the Senator says: I have repeatedly said in public that the President's devotion to the Navy is exceeded by that of no other man in America. Whatever of value there is in our naval service today, whatever progress has been made, is due entirely to the knowledge of naval affairs and the sincere interest in the Navy and the vision of President Roosevelt.

Mr. BARKLEY. I agree with that statement entirely, and I am glad to have the Senator from Massachusetts reiterate it. For that very reason I do not think any of us need entertain any fear that the President is going to deplete the American Navy or cripple it, because that branch of the service has been all of his life his special pet, if he had one, because of his devotion to our naval strength.

Mr. President, the war which is in progress in the world is a naval war, it is a land war, and it is an air war. Unless Hitler's forces invade England by crossing the Channel, military operations on land may for some time to come be limited to the Balkan regions and north Africa, or other parts of Africa which may become involved in military operations. Unless Hitler invades England by crossing the English Channel there will be no battles on land in the British Isles. One of the eventualities upon which the human race is now concentrating its most intense and anxious prospective attention is whether Hitler will be able to cross the English Channel and invade

England. The Army of Great Britain cannot prevent that, because they cannot fight on the English Channel. The Army might be able, through the use of long-range guns and coast defenses, to aid in the prevention of the crossing of the Channel, but the Army of Great Britain alone may not be able to prevent the crossing of the English Channel by Hitler's army. So that if that invasion is to be prevented, with whatever aid the Army may give through its long-range guns and coast defenses, it must in the main be prevented by air and by the naval strength of England. I think that is a position which no one can successfully controvert.

The adoption of the pending amendment would prohibit the Government of the United States or the President of the United States from giving or lending or leasing or otherwise disposing of to Great Britain any naval equipment whatever. It has been our theory, and it is our theory, and in my opinion it is the belief of the American people, that the ability of the English Navy to hold the line may determine whether we ourselves shall become subject to invasion or become involved as a possible victim of aggression. We all know that the English Navy is a vital if not a determining factor in the ability of Great Britain to stand. If her Navy goes down, England goes down. If her Navy and her aircraft cannot prevent the crossing of the English Channel, then the English Channel will be crossed, and England will be invaded. What may happen to the invading army after they get into England is anyone's guess.

I ask in all seriousness and in all earnestness, Are we willing, by the adoption of this amendment, to make this bill an army relief bill by eliminating altogether any naval assistance which may be granted under it?

Mr. TAFT. Mr. President, will the Senator yield?

Mr. BARKLEY. I will yield in a moment. The reason for the statement I have just made is that the Senator from Massachusetts has said that the adoption of the amendment means that the Navy is not to be touched, and I agree with him; that is what the amendment means.

Mr. TAFT. I wish to point out that the British Navy already has on order here a large amount of equipment. They can order all the rest they desire, and we will pay for it. We are only saying that they cannot have the Navy equipment which we have already declared to be essential to the defense of the United States.

Mr. BARKLEY. They cannot order any more and pay for it, if our theory is correct that the dollar exchange of the British Government has been practically exhausted.

Mr. TAFT. I said we would pay for equipment ordered by the British.

Mr. BARKLEY. I do not agree to that, because this not only applies to existing equipment; it would prevent Congress appropriating in the future for any equipment to be leased, or loaned, or otherwise disposed of to a foreign nation.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. TAFT. The Senator from Massachusetts distinctly stated that the British



might get equipment if we should provide in an appropriation bill that 10 percent of the equipment provided for, or 50 percent, or all of it could be transferred under the pending bill.

Mr. BARKLEY. No, I will read the amendment, and I think the Senator from Massachusetts will agree to my interpretation, whatever may have been his intention.

Mr. WALSH. The amendment does not deny the right of Congress to later grant naval vessels or naval craft in future appropriations.

Mr. BARKLEY. Let us see whether it does. It provides—

Nothing in this act shall be construed—

And all appropriations made hereafter for England will be under the proposed act—

Nothing in this act shall be construed to authorize or to permit the authorization of the sale, transfer, exchange, leasing, lending, or otherwise disposing of to any such foreign government of any vessels, boats, munitions, or supplies of the United States Navy, or of any vessels or boats which have been ordered by or laid down for the United States Navy.

That is all-inclusive language. If it has any legal effect, it is intended to say that nothing under this act—and, as I have said, all appropriations hereafter made will be made under the act—shall be construed to authorize the transfer, sale, or exchange of any of the naval equipment to which I have referred. If it does not mean that, then it is meaningless, because if Congress can, under the act, come along later and appropriate money for this particular purpose, then the language of the amendment is without any meaning.

Mr. WHITE. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. WHITE. I understand the Senator to urge—and I am rather inclined to think he is right—that if the amendment is adopted there will be no authorization in law from which an appropriation can follow.

Mr. BARKLEY. That is my belief, because if this language is put into the bill and becomes law, and hereafter an appropriation comes in, it will be limited by the terms of the act. If Congress can, in an appropriation, regardless of the language of the measure, say that the appropriations made under and in pursuance of the act can be used for this purpose, then this language does not mean anything, because there is not any distinction in the amendment between existing equipment and that which may be procured out of appropriations in the future.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. TYDINGS. The Senator may be correct, and I am trying to make up my mind who is correct. As I read the amendment, if I may quote it, it provides—

Nothing in this act shall be construed to authorize or to permit the authorization of the sale, transfer, exchange, leasing, lending, or otherwise disposing of to any such

foreign government of any vessels, boats, munitions, or supplies of the United States Navy.

I do not figure that this has anything to do with boats which the British may desire to build here in the future. As I read it, such vessels or boats must belong to the United States Navy. If they belong to the United States Navy they cannot be given away. But why would it be said that we could not in the future appropriate money for building boats for the British Navy?

Mr. BARKLEY. That is a different proposition entirely.

Mr. TYDINGS. I did not understand the Senator.

Mr. BARKLEY. The Navy is a continuing arm of our Government.

Mr. TYDINGS. That is correct.

Mr. BARKLEY. And this will be a continuing law, so long as it exists, and that would be until July 1, 1943.

Mr. TYDINGS. That is correct.

Mr. BARKLEY. Any ship or any boat or any equipment provided out of appropriations made until that time is a part of the continuing arm of the service known as the United States Navy.

Mr. TYDINGS. The Senator is correct.

Mr. BARKLEY. I believe this amendment would make it impossible during the life of the act to lend, lease, or otherwise dispose of any equipment now belonging to the United States Navy, or any equipment which hereafter may be a part of the Navy as a result of appropriations made.

Mr. TYDINGS. I think that is correct. I think that is the intention of the Senator from Massachusetts. But I understood the Senator to say—probably I misunderstood him—that if this amendment were adopted Congress in the future could not appropriate money for the building of ships or planes for the British Navy.

Mr. BARKLEY. The title to all these things, even if they are built for the British Navy, is in the United States while the building is going on.

Mr. TYDINGS. But not in the United States Navy.

Mr. BARKLEY. They are Government property. The theory is that after they are completed they may be transferred, sold, leased, lent, or otherwise disposed of, but they are still a part of the United States Navy until they are disposed of, either by sale, lease, or lending.

Mr. TYDINGS. The Senator says, and I think also what the amendment does is to say that any ship, and so forth, now belonging to the United States Navy, or which may hereafter be authorized, appropriated for, and built for the United States Navy, shall not be within the purview of things to be lent or leased to any government.

Mr. BARKLEY. That is correct.

Mr. TYDINGS. But there is nothing in the measure to prevent the President from giving to Great Britain or any other country \$1,300,000,000 worth of credit to buy ships for the British, provided they are not ships that are a part of the United States Navy.

Mr. BARKLEY. No; the Senator is mistaken there, because there is nothing in the bill which would authorize the President to give credit for one dollar to any other nation.

Mr. TYDINGS. I did not say credit, but he could have ships built for the British, and lend them to the British.

Mr. BARKLEY. He might have them built with the intention when they are completed to lend, lease, or sell them, but while they are being built and until their building is completed, and until they are disposed of in some such way, they are the property of the United States Government.

Mr. TYDINGS. But not a part of the Navy.

Mr. BARKLEY. Yes; absolutely.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. TAFT. It seems to me perfectly clear that they are not a part of the Navy. The amendment relates to subsection (2) of section 3, "To sell, transfer, exchange, lease, lend," and so forth. It does not apply to manufacture, so the President, under the act, may still manufacture in arsenals, factories, and shipyards under his jurisdiction, any defense article, which means any naval vessel, for the government of any country whose defense he deems vital. If he manufactures a ship for the Government of Great Britain it can by no stretch of the imagination be construed to be a part of the United States Navy.

Mr. BARKLEY. If it is manufactured in an arsenal or a shipyard for the Government it is still the property of the United States until it has been transferred.

Mr. TAFT. But it is not a part of the United States Navy.

Mr. BARKLEY. It may be.

Mr. TAFT. Because it is constructed under the provisions of this bill, not under a naval appropriation; it is constructed under this bill for the Government of Great Britain, and it cannot be a part of the United States Navy.

Mr. BARKLEY. It may be a part of the United States Navy. But apart from that feature, the point is that so long as any article now in existence or that may hereafter be made, is a part of the United States Navy, the amendment prevents the President from disposing of it.

Mr. TYDINGS. That is correct. We all agree on that.

Mr. GEORGE. Mr. President, will the Senator yield to me?

Mr. BARKLEY. I yield.

Mr. GEORGE. I may say that the very authority carried in the bill itself authorizes the President, through the Secretary of War or the Secretary of the Navy, to do these identical things.

Mr. TYDINGS. Or through any other agency of the United States.

Mr. GEORGE. Yes; or through any other agency of the United States.

Mr. TYDINGS. Certainly.

Mr. GEORGE. But when construction is made through the Secretary of the Navy, or through another agency, that does not mean that it is something that pertains to the Naval Establish-



ment. That is too clear to permit of argument, it seems to me. When vessels are constructed by the Navy they become a part of the Navy until and unless they are disposed of by the President under the power of this bill.

I may say, if the Senator will permit me to make this further statement, that the amendment entire scuttles the bill, and it is not conceivable to me that it can have any other purpose, because essentially Great Britain is engaged in a naval war, essentially she is dependent upon naval vessels, essentially she needs help immediately, quickly, if she needs it at all, and if she does not get it when she needs it, it will be of utterly no consequence that a bill has been passed, a provision of which may in the remote future authorize the President to do something for Great Britain.

Mr. BARKLEY. I thank the Senator. If we may suppose that the Senator from Ohio is correct in his interpretation, that the President could place an order for a battleship, or a destroyer, or a cruiser, or any other naval craft, with some naval construction company, or a navy yard in the United States, public or private, and that it would be earmarked for the British Navy, but paid for by the United States, title never lodging in the Navy of the United States, it would then be from a year to 4 years before the English Navy could receive any benefit out of any such appropriation or from such contract. I do not think there can be any doubt of that.

In the meantime under this amendment the President could not dispose of a motor boat that belongs to the United States Navy. He could not even lend to Great Britain a skiff that belongs to the United States Navy.

Mr. TAFT. Mr. President, will the Senator yield to me for a moment?

Mr. BARKLEY. Yes.

Mr. TAFT. I think that is a rather extreme statement, because the amendment applies only to what may be done under this measure. Under certain existing laws the President transferred 50 destroyers, and under other existing laws, he may transfer any other destroyers which the Chief of Naval Operations finds are surplus equipment or obsolete equipment. Frankly, I think even under this amendment the President might transfer some of the 75 old destroyers, because the same finding that applied before might apply this time.

I do not think the Senator from Kentucky is correct in saying that the amendment affects any other legislation than the pending measure. Under existing laws the President might still transfer obsolete and surplus equipment.

Mr. BARKLEY. Under those existing laws he would still be required to obtain a written certificate from the Chief of Naval Operations that the material was not essential to the defense of the United States.

Mr. TAFT. That is correct.

Mr. BARKLEY. And the Senate decided, by a yea-and-nay vote on yesterday, by an overwhelming majority, that it does not desire that restriction to be placed in the bill.

Mr. TAFT. That action applied to Army material.

Mr. BONE. Mr. President, I did not hear the explanation of his amendment made by the Senator from Massachusetts, as I was obliged to stay in my office for a while to attend to my mail. In line 6 of page 1 appear the words:

Ordered by or laid down for the United States Navy.

Is it believed that that applies to all vessels, no matter what their age—the Navy as is, in other words?

Mr. BARKLEY. I will say to the Senator that the amendment absolutely freezes any equipment, no matter how small or large, which is now in the United States Navy as a part of the United States Navy, and it makes it impossible for the President to transfer any vessels, boats, and so forth, which have been ordered by or laid down for the United States Navy.

Mr. BONE. By the term "laid down," I understand the Senator from Massachusetts refers to boats possessed by the United States Navy?

Mr. WALSH. No; it means boats in process of construction.

Mr. BARKLEY. Boats of which the keels have been laid down.

Mr. WALSH. That is a naval expression.

Mr. BONE. That implies an unfinished vessel?

Mr. WALSH. Yes.

Mr. BONE. There is another question that is perhaps not entirely germane to this argument: Is there anything in existing law which forbids a private shipyard building a war vessel for a foreign power? I remember the *Alabama* claims. Lloyd's, of Birkenhead, built the *Alabama*, and Great Britain paid \$15,000,000 as the result of building that sea raider. I do not recall any statutory change that would authorize, for instance, a private shipyard in the United States to build a war vessel for Great Britain.

Mr. TYDINGS. The Senator's point is a very proper one. But if the United States could be held accountable for building a battleship for Great Britain, the United States could be held accountable for aid of every kind, manner, or description which is given under this measure, because the principle is exactly the same.

Mr. BONE. I understand that; but I am merely inquiring with respect to the status of our present legislation, whether it has been changed, apparently to permit the building of warships for foreign countries.

Mr. BARKLEY. Mr. President, I do not wish to take up a great amount of time. I ask not to be interrupted for a moment or two.

I think it is agreed that under the terms of the pending amendment the President may not dispose of anything that is now in the Navy and he may not dispose of anything that is coming into the Navy under future appropriations. That would mean, of course, that for the next year and a half or 2 years the President could not in any way assist the British Navy.

Let us suppose that there should be an invasion of the British Isles this spring, as many are expecting. Let us suppose that England should say to us, "If we

had five or six small boats in the English Channel, they might be enough to turn the tide." We could not give, lend, lease, or sell those five or six boats to the British Navy. We should have to sit by and watch Hitler invade England over the English Channel because we had refused to allow England to have the help of a few boats which we may or may not need. Certainly, we do not need certain boats we have, in comparison to the need of the British Navy. I think the Senator was correct when he said that his own amendment strikes at the very heart of the bill. It will cut the heart out of the bill.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. LUCAS. If I correctly understand the Senator's interpretation of the amendment, it is that if the amendment should be agreed to it would practically mean the end of the lease-lend bill. If the amendment should be agreed to, we could not function from the standpoint of giving England any immediate aid.

Mr. BARKLEY. Absolutely; and it may be more vital for us to provide some sort of naval aid than to provide a tank which could be used only on the British Isles in case Hitler's army should land there. The British may not need tanks. They may not need certain types of Army equipment even if there should be a battle on the British Isles; but they do need aircraft. They do need naval assistance. They may need naval aircraft; and yet, under the terms of the pending amendment, the President could not lease, lend, or otherwise dispose of to England, Greece, or China any naval airplanes which cannot be reproduced in 3 months. No naval airplanes can be reproduced in 3 months, with the possible exception of light fighters. Heavy bombers certainly cannot be reproduced in less than 9 months or a year.

Mr. WALSH. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. WALSH. The Senator has correctly stated the contention. The other alternative is that without this amendment the President could give away the whole Navy.

Mr. BARKLEY. Of course, the President could today order the Navy out into the middle of the Atlantic and sink it, but he will not do it. Nobody expects the President to be foolish. Nobody expects the President to do a frivolous thing. Nobody expects any President of the United States, let alone a man who has devoted his whole life to the Navy, to give the whole Navy away.

What benefit would it be to give England a battleship? She does not need battleships. She does not need even heavy cruisers. She needs small boats; many of which we have; some of which are obsolete; some of which have been in our Navy ever since the World War. If she needs them, and the possession and use of them might turn the tide in behalf of a British victory, are we going to say that we will tie the President's hands behind him so far as the Navy is concerned, but that he may do the things which the bill provides so far as the Army



is concerned? I think that if the amendment should be agreed to it would cut the heart out of the bill.

Mr. WALSH. Mr. President, will the Senator further yield?

Mr. BARKLEY. I yield.

Mr. WALSH. The Senator knows that to offer an amendment permitting 10 percent, 20 percent, 30 percent, or 50 percent of the Navy to be given away would be very much worse than to prevent the whole of the Navy being given away, because if an amendment permitting 10 percent, 20 percent, or 30 percent to be given away were agreed to, and more were needed to save the British, we should then be confessing a responsibility for the defeat of the British.

Mr. BARKLEY. Frankly, I am not much impressed by the fear so often expressed in this debate that under the terms of the bill the President of the United States may give away everything we have. The President now has wide authority. If we wish to imagine an extreme situation, he might exercise that authority unwisely and foolishly. But we do not expect any President to do so. We must rely on his discretion and his devotion to the interests of the United States. It seems to me we are wide of the mark when we try to put an exaggerated construction on what the President would do merely by saying that he could do certain things.

I hope the amendment will be rejected.

Mr. TYDINGS obtained the floor.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield to the Senator from Ohio.

Mr. TAFT. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Ellender	Murray
Alken	George	Norris
Andrews	Gerry	Nye
Austin	Gillette	O'Mahoney
Bailey	Glass	Overton
Ball	Green	Pepper
Bankhead	Guffey	Radcliffe
Barbour	Gurney	Reed
Barkley	Harrison	Reynolds
Bilbo	Hatch	Russell
Bone	Hayden	Schwartz
Brewster	Herring	Sheppard
Bridges	Hill	Shipstead
Brooks	Holman	Smathers
Brown	Hughes	Smith
Bulow	Johnson, Calif.	Stewart
Bunker	Johnson, Colo.	Taft
Burton	Kilgore	Thomas, Idaho
Butler	La Follette	Thomas, Utah
Byrd	Langer	Tobey
Byrnes	Lee	Truman
Capper	Lodge	Tunnell
Caraway	Lucas	Tydings
Chandler	McCarran	Vandenberg
Chavez	McFarland	Van Nuys
Clark, Idaho	McKellar	Wallgren
Clark, Mo.	McNary	Walsh
Connally	Maloney	Wheeler
Danaher	Mead	White
Davis	Miller	Wiley
Downey	Murdock	Willis

The VICE PRESIDENT. Ninety-three Senators have answered to their names. A quorum is present.

Mr. TYDINGS. Mr. President, I wish I could be half as certain as many of my colleagues appear to be about what would happen in the event certain forces prevail and what would happen in the

event those forces do not prevail. I have heard men say that if Hitler is successful this will be the case, and we will fight here, there, and everywhere; and I have heard other men state with equal conviction that there is no danger to the Western Hemisphere, no matter what may happen in Europe.

Speaking for the first time on this bill, I should like to confess that I can see where either side might be correct, as events unfold, particularly in the coming months. We do not know whether Hitler will be successful or not in actually storming the British Isles and conquering them. We do not know whether in 90 days from today, insofar as the British Isles themselves are concerned, there will not be a gauleiter ruling there from Berlin, or, rather, under directions from Berlin.

On the other hand, the assault upon the British Isles may not be undertaken at all. The war may change to other theaters, and the blockade may be the sole offensive weapon, together with airplane attacks to which the people of the British Isles will be subjected.

Therefore, as I cannot be certain, any more than any other Member of this body can be certain, or any man or woman in this country can be certain, as to whether or not, first of all, the direct assault will take place; and, secondly, if it does take place, whether the Germans will win or be defeated, we must always prepare the course of this country with the thought that no matter what happens we will have the last, best chance; that this country shall be in a position, come whatever course of action there may, to defend itself and its institutions against all possibilities.

I have been in favor of the bill. I have had very little to say. I voted against all the amendments to it because I did not feel that any amendment, even though at times I was sympathetic with some, went to the vitals of American defense. But the amendment of the Senator from Massachusetts does just that, and I can state how in a couple of sentences.

If we send over a thousand tanks to Great Britain or a thousand planes to Great Britain or 10,000 shells to Great Britain, and they are all shot or destroyed or lost or captured, we can quickly replace them, with our industrial development in the United States. We are getting geared up to rapid productivity. We can replace the things which we are gladly, willingly giving to help Great Britain in this emergency.

However, suppose we give away a battleship—and I do not say the President would give one away; in fact, I do not believe he would; but we are not arguing that, we are fixing policy here—or give away a cruiser, or give away an aircraft carrier. It now takes 52 months to build a big battleship—over 4 years—and it takes 3 years, and 2 years, and 18 months and upward to build the average vessel of the large destroyer type.

If we send those over and if the guess is bad and if they go down, we cannot go up to Mr. Ford or to General Motors or to Glenn Martin or to the Douglas Co. and get another one; they are gone.

The thing which today makes America defensively strong, over and above everything else in the world, is the United States Navy. We have had no Army to speak of for generations—a very small force, often very poorly equipped, a skeleton organization that we have used in time of war as a nucleus. But we have always had a pretty good-sized Navy, realizing that while it stood out there in the ocean we would have the time to make the munitions and to develop the armed force to use those munitions which would be essential to the defense of our country.

Mr. MALONEY. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield.

Mr. MALONEY. The Senator realizes, of course, that under the language of the bill the President has the authority to exchange, as well as to lend or to lease, and that since the story has been repeatedly told that England is not in need of battleships or of heavier craft the President could, under the terms of the bill, exchange some of our destroyers or small craft and get an English battleship or larger ship for our protection and better to serve our immediate needs.

Mr. TYDINGS. That looks to be a very plausible explanation, assuming that we confined it only to exchange of ships. It would be like giving away our infantry and having only artillery in time of war.

A navy is not just so many of this and so many of that at random. There are so many battleships, there are so many heavy cruisers, there are so many light cruisers, there are so many aircraft carriers, there are so many destroyers. On land that entire force would be equivalent to the heavy artillery, which shoots over a long range; the light artillery, which shoots over a shorter range; the machine-gun units, the 1-pounders, and the lighter arms, which shoot over a still shorter range; and, finally, the infantry itself, which makes the direct contact.

So our Navy has been built with so many destroyers, with so many light and heavy cruisers and battleships, with the idea of making a completely rounded force to defend this country.

If we are now going to say we will give away 10 destroyers, or 20, for one battleship, why, immediately we destroy the solidarity, the pliability, and the usefulness of our naval arm.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. TYDINGS. I shall be glad to yield; but I should like to have a few minutes to develop my thought, and I am not going to take very long.

Mr. BARKLEY. Very well.

Mr. TYDINGS. As I said before, I only wish I could be as certain that Hitler cannot cross those 30 miles of water as some men are, and I only wish I could be as certain that Hitler can cross those 30 miles of water as some people are. I remember that Poland was conquered in only 14 days; and I remember that 19 days after the Germans entered Holland and Belgium, France was no more.

Who knows? No one; no one. I remember it was not long ago that France and England made a solemn agreement that neither one of them—never, never,



never, never, never—would make a separate peace with Germany, that they would die together. If one were conquered, in the territorial parts of that empire the fight would go on. There would never be a separate peace. I remember all of that, and so do all Members of the Senate. Yet I lived to see the British Fleet fire on the French Fleet. I saw these two nations, which never, never, never, never would tread different roads, fight each other—the great allies; and there on the northern coast of Africa, in the harbor of Oran, lies the flower, the finest ships, of the French Navy, sent to the bottom by British guns.

I do not know what is ahead. The temptation in the next 2 or 3 months to send our Navy or to trade our Navy or to do something of the sort is going to be strong. It is not only going to be strong in the President, but I, too, am going to feel it; I am going to be tempted to say, if the blitzkrieg comes to the British Isles, "I am almost sorry I made that speech on the Senate floor, when I think of the terrible punishment the British people are taking; I wish they could get everything that we could give them." But back of the emotion and hysteria and fear of that moment there must always be the thought that, no matter what happens, the defense essentials, the irreplaceable defenses of the United States, must not be given away. If they can be replaced, if we can possibly spare them without weakening our only defense, that is one thing; but we cannot send the entire Navy, to take an exaggerated example, to Great Britain and have it engaged over there, with the prospect of defeat or at least of substantial weakening, without leaving our own country in a pitiable state of defense.

Mr. CLARK of Idaho. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield.

Mr. CLARK of Idaho. I should be very happy if the Senator would develop the Japanese situation.

Mr. TYDINGS. I am coming to that a little later.

The philosophy of this bill—and it is a good philosophy—was ably stated by the Senator from Georgia [Mr. GEORGE] more eloquently than I could ever do it, on Thursday last. I agreed with what he said. He said "This was not our war," and I agreed with that. He said he had not been going up and down the country saying it was our war, and that if Great Britain should fall the end of everything would be at hand. He said he did not agree with that, and I was thrilled because he stated so cogently what I myself had felt. But he said further:

I believe if Britain were to fall, our danger would be greatly increased; we have a real concern in this world as to what the state of affairs will be if those mad men, whose philosophy is force, domination, blood, and fear rule the world; and therefore, I am willing—

He said—

to give to England, which is making such a valiant fight, even though it is not our war directly, every bit of aid we can possibly spare, every bit of help we possibly can give them short of war in its limited sense, not in its general sense, because the stronger we make them—

He said—

the more time we will have to get ready if they should fall.

How important and necessary to our defense is our Navy? Bless my soul, Mr. President, what is now the British Empire was only the British Isles at the time of the battle between the English fleet and the Spanish Armada. England did not own an acre of land any place on the face of the earth outside the British Isles. Spain was the great world empire, just as Rome had been before Spain, and as Greece had been before Rome, and so on back to the time of the first row boat. Great Britain did not own one acre of land in all this world outside the British Isles until in the year 1588 the Spanish Armada was destroyed partly by wind and storm and partly by British seamanship. Since that time Great Britain has become the dominant maritime power; she has been the leading nation in the world for years and years and years, and those of us with English or Welsh or Irish or Scotch names are sitting in this Chamber today for no other reason than that Britain never let her sea power go down. There would not be a LUCAS or a McNARY or a SMITH or a BYRD or a McKELLAR or few other men with English or Scotch or Irish or Welsh names here if it had not been for the British victory over the Spanish Armada. There would have been men with names such as Fernandez, Lopez, and other Spanish names—good names—sitting in this Chamber.

Now what do we propose to do? Has there ever been a nation that has remained supreme which once had great sea power and lost it? No. There is no contradiction in all history, not one; yet all that the Senator from Massachusetts is asking is not that we deny aid to Great Britain, not that we refuse to give her everything in God's world that we can spare to give her, but that we do not give her something of our essential naval force that we cannot get back within a period of time which is within the scope of this struggle.

Mr. ELLENDER. Mr. President, will the Senator yield for a question?

The VICE PRESIDENT. Does the Senator from Maryland yield to the Senator from Louisiana?

Mr. TYDINGS. I yield, if it is a question.

Mr. ELLENDER. What ships could be transferred to England, if the President desired to do so, should the pending amendment be adopted?

Mr. TYDINGS. Under this section?

Mr. ELLENDER. Yes.

Mr. TYDINGS. Under the section there could be transferred 74 overage destroyers. Does that answer the Senator's question?

Mr. ELLENDER. Partially. I am asking for information.

Mr. TYDINGS. I know because I have seen 50 of them under existing law already transferred.

Mr. BARKLEY. Mr. President, will the Senator yield there?

Mr. TYDINGS. Yes; I yield.

Mr. BARKLEY. It could only be done, then, under existing law which requires a certificate from the Chief of Naval Op-

erations, as in the case of the 50 destroyers.

Mr. TYDINGS. That is right; but I am assuming that the Commander in Chief of the Army and Navy could order the Chief of Naval Operations, being second in command, and he would comply.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. TYDINGS. Yes.

Mr. ELLENDER. As I understand this amendment, unless the vessels could be replaced within 3 months none whatever could be transferred to Great Britain.

Mr. BARKLEY. The 3 months' requirement applies only to aircraft and not to vessels.

Mr. TYDINGS. That is correct. Let me say to the Senator from Louisiana that this act, in my opinion, and I think in the opinion of both sides, does not change existing law, which permits the President to dispose of overage or obsolete property, which would include 74 destroyers which are more than 20 years of age or any other equipment he has. What I am arguing about is not the overage equipment but the equipment that is not overage, which, once parted with, we cannot get back for a year or 18 months or 2 years or 30 months or 3 years.

Let me draw an imaginary picture, which I pray heaven will never come to pass. Let us suppose there is a great attack on Great Britain in the next 90 days; let us suppose, acting with the finest impulses of which the human being is capable, with what appears to be the backing of the entire Navy at the moment, 6 large cruisers or 10 large cruisers or 12 large cruisers or battleships and cruisers together are loaned or leased to England; let us suppose, for the sake of the argument, that there will happen to England what happened to France, which was defeated, despite the Maginot Line, which could never be broken, and the French Army, which was the finest in the world, and which, together with the Maginot Line, could stand there and hold the enemy back; let us suppose again, in spite of what ought to be, that the Germans should be successful—and that is possible—in invading Great Britain; and then let us suppose what I do not think will happen, but it is possible, that the English find it more advisable, in spite of all their protestations, to make peace with Germany. Remember that the wives and children of the men who man the British ships, whether they be officers or enlisted men are living in Great Britain today, just as the wives and children of the officers and men who manned the French ships were living in France when France surrendered. What is the first thing the German forces would do? They would get the names and addresses of the wives and children of the officers and men who were on the British Fleet.

Do I have to go further? What hostage they would be. We saw it happen in France. We heard the English Navy, through fear that the French, under the lash of the German secret service, would turn those ships over to Hitler, whom they hated, say, "Well, we hate like hell



to do this; it tears a man's heart out by the roots, but we must go down to Oran and fire on the French Fleet"; and they sent a thousand French sailors to watery graves.

Suppose that should happen in Britain. Are we willing to give hostages to fortune with things that cannot be replaced in a year or 2 years or 3 years or 4 years, and have the enemy just that much stronger? No. If we are going into this war, and are going into it foot, horse, and dragoon, and are going to give the British all our ships in order to help in holding off Germany, that is one thing; but if we are not going to do that, we cannot afford to give away anything that may be essential and that cannot be replaced if England goes down, for that is another thing; and that is where our enthusiasm and our hysteria and our excitement are taking us. We are not thinking this thing through.

Mr. LUCAS. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Maryland yield to the Senator from Illinois?

Mr. TYDINGS. I will yield in a minute.

Before I yield, let me ask how many men from the United States Navy were before the committee as witnesses. Did they have any of the admirals before them? Did they have the board of strategy of the Navy there? Or are all of us better admirals than they are? Do we know more about this business of sea warfare than they do?

We sent Mr. Willkie, a man whom I admire, and Mr. Hopkins, a man whom I personally like, to Great Britain. They spent a week or so there, and they were experts. [Laughter.]

Mr. WHEELER. Mr. President—

Mr. TYDINGS. We never once thought of asking the Chief of Naval Operations or the Chief of the Army and Navy Planning Boards to come before that committee even in executive session, as I recall, and saying to them, "What do you gentlemen think about this? You are going to have the responsibility if actual hostilities come." Did we do that? No.

We allowed our political heroes to shape our policy, just as political heroes were allowed to do in France, just as they were allowed to do in England, which I have heard mentioned so often on the floor of the Senate by the proponents of this bill; and we did not once ask one man who knows about naval policy what he thought of this particular provision. The other provisions are political; but when we get down to naval warfare I do not think any one of us, including the President of the United States, is as competent on naval strategy and naval affairs as is the Chief of Naval Operations of the United States Navy.

I now yield to my friend from Illinois.

Mr. LUCAS. Mr. President, I am very much interested in the address of the Senator. I know from the votes he has cast on different amendments, and from conversations I have had with him, that he is in favor of aid to England in this struggle.

Mr. TYDINGS. That is correct.

Mr. LUCAS. I was wondering if the Senator knows how far he would go in

giving aid. In one statement that the Senator made he said he wanted to see England have help in this struggle.

Mr. TYDINGS. That is correct.

Mr. LUCAS. How much help shall be given, of course, is a question which must be decided by someone. In whose judgment would the Senator place that sort of responsibility?

Mr. TYDINGS. I should unquestionably place it in the judgment of the President of the United States. He is the only man upon whose judgment we can rely. In doing that I should always assume—and I should assume even if this amendment should be defeated—that he would give away nothing that he considered to be of essential value to the ultimate defense of the United States in any reasonable contingency.

That, however, is not the question here. We are not asking the President of the United States what he is going to do. That is none of our business. What we are doing yet in this place—one of the last places of the kind left on the face of the earth—is making national policy. It is made right here, not in the White House. The White House is the place where policy is executed. That is where it is carried out. That is where it is translated into action. This is the place where the policy should be made, and must be made, and will be made so long as this remains a democratic form of government.

Mr. BARKLEY. Mr. President, will the Senator yield at that point?

Mr. TYDINGS. Yes.

Mr. BARKLEY. The policy involved in the pending amendment is to deny the President the power and the opportunity to transfer in any way anything that is now in the Navy of the United States, or will be in the Navy under any future appropriation.

Mr. TYDINGS. Anything which is not obsolete and which cannot be replaced within 6 months.

Mr. BARKLEY. Whether it is obsolete or not.

Mr. TYDINGS. Oh, no.

Mr. BARKLEY. If it is in the Navy and part of the Navy, the President cannot transfer it under this amendment.

Mr. TYDINGS. Oh, no.

Mr. BARKLEY. There is nothing in the amendment which draws any distinction between obsolescent and new material.

Mr. TYDINGS. If there is not, and the Senator from Kentucky desires to add words which will make that matter abundantly clear, I should be glad, as I am sure the Senator from Massachusetts would be, to accept such an amendment.

Mr. BARKLEY. If the Senator will yield at that point, I do not intend to offer any language by way of amendment to the pending proposal, because I am against the whole theory of the pending proposal.

Mr. TYDINGS. I know the Senator is.

Mr. BARKLEY. I believe the adoption of the amendment in effect would scuttle the whole bill, and the program under it.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. TYDINGS. In a moment.

Mr. LUCAS. Mr. President, if this amendment should be adopted, if I correctly understand the situation, there would not be anything that the President could transfer, sell, exchange, or lease, unless it should be obsolete property, as in the destroyer deal; but in the destroyer deal it was necessary for the President to obtain the certification of the Chief of Naval Operations that in the transfer the national defense was not being impaired in any way whatever. Consequently, even if there were obsolete naval equipment that the President wanted to transfer, and the Chief of Naval Operations should decide that he could not make the certification that the transfer would not impair the defense of the country, even though the equipment might be only a couple of mosquito boats, if the Chief of Naval Operations made that final conclusion there would not be a single thing that the President could transfer under this bill and under existing laws.

Mr. TYDINGS. The President of the United States could transfer with this amendment everything that he could transfer without it, except boats or equipment which are now a part of the Navy of the United States, or for which we have voted money, and made contracts for, to become a part of the Navy of the United States, excepting—if the Senator from Massachusetts will accept the suggestion about which I talked with him—excepting something that could not be replaced within 6 months; not reproduced. It might take 2 years to reproduce a thing; but if another one like it could be gotten within 6 months after the thing itself was given away, it would be excepted.

Mr. BONE. Mr. President, will the Senator yield?

Mr. TYDINGS. I will yield to the Senator from Washington just as soon as the Senator from Illinois has finished and after I yield to the Senator from Louisiana [Mr. ELLENDER].

Mr. LUCAS. Mr. President, including the last observation the Senator made, what he has said simply means that if this amendment should be adopted by the Senate, the only thing the President of the United States would have at his disposal would be the obsolete property of the Navy, which he has the power to dispose of at the present time.

Mr. TYDINGS. Exactly. That is what I want. I do not want the President to have power to give away our only line of defense which is now ready for defensive purposes unless he can replace it in 6 months thereafter.

Mr. LUCAS. I can see the Senator's viewpoint. It simply means that if the pending amendment is adopted, so far as exchanging, leasing, selling, or disposing of material, is concerned, it practically guts the bill.

Mr. TYDINGS. I do not think so. That is a matter of opinion. I remember a few days ago listening to my new colleague, the junior Senator from Illinois [Mr. BROOKS]. He made a fine presentation of his side of the case, and I knew, as few other men in this body—perhaps five or six did—a little more intimately, I think, what was in his heart and mind as he talked.



I know how we can get overheated on the floor of the Senate, be carried away on the wings of the morning. He told the story in simpler language than I can tell it. He knows what war is. He has seen a man fall, perhaps pretty close to him, and he has felt the sting of the other man's weapons in his body. I have seen men piled up like cordwood along the road, hundreds of them, men I knew, with some of whom I was born and raised, with nothing over their faces but overcoats. And even when trenches were dug about 18 inches deep and the men were put in the ground, there were no coffins there. I have heard much talk about coffins on the floor of the Senate. They do not have coffins at the front. They just put the bodies in the ground, put overcoats over their faces, and put the dirt back on.

After one has been in that sort of atmosphere he realizes the hellishness of war, and the unfairness. Here is a little fellow 18 or 19 years old who fell and who had just as much right to live and enjoy the advantages of being an American as had the man who survived, but nothing we can ever do will remotely even the matter again.

So I am willing, if the bill will hold such a fate away from America, as I believe it is best calculated to do, rather than no bill at all—to put aside my aversion of things which I do not like, namely, to meddle in wars even a little bit, but always with the hope that the bill will allow England to hold it off longer, until we can become stronger and stronger and stronger. But always I want to know that here in the United States that first line of defense is as impregnable as we can make it, come hell or high water, and that no one is going to weaken it by the policy we establish as a people.

Oh, yes; we are told we do not need that first line of defense. Ah, the Senator from Illinois no less than I can tell of men who had not been in the service 6 weeks who went over the top. That is how much they knew about war in the last war. I saw that. I myself selected some of them as recruits, men who had not been in the service 6 weeks, and took them over the top, where men do not always continue to be able to go again.

Why did that happen? Because even after a year, with France, and England, and Belgium, and Portugal, and Italy, and Russia, and Yugoslavia, and Rumania, all holding the front over there, we had to use men who, only 5 or 6 weeks from the time they had been taken out of the country store and put into a uniform, were given guns and told to go forward.

Are we going to do that again? Are we going to let this first line of defense go down, and live to rue it? If we do not want to be slaves, then let us stay strong enough right here on American soil so that we will not be slaves. Do not invite the imposition of slavery.

Suppose we make a mistake in our desire to aid England, and the Germans should conquer, and the English Fleet should not be so large as it is today; who would pay the penalty? Every one of the men in the training camps would pay it. Then we would invite attack if we had weakened our fleet because the one

thing between us and attack is that fleet.

Do not forget that England sank the French Fleet. She was impelled to sail into the Mediterranean and shell the ships of her ally, an ally who swore to high heaven in the best of faith that under no circumstances whatsoever would she ever make a separate peace with Germany.

This all may be a shadow. I am perfectly willing to admit that all I can do, as all anyone can do, is to make a guess. Some men will guess that it will be better to let the President have undisputed sway, and I would agree with them. I am perfectly willing, and have demonstrated it, to give him every power, every article, everything I possibly can—except one thing, not only our first line of defense, but our only line of defense—for once the Navy goes, there is no other.

We have not the full number of men in the training camps yet, and we will not have enough power to keep a million men in action for 10 or more months. We will not have a sufficient number of aviators for a long time. I do not like to mention these imperfections, although I do not think there is one of them that is not known all over the world. If we mention them, someone will say it is unpatriotic. They are all set out in the printed hearings, of which any embassy can obtain a copy. In our democratic form of government there is practically nothing that is not made known.

We will not have the men trained for another year. We have an Army of only two hundred and seventy or two hundred and eighty thousand men who have had any considerable service; we have only a comparatively small number of pilots; and if the Navy is gone, what about it?

I agree with the majority leader when I say that I do not think the President is going to give the Navy away. I think he is exceptionally well qualified, perhaps, as a civilian, the best qualified civilian about naval actions of one kind or another there is in the world today, and I am glad he is. I do not mean to intimate that what he did, as he saw it, would not be exactly right. But we are not dealing with something which can be replaced; we are dealing with something which, once gone in this emergency, is gone forever.

Why, sir, do you suppose England asked for those 50 destroyers from us? She had a larger Navy than we had, and Germany had a small Navy, and Italy, too, had a small Navy. I will tell you why. The destroyers with which she began the war are not in existence, they are down at the bottom of the sea. War cannot be waged without losing ships as well as men, and the time had come when England needed to get something to fill that gap, and the President properly gave them destroyers which were not necessary to our first line of defense, and we have 74 more which I do not object to him giving the English, because they are all overage, they are all obsolete, but they are better than no destroyers at all; and while I would like to keep them, they are not absolutely vital, not an integral part of the finished, well-rounded component parts of our American Battle Fleet.

Mr. BONE. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield.

Mr. BONE. In view of the suggestion that there is existing legislation which might authorize the President to transfer, as he has done, so-called obsolete ships, I look at the pending amendment which says that "nothing in this act"—which refers to the lease-lend bill—shall be construed to authorize the disposition of any boat or vessel of our Navy. Would that broad language be in accordance with the Senator's idea?

Mr. TYDINGS. I would not be opposed to an amendment providing "not already permitted by existing law."

Mr. BONE. How can we contemplate that sort of language by just thinking it? This would seem to bar the disposition of any vessel, and it does not seem to have amended the other law, except to create this prohibition.

Mr. TYDINGS. I would be glad, I may say to the Senator from Washington, as I feel sure the Senator from Massachusetts would be, to have inserted, "except that which is now permitted by existing law," and that language would cover the disposition of obsolete, over-age ships.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield.

Mr. ELLENDER. What I am interested in, as I am sure all other Senators are, is the number and kind of ships that could be transferred should the amendment prevail.

Mr. TYDINGS. Nothing but obsolete ships or ships that could be replaced as distinguished from reproduced within 6 months.

Mr. ELLENDER. The Senator has just indicated 74 destroyers.

Mr. TYDINGS. That is correct. They could be called obsolete.

Of course, it is only fair to say to the Senator that while our cruisers are modern—they are less than 20 years of age, whether light or heavy cruisers—only two or three of our battleships are under 19 years of age, only a few more are less than 21 years of age, and most of our battleships are 23, 24, or 25 years of age, but they are not obsolete because the battleship, perhaps, has evolved less as a whole, and remains more sturdy during the years than any other type of ship.

Mr. ELLENDER. I am sure the Senator from Maryland has made a thorough study of this question, and is interested in it, and I wonder if he could furnish for the RECORD the number of ships that could be disposed of if the amendment were adopted?

Mr. TYDINGS. The chairman of the Naval Affairs Committee, the Senator from Massachusetts [Mr. WALSH] said that he placed such a table in the RECORD this morning, but it is specifically I think as I have indicated.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield.

Mr. BARKLEY. We all know the situation that exists in Europe. Even while we have been debating the bill the Axis has overpowered Rumania, gone into



Rumania, overpowered Bulgaria, gone into Bulgaria, is now trying to induce Yugoslavia to yield, and is within 50 miles of Salonika in Greece. Nobody can tell what will happen in the next few days. Under this amendment, if it shall be adopted, the United States could not furnish a single naval airplane in the Mediterranean, or a single boat, no matter how small, in the Mediterranean, to assist either Greece or Great Britain in dealing with the enemy now in the Mediterranean region.

Mr. TYDINGS. Does the Senator mean to lease it or lend it?

Mr. BARKLEY. Lease it, or lend it, or otherwise dispose of it, except under the law which requires the Chief of Naval Operations to certify that the particular thing is not needed in the Navy.

Mr. TYDINGS. As I understand, of course, the President could lease or lend or dispose of 74 destroyers and any other naval equipment which he thought was obsolete. I am telling the Senator what I think.

Mr. BARKLEY. The question of obsolescence does not enter into the law.

Mr. TYDINGS. He could release any other thing the Navy had, whether it was obsolete or not, provided it could be replaced, not reproduced, but replaced, within a period of 6 months from the time the title transferred from ourselves to the nation in question.

Mr. BARKLEY. The only way to release an airplane would be to go out and buy some commercial airplane, because the military and naval planes are already in the Army and Navy. If you are going to replace a military or naval airplane you have to go out and buy it from some commercial company which has it, and such companies do not have such planes. So you could not replace them in the Army and Navy at all. You would have to reproduce such planes, unless you could buy them from some other country, because private industry does not operate military or naval airplanes.

Mr. TYDINGS. The Senator is technically correct. Six months from now will be about the middle of September, and from the time the bill is passed it will be about the first of October.

Mr. BARKLEY. But even a bombing plane—

Mr. TYDINGS. Just a moment. Let us suppose that the President within the next 30 days wanted to give a thousand airplanes to Great Britain he could do it, because Great Britain herself could give us those thousand planes by next October; and, in addition to that, he would have a thousand new planes, as can be seen by the production figures. By next October he would have a thousand new planes that he does not have now.

Mr. BARKLEY. Does the Senator mean naval airplanes?

Mr. TYDINGS. Yes.

Mr. BARKLEY. I do not understand how we could transfer to Great Britain a thousand naval airplanes under the amendment offered by the Senator from Massachusetts, even as modified by the Senator from Maryland.

Mr. TYDINGS. We could.

Mr. BARKLEY. Of course, naval airplanes are necessary for naval warfare.

Mr. TYDINGS. We could.

Mr. BARKLEY. I do not see how we could do that with the expectation that within the 6-month period England could give us back a thousand of her naval airplanes, on the theory that she does not need them any longer.

Mr. TYDINGS. I would not say on the theory that she does not need them. We may need them ourselves then. We may have to have them back.

Mr. BARKLEY. Of course, if we need them—

Mr. TYDINGS. Let me say to the Senator—and I say this as an extreme case, but with measured words—it is perfectly possible that if Hitler should be successful in storming the British Isles—which I pray to God he will not be, and I doubt if he can be—but if he should be successful, as he has been in France, Belgium, and Holland, we would then commandeer for our own use the planes being manufactured in the United States of America for England, and every Senator here would vote to do it; and in doing so we would act properly.

Mr. President, while we have talked somewhat about the philosophy of this bill, let us permit a little bit of the sunshine, of real honest-to-goodness truth get in here. I am sick and tired—and I do not mean this to be critical—of hearing Senators and others say that England does not want our men. Of course, England is not going to ask us for our men. Everyone knows that if she were to ask us for our men it would throw cold water over a whole lot of things about which we are now very friendly, but when people continually say that England does not need our men—well, to be charitable about it, they are not, in my humble judgment, speaking strictly within the facts.

Nothing would please England better—and I do not blame her—than to get hold of a thousand, or a million, or two million American soldiers and sailors right now. I tell you, Mr. President, it would change the complexion of things more than this bill is going to change it.

To say that she does not need our battleships, that she does not need our cruisers, and does not need our destroyers, and does not need our men is not being honest. England would be delighted—and I do not blame her—to get everyone of those aids. Why? Because if she had our Navy, plus her own Navy, the situation would be different across the English Channel, and in the Mediterranean, and at Genoa, and in Greece, and at Salonika, and in the Dardanelles, and in the Black Sea, and at Cape Horn, and with the raiders over in the Pacific, and with Japan at Singapore.

Mr. LA FOLLETTE. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield.

Mr. LA FOLLETTE. Mr. President, has not the Senate itself been put on notice that Great Britain is in dire need of component parts of our Navy by the statement made by the able majority leader, that the adoption of this amendment would cut the heart out of the lease-lend bill?

Mr. TYDINGS. It has; yes, sir. Of course, England is in dire need. She could not help but be. I think the British are the most wonderful people on the face of the earth. I am for the bill

not only because Britain has given us the great heritage of the Anglo-Saxon law, which expresses itself in our own Declaration of Independence and in our Constitution and in our form of government, but because I feel whatever Britain's sins of omission and commission have been in the past—and we as a nation have had plenty of them—in the titanic struggle which is now taking place her banner is as clean and as pure as that of any other nation on the face of the earth.

Mr. BONE. Mr. President, will the Senator yield?

Mr. TYDINGS. Let me finish and then I shall be glad to yield. I would not want to be counted on this floor as one of those who, as I see it, would deny her every bit of reasonable help we could possibly give her short of jeopardizing our own national defense, lest she go down. I am for her, and I have voted for her. If we are going into this war entirely, and put our entire Navy at her disposal, that is one thing. But if we say that we will only help her hold out if she can, and that we must fight it out alone if she loses, then I want to preserve the ability to fight it out successfully here, no matter what may happen.

I now yield to the Senator from Washington.

Mr. BONE. Mr. President, one need not be a military expert to visualize and understand what it would mean to the British Empire at this moment to have 1,000,000 well-disciplined, well-trained, thoroughly mechanized American troops on the Greek-Bulgarian border.

Mr. TYDINGS. Mr. President, before taking my seat let me say a word about our majority leader. I have watched him in this fight, and I have been sympathetic with the point of view he has expressed, and have voted with him on the amendments. I think it is greatly to his credit, in a tense and difficult struggle, that he has led the fight for the bill with great tolerance and fairness, ably supported by the Senator from Georgia. I regret that I do not see eye to eye with him on the bill. We both want to do the same thing.

Mr. President, I shall conclude as I opened. I wish I could be as sure as some Senators whom I have heard in this Chamber that England will stand and will not be overrun by Germany.

I, too, once felt that way, when the Maginot line and the French Army stood between us and Germany. But I saw that they did not hold. I remembered, too, that the Polish Army of more than 2,000,000 men was completely wiped out in about 17 days. I remembered, too, that there was once a country named Czechoslovakia. I remembered that France had said, "We will fight to preserve the integrity of Czechoslovakia." Russia had said, "If you will fight, so will we." Hitler said, "I want that part of the country which is called the Sudetenland, and if you do not give it to me I will occupy it as I occupied Austria." So the great men of the world met at Munich, and the treaty which poor little Czechoslovakia had with France and with Russia became just another scrap of paper.



I remembered, too, that France had entered into a solemn obligation with Great Britain that no matter what happened France would never make a separate peace with Germany. I had to watch and read about the British Navy sending the French Navy to the bottom of the Mediterranean. What a job it was to turn their guns on the men who only 10 days before had been their blood brothers in the great drama of life and death called war. They had to go forth and destroy them.

I remembered, too, that the nation which has kept its naval power intact has eventually ruled. Without naval power today, England would be another France, Czechoslovakia, or Poland. Because she has had naval power, as well as her air force—but primarily naval power—she is able to eat tonight, to obtain munitions of war, and to stand there defying Hitler, with his superior equipment, his greater number of planes, and greater number of men. She now says, "They shall not cross the English Channel."

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield.

Mr. WHEELER. A short time ago the Senator stated to the Senator from Idaho [Mr. CLARK] that he would mention the situation in the Far East.

Mr. TYDINGS. Yes.

Mr. WHEELER. We have been told that we must not put any provision in the bill saying that we will not send any men across the water to fight in foreign lands because of the situation in the Orient. If the inclusion of such a provision would encourage the Japanese to aggressive warfare, how much more would they be encouraged if we should disrupt our Navy? I should like to have the Senator, who is much more familiar with the situation than I am, touch upon it.

Mr. TYDINGS. Mr. President, the question which the Senator raises has been very well covered, but I shall refer to it for just a moment. I do not want to delay the vote. I think that one of the greatest disservices we can do now is to talk after we have said what we rose to say, but I intend to review that very question.

I need not remind the Senate what every Member of the Senate knows—that Germany, Italy, and Japan have entered into an agreement that if we go beyond a certain point they will jointly attack us. I do not believe they will because I do not believe they are sticklers for keeping their treaties any more than are some of the other nations to which I have referred. I do not believe Russia will stay in that orbit if she can see a safe exit. If she can find an exit, she will go through it as fast as she can, but that is all speculation. We may be right or wrong.

I do know that our Navy is different from any other Navy on the face of the earth. By reason of the very advantages of our great Western Hemisphere and the situation of our country, the only way that Navy can get from one of the great bodies of water which together parallel our Nation to the other is

through a little channel about 250 feet wide, called the Panama Canal. England can go a few hundred miles and be in the Mediterranean or the Suez Canal. We must go all the way around Cape Horn and back again. Therefore, with the potential danger in the western ocean, as well as the one in the eastern ocean, to which this bill primarily addresses itself, it seems to me there is an added reason why we should keep our Navy.

Mr. President, I shall surrender the floor with this observation: I am thoroughly in sympathy with the purposes of the bill. I believe the American people as a whole want the bill. They expect us to give England every bit of aid we can possibly spare without lastingly weakening the defenses of the United States. When, even by indirection, we permit our Navy, our first and really our only line of defense, to be jeopardized or frittered away—even though I say I do not believe it will be—we are not in accord with what in my judgment is the prevailing sentiment of those who have given this matter any considerable thought. I venture the assertion that the remark I have just uttered will meet with the approval of almost every high ranking naval officer in the Government of the United States.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Massachusetts [Mr. WALSH].

SEVERAL SENATORS. Vote! Vote!

Mr. TAFT. Mr. President, I understand that the amendment is to be slightly modified before the vote is taken.

Mr. GEORGE. Mr. President, may I ask what modification is to be made in the amendment?

Mr. WALSH. Mr. President, in view of the suggestions made by the Senator from Maryland [Mr. TYDINGS] and other Senators, I modify my amendment as follows:

In line 2, strike out the words "or to permit" and insert "except as permitted by existing law"; and in line 10, strike out the word "three," the second word in the line, and insert the word "six," so as to read: "of six months."

I send the modified amendment to the desk.

Mr. GEORGE. Mr. President, I have already said that I hope the amendment will be defeated. With all kindness, I wish to add only this observation: I can conceive of two very good reasons for supporting the amendment. Anyone who does not wish the bill to be effective, or who opposes the bill, will, of course, vote for the amendment. Anyone who thinks that the President will give away the entire Navy, or so much of it as will destroy its effectiveness, is justified in voting for the amendment.

Following that statement, Mr. President, I wish to make just the one observation that I think it must be conceded by everyone that the President is more familiar with the Navy than with any other branch of our national defense. Moreover, the President has a very accurate knowledge of the Navy, its value and its strength; and he is more devoted to the maintenance of the Navy, if it may be said that he has any preference as be-

tween the branches of our armed defense, than to the maintenance of any other branch of the armed defense. Everyone who knows the President, and everyone who has ever talked with the President has no difficulty in understanding that he knows more about the Navy, more about its strength, more about its actual and potential strength and value, than does almost any other man in the Government today. The President has been born, so to speak, in the Navy; and for a great number of years he has been vitally interested in and concerned with the Navy. How any one of us can conceive that the President would weaken the Navy to such a point that it could not effectively serve the country in meeting any emergency is beyond my capacity to understand, because the President is devoted to the maintenance of the Navy; he thoroughly understands its problems; and upon this question, at least, he would certainly proceed with the knowledge which he might not be assumed to have of certain other branches of the armed forces.

I am quite confident that the amendment, if adopted, would destroy the bill. On that point I have no doubt, because the present battle is a naval battle. England depends upon naval strength. The Navy, with the necessary air complement, is the only line of defense Great Britain has—not only her first line, but it is her last and final line. If we mean to aid Britain, if we mean to give any aid that can be made effective, the bill must contain power at least to supplement the naval strength of the British Empire at some point at which it may be weak.

Under this amendment, not an old monitor of the Civil War type could be loaned to Great Britain; not a mosquito-fleet boat; not one additional destroyer, even if it came to the point where two or three units of our Navy might be of vital importance to Great Britain.

With the administration of the bill in the hands of a President peculiarly attached and devoted to the Navy, it is difficult—let me repeat—to see how anyone can fear that the President of the United States intends to emasculate the Navy.

Mr. THOMAS of Utah. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Georgia yield to the Senator from Utah?

Mr. GEORGE. I am glad to yield, but I did not intend to occupy the floor.

Mr. THOMAS of Utah. I should like to ask the Senator from Georgia one question. Even if the President of the United States intended to give away the whole Navy; even if he intended to make our Navy ineffective, could he do so under this bill? Is there not a sufficient limitation actually written into the bill which curbs any random act of that kind?

Mr. GEORGE. Undoubtedly.

Mr. THOMAS of Utah. There must be some limitation, Mr. President, and I think that some of those who have spoken have failed to consider paragraph (2), page 3 of the bill, which reads:

The value of defense articles disposed of in any way under authority of this paragraph, and procured from funds heretofore appropriated, shall not exceed \$1,300,000,000.



Of course, the President could give away all of one category of ships of the Navy that could properly be included, and it probably would amount to less than the \$1,300,000,000. I do not know naval valuations. It has been said that, after survey, this provision would mean very much more; but the intent of the bill so limits the power of the President in regard to those things which already have been appropriated for and those things we already have that I think it is unfair to assume that the President would, even if he wished to do so, give away our Navy.

Mr. GEORGE. I thoroughly agree with the Senator; because the President would be limited to \$1,300,000,000, and I think everyone knows that the value of the naval establishment today is certainly between three and four billion dollars. Not only that, but the \$1,300,000,000 applies not only to the Navy on hand, but to every appropriation heretofore made for the purpose of strengthening the Navy. In other words, we have appropriated \$13,000,000,000, and a large part of it goes to the Navy. That, added to the value of the naval establishment already on hand, at once demonstrates that it would not be within the power of the President to give away the entire Navy, even if he were disposed to do so.

Mr. BARKLEY. Mr. President, will the Senator yield there?

Mr. GEORGE. I yield.

Mr. BARKLEY. The \$1,300,000,000 limitation is a restriction on all military and naval equipment the President can dispose of, so in order to dispose of even \$1,300,000,000 of naval equipment he would have to deny any other form of equipment out of existing stocks.

Mr. GEORGE. Exactly. He would have to confine himself to a program of depleting the Navy.

It has seemed to me, from the beginning—and I cannot view it in any other light—that anyone who will assert that the President would destroy the Navy is simply raising a question of the good faith of the President; because the value of the Navy as it stands today is between three and four billion dollars, according to my information—approximating \$4,000,000,000—and that, plus the portion of the \$13,000,000,000 now appropriated applicable to the Navy, certainly demonstrates that the President could not give away the Navy. However, I do not desire to put it on that basis.

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. GEORGE. I yield.

Mr. WHEELER. When the bill was first introduced in the Congress there was no limitation whatsoever, and the \$1,300,000,000 was written in as a limitation after the bill was introduced and came to the Senate. But as it passed the House there was no limitation at all.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. GEORGE. I yield.

Mr. BARKLEY. The House inserted the limitation.

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. GEORGE. I yield.

Mr. WHEELER. The limitation was put in in the House; but as the bill was originally introduced there was no limitation of any kind or character; and it was thought by some, as a matter of fact, that the limitation put on by the House was ineffective. If I recall correctly it was changed in the Senate, by the chairman of the committee, so as to make it more effective.

Again let me say that I do not have any idea that the President of the United States is going to give away all the Navy; but I have pointed out that as the bill was originally introduced a President could do so.

I do not assume for one moment that he would do so; but I do not like the idea every time a Senator criticizes some portion of the bill, of some other Senator rising and saying, "Well, you do not trust the President of the United States." Let me say that no one has criticized the foreign policy of the President of the United States more than has the chairman of the Foreign Relations Committee of the Senate himself. Far more has he criticized his foreign policy in speeches he made in the campaign than has the Senator from Montana ever criticized him.

Mr. GEORGE. I think the Senator is mistaken, but I do not care to argue it.

Mr. WHEELER. If I am mistaken, I can produce speeches which the Senator made in which he criticized the foreign policy of the President of the United States.

Mr. GEORGE. Not in any campaign speech.

Mr. WHEELER. Oh, yes; I can produce statements from newspapers published in Savannah and Atlanta reporting the Senator as criticizing the President's foreign policy.

Mr. TAFT. Mr. President, will the Senator yield for a moment?

The VICE PRESIDENT. Does the Senator from Georgia yield to the Senator from Ohio?

Mr. GEORGE. I yield.

Mr. TAFT. On the question of valuation I merely wish to suggest that the \$1,300,000,000 hardly limits the giving away of the Navy, if we assume perfectly reasonable methods of valuation. Take a battleship built 24 years ago and put it in at cost or even at its present replacement value, which is perhaps greater, and then applying the normal standards of depreciation, we certainly would find that the great bulk of our battleships would not reach a valuation in excess of \$25,000,000 a piece. That means that all the battleships could be valued at about \$375,000,000, which is, of course, under the \$1,300,000,000 limit, though 37 cruisers at \$10,000,000 might add \$370,000,000 more, but I am reliably informed that when the 50 destroyers were transferred to England the Government itself put a valuation of only \$6,000 on each destroyer which was transferred to England.

Mr. GEORGE. Mr. President, I do not care to argue the matter any further. I merely wish to say that, if this amendment is adopted, it will destroy the bill. Everyone who is opposed to the bill, of course, is justified in voting for it, and everyone who believes that the President

will take advantage of this provision in the bill, though it is hedged about as it is, is justified in voting for the amendment.

The VICE PRESIDENT. The question is on the amendment of the Senator from Massachusetts [Mr. WALSH], as modified.

SEVERAL SENATORS. Vote!

Mr. TOBEY. Mr. President, with every other Member of this body I share the greatest respect for the Senator from Georgia [Mr. GEORGE], and of course I was impressed by his statement that the adoption of this amendment would gut or destroy the bill. If that be true—and I know he is sincere in the statement—then, ergo, it must follow that it is the intention to give away these ships through the administration head. There is apprehension and fear that this procedure will be followed.

On February 14 I sent a telegram to the President of the United States which I shall read at this point because it covers some of the matters before us this morning.

The PRESIDENT.

*The White House:*

On Tuesday of this week Mr. Wendell Willkie testified before the Senate Foreign Relations Committee and urged that the United States send "five or ten destroyers a month" to England. Later in that day Mr. Willkie conferred with you at the White House.

On Wednesday Secretary of the Navy Frank Knox took issue with this and stated that the United States has no more destroyers to spare and that he is against depleting the United States Fleet any further. Later on Wednesday, Mr. Willkie issued the following statement: "Information given me by high authorities in the Government yesterday confirmed my views that we are in a position, without any injury to our Navy or national defense, to give Great Britain immediate, effective assistance by furnishing to her additional destroyers." It has been the general understanding that Mr. Willkie had reference to his White House conference of Tuesday.

On Thursday you called Secretary Knox to the White House for a conference. At the completion of this conference Mr. Knox made the following public statement: "My opinion has not changed at all."

The opinion which he referred to was explained by him in his testimony before the House Foreign Affairs Committee and the Senate Foreign Relations Committee on the lend-lease bill. In his testimony before the Senate committee on January 31 he expressed his fear that if Great Britain is defeated the British Fleet would come into German hands and be used against us, and stated that he is emphatically opposed to our releasing any more of our destroyers or any other vessels to anybody. When asked about a report of a contemplated deal for the release of 20 destroyers, Secretary of the Navy Knox stated "That is the most cockeyed invention I have yet run into. There is not a vestige of truth in it." In his appearance before the House committee he was advised that the lend-lease bill gives the authority to the President, "notwithstanding the provision of any other law," to give away the whole or any part of the Navy, and was asked as to the advisability of an amendment to the bill prohibiting the transfer or giving away of naval vessels. Secretary Knox then indicated that the release of further warships was so far out of the question that it would be plain silly to prohibit it by an amendment to the lend-lease bill. He said that Congress might just as well put in an amendment prohibiting the President "from going down Pennsylvania Avenue standing on his head."



The effect of these directly conflicting statements of Mr. Willkie and Mr. Knox, each made after a conference with you, is one of befuddlement. This morning's Washington Post reports that the White House secretary, Mr. Stephen Early, after conferring with you, intimated to the press that you and Mr. Willkie and Mr. Knox see eye to eye on the problem presented by Britain's need for destroyers.

Because this matter is of vital importance to the people of America and your intentions regarding release or retention of our naval vessels should be considered by the Senate in its consideration of the lend-lease bill and because I know that you and the Navy Department have been studying this problem for months, I feel that the Congress and the people are entitled at this time to a candid statement from you as to your intentions regarding the naval vessels of the United States.

The people of the country are becoming divided by these conflicting statements of Mr. Willkie and Mr. Knox, and in the interest of national unity as well as the interest of our national security I urge you to make clear to the people and to the Congress your intentions in the matter.

CHARLES W. TOBEY,  
United States Senator.

That telegram was sent on February 14, 3 weeks ago. It was not a personal telegram but was from a United States Senator to my President and your President, sincerely acting on his responsibility as a Senator and asking what the policy of the administration was going to be about giving away these great assets which have been so eloquently described by the senior Senator from Maryland [Mr. TYDINGS].

Did I get a reply? Yes; I did, but the reply was marked "private and confidential." My lips were sealed as to what the reply said. I should have had a reply from the President to a Senator giving some light on this subject and not closing my lips as to what the President said in his reply to me. It was not a personal communication between him and me; it was a Senator asking the President for light. I got none which I could give either to the American people or the Congress.

Now, referring to what the Senator from Maryland said this morning about the need of a balanced fleet—

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. TOBEY. Yes.

Mr. WHEELER. Let me say to the Senator that he was not treated quite so badly as I was. [Laughter.] The Senator ought to feel complimented that he received a reply at all, even if it was marked "private." I gave out some figures I had received with reference to the number of planes which were produced in the United States and the number which were given to Great Britain. The figures were taken partly from those compiled by statisticians, and partly from reports in British commercial papers, and partly from those in the United States; but they were authentic, let me say to the Senator. But when I made that statement it was criticized by the President of the United States. He said, of course, the figures that I gave out might be pleasing to Mr. Hitler, or something to that effect—of course, trying to intimate again that the Senator from Montana might be friendly to Mr. Hitler,

The President of the United States knew better than that. When anybody—I do not care who it is—tries to cry down opposition by making a statement of that kind, it seems to me it is beneath his dignity; and certainly it is beneath the dignity of the President of the United States.

Thereupon I sent the figures to the Secretary of War, Mr. Stimson, who likewise had criticized the figures and said that "anybody could figure." I wrote him a letter giving these specific details, and asking him to point out wherein the figures were wrong. That was several weeks ago. Up to this time I have had no reply from the Secretary of War, because I know and he knows that the figures I gave him are absolutely correct. So, I say, the Senator from New Hampshire must not feel offended because he receives a letter marked "Private."

The truth about the matter is that every embassy throughout the world knows better than we do what is going on in the United States. The English newspapers carry figures that the Members of this body cannot obtain except when they are marked "Private," or something of the kind. They are known in England; they are known all over the United States; but Members of the Senate cannot have them.

Mr. TOBEY. I thank the Senator.

The senior Senator from Maryland [Mr. TYDINGS] this morning spoke of the great need of this body being the American policy-making body. We have materially abdicated that high privilege of ours in the past 8 years. I wish it could apply today in the debate on this bill.

I bring this point to your attention: Why have not the United States Senate, the Members here before me, who have to make these great decisions, had the benefit of a frank statement from the President of the United States on this vital far-reaching matter? Why could not a Senator ask for information and get back a reply that he could use on the floor of the Senate, one that was not marked "Private and confidential"?

Now I desire to speak about the matter of our needing ships. I repeat to you that the Senator from Georgia [Mr. GEORGE], in his statement, said that if we adopt the amendment offered by the Senator from Massachusetts we will gut the bill and kill the bill. If that argument is sound, it must follow that it is intended to give away our Navy; otherwise, the proponents of the bill would not mind taking away or restricting the power.

Listen to the testimony of the Secretary of the Navy, Hon. Frank Knox, before the Senate Committee on Foreign Relations. The Senator from North Dakota [Mr. NYE] was asking him questions:

Mr. Secretary, how well prepared are we to aid Great Britain more than we have already by the transfer of naval vessels?

Secretary Knox. Naval vessels?

Senator NYE. Any and all kinds.

Secretary Knox. I am emphatically against transferring any naval vessels to anybody.

Senator NYE. Were you against the transferring of these 50?

Secretary Knox. No. That was a very different situation. We left ourselves

stronger after that exchange than we were before. The bases are infinitely more valuable to us than the 50 over-age destroyers.

Senator NYE. I wish to come back to that a little later. But you do stand opposed to our releasing any more of the destroyers or any other vessel?

Secretary Knox. Any other naval vessels.

Senator NYE. Any naval vessels?

Secretary Knox. Yes; that is right.

Senator NYE. Do you feel that giving any more would seriously impair the fleet?

Secretary Knox. It would throw it out of balance.

That is the very point of the argument of the Senator from Maryland this morning, that giving away battleships or destroyers was not so important in itself as it was important from the standpoint of destroying the unity and the balance and the proportions of the American Navy.

But there is a sequel to this testimony of Secretary Knox; and I desire to bring it to your attention, not in derision but in common justice, so that we may know the facts.

Of what value is the testimony of the Secretary of the Navy, or the Secretary of War, or the testimony of any of the department heads, when they come before us to give such emphatic testimony, and then give the testimony that I now read? Again Secretary Knox is being interrogated by the Senator from North Dakota [Mr. NYE]:

You stand very much opposed to the idea of conveying merchantmen across the Atlantic?

Secretary Knox. Yes.

Senator NYE. You look upon it as an act of war?

Secretary Knox. Yes.

Senator NYE. Would you change your mind about it if the President were to order a convoy?

Secretary Knox. Certainly.

Senator NYE. You would?

Secretary Knox. Certainly. I am a subordinate, and I would take any orders.

Do men who represent the American people, after all, even as you and I, have to "hear their master's voice" all the time; or may they speak from their own divine power of thought and have the guts and the convictions to go through and stand behind their express convictions, even if their action means resigning from the Cabinet? Of what value is such testimony?

Mr. CHANDLER. Mr. President, will the Senator yield?

Mr. TOBEY. Just a moment, until I get through.

Mr. CHANDLER. Will my friend yield?

Mr. TOBEY. Just a moment, please.

I now go back to recall a little bit of history about 3 months ago, at the time the destroyers were given away, and many of us stood aghast at what was contemplated. I am not violating any secret—it is known by many persons—that the head of our Navy, or one of the leading admirals of the Navy, Admiral Stark, made the statement that he was definitely opposed to giving away those destroyers. He took that position, the same position taken by Secretary Knox in the statement he made here, and he made it sincerely as a naval officer, knowing the Navy as very few men do;



and then what happened? Down upon Admiral Stark, if you please, descended some gentlemen from New York; and who were they? Well, they came from the William Allen White committee, the Committee to Defend America by Aiding the Allies, the committee from which William Allen White resigned because he said there were so many warmongers in the Washington and New York branches of the committee; and he wrote to his friends that he was sick of his own organization. Those gentlemen came down here and went to see, if you please, with some other emissaries, Admiral Stark and the President of the United States. One of them was the columnist, Joe Alsop, and there were some other gentlemen. They went to the President of the United States and they sold him the idea, and Admiral Stark's convictions went out of the window, and Secretary Knox said his would go, too. What good was their opinion? What good was their expressed judgment? Out they went, and the destroyers went, too, and more of them will go the same way, notwithstanding the Secretary of the Navy and notwithstanding the Chief of Naval Operations.

It is time to fish or cut bait in this thing. I believe, as one Senator, that the President of the United States should tell the Congress whether or not he plans to pass over to England further allotments of our Navy. As one Senator who asked the President, I regret that he did not see fit to answer my inquiry in a way that I could lay before my colleagues and give them the information sought to aid us in forming our conclusions on this far-reaching legislation now under debate.

I yield the floor.

Mr. WALSH. Mr. President, I respectfully request that the vote on this amendment be taken by yeas and nays.

The VICE PRESIDENT. The yeas and nays are demanded. Is the demand seconded?

The yeas and nays were ordered.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Massachusetts [Mr. WALSH], as modified, which will be stated.

The CHIEF CLERK. On page 5, after line 4, it is proposed to insert the following new subsection:

(f) Nothing in this act shall be construed to authorize, except as permitted by existing law, the sale, transfer, exchange, leasing, lending, or otherwise disposing of to any such foreign government of any vessels, boats, munitions, or supplies of the United States Navy or of any vessels or boats which have been ordered by or laid down for the United States Navy, or aircraft of the United States Navy, or any such aircraft now under construction which cannot be replaced by a better or more satisfactory craft within a period of 6 months, or any equipment or armament authorized by the Congress or ordered by the Navy Department for use in connection with such vessels, boats, munitions, supplies, or aircraft: *Provided, however,* That this section shall not repeal or modify any provision of Public Resolution No. 83, Seventy-sixth Congress (relating to assistance to other American Republics).

The VICE PRESIDENT. The yeas and nays have been ordered, and the clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. McNARY (when Mr. NYE's name was called). The senior Senator from North Dakota is unavoidably absent. If he were present he would vote "yea."

Mr. SMITH (when his name was called). I have a pair with the Senator from Oklahoma [Mr. THOMAS], and therefore I withhold my vote.

The roll call was concluded.

Mr. HILL. On this vote the senior Senator from New York [Mr. WAGNER], the Senator from Oklahoma [Mr. THOMAS], and the Senator from Kansas [Mr. REED], are unavoidably detained.

The Senator from Kansas [Mr. REED] and the Senator from New York [Mr. WAGNER] have a special pair, and I am informed that if the Senator from Kansas were present he would vote "yea," and if the Senator from New York were present he would vote "nay."

I am also informed that if the Senator from Oklahoma [Mr. THOMAS] were present he would vote "nay."

The Senator from Indiana [Mr. VAN NUYS] is detained because of illness. He is paired with the Senator from North Dakota [Mr. NYE]. It has already been announced that if present and voting the Senator from North Dakota [Mr. NYE] would vote "yea." If present and voting the Senator from Indiana [Mr. VAN NUYS] would vote "nay."

The result was announced—yeas 33, nays 56, as follows:

#### YEAS—33

Adams	Danaher	Reynolds
Aiken	Davis	Shiptead
Barbour	Gerry	Taft
Bone	Gillette	Thomas, Idaho
Brewster	Holman	Tobey
Brooks	Johnson, Calif.	Tydings
Bulow	Johnson, Colo.	Vandenberg
Butler	La Follette	Walsh
Capper	Lodge	Wheeler
Clark, Idaho	McCarran	Wiley
Clark, Mo.	McNary	Willis

#### NAYS—56

Andrews	George	Miller
Austin	Glass	Murdock
Bailey	Green	Murray
Ball	Guffey	Norris
Bankhead	Gurney	O'Mahoney
Barkley	Harrison	Overton
Bilbo	Hatch	Pepper
Bridges	Hayden	Radcliffe
Brown	Herring	Russell
Bunker	Hill	Schwartz
Burton	Hughes	Sheppard
Byrd	Kilgore	Smathers
Byrnes	Langer	Stewart
Caraway	Lee	Thomas, Utah
Chandler	Lucas	Truman
Chavez	McFarland	Tunnell
Connally	McKellar	Wallgren
Downey	Maloney	White
Ellender	Mead	

#### NOT VOTING—6

Nye	Smith	Van Nuys
Reed	Thomas, Okla.	Wagner

So Mr. WALSH's amendment was rejected.

Mr. BARKLEY. Mr. President, during the discussion of the bill in the committee and on the floor various amendments have been suggested pertaining to agriculture. All along it has been our interpretation of the bill, and is now, that in the definitions of defense articles, subsection 4, page 2, "any other commodity or article for defense" is broad enough to include just what it says, "any other commodity," which would cover agriculture, industry, or anything else.

The Senator from Georgia [Mr. RUSSELL], the Senator from Montana [Mr. MURRAY], the Senator from Oklahoma [Mr. LEE], and others, including the Senator from Wisconsin [Mr. WILEY], have discussed this matter. In order that there may be no doubt that the word "commodity" includes agricultural commodities, I send forward an amendment and ask that it be agreed to.

The PRESIDING OFFICER (Mr. LEE in the chair). The clerk will state the amendment.

The LEGISLATIVE CLERK. On page 2, line 5, after the word "any", it is proposed to insert "agricultural, industrial, or."

Mr. BARKLEY. So that the language in that definition would read:

any agricultural, industrial, or other commodity or article for defense.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. ELLENDER. I am not opposed to the amendment but I would like to ask a question. As the Senator knows, there is a limitation in the bill of \$1,300,000,000 as the value of defense articles that may be sold or transferred. If any agricultural commodities are sold or transferred would the value thereof be taken into consideration under that limitation?

Mr. BARKLEY. The Senator realizes that in the bill the provision which is carried on page 3—

but no defense article not manufactured or procured under paragraph (1)—

refers to articles to be manufactured in arsenals, shipyards, factories, or other facilities controlled by the Secretary of War, the Secretary of the Navy, or the head of any other department, so that would not include agriculture. The articles referred to cannot be disposed of without consulting the Chief of Staff of the Army or the Chief of Naval Operations. So that requirement applies only to subsection (1) which contemplates the manufacture of these things in Government arsenals and factories, and therefore would not affect agriculture.

Mr. RUSSELL. Mr. President, I wish to thank the Senator from Kentucky [Mr. BARKLEY] and my colleague [Mr. GEORGE] and other Senators having charge of this measure, for seeing to it that there can be no confusion in the future as to agricultural commodities, by including the amendment in the bill. I realize that the reports of both the House Committee on Foreign Affairs and the Senate Committee on Foreign Relations stated that the language of the bill would be so construed as to reach agricultural commodities. Those of us who were interested in seeing that some of these vast surpluses which are piled up in this country were utilized in this aid to England were apprehensive that inasmuch as all the industrial commodities which are articles of defense were spelled out word by word and line by line, it might cause some court in construing the bill to find that agricultural commodities were not reached because the bill did not mention such commodities in express terms.

I have had an amendment which I had intended to offer in behalf of myself and



the Senator from Oklahoma [Mr. LEE] and the Senator from Montana [Mr. MURRAY], which went much further than the pending amendment, in that it made clear the authority of the President to dispose of any agricultural commodities to which the United States Government now holds title, but I shall not offer that amendment in view of my desire to see this measure brought to a vote at the earliest possible date. I am delighted that it will not be left to imagination or speculation as to whether agricultural commodities are included in the bill when this amendment be adopted.

Mr. MURRAY. Mr. President, as the Senator from Georgia has just stated, it was my intention to join with him and the Senator from Oklahoma in presenting an amendment which would provide for the disposition of these huge farm surpluses which are piling up in our country; but in view of the amendment just submitted by the Senator from Kentucky, I believe it is unnecessary for us to press the amendment we had in mind. I believe the amendment which has been offered by the Senator from Kentucky covers the situation we had in mind completely, and that nothing would be gained by submitting the amendment we had intended to propose. I therefore wish to say that I do not desire to press such amendment. I am satisfied that the amendment presented by the Senator from Kentucky will be effective in meeting the serious problem of surplus farm products.

Mr. CLARK of Missouri. Mr. President, I wish very emphatically to disagree with the view put upon this whole subject by the Senator from Kentucky in response to the inquiry of the Senator from Louisiana as to whether the limitation of \$1,300,000,000 applies to agricultural products as well as war munitions. Personally, as I have stated before on the Senate floor, I do not think the limitation of \$1,300,000,000 means anything anyhow. I do not think it is worth the paper it is written on, by reason of the fact that any value which may be imagined may be put upon these various articles. But certainly, if that limitation does mean anything whatever, it includes agricultural commodities as well as cannon or airplanes, battleships, or anything else.

The definition of defense article appears in section 2 of the bill:

The term "defense article" means—

(1) Any weapon, munition, aircraft, vessel, or boat.

(2) Any machinery, facility, tool, material, or supply necessary for the manufacture, production, processing, repair, servicing, or operation of any article described in this subsection.

(3) Any component material or part of or equipment for any article described in this subsection.

(4) Any other commodity or article for defense.

Mr. President, the other day I challenged any Senator to rise on this floor and tell me anything which was not included in the definition of defense article, as found in section 2 of the bill, and no Senator rose; and no Senator has been willing from the very beginning of this debate to try to define any article, or

any commodity, or any substance of any kind that is not included in the very broad generic term "defense article."

Mr. President, coming down to section 3 (a) (1), we find this language:

To manufacture in arsenals, factories, and shipyards under their jurisdiction, or otherwise procure—

These defense articles. Again we find the all-inclusive term "defense article."

Mr. President, I cannot for the life of me understand how the Senator from Kentucky can assert that that very broad provision "or otherwise procure" any of these defense articles or defense commodities, with the limitation plainly written in section 2, of \$1,300,000,000 in value, if it means anything at all, does not also include agricultural commodities.

Mr. President, so far as I am concerned, I agree with the definition of "defense article," because I agree that wheat or corn or pork may be as necessary for the defense of a country, either for the army or for the civilian population, as airplanes and guns.

I think it is proper that agricultural commodities should be included. I think there has been no question at any time as to the fact that every commodity that can be conceived of has been included. Therefore, so far as I am concerned, I am not going to vote for face-saving amendments to allow Senators to be able to go home and say, "Yes; I voted for this bill, all-inclusive in character as it is, fixing a burden upon the American taxpayers which our great-great-grandchildren will not ever begin to pay off; I voted for a bill that includes dictatorial powers; I voted for a bill that includes the commitment by the people of the United States to underwrite a military victory of one belligerent or set of belligerents; but, boys, I did it because I am going to stand by the old farmer if it beats me for reelection."

Mr. President, I shall not vote for any such face-saving amendment.

The Senator from Kentucky, the Senator from South Carolina, and other Senators said in the committee that agricultural commodities were already included in the bill, that under the terms of the bill there was not any question about it. I think this amendment, or practically this amendment, when it was offered by the junior Senator from Montana [Mr. MURRAY], obtained only four votes in the committee. Now, simply as a face-saving proposition, this amendment comes before the Senate. If I did not think it was already in the bill I would be in favor of including every kind of commodity, if the bill is to be passed at all, because anything may be considered a defense article, but I shall not vote for any such face-saving proposition.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Kentucky.

Mr. WHEELER. Mr. President, I wish to subscribe to what the Senator from Missouri has said, and I desire to call attention to the fact, as I did previously, that under the terms of the bill the words "defense article" do not mean a defense article in the ordinary acceptance of the

term, or an offensive weapon in the sense in which that expression is generally used; but, as I pointed out, under the broad terms of the bill specified in the definition, it means agricultural products; it means chemical products; it means anything under the sun that can possibly be imagined, or anything that goes to make up any manufactured article. In order that there may be no question about it—and I do not think my statement will be challenged—under the provisions of the bill the President of the United States is given the power to buy machinery of any kind and character and to trade it for any kind of an article or anything else he wants to trade it for. In other words, under the provisions of the bill the President could set up a barter system. He could trade manufactured products, such as trucks, automobiles, airplanes, or any kind of machinery or tools of any kind or character to South America for cotton or coffee. He could trade them for Argentine beef, or for anything else he wanted to trade them for, or he could give them to anybody he wanted to give them to, on any terms he wished. So we ought not to deceive ourselves as to what the bill means. As I have said repeatedly, it is not merely a defense bill. It goes far beyond that. It gives the President far more power than would the joint resolution of the Senator from Florida [Mr. PEPPER], which was turned down in the Foreign Relations Committee with only two votes for it.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. WHEELER. I shall be glad to yield in a moment. If I may say so, those Senators who voted against the joint resolution of the Senator from Florida in the Foreign Relations Committee and ridiculed him on the floor of the Senate because of the speeches he made in advocacy of the resolution which he introduced, are now "out-Peppering" PEPPER in this bill. The Senator from Florida ought to be congratulated for his far-sightedness and because of the clairvoyant powers which he must have exercised to see what was in the minds of the administration before election and what was to happen after election.

Mr. PEPPER. Mr. President, will the Senator yield?

Mr. WHEELER. I yield.

Mr. PEPPER. I must respectfully say that I cannot let the statement go unchallenged that the Senate is even yet ahead of my views on this subject.

Mr. CLARK of Missouri. Mr. President, the Senator from Montana mentioned the matter of exchange. The power is vested in the President by the bill to exchange competitive commodities with South American or other countries. I take it no one will question the fact that under the terms of the bill the President actually would have authority to buy Argentine beef or Brazilian cotton and pay for it in cash, and give it to any nation in the world to which he saw fit to give it.

Mr. WILEY. Mr. President, I wish to call the attention of the Senate to the fact that last night some of the Senators who are now sponsoring the amendment which has recently been put before the



Senate voted down a very clear amendment which I proposed, in the following language:

And no agricultural commodity shall be procured or disposed of to any foreign government under the authority of this act unless such agricultural commodity was produced in the United States or its Territories or possessions.

As I have said, that amendment was voted down by some of the Senators who now appear to be so much in favor of agriculture in this country. I do not think the amendment offered by the Senator from Kentucky is a face-saving amendment. Of course, I shall vote for it, but it seems to me that it does not have the limiting quality which my amendment had. My amendment would have provided that if we are to take any of the people's money, directly or indirectly, and purchase agricultural commodities and give them to the British, those commodities should be produced in the United States or her Territories. The pending amendment does not do that.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Kentucky.

The amendment was agreed to.

Mr. DAVIS. Mr. President, I offer an amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Pennsylvania will be stated.

The LEGISLATIVE CLERK. On page 3, beginning on line 11, it is proposed to strike out section 3 (a) (3) and in lieu thereof to insert the following:

(3) To test, inspect, prove, repair, outfit, recondition, or otherwise to place in good working order, any defense article for any such government, or to procure any or all such service or services by contracting with commercial organizations customarily engaged in such work.

Mr. DAVIS. Mr. President, the reason for my amendment is that if the bill is passed the already heavily loaded inspection and testing facilities of the Government will be greatly overtaxed. There now exist in the United States approximately 200 testing and inspecting organizations which are capable of doing this kind of work, and eager to do it, and which are not now being utilized by the Government. The adoption of my amendment would make available to the Government this trained industry, and would help remove the bottleneck which would otherwise exist by reason of the lack of such facilities.

Mr. GEORGE. Mr. President, let me say to the Senator from Pennsylvania that undoubtedly testing, inspecting, proving, and so forth, might be done under the bill, as it stands, in private industry or in Government yards or facilities. Beyond all doubt the bill now authorizes that activity. If there were any doubt about it I should gladly accept the amendment.

Mr. DAVIS. The bill authorizes it, if the President wishes to do it; but my amendment would make it more or less compulsory for him to use private organizations rather than to increase the governmental facilities we now have. I

think a great saving to the Government in money and time would result from my amendment.

Mr. GEORGE. I do not interpret the Senator's amendment to require the President to use private facilities, but merely to authorize such use. As I understand, his amendment would authorize testing, inspecting, and so forth, or the procurement of such service or services by contracting with commercial organizations customarily engaged in such work. Frankly there is no objection to the amendment, but, because such activity is already authorized, the only objection that could be raised is that it is a repetition.

Mr. DAVIS. If there is no objection to it, I do not see any reason why the amendment should not appear in the bill.

Mr. GEORGE. It is already authorized, but if the Senator wants it put in the bill, I can see no objection to it. I do not like to load up the bill. I had hoped that perhaps the House might act on the Senate amendments without a conference. A large number of amendments might induce the House to ask for a conference without passing directly on the Senate amendments. I say very frankly that what is suggested in the Senator's amendment is already authorized in the bill.

Mr. DAVIS. I do not quite agree with the Senator from Georgia that it is, and I should like to have the language, as I have presented it to the Senate, become a part of the bill.

Mr. GEORGE. If some other Senator does not object to it, I will not raise any objection; but if any Senator is worried about it I do not want any long debate on it.

Mr. WHEELER. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Montana?

Mr. GEORGE. I yield. The Senator does not have any objection to the amendment, does he?

Mr. WHEELER. No; I have no objection. I rise for another purpose. I do not desire to take up a great deal of the time of the Senate, because, so far as I am concerned, I am perfectly willing that the Members of the Senate should vote on the bill this afternoon.

I have had prepared a memorandum entitled "Measures and Men—Historic Parallels in the Present Drive to War."

I shall not read all of the memorandum, but I do desire to call attention to certain parts of it; and then I shall ask unanimous consent to have the remainder of it inserted in the RECORD as a part of my remarks.

First of all, to those who claim that the bill is a peace measure and who are saying to themselves, and will say to their people back home, that it is a measure to keep us out of war, and that they are doing everything to stay out of war, I desire to say that, in my judgment, it is a bill to give the President of the United States the right to carry on an undeclared war. The American people may as well get that thought definitely in their heads, because that is what the bill is.

I submit that today some of the same persons who first advocated all aid short

of war, and who later dropped that limitation, are now becoming a little bolder.

Mr. WHEELER proceeded to read portions of the memorandum submitted by him, after which he said: Mr. President, I ask that the entire memorandum be placed in the RECORD as a part of my statement.

The PRESIDING OFFICER. Without objection, it is so ordered.

The entire memorandum is, as follows:

#### MEASURES AND MEN—HISTORIC PARALLELS IN THE PRESENT DRIVE TO WAR

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##### I. Historic parallels

The claim today that America must arm to defend itself, put forth by prominent men and newspapers early in 1917.

In January 1917 Henry L. Stimson urged conscription as necessary for "defense."

In February 1917 Stimson and other lawyers met at the Yale Club to campaign for preparedness.

In 1940 a group of Wall Street lawyers met at the Harvard Club to campaign for preparedness.

In March 1917 Stimson advocated registration of women as well as men to plan "war service."

In March 1917 Stimson went on a speaking tour of the Midwest to combat "pacifist sentiment."

In March 1917 Stimson claimed that England's Navy was America's first line of defense.

In March 1917 Stimson claimed America could be easily invaded.

In April 1917 Stimson advocated a "universal compulsory system" for industry and agriculture as well as for the armed forces.

In March 1917 Stimson urged America play a "man's part" by sending men to Europe.

In March 1917 Stimson urged that America should aid the Allies with more than money.

In April 1917 Stimson urged sending troops to Europe because the "appearance of the American flag" in the trenches would help more than "billions of money."

##### II. What we can learn from the past

##### A. Introduction

America's neutrality was undermined and entry into war in 1917 was brought about by a series of steps, not by any one act.

##### B. The Danger of Invasion

It is claimed today we are in danger of invasion.

In 1916 and 1917 it was claimed we were in danger of invasion.

In 1916 W. C. Bullitt urged more airplanes and destroyers to prevent German invasion.

In 1916 Republicans and Democrats were blaming each other for "inadequate" defense.

In 1916 Army officers claimed we could easily be invaded.

In 1916 women were urged to learn how to use rifles to protect their homes.

In 1917 prominent men urged a military establishment large enough to repel all "unfriendly" nations at once.

In 1917 Union League Club, United States Chamber of Commerce, Nicholas Murray Butler, numerous persons and organizations demanded adequate defense.

As early as 1915 men like William Jennings Bryan predicted that under cover of "defense" talk, America's entry into the war was being prepared.

In 1915 Bryan pointed out Wall Street wanted "defense" preparations for the sake of profits.

In 1915 Bryan pointed out that the people would never assent to huge arms expenditures unless frightened by talk of invasion.

In 1915 Congressmen pointed out that the monopolies were growing wealthy out of arms orders from abroad.



Maj. Gen. Smedley Butler stated that Army officers and Navy officers always proclaim America is defenseless in order to get more appropriations.

#### C. The Danger From Latin America

It is claimed today that the Atlantic is no defense because we can be invaded via Latin America.

It is claimed today that the Nazis, the Japanese, and "fifth columnists" have bases in Latin America.

But in 1917 it was claimed that Germans were preparing bases in Latin America.

It was even claimed that 150,000 German Army reservists were in Mexico ready to invade the United States.

It was claimed that Germany subsidized newspapers in Latin America.

It was claimed German submarines were based in Peru.

A "plot" was "discovered" whereby Germans and traitors in Latin-American countries would overthrow friendly governments and then invade the United States.

But when the United States entered war in April, no invasions came and instead many Latin-American countries entered on the side of the United States.

#### D. The "Fifth Column" Danger

Today it is claimed that the "fifth columnists" can render us defenseless to invasion.

But in 1917 it was also claimed there were "fifth columnists" who would open us to invasion.

Russia and Italy, it was claimed in 1917, were rendered useless to the Allies by German agents.

In 1917 it was urged that German propaganda be overcome by frightening the American people.

But in 1917 we were not invaded and the "fifth columnists" did not paralyze us.

#### III. How America got into the World War

##### A. The Drive Against Trade Unions

The right to strike was attacked in 1917 in order to weaken the trade unions.

Today the right to strike is being similarly attacked.

##### B. The Drive to Silence Opposition

In 1917 those opposed to war were called Germans, anarchists, and traitors.

Today those opposed to war are called "fifth columnists," Nazis, or Communists, or anti-Semitic.

Minority political parties are ruled off the ballot.

New criminal laws, broad enough to cover nearly anyone, are enacted.

Civil liberties are restricted and "witch-hunts" are begun.

Attacks on the youth and the educational system are made to undermine opposition of youth to war.

Aliens and foreign-born citizens are intimidated by attacks and restrictive laws.

In 1917 the World War was called a conflict between two different philosophies.

Today those against America's entry into war are called believers in foreign "isms."

#### MEASURES AND MEN—HISTORIC PARALLELS IN THE PRESENT DRIVE TO WAR

##### I. HISTORIC PARALLELS

When before have the American people been subjected to an organized drive toward war? The present drive is by no means the first which has ever been made. Once before in America's history a small group of Wall Street lawyers and executives initiated such a drive. Once before the large newspapers of this country were almost unanimously united in a fight to put across a war-measures program upon the people of the United States.

It is widely claimed, of course, that we face today a world situation which is absolutely new and completely unlike any before in our

history. It is this "novel" situation which, it is urged, requires extraordinary measures. This claim was made throughout last summer and last autumn.

As long ago as late summer of 1940 the determination of our fate was declared to be a matter of days. The Army Chief of Staff, General Marshall, stated in a speech to the graduating class of Virginia Military Institute:

"After the next few days nobody knows or can say what kind of world we shall be living in." (Quoted in the New York Herald Tribune, August 11, 1940, magazine section, p. 3, column 1.)

It is because we are in this "novel" situation, according to war-program advocates that they feel it to be their patriotic duty to put forth measures which can only lead to war. But once before there was a novel period of crisis for America and once before these same people or their predecessors demanded a war program. Once before the same steps that are now being urged on America were forced upon it.

Today every man, woman, and child in America knows the outcome of the 1916-17 drive. Many of our people have especially good reason to know what the hysteria about an imminent invasion really meant. The Gold Star Mothers, who were sent at the expense of a kind Government to view their sons' graves in France, have good reason to remember. The war veterans who, 22 years after our entrance into the last World War, still lie helpless in hospitals have good reason to recall that in 1917 we were supposedly arming only against invasion and only for defense of our own shores. They know, and have not forgotten, that America was not invaded in 1917, that not a single American boy lost his life repelling an invasion of our own shores. Our armies instead were sent to fight on foreign soil.

If the people of America are forced to take one step after another down precisely the same road they took in 1917, America will arrive at the same journey's end—a war on foreign soil. We cannot retrace the same path without repeating the same mistakes. If America is now tricked into doing just what it did in 1916-17, no one should be surprised if the consequences prove to be the same.

Retrace the history of America's entrance into the last World War. A year before our entry into that war prominent speakers and newspapers were not bold enough to demand that we send our troops to foreign shores. Those who wished to have us take one side in the World War then raging did not dare come before the American people to present that as their real program for America. They did not dare tell a single mother that they proposed to take her son to fight in France and to fight in far-away Siberia. They did not dare to tell a single American boy that they proposed to have him defend the existing governments of Europe but instead told him that he was to defend the democracy of America on his own soil. The military experts who appeared before Congress did not dare to say, a year before our entrance into the World War, that "defense" plans really meant sending millions of Americans to Europe.

What did they tell the American people? They cloaked their actions behind talk of defense preparations to secure peace for America. Under this protective camouflage they urged, in 1916, a series of steps, one after the other, which brought us into the war. Today these same Wall Street groups, these same influential newspapers, are urging precisely the same steps that led to our involvement in the last war. And if we take these same steps and if we permit ourselves to be deluded by the deliberately created hysteria of an imminent invasion of our shores will we not again be involved in Europe's wars?

What were the steps taken in 1916-17 which inevitably brought us into the war? How did

those who wished to secure that involvement manage to obtain the assent of the American people to each new measure which resulted in a war not to secure our own safety, but to preserve the status quo in Europe? How was this fraud accomplished?

The New York Times of January 23, 1917, reveals how the American people were forced to take one of the first and longest steps in the march toward war. A Wall Street group, then as now, initiated the drive for peacetime conscription:

"The National Civic Federation launched an extensive preparedness and defense campaign at the opening session of its seventeenth annual convention at the McAlpin Hotel yesterday" (p. 8, column 8).

Who was the principal speaker at that convention? The New York Times states:

"Henry L. Stimson, former Secretary of War, and Dr. John H. Finley, State commissioner of education, lent inspiration to the campaign by urging more extensive military training. Mr. Stimson was especially severe in his criticisms of present conditions, asserting that only the special beneficence of a Divine Providence enabled the Nation to carry out as successfully as it had its mobilization of National Guard men on the Mexican border.

"We have watched ourselves gradually become an indoor nation," he asserted in an address to the women's department of the federation of which Miss Anne Morgan is treasurer. 'This despite the fact that our institutions were founded in the spirit of the great out of doors'" (ibid.).

The New York Times continues to quote Mr. Stimson:

"Universal service is not a step toward militarism but democracy. Wars are not fought by professional fighters but by the armed people. He who has the right to say what the institutions of a country shall be is also in honor bound to defend those institutions'" (ibid.).

It has already been pointed out (CONGRESSIONAL RECORD, August 6, 1940, p. 9923) that the forced military service bill of 1940 was initiated at the Harvard Club, Mr. Stimson being one of those present. In 1917 the Yale Club was used as well. The New York Times of February 9, 1917, reports that a meeting was called at the Yale Club:

"To plan a fight for universal military service \* \* \* Henry L. Stimson, ex-Secretary of War, was one of the speakers who attacked the present volunteer system most bitterly" (p. 6, column 2).

This group organized a committee to "devise ways and means for making these resolutions (demanding universal conscription) effective" (ibid.).

Today's equivalent, perhaps, of that 1917 group of lawyers and Wall Street men is the national emergency committee of the Military Training Camps Association. It has admitted in the public press that large sums of money were raised and spent to put over this Wall Street program. (See, for example, New York Times, August 10, 1940, p. 3, column 3; New York Herald Tribune, p. 2, column 7.)

Mr. Stimson was not satisfied in 1917 with a call for compulsory military service in peacetime. In a letter written by him to the National League for Women's Service, he stated:

"Referring to the bill which you told me it is proposed to pass, providing for a census of the human and natural resources of this State, I have no hesitation in saying that in my opinion the appeal should be broad enough so that the Governor, in his discretion, could take an enumeration not only of the men, but, so far as needed, the women of the State, and ascertain the various channels in which they could be of service in time of war." (New York Times, March 19, 1917, p. 16, column 1.)

Apparently, Mr. Stimson believed before America entered the last war that there was



a "novel" situation, a crisis which required the registration of all men and women.

Mr. Stimson told the House Military Affairs Committee in 1940 that the volunteer system for American defense had broken down (Appendix of the CONGRESSIONAL RECORD, p. 4694). There is no cause to be surprised at this. Nor will there be any cause to be surprised at any opinions he may let Congress have later. Mr. Stimson had some very interesting opinions in 1917. The New York Times of March 22, 1917, reports his opinion given to students of New York University:

"The volunteer system," Mr. Stimson said, "had broken down in virtually every war waged by this country" (p. 7, column 2).

Three days later, still according to the New York Times, Mr. Stimson mapped out for himself a tour of the Middle West to convince the country that conscription was a necessary peacetime measure for the country's defense. (New York Times, March 25, 1917, sec. 1, p. 3, column 3.)

With Mr. Stimson went Mr. Frederic R. Coudert, to help make speeches. Mr. Coudert was a famous and wealthy Wall Street lawyer, specializing in international law. Today, Mr. Grenville Clark and other Wall Street lawyers have pitched in to become their country's saviours.

Mr. Stimson left New York on April 1, 1917. The New York Times of April 2, headlines the story of his departure:

"OFF TO ROUSE WEST IN NATION'S DEFENSE—  
HENRY L. STIMSON AND FREDERIC R. COUDERT  
OPEN TOUR IN DETROIT TODAY

"The report continues:

"Henry L. Stimson, former Secretary of War, and Frederic R. Coudert left New York yesterday afternoon on a 2 weeks' speaking tour through the Middle West and Northwest in behalf of universal military training and service" (New York Times, April 2, 1917, p. 3, column 1.)

Why did Mr. Stimson leave for the Middle West and Northwest? The Times reported:

"The meetings in Kansas and Nebraska have been planned with especial reference to the pacifist sentiment in those States" (ibid.).

And what was the purpose of this patriot who dashed off to warn the country of its duty? Mr. Stimson told the Times reporter: "We believe our trip," said Mr. Stimson, just before boarding his train, "is taken at the psychological moment. This will be a fateful week for the United States, and we hope each meeting which we address will adopt strong resolutions for universal military training and service under exclusive Federal control, and will also declare strongly for national defense and for the maintenance of American rights. We know there has been a strong awakening in the Middle West" (ibid.).

What did Mr. Stimson believe to be the danger which required the conversion of pacifists to the support of war measures? What was the "novel" situation in 1917 which required this? It was the danger that the United States would be invaded. Today, of course, we are told that the danger of invasion is for the first time in our history a real one. Today, supposedly, the landing of enemy troops on our shores is not a fantastic speculation, but a real possibility. But Mr. Stimson told the United States the same story in 1917. Squelching doubters and skeptics, Mr. Stimson said:

"Some people express their doubts as to the necessity of ample land forces. They think that if we fight Germany it will be entirely on the sea. This is very thoughtless." (New York Times, March 22, 1917, p. 7, column 2.)

What did Mr. Stimson consider was America's first line of defense? The editorials in today's newspapers claim the same thing today—the British Fleet is our first line of defense and that we are in danger of invasion

if England falls. Mr. Stimson told the country the same story in 1917:

"We can sit down and consider the European situation and argue now, for Admiral Sir David Beatty is on the job. If the European coalition should fall apart, we would not be considering whether war was worth while or not, not listening to men who argue whether there will be any more war. We would then be face to face with some of the conditions they are now facing in Europe." (New York Times, March 22, 1917, p. 7, column 1.)

Mr. Stimson painted a horrifying picture for all those who would listen:

"As a nation we are not prepared to take care of our own borders. At the outbreak of the European war there were at least three foreign powers each of which could have landed 150,000 men on our shores inside of 16 days" (ibid.).

Is it possible to distinguish the following statement of Mr. Stimson delivered in 1917, from the editorials of some war-thirsty newspapers today?

"This country would be in a serious condition," he [Mr. Stimson] said, "if the Allies should decide to stop fighting before Germany is through with the United States. We should not be so calm except that in a sheltered harbor in the north of Scotland rests some units of war, and on the shoulders of their commander rests the burden of responsibility. So long as he is efficient we are safe, but if he should fail in that gigantic task we should be scrambling for our lives. That is the situation so far as the armed defense of this country rests today." (New York Times, April 3, 1917, p. 4 column 8.)

Mr. Stimson's tour was not successful in a limited sense. There was then no peacetime conscription law. But in a larger sense, Mr. Stimson and his Wall Street associate on the speaking tour were successful. The country didn't get peacetime conscription but it got conscription and war. As the New York Times of April 16, 1917, reported, Mr. Stimson's tour of the country was not even half over when war was declared (p. 5, column 1).

And then Mr. Stimson made clear what he meant by conscription. He demanded not a military draft alone but:

"A universal compulsory system, organizing the country industrially and agriculturally as well as in a military way." (New York Times, April 16, p. 5, column 1.)

Even earlier, Mr. Stimson made it clear what he meant by "defense." Was it a defense of America's own shores? Was it to beat off an invasion of enemies from our own soil? All America knows the answer. Mr. Stimson had spoken of enemy invasions of America, but the only place where American boys fought and died was on foreign battlefields. This was what he meant by "defense."

"If war comes," he said, "I shall regard it as the duty of this country to take a man's part and to send troops to fight for what I believe to be the cause of free institutions on the battlefields of Europe." (New York Times, March 22, 1917, p. 7, column 2.)

Mr. Stimson was quite clear that American boys should go to France:

"I hope it will not be a war of money and disgrace. I hope the men of this country will be willing to fight for more than money." (New York Times, March 22, 1917, p. 7, column 2.)

The New York Times reported:

"Mr. Stimson said that the appearance of the American flag in the trenches of France would do more to shorten the war than billions of money." (New York Times, April 3, 1917, p. 4, column 8.)

So far, in 1941, Mr. Stimson has not yet demanded that the American flag be planted in the trenches of Europe. It must be noted, however, that such a demand, when it is forthcoming, would be only a logical extension of the persuasion used by Mr. Stimson

before the House committee considering H. R. 1776.

## II. WHAT WE CAN LEARN FROM THE PAST

### A. Introduction

Why is it pertinent to trace the history of Mr. Stimson's demands for war measures prior to the last war? It is not done to single out any one man for reproach nor even to accuse a high official of having deceived the American people in 1917. Mr. Stimson is no more responsible than any other single person for getting America into the last World War. Our entry into the war was brought about differently.

There were many steps which the people of America—at first determined to keep out of war—permitted the powerful and the influential to make them take. And all the while these same influential and powerful groups concealed their true purpose. Every step they urged on the American people was supposedly for defense of our own shores. Every action taken was justified as a step to prevent American boys from being killed. But when enough war propaganda had been disseminated, when those opposed to war had been hunted down and stoned as German spies, when the picture of invasion had been painted as sufficiently menacing, when the foreign-born were forced to be silent lest they be accused of being disloyal to their adopted country, and when, finally, large sections of the American people had been intimidated into silence—then the curtain was lifted. Then, at the last minute, the slogans of peace through building a national defense were replaced by the slogans of war.

Every chain of war that was fastened on America was assented to because each was claimed to be a link of armor against war. The confidence man who swindles a widow out of her life savings by appealing to her desires for economic security is less criminal than those who swindled America into war by trading on the deepest peace desires of the people.

And because every step toward war has in the past been disguised as a step to secure peace it is more important than ever to examine the history of 1917. Every physical scientist knows that the same circumstances must breed the same results. To produce the same result the chemist uses the same formula.

How are conditions different today?

### B. Danger of invasion

It is claimed that conditions are different, are novel, and that we are presented with a crisis unlike any before in our history. For example, it is claimed today, and was claimed many months ago, that we are in danger of physical invasion. The Associated Press reports:

"Robert W. Patterson, new Assistant Secretary of War, said today that consolidation of American industry for defense purposes would take at least a year.

"And a year is a luxury that we may never enjoy," he added." (New York Sun, August 12, 1940, p. 1, column 4.)

Yates Stirling, Jr., rear admiral, United States Navy, retired, wrote for the United Press:

"The British Navy is all that stands between Hitler and his ultimate goal—the resources of the Americas and the enslavement of their peoples." (New York Times, August 10, 1940, p. 3, column 8.)

William H. Standley, admiral, United States Navy, retired, and former Chief of Naval Operations from 1933 to 1937, in a coast-to-coast radio broadcast declared America must—

"Prepare as best we can and as fast as we can to protect ourselves and our friends in our hemisphere from the attack that we know must come if the British cannot hold out." (Reported in the New York Herald Tribune, August 11, 1940, sec. I, p. 14, column 5-6.)

Joseph Alsop and Robert Kintner, Washington columnists widely syndicated, declared that—



"Every hour perhaps is incalculably precious." (New York Herald Tribune, August 11, 1940, magazine section, p. 3, column 1.)

The powerful New York Daily News editorialized:

"This country is threatened as never before—and it may be already too late to avoid or postpone possible wars with Germany, Italy, Japan, or Russia, or maybe with all four of them put together." (August 14, 1940, p. 31.)

Note that these dire warnings all were uttered within a 4-day period late last summer. In the meanwhile autumn and winter have intervened and the war-inciting commentators are still at work.

But how does all this differ from 1917, when we were told that emergency measures were necessary then to meet the inevitable invasion of our shores by Germany? Recall what was being said then. Thumb the pages of the New York Times in 1916 and 1917:

"Mr. W. C. Bullitt was urging the Government to build airplanes and submarine destroyers for our coast defense against a German invasion." (October 11, 1916, p. 2, column 5.)

"Admiral Fiske wrote a special article proving the United States to be completely unprepared to resist an invasion." (October 15, 1916, sec. V, p. 2, column 1.)

"The Republicans were condemning the Democratic administration for neglecting military preparations against invasion; the Democrats were replying that Republican administrations had been neglectful since the Spanish-American War." (October 21, 1916, p. 10, column 2.)

"Navy officers, at a dinner given by the Veterans of Foreign Wars, made speeches pointing out that we could not withstand any invasion." (October 22, 1916, sec. I, p. 10, column 1.)

"Women wished to organize to learn how to use rifles for home-defense." (Letter, October 24, 1916, p. 12, column 8.)

"The United States Chamber of Commerce issued pamphlets for wide circulation, emphasizing the inadequacy of our defenses against invasion." (November 12, 1916, sec. III, p. 5, column 1.)

"The convention of the American Association for the Advancement of Science turned to a discussion of the industrial and military preparedness necessary to resist invasion." (December 27, 1916, p. 5, column 1.)

"A United States Senator urged a military establishment large enough to enable the United States to meet all the 'unfriendly nations' of the earth simultaneously." (January 21, 1917, p. 24, column 4.)

"To resist invasion, the Federal Government began planning vast coastal defense works." (January 10, 1917, p. 24, column 4.)

"Dr. Nicholas Murray Butler made a speech at a dinner of Columbia University graduates, pointing out a need for defense preparations." (February 20, 1917, p. 7, column 4.)

"The Union League Club appointed a committee to report on the state of national defense (March 9, 1917, p. 7, column 6), and 12 days later the committee reported back that there were drastic deficiencies." (March 21, 1917, p. 1, column 5.)

"Mass meetings and parades were being promoted throughout the country (March 17, 1917, p. 9, column 1; March 23, 1917, p. 1, column 6), which passed resolutions demanding that steps be taken to insure the safety of our shores."

There were men in 1916 who saw through this Wall Street campaign to convince the country that the Nation was in momentary danger of attack. Ambassador Josephus Daniels has recently praised one of these men, William Jennings Bryan, as: "An illustrious patriot who never sold the truth to serve the hour. \* \* \* Bryan is vindicated, whereas in 1916-18 he was derided." (Speech at Chicago, July 17, 1940, reprinted

in the Appendix of the CONGRESSIONAL RECORD, pp. 4846-4847.)

Bryan was derided and called a traitor because he then boldly proclaimed what all America now knows to be the truth. We were not, in 1917, despite the statements of professional militarists and the editorials of wealthy newspapers, in danger of invasion. The real danger then was that we would be involved in Europe's wars.

"If we are to be driven to preparedness by the scares that are now being worked up," said Bryan in November 1915, "we must follow the leadership, not of those who advocate moderate preparedness, but of those who insist upon extreme preparedness. If we must prepare a little because we are told that one nation may attack us, we must prepare more if another group of jingoes warns us against an attack joined in by several nations and we must go to the very limit if a third group pictures an attack in which the world will combine against us. There is no limit to the amount of preparation that we shall need if we are to provide against every imaginary danger and every possible emergency." (As reprinted in vol. 53 CONGRESSIONAL RECORD, pt. 14, pp. 10-16, at p. 10.)

The warning Bryan gave was not heeded then. Who can deny he was correct when he said:

"Do not allow yourselves to be deceived or misled as to the real issue. The question is not whether this Nation would defend itself if attacked. We have a potential power of defense such as no other nation has today—such as no other nation has ever had—and other nations know it. There is no danger that an attack would not be resisted, and we would not depend upon the 'jingoes.' They would be too busy making Army contracts and lending money at high rates of interest to reach the front. If we ever have a war, we will depend, as in the past, upon those who work when the country needs workers and fight only when the country needs fighters" (idem, at p. 13).

How well he analyzed not only the process that was taking place in his time but which is taking place now:

"The taxpayers of the country will not be willing to bear the burdens necessary for the proposed preparation unless they are convinced that some nation is about to attack us. The 'jingoes' understand this and they are therefore bearing false witness against other nations. They tell us to beware of Japan on the west; and if that does not frighten us, they pick out some nation in Europe and accuse it of having designs against us; and if that does not frighten us, they say, 'Beware of the fate of Belgium.' How any normal mind can think of Belgium and the United States at the same time passes understanding. Belgium has 7,500,000 people, while we have 100,000,000 \* \* \* and there is a still greater difference. Belgium is separated from the countries roundabout by an imaginary boundary line, while we have the Pacific Ocean on one side and the Atlantic Ocean on the other. If anyone is unable to see the difference between an imaginary line and an ocean, let him learn what difficulty the nations have had in moving armies across narrow channels, and then he will understand the protection of the Atlantic Ocean" (idem, at p. 13).

This clear-sighted note of reason amidst the hysteria that preceded the first World War is as up to date as if it had been declared in 1941 instead of 1915. Hitler's armies, encamped for months on the coast of France within actual eyesight on a clear day of the enemy, can also testify as to the difficulty of moving troops across 50 miles of water, let alone the thousands of miles of ocean which separate Europe from our shores.

There were other men in the period before the first World War who saw where the real danger to America's peace lay. There were

many in Congress who fought against what were called "preparations for defense," but what were really preparations for involvement in Europe's wars. Representative James H. Davis, of Texas, for example, was saying, in 1915:

"I fear a very large part of this clamor for preparedness is inspired by the Money Trust, Steel Trust, Powder Trust, Shipbuilding Trust, etc., which are growing fabulously richer and more powerful over the war contracts from Europe and want to have this country in a frenzy over a big army and navy, so when their big contracts with the Allies in Europe close they can feast a few years more on our own Federal Treasury in big fat contracts at home." (Vol. 53, CONGRESSIONAL RECORD, pt. 14, pp. 27-29 at p. 28.)

But, some may object, it may have been true that America went to Europe to get into war in 1917 and that Europe didn't come over here. It may have been true, then, that talk of emergency defense measures covered up plans for intervention in the World War. Is it necessarily true that the same thing is happening today? Dare we disbelieve the professional militarists and the learned editorial writers?

It takes one general to explain another. A very great American soldier, "twice awarded the Distinguished Service Medal for brilliant bravery in time of war" (Representative FRANCIS H. CASE, Appendix of the CONGRESSIONAL RECORD, at p. 4845), who rose to become a major general of the United States Marines, wrote a book called *War Is a Racket*. In that book the late Major General Butler explained how professional soldiers who appear before congressional committees operate:

"At each session of Congress the question of further naval appropriations comes up. The swivel-chair admirals of Washington (and there are always a lot of them) are very adroit lobbyists. And they are smart. They don't shout that 'We need a lot of battleships to war on this nation or that nation.' Oh, no. First of all, they let it be known that America is menaced by a great naval power."

Germany, of course, offers no naval threat at present. But the swivel-chair admirals are busy today pointing out that if England is defeated, she will hand her Navy over to Germany. Besides, what if she has no navy; can't she build one?—they ask.

"Almost any day, these admirals will tell you, the great fleet of this supposed enemy will strike suddenly and annihilate our 125,000,000 people. Just like that. Then they begin to cry for a larger navy. For what? To fight the enemy? Oh, my, no. Oh, no. For defense purposes only.

"Then, incidentally, they announce maneuvers in the Pacific. For defense. Uh, huh."

"The Pacific is a great big ocean. We have a tremendous coast line on the Pacific. Will the maneuvers be off the coast, two or three hundred miles? Oh, no. The maneuvers will be 2,000, yes, perhaps, even 3,500 miles off the coast.

"The Japanese, a proud people, of course, will be pleased beyond expression to see the United States Fleet so close to Nippon's defenses. Even as pleased as would be the residents of California were they dimly to discern, through the morning mists, the Japanese Fleet playing at war games off Los Angeles" (p. 42 et seq.).

Incidentally, Maj. Gen. Smedley D. Butler, had some ideas in this book on the workings of forced-draft measures. Since he was a professional soldier of both courage and sense, perhaps all war-program advocates should read it. This is the kind of conscription law he advocated:

"Let the officers and directors and the high-powered executives of our armament factories and our steel companies and our munition makers and our shipbuilders and our airplane builders and the manufacturers of all the other things that provide profit in wartime as



well as the bankers and speculators, be conscripted—to get \$30 a month, the same wage as the lads in the trenches get. \* \* \* Yes; and all generals and all admirals and all officers and all politicians and all Government officeholders—everyone in the Nation be restricted to a total monthly income not to exceed that paid to the soldiers in the trenches.

"Let all these kings and tycoons and masters of business and all these workers in industry and all our Senators and Governors and mayors pay half of their monthly \$30 wage to their families and pay war-risk insurance and buy Liberty Bonds.

"Why shouldn't they?" (idem., pp. 38-39).

#### C. The danger from Latin America

But there is a difference between now and 1917, many will contend. True there is no real danger of an invasion of our shores from across either ocean directly, but suppose our enemies got a foothold in Latin America.

Daily the newspapers play on our fears. Each morning brings a new story of Nazi activity in Latin America. Each day sees a new plot exposed. There are so many Nazis and Japanese reported in Latin America in so many positions of influence that it seems natural to expect that they will take control of Latin America within 24 hours—unless we intervene. A widely published columnist wrote almost 6 months ago:

"If Hitler wins his blitzkrieg against the British Isles, South America will almost certainly go totalitarian." (William Philip Simms, Washington Daily News, August 5, 1940.)

A hundred others have joined him since in crying woe.

But there is nothing new in this situation. It was one of the stories told the American people in 1917 to frighten them into war. In 1917 just the same wild talk was necessary to convince the American people that they ought to take the advice of the generals and the Wall Street patriots. In 1917 just the same stories were deliberately printed by the press in order to whip up the hysteria necessary to secure the assent of our people to war. Do you think there is anything novel in stories today of Nazi wireless stations in Latin America? Or Nazi spies? Of secret fortifications being built by German business firms?

Read the newspapers of early 1917. Listen to the stories the great press of America was printing as the solemn truth:

"A German wireless station, able to communicate with Berlin, was unearthed in Niteroy Brazil." (New York Times, February 9, 1917, p. 1, column 4.) "The same day, the Providence Journal, through confidential documents, which had come into its possession, informed the country that German military officers were gathering in Mexico." (New York Times, February 9, 1917, p. 3, column 3.)

"Two Germans were arrested in Imbuhy, Brazil, for photographing Brazilian fortifications," reported the New York Times on its front page (February 13, 1917, p. 1, column 2).

"It was established," the papers reported, "that German reservists held high positions in the Mexican armies of both Carranza and the rebel Villa." (New York Times, February 20, 1917, p. 3, column 1.)

On March 1, 1917, the New York Times printed on its front page a report that there were 100,000 Germans in Mexico ready to fight against the United States. In another story on the same day the Times reported that the Germans had just purchased several wireless stations. (March 1, 1917, p. 1, columns 5, 8.)

The horror stories, printed today, that Germany subsidizes newspapers in Latin America are not new. They were used in 1917, too. For example, the New York Times informed America that El Comercio, a Lima, Peru, newspaper was subsidized by Germany and controlled by it. (March 9, 1917, p. 2, column 5.)

The stories grew wilder and wilder as the date of our entry in Europe's war grew closer. On March 10, 1917, the New York Times reported on its front page that 6,000 German Army members were in Mexico, standing ready for immediate service. (March 10, 1917, p. 1, column 2.)

Logic, consistency, and truth were forgotten. One day later, the number of Germans in Mexico ready for war against the United States shot up from 6,000 to 150,000. On March 11, 1917, the New York Times put on its front page the story of 150,000 men, just as the day before it had front-paged the story of 6,000 men (sec. I, p. 1, column 8). A man with a portable wireless set in Texas was arrested as a spy.

Do you think that there is anything new in the story that Nazi submarines are being sighted off our coasts? Or that Japanese naval vessels are circulating in our waters disguised as fishing boats? The most fantastic stories were being used to push us closer to our entry into the World War. On March 16, 1917, the New York Times printed an interview with a citizen who had been to South America. This citizen claimed to have knowledge that a German submarine had arrived in Peru after being shipped in the hold of a vessel. It got through the Panama Canal, the passenger stated, and escaped the inspection of American authorities because it was buried under a cargo of coal. And the New York Times found someone who confirmed the story (p. 6, column 4).

By April 2, 1917, it was "reliably" reported that German reservists were massing upon the Mexican-Salvador frontier (p. 1, col. 2). A report from London was printed stating that Germans were flocking to Mexico carrying with them considerable quantities of arms and ammunition (April 5, 1917, p. 12, col. 8). A few days later a considerable number of Germans was reported to have landed at Monterey, Mexico. (April 18, 1917, p. 3, column 5.)

Plots were discovered, of course, just as the able New York Times correspondents are discovering them today. On April 24, 1917, the New York Times discovered a superplot. German agents, it reported, had worked out a plot in Mexico with the help of sympathetic Mexicans to start revolts in Costa Rica, Nicaragua, Honduras, Guatemala, and Salvador, in an effort to form a United States of Central America. The Times even named the man supposedly chosen to be the president of the combination. Of course, the object of this plot was to attack the United States and engage our troops there (New York Times, p. 3, column 1).

Propaganda, of course, the Times stated, was being carried on against the United States, especially in Argentina, Venezuela, and Colombia (May 20, 1917, p. 2, column 4).

And what happened in 1917? What happened to the 150,000 Germans ready to invade the United States? What happened to the submarines and the wireless stations and the revolts? What happened to the countries Germany supposedly controlled?

America knows the answer today. No emergency steps were needed to prevent an invasion of the United States from Latin America. There was no invasion ever attempted or carried out. The Germans never waged war on us from Latin America. Far from it. Many Latin American countries, which America had been told by its press were ready to attack us in behalf of Germany, instead declared war on Germany. Panama, Cuba, Brazil, Guatemala, Haiti, and the Honduras entered the war on the side of the United States.

Then what service did these stories serve? They served to work the public into a state of mind where it was ready to follow Wall Street's desire and enter the war. The people were taught to believe that an invasion was about to be launched by Germany; it was certain that Germany would inevitably attack

us. Hence, America agreed that it was well to attack first, while England and France were still fighting.

This is the end the war-program propaganda served. It served to frighten America. People were convinced that extraordinary measures could be argued for by these clever writers and intelligent lawyers and informed newspapers only if we were in great peril of invasion. And as soon as people were convinced of this, they were ready to be convinced that instead of attempting to defeat Germany alone when Germany came here, we should fight with England to defeat Germany in Europe.

So it turned out that this talk of the possibility of a German invasion was used as a trick to get the people to enter the war. It is proved now, without doubt, that the Germans weren't about to invade us from Latin America. The newspapers lied then and frightened the country into a war which was none of our business and solved none of our problems.

But, people will say that while all this talk, first, about an alliance of several nations against us to invade our shores, and second, about a Nazi invasion via Latin America, is just what was said in 1917 in order to get us into the war, there are other factors now which really require peacetime conscription. Consider, for example, the activities of the "fifth column."

#### D. The "fifth column" danger

To drag America into the first World War, our newspapers and the Wall Street lawyers exhausted their ingenuity and combed their imagination. There are no new ideas apparently to which they can now turn. Even the idea of a "fifth column" which is a mysterious group of people capable of paralyzing this Nation of 130,000,000 people, has been used before.

Our newspapers today are having a lovely time with the idea of a hidden enemy in our own midst who will render us impotent and a victim of the first blow struck against us. It is rich ore for the writers, full of romantic and vivid copy.

But it was used before to frighten the American people into acquiescence in the preparations of those who forced America into the last war. Consider the following statement, circulated by the chairman of the executive board of the National Committee of Patriotic Societies, in a pamphlet entitled "The Battle in This Country—Fighting Germany With Printers' Ink":

"From neutral countries comes the statement that Germany since the war began has spent \$3,000,000,000 in propaganda (i. e., on systematically spreading her doctrines and lies). I know of no way by which this figure can be verified; but the statement has the merit of seeming to be true and of calling sharply to our attention the vastness of the German scheme to win world power as much by her armies of agents and their lies as by her armies of soldiers and their guns" (p. 3).

Do we have a Nazi network in this country so great as to require mobilization of the entire country? Were Norway, Denmark, Belgium, the Netherlands, and France destroyed by "fifth column" activity? Well, in 1917, it was said:

"Germany is proud of her organization in this country, and she has reason to be. We are all familiar with the subsidized press here and the insidious work it has been doing. \* \* \* The dullest of us must \* \* \* have enough power of observation to see that in two notable instances—Russia and Italy—Germany has succeeded through carefully prepared and cunningly spread propaganda in sapping the military strength of her adversaries and bringing on disaster. Shall America be the third instance of Germany's success?" (pp. 3-4).

Incidentally, this pamphlet devoted itself to explaining how true patriots could help



prepare the country to participate in war. It explains that there is no value in telling a citizen that Germany has violated international law. It suggests a better technique:

"Inform him [any ordinary citizen] that under the orders of German officers German soldiers have poisoned drinking wells, bombed Red Cross hospitals, raped women, mutilated and murdered children and old men, crucified nuns, babies, and soldiers, carried young girls into slavery in the trenches, and that unless Germany is beaten all these atrocities will \* \* \* be visited on our loved ones in this country.

"Your red-blooded hearer can hardly wait to take up arms" (p. 11).

"To achieve results we must follow these ideals:

"1. Appeal to a mind of 14 years.

"2. Be clear.

"3. Appeal to the emotions" (p. 15).

And again:

"A mass of printed matter now being put out to arouse our people is based on an intellectual appeal. More good could be accomplished were the appeal made to the emotions" (p. 11).

This appeal to the emotions is precisely what happened in 1917. It is precisely what is happening now. Fear is appealed to—not sensible precaution, but blind, unreasoning, and hysterical fear. Fear is deliberately being stimulated. In the name of defense necessity, step after step is urged which in reality is nothing more or less than the preparation for our entry into Europe's war and lest we pause to use sober counsel, the newspapers shout: "The Nazis will be here next! They are in Latin America! They are here now! All the countries of the world will invade us without delay!"

America gave way to this same hysteria once before. In 1917 it listened to these same stories. And many of the Americans who listened and believed that all these preparations were to defend ourselves have never listened to any speeches since. They are still in France, where they died in what was originally to be "home defense."

And if we again adopt the same measures that these same voices urged in 1917, how will the result be different? If we again march down the same road laid out by these people, though they have labeled it "home defense" as they did in 1917, we shall find we will arrive at the same end as 1917—foreign war.

### III. HOW AMERICA GOT INTO THE WORLD WAR

As we have seen, our entry into the World War was preceded by an organized drive for so-called defense measures. To justify that drive there was a great campaign to stimulate fear, using the very arguments that are being put forth today. We were told in 1917 that all the nations of the world might unite against us. We were also told that the Germans were ready to invade the United States through Latin America.

The American people took fright, as was planned, and agreed to measures which were supposed to secure our shores against the imminent attack. But no attack came and, instead, we made the attack. Are we being asked to repeat the same pattern, the war pattern of 1917?

There were certain other steps taken in 1917 which led the people from the slogan "Defend our own shores" to "On to Berlin." The frightening thing behind the present drive is not only that the same arguments that were used in 1917 are being used now. The truly frightening thing is that the same measures used in 1917 to silence opposition to our entrance into the war are being taken now. What are these steps to silence opposition to war used in 1917 which are being used now?

#### A. The drive against trade-unions

First is the drive against trade-unions. The trade-unions in America are most easily

weakened by an attack on the right to strike. Unless the laborer has the freedom to withhold his labor, he is helpless. He is at the mercy of his employer, and he must beg for favors from either his employer or his Government. Without the right to strike, labor might almost as well be unorganized, and trade-unions lose their best reason for existence. It was Abraham Lincoln who said:

"I am glad to see that a system of labor prevails in New England under which laborers can strike when they want to."—(Speech at New Haven, March 6, 1860.)

And what was one of the first actions taken during the first World War on this right? The War Labor Conference Board, in its official report, under the heading:

"Principles and Policies to Govern Relations Between Workers and Employers in War Industries for the Duration of War."

Listed as first and foremost, in big, black type:

"There should be no strikes."—(National War Labor Board program, issued by U. S. Department of Labor, 1918.)

Today there is again a campaign on to abolish the right to strike. The Gallup poll, about which Mr. Mark Sullivan has said:

"Some confuse mass polls with mass wisdom, Dr. Gallup with God."—(New York Herald Tribune, August 15, 1940, p. 19, column 7-8), is already at work, suggesting the desirability of abolishing this traditional freedom. It has asked the country:

"Should the Government forbid strikes in industries manufacturing materials for our national defense, or should the workers in these industries continue to have the right to strike?"—(New York Times, August 10, 1940, p. 2, column 5).

And the newspapers are headlining the results of the poll, which supposedly establishes that 79 percent of the people of this country favor abolition of the right to strike. This fits in very nicely with editorial policy. The New York Herald Tribune demanded almost 6 months ago, "Proper utilization of the Nation's manpower" (August 14, 1940, p. 18, column 1), in which military conscription shall be only a part.

As early as 6 months ago the Merchants and Manufacturers Association of one of our largest cities was paying \$650 a month to display 70 large billboards reading:

"What destroyed France?—Our national safety demands stop labor rows!" (New York PM, August 14, 1940, p. 13, columns 2-3.)

What is the prospect our labor unions face? They have come to expect, reports one newspaper, that "employers will nevertheless continue in the name of national safety and defense to demand revision of labor standards." (New York PM, August 14, 1940, p. 13, columns 2-3.)

What is the reason behind this demand? The raising of exactly these same demands in 1917 teaches us that it is first, to frighten the country, and second, to silence voices which may be lifted against our entry into a foreign war.

#### B. The drive to silence opposition

But an even more effective way for the powerful prowar forces who would have us repeat 1917 to silence opposition is by name calling. It is a little too much to expect that the same terms should be used today as were used in 1917, but very similar terms are being used which serve the same purpose.

In 1917, a person who stood against the steps which psychologically and materially brought us closer to our eventual entry was called a "traitor" or a "German" or a "pacifist" or an "anarchist."

Today the vocabulary is a little richer. There are "fifth columnists," "radicals," "followers of the party line," etc. Under the cover of these terms, those who would still maintain the constitutional rights of free speech and minority rights are attacked as "un-American."

The ordinary criminal laws are no longer considered sufficient for the protection of our Government. Spies and traitors are supposedly no longer able to be arrested and tried under the established laws. Instead new and vague laws are passed, broad enough to include in their scope not merely criminals and traitors, but those who are opposed to foreign war and who speak and organize against such wars.

Minority political parties are ruled off the ballot on one pretext or another. Those opposed to war are vilified. Even members of a small religious sect are persecuted. A distinguished group of the faculty of Columbia University's Teachers College warned months ago that civil liberties are under attack from "groups that engage in 'witch hunts' for selfish motives in the guise of patriotism and in the name of national preparedness." (New York Times, August 14, 1940, p. 10, column 6.)

A distinguished educator, President Daniel L. Marsh, of Boston University, warned of how this process must inevitably result:

"If we scrap our civil liberties, allow a spirit of bigotry to become rampant, swing into a mood of intolerance, persecute minorities, and dub everybody with whom we do not agree as a member of the 'fifth column' then we are establishing totalitarianism in this land of ours without the aid of the Nazis." (New York Times, August 11, 1940, sec. 1, p. 8, column 1.)

Consider the attacks now being made on our school system not because our American youth have been educated badly in democracy but because they have been educated too well—because they do not wish to fight in Europe's war at the bidding of those who will profit thereby. The New York Times of March 30, 1917, for example, reported the attack on our schools for "teaching un-Americanism." (P. 20, column 4.) How does this attack then used to intimidate those opposed to war, differ from the attacks being made today?

Consider the drive against our foreign-born citizens in 1917 used to intimidate a large section of our citizenry into silence while the war seekers pushed through their demands. Otto H. Kahn, the eminent banker, was saying in 1917 to the foreign-born citizen:

"Woe to the foreign-born American who betrays the splendid trust which you have reposed in him: \* \* \* He who, secretly or overtly, tries to thwart the declared will and arm of the Nation in this holy war, is a traitor and a traitor's fate should be his." (Address to Harrisburg Chamber of Commerce, September 26, 1917.)

What was this type of talk but an effort to prevent such citizens from opposing the war unless they wished to be called hypenated Americans and traitors, and what is the present agitation against the foreign-born citizen and the alien but an effort to secure their silence while their attackers are free to carry out their schemes to drag us into war?

The present is not the first war drive in which those opposed to involvement in war are called believers in foreign "isms" or subscribers to foreign ideologies. In the first World War, Mr. Otto H. Kahn was saying:

"And when this war broke out in Europe, I know that the issue had been joined between the powers of brutal might and insensate ambition on the one side and the forces of humanity and liberty on the other, between darkness and light.

"Many there were at that time \* \* \* who saw their own and America's duty in strict neutrality, mentally and actually, but personally I believed from the beginning of the war \* \* \* that the cause of the Allies was America's cause.

"I believed that this was no ordinary war between peoples for a question of national interest, or even national honor, but a con-



dict between fundamental principles and ideas."

What was this but an attempt to bludgeon those opposed to America's involvement in Europe's wars into support of involvement at the risk of being called un-American or subscribers to foreign "isms"?

The deadly parallel between the events of 1916-17 and 1940-41 is so clear that few will challenge it, although many may not heed the lesson we may learn from it. It is our duty and responsibility as Americans to stop and consider if once more we are to allow the Wall Street lawyers, the munition makers, and the professional militarists to drag us, under the pretense of furthering a national defense, into a war which will bring with it the destruction of the liberties and traditions which as Americans we hold most dear.

[From the New York Times of January 23, 1917]

**CIVIC FEDERATION FOR PREPAREDNESS—NATIONAL DEFENSE CAMPAIGN IS LAUNCHED AT CONVENTION OF ORGANIZATION HERE—TO REGULATE IMMIGRATION—HUGH FRAYNE'S RESOLUTION PROVIDES FOR CONTROL IN KEEPING WITH THE LABOR MARKET**

The National Civic Federation launched an extensive preparedness and defense campaign at the opening session of its seventeenth annual convention at the McAlpin Hotel yesterday. Henry L. Stimson, former Secretary of War, and Dr. John H. Finley, State Commissioner of Education, lent inspiration to the campaign by urging more extensive military training. Mr. Stimson was especially severe in his criticisms of present conditions, asserting that only the special beneficence of a Divine Providence enabled the Nation to carry out as successfully as it had its mobilization of National Guard men on the Mexican border.

"We have watched ourselves gradually become an indoor nation," he asserted in an address to the women's department of the federation of which Miss Anne Morgan is treasurer. "This despite the fact that our institutions were founded in the spirit of the great out of doors."

"But I think the lesson of last summer has cleared our vision. If ever a nation was under a special and beneficent guidance of Divine Providence, our experience on the Mexican border would indicate that we were that nation. And if there is one lesson that stands out from our experience of last summer it is that the Army can only be effective in the hands of the National Government."

"Universal service is not a step toward militarism, but toward democracy. Wars are not fought by professional fighters but by the armed people. He who has the right to say what the institutions of a country shall be is also in honor bound to defend those institutions."

Mr. Stimson insisted that by adopting universal training the United States would not be following the example of Germany, and he argued that this country did not have to pattern itself after nations that had used their means badly or for oppression.

[From the New York Times of February 3, 1917]

**DEFENDS NATIONAL GUARD—MAYOR'S DEFENSE COMMITTEE SAYS THE NATION SHOULD BE GRATIFIED**

In response to reports that the New York National Guard had been criticized for lack of preparation during the recent mobilization, the executive committee of the mayor's committee on national defense yesterday adopted a resolution "emphasizing its belief that guardsmen earned a debt of gratitude from the Nation" and that a considerable part of the confusion and delay that marked the mobilization was due to conditions such as equipment shortage and defective methods

of distributing equipment, for which the State organizations were not to blame.

It was announced that Mayor Mitchel has appointed former Secretary of War Henry L. Stimson and Maj. Francis G. Landon, formerly a member of the Seventh Regiment, National Guard, New York, as members of the executive committee of the mayor's committee on national defense. They have accepted the appointments.

[From the New York Times of February 9, 1917]

**GUARD'S POLICE DUTY CALLED HARSHNESS—ACTIVE AND RETIRED OFFICERS ORGANIZE TO FIGHT FOR UNIVERSAL SERVICE—CONDEMN HAY MEASURE—NAVAL MILITIA COMMANDER TELLS OF MANY COMPLAINTS FROM EMPLOYERS OF MEN CALLED TO GUARD BRIDGES**

The present National Guard system and the calling out of part of the National Guard and Naval Militia to guard bridges, aqueducts, and other public works in the present crisis were condemned yesterday by militia officers, active and retired, meeting in the Yale Club to plan a fight for universal military service. The meeting was attended by a number of prominent civilians and officers of the National Guard. Herbert L. Satterlee presided. Henry L. Stimson, ex-Secretary of War, was one of the speakers who attacked the present volunteer system most bitterly.

Commander William Bell Wait, Jr., executive officer of the First Battalion of the Naval Militia, one of the two battalions called out to guard the bridges over the East River, declared that it was a genuine hardship for many members of these battalions to have to give up their civilian work and guard the city. It was the first complaint from an official of the Naval Militia that had been made publicly regarding the service for which the men have been called out. Commander Bell pointed out that it was not meant as a complaint against rendering service to the country but as a complaint against the volunteer system generally, by which he said a few men who had had patriotism enough to enlist to fight for home defense were made to bear the burden of all emergencies for those who had less patriotism and did not enlist.

"Our men are willing enough and cheerful enough in accepting this duty, but on many of them it is a real hardship," Commander Wait said. "The Naval Militia today faces the same situation that it faced at the time of the Spanish War. Men must be called out who have home and other responsibilities which they ought to attend. Employers of men now guarding the city's bridges are calling me up and saying that it is essential for their employee to do work in the office, and that if they cannot return they will have to be replaced; and appeals are coming from the homes and families of the men."

"If we had universal service, we would always have a large force whose duty would be nothing but service and who would be the ones to call out for such work as the Naval Militia is now doing. The inequality of the present system has been brought home to me during the last few days."

A point strongly emphasized by the speakers was that under a system of universal service the active duty in emergencies less than war, such as the present emergency, would naturally fall on very young men who, because of their youth, had not contracted business and domestic obligations that would have to be neglected.

Maj. John W. Loveland, of the Fifth New Jersey Infantry, said that he had spent 6 months on the border. He defended the guard and said that the shortcomings it showed were not shortcomings of the guard but of the volunteer system generally. Many of the men of his regiment who were sent to the hospital after long hikes, he said, were sent because their feet were bleeding, the Army having failed to provide shoes for them.

"That service last summer cost many of us all we had," Major Loveland said. "Taking my own case, I had built up a law practice of 25 years' standing. I sold my lawbooks, cleared my shelves, closed my office, and went to the border. Frankly, I expected that I never would get back. I got back, and I have no law practice left, of course. In any case it happened I don't need it; but that was not the case of all the men who volunteered for service and had to do it all."

Former Secretary of War Stimson said that he had not meant in previous speeches to criticize the National Guard itself adversely as a result of the shortcomings it had revealed on the border, but had meant to point out that it was the volunteer system that was to blame.

"It seems to me that the impetus of this movement for universal service comes, not from a desire to criticize the guard but from a realization of the unfairness to the guard members when they were called out last summer," Mr. Stimson said. "The men who were patriotic enough to enlist had to bear the burden which ought to have been a common burden of all of us." The faults of the present system, he said, fell into three general groups—the fact that voluntary service fell on a few only, that it was not undivided authority, and that the National Guard was called out last summer for service of an entirely different sort from that which the men enlisted. They had enlisted for home or local defense, he said, and were sent across the country to guard the border. He criticized the Hay bill severely, stating that it twisted the purpose of the National Guard men from one of home defense to one of national defense, and said that he considered this feature of it unconstitutional and a wholly unworkable scheme.

Mr. Stimson answered the argument which, he said, Adjutant General Stotesbury of the New York National Guard had raised concerning the constitutionality of demanding universal military service for the Federal Government, instead of in the State militia only.

"My answer to that is that the preamble to the Constitution gives the power," Mr. Stimson said. He said that the Constitution empowered the Federal Government to raise and support an adequate army for the defense of the Nation in time of war, and that modern warfare made it necessary to train an army before war.

Lt. Colgate Hoyt, N. G. N. Y., said that the overwhelming sentiment in the National Guard was in favor of universal military service. Gen. George W. Wingate also spoke along the same lines.

The meeting—as originally called by a voluntary committee of present and former members of the guard, and those present decided to form a permanent committee to fight for universal service and to urge governors of every State to take a census of the National Guard organizations to ascertain the sentiment among them on the question of universal service.

A resolution was passed in which the meeting "declares itself in favor of universal military training and service under exclusive Federal control for all male citizens of the United States of suitable age. That we urge the passage of whatever State and Federal legislation or constitutional amendments may be necessary to inaugurate a system of such training forthwith."

The chairman was instructed to appoint a committee of 75, veterans of the National Guard and Naval Militia of New York, "which committee shall form such organization as shall be desirable, and shall devise ways and means for making these resolutions effective."

Karl H. Behr, one of the members of the committee which called yesterday's meeting, said that another meeting would be held within about a week.



[From the New York Times of March 19, 1917]  
**WANTS ALL WOMEN INCLUDED IN CENSUS—WOULD HAVE THE ROBINSON BILL CLASSIFY FEMALES AS TO USEFULNESS IN WAR—A LESSON FROM ENGLAND—MRS. GALLATIN CALLS ATTENTION TO DELAY CAUSED BY THE FAILURE TO ENUMERATE WOMEN**

Women, as well as men, industrial and material resources and munitions and military supplies are to be included in the State census and inventory of the resources available for use in the event of war, if the Robinson bill, providing for the census, passes the legislature. Governor Whitman, in a statement last week to the National League for Women's Service, said he favored including women in the census, and the bill, if passed, will give him that authority.

Leading women preparedness workers declare that in case of war their services would be needed and that a State-wide census should be made of them as well as of the men. They point to conditions in England, where the women workers are playing an important part and assert that the lack of a census of women there hampered the military authorities. Ex-Secretary of War Stimson is among the men prominent in State and national affairs who have expressed approval of the census for women.

Former Secretary of War Henry L. Stimson, in a recent letter to the league, said:

"Referring to the bill which you told me it is proposed to pass, providing for a census of the human and natural resources of this State, I have no hesitation in saying that in my opinion the appeal should be broad enough so that the Governor, in his discretion, could take an enumeration not only of the men but, so far as needed, the women of the State and ascertain the various channels in which they could be of service in time of war. I am informed that there was great confusion in England, owing to the failure to do this the first year of the war, which was only remedied by taking such an enumeration later."

[From the New York Times of March 22, 1917]

**SEND ARMY ABROAD, STIMSON DEMANDS—EX-SECRETARY OF WAR INSISTS AMERICA MUST TAKE "MAN'S PART" IN THE CONFLICT—WANTS UNIVERSAL SERVICE—TELLS NEW YORK UNIVERSITY STUDENTS WE ARE RAPIDLY BECOMING AN INDOOR NATION**

Henry L. Stimson, who was Secretary of War under President Taft, made an address to students of New York University yesterday in which he emphasized a plea for universal military service. "If war comes," he said, "I shall regard it as the duty of this country to take a man's part and to send troops to fight for what I believe to be the cause of free institutions on the battlefields of Europe."

Mr. Stimson was introduced by Chancellor Elmer E. Brown to the students and many visitors who went to the university auditorium to hear him. His address was vigorously applauded.

He said in part:

"Some people express their doubts as to the necessity of ample land forces. They think that if we fight Germany it will be entirely on the sea. This is very thoughtless. But we can sit down and calmly consider the European situation and argue now, for Admiral Sir David Beatty is on the job. If the European coalition should fall apart, we would not be considering whether war was worthwhile or not, not listening to men who argue whether there will be any more war. We would then be face to face with some of the conditions they are now facing in Europe.

"As a Nation we are not prepared to take care of our own borders. At the outbreak of the European war there were at least three

foreign powers each of which could have landed 150,000 men on our shores inside of 16 days.

"If war comes, I shall regard it is the duty of this country to take a man's part and send troops to fight for what I believe to be the cause of free institutions on the battlefields of Europe. I hope it will not be a war of money and disgrace. I hope the men of this country will be willing to fight for more than money."

The volunteer system, Mr. Stimson said, had broken down in virtually every war waged by this country.

"We have been very rapidly becoming an indoor Nation," he said, "One hundred years ago 90 percent of the people lived outdoors. More than a majority now live in cities. This is having an effect on the health and character that is not being offset. Physical benefits would be derived from military training."

[From the New York Times of March 25, 1917]

**UNIVERSAL TRAINING DRIVE—STIMSON, COUDERT, AND PEARY TO MAKE TOUR OF MIDDLE WEST**

Henry L. Stimson, Frederic R. Coudert, and Rear Admiral Robert E. Peary will leave New York next Sunday for a 2 weeks' drive on the Middle West, advocating universal military training. They will speak under the auspices of the National Security League before chambers of commerce and popular audiences in mass meetings in Detroit, Chicago, Des Moines, St. Paul, Minneapolis, Omaha, St. Joseph, Topeka, Kansas City, and St. Louis.

To illustrate its conception of the need for such a campaign in the Middle West, the National Security League yesterday made public the following extract from a letter received from Charles W. Farnham, president of the Patriotic League of St. Paul:

"St. Paul and Minneapolis both need Mr. Stimson and Mr. Coudert. Minnesota has an ignoble record in Congress. We furnished two House Members and one Senator to vote wrong. Besides that, this city has been the location of a very active German consulate and a very active Austro-Hungarian consulate, representing a group of States in this part of the country. We have been propagandized all the way to Dinnberg down, and there has been little done to offset it except the activities of this organization, which we formed for the purpose of clearing the atmosphere."

The first speech of the campaign will be made in Detroit on April 2 and the last in St. Louis on April 12.

[From the New York Times of April 2, 1917]

**OFF TO ROUSE WEST IN NATION'S DEFENSE—HENRY L. STIMSON AND FEDERIC R. COUDERT OPEN TOUR IN DETROIT TODAY—FOR UNIVERSAL TRAINING—NATIONAL SECURITY LEAGUE HAS ARRANGED MEETINGS IN CHICAGO, ST. LOUIS, AND OTHER CITIES**

Henry L. Stimson, former Secretary of War, and Frederic R. Coudert left New York yesterday afternoon on a 2 weeks' speaking tour through the Middle West and Northwest in behalf of universal military training and service. The tour as planned by the National Security League begins today in Detroit, where 1,500 members of the chamber of commerce will listen to the addresses. Following this meeting, 5,000 students of the University of Michigan will receive Messrs. Stimson and Coudert at Ann Arbor.

In Detroit tonight speeches on universal training will be delivered at a dinner of several hundred of the most prominent men of that city. Tomorrow two mass meetings will be held in Chicago—one in Orchestra Hall and the other in the auditorium. The indications are for a record-breaking crowd. Rear Admiral Peary will also speak at these meetings and will accompany the New York party to

Des Moines, Iowa, where afternoon and night meetings are scheduled.

Leaving Iowa, the party will spend 2 days in St. Paul and Minneapolis, one of the meetings in the latter city being held in the University of Minnesota and will be attended by several thousand students. Next Saturday will be spent in Omaha, where the speakers will be the guests of the chamber of commerce at a midday meeting and will talk to an audience of 5,000 at night. A large meeting has also been planned for Topeka, Kans. The meetings in Kansas and Nebraska have been planned with especial reference to the pacifist sentiment in those States.

In Missouri, the universal training missionaries will speak in St. Joseph and in Kansas City, an audience of 10,000 being planned for them in the coliseum. Speeches will also be delivered in St. Louis before the commercial organizations at midday and at night in the auditorium of the Merchants Exchange, which has a capacity of 5,000. The last meeting of the trip will be held in Tomlinson Hall, Indianapolis, the arrangements for which are in charge of the Citizens' Committee of One Hundred.

"We believe our trip," said Mr. Stimson, just before boarding his train, "is taken at the psychological moment. This will be a fateful week for the United States, and we hope each meeting which we address will adopt strong resolutions for universal military training and service under exclusive Federal control, and will also declare strongly for national defense and for the maintenance of American rights. We know there has been a strong awakening in the Middle West."

[From the New York Times of April 3, 1917]

**ANN ARBOR, April 2.**—The greatest patriotic meeting of students and townspeople ever gathered here since a Sunday morning in April 1861, after the firing on Fort Sumter, was held this afternoon in Hill Auditorium and was attended by more than 5,000 people. Henry L. Stimson, ex-Secretary of War, and Frederic R. Coudert, of New York, delivered addresses on unpreparedness.

Mr. Stimson said that the appearance of the American flag in the trenches of France would do more to shorten the war than billions of money. "This country would be in a serious condition," he said, "if the Allies should decide to stop fighting before Germany is through with the United States. We should not be so calm except that in a sheltered harbor in the north of Scotland rest some units of war, and on the shoulders of their commander rests the burden of responsibility. So long as he is efficient we are safe, but if he should fail in that gigantic task we should be scrambling for our lives. That is the situation so far as the armed defense of this country rests today. Our optimism about the outcome of the war is not shared by the officers of the Army and Navy."

[From the New York Times of April 16, 1917]

**MIDDLE WEST READY FOR WAR TO FINISH—COUDERT, STIMSON, AND WALCOTT, CN SPEAKING TOUR, FIND SENTIMENT FOR UNIVERSAL TRAINING—WILSON FULLY SUPPORTED—SAW NO TRACES OF HYPHEN DISLOYALTY—NECESSITY OF COOPERATING WITH ALLIES APPRECIATED**

After 2 weeks' tour of speech making in the cause of national defense, Henry L. Stimson, Frederic R. Coudert, and Frederick C. Wolcott returned to this city yesterday fully convinced that the Middle West is prepared to back the President and give support to universal military training. Under the auspices of the National Security League, they spoke in Detroit, Chicago, Des Moines, St. Paul, Minneapolis, Omaha, St. Joseph, Topeka, Kansas City, St. Louis, and Indianapolis, and impressed



upon thousands of persons the urgent need of universal military training.

Rear Admiral Robert E. Peary was a member of the party at the first part of the trip, but was compelled to leave before it finished. The tour began before the President delivered his message to Congress and was nearly half over before Congress declared war, so that the speakers were in a position to watch the development of sentiment. At some of the meetings more than 9,000 persons were present.

"Everywhere," said Mr. Stimson, "we found a hearty response to the suggestion that this country enter into closest cooperation with the Allies. Enthusiasm for France was the most marked feature of the trip, and the audiences emphatically expressed their desire for rendering aid to France which should be in spirit and kind as generous as that which France gave us in the revolution.

"We pointed out that this assistance to the Allies could not be confined to money, but must mean men for service on the battlefronts of Europe. The support which this proposition received was one of the surprises of the trip. In Des Moines, Iowa, a supposedly pacifist community, in spite of a driving sleet storm, we had an audience of 8,000 people crowding the auditorium. When one of us asked what they would not give to be with the advance column of American troops approaching the von Hindenburg line in the cause of freedom they fairly shouted their approval."

Even in Kansas, the home of Congressman Anthony and Governor Capper, both of whom were opposed to compulsory military service, Mr. Stimson declared, there was no difficulty in swinging the people to the support of the President once the real meaning of universal military service was made clear to them.

"The Middle West," continued Mr. Stimson, "is keenly alive to the danger of a poor crop and a food shortage this year, and they also realize that the volunteer system will endanger that crop, whereas a universal compulsory system, organizing the country industrially and agriculturally as well as in a military way, will insure the necessary planting and harvesting as no other method could.

"Our trip leaves no doubt in our minds that the people are solidly behind the President in the issue of this war, and will support the thorough preparation that universal military training and service alone can give to carry it through to a successful conclusion. We have conferred with many prominent German-Americans in communities where they formed a large percentage of population. In many cases they are men who, prior to America's declaration of war, were strongly against the Allies. We found them unreservedly loyal to the United States."

[From the New York Times of May 5, 1917]

**ROOSEVELT ROUSES COLLEGIANS TO SERVE—300 AT HARVARD CLUB MEETING TAKE APPLICATIONS FOR THE OFFICERS RESERVE—STIMSON AND CHOATE SPEAK—EX-SECRETARY OF WAR SAYS SUCCESS OF ARMY DEPENDS UPON CHARACTER OF VOLUNTEER OFFICERS**

Col. Theodore Roosevelt, Joseph H. Choate, and Henry L. Stimson, former Secretary of War, joined yesterday, at a meeting attended by more than 1,000 at the Harvard Club, 27 West Forty-fourth Street, in calling upon the college men to rise to the present emergency and submit applications for membership in the Officers' Reserve Training Corps. As a result of their efforts 300 men accepted application blanks, which were given out at the club, and a large number of them went immediately to the headquarters of the training camps at 10 West Forty-fourth Street, and announced their intention of taking the physical and mental examinations.

The Colonel left little unsaid in his efforts to, as he put it, "get the college men to realize their duty." Those who had received

unusual advantages, he said, should pay the unusual reward. Yelling at a football game and singing The Star-Spangled Banner wasn't enough, he said. The men must prove their patriotism by service and sacrifice.

Mr. Stimson sounded a warning to the effect that there was no feeling of optimism among the officers of the War Department and that they were approaching the task of defeating Germany with a grim determination which spelled trouble ahead. He emphasized a point to which Colonel Roosevelt heartily subscribed, that much of the success of the great citizens' army to be raised under conscription, rested on the character of men who responded now for the officers' camp.

Mr. Stimson was the first speaker. He first explained what the officers' training camps were, and the general plan, which consists of a month's infantry drill and 2 months' specialized work. Then he added:

"The big idea of this plan is to provide officers for the new army which is to be raised under the principle of universal training, upon which I truly believe, depends the regeneration of the Republic. The principle has been acknowledged. We are up against the first step \* \* \*."

[From the New York Times of October 19, 1917]

**H. L. STIMSON GIVES HOME FOR WAR WORK—CLOTHING FOR FRENCH PEASANTS WILL BE MADE IN LEXINGTON AVENUE MANSION—SISTER TO BE IN CHARGE—GARMENTS TURNED OUT WILL FOLLOW STYLES APPROVED FOR GENERATIONS BY THE PEOPLE**

Henry L. Stimson has given his home at 277 Lexington Avenue to be transformed into a workshop for making clothing for French peasants by the American Fund for French Wounded. His sister, Miss Candace Stimson, will take personal charge of the workshop, and under her supervision costumes will be made that duplicate to the slightest detail those worn by the inhabitants of Northern France.

During the reading of the foregoing memorandum:

Mr. PEPPER. Mr. President, will the Senator yield?

Mr. WHEELER. I yield.

Mr. PEPPER. I desire to ask if subsequent events proved that Secretary Stimson was one of those who advocated participation in the World War but who did not participate in it himself?

Mr. WHEELER. I am not sure about that.

Mr. PEPPER. The Senator does know that Mr. Stimson was active at the front in the World War, does he not?

Mr. WHEELER. Oh, yes; I know that; yes, indeed. I did not catch the import of the Senator's question.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. WHEELER. I yield.

Mr. CONNALLY. Is the Senator reading something that he has prepared?

Mr. WHEELER. This is something that was prepared by persons in my office for my benefit and use.

Mr. CONNALLY. The Senator vouches for it, then, does he? Does the Senator sponsor it?

Mr. WHEELER. I do.

After the conclusion of the reading of excerpts from the memorandum,

Mr. WHEELER. Now let me read a letter which I received the other day, being a copy of a letter which a gentleman wrote to Mr. Herbert Agar, editor of the Courier-Journal of Louisville, Ky.

The writer comments upon a speech which I made. Then he says:

JANUARY 13, 1941.

DEAR MR. AGAR:

As I was formerly a newspaper publisher, I think I see your point, and I am taking the liberty of writing you a letter that you as a newspaperman will completely understand.

During the World War, I published a morning newspaper at Cape Girardeau, Mo. Two years before the United States entered the conflict, Prof. L. R. Johnson, who was graduated from Oxford through a Cecil Rhodes scholarship, called on me for a business conference. Mr. Johnson was then the No. 1 British propagandist in Missouri, but he was more than a propagandist. He was an authorized dispenser of British loot to Missouri newspapers.

Professor Johnson informed me that Lord Northcliffe, then the most powerful newspaper publisher in England, was turning over the complete output of one of his Canadian paper mills to the small United States dailies for the duration of the war. He told me that he had recommended my paper for free newsprint and that his recommendation had been approved. All I had to do was to file my application with J. P. Morgan & Co., of New York, and print paper in car-load lots would be shipped to me.

I know it will come as a shock to you for me to tell you that I actually refused this boodle.

Professor Johnson told me that the metropolitan newspapers had been "taken care of" and were going to "cooperate enthusiastically with the British." Therefore, I would simply march with the crowds and wax fat as the parade got along.

I received the Louisville Courier-Journal through an exchange for my paper. Thus I had an opportunity to note whether your paper "cooperated enthusiastically" with the British as Mr. Johnson predicted the metropolitan papers would.

After the war I learned that the British Parliament had appropriated \$100,000,000 to buy control of metropolitan newspapers in the United States.

I saw CHAMP CLARK and Senator W. J. STONE clubbed to death by boodling Missouri newspapers, simply because these two statesmen were unwilling to be a party to the sale of the United States.

In reference to Professor Johnson, I wish to say that he is still living in Missouri, and is again disseminating British propaganda.

I am sending a copy of this letter to Senator WHEELER in order that he may know why you are calling upon the United States for a declaration of war.

Yours very truly,

A. P. WHITESIDE,  
Foristell, Mo.

According to the Missouri Senators, Mr. Whiteside is a well-known individual in that community.

Before closing I desire to say that what is taking place in the United States at the present time, and the propaganda that is going on, it seems to me are dramatically evidenced by what is taking place in the Senate at the present time and throughout the country. A while ago I said that when a joint resolution was introduced by the Senator from Florida it received only two votes in the Foreign Relations Committee, and one other Senator tells me that he was for it. That joint resolution did not give the President quite so much power to ex-



change all kinds of commodities as the pending bill gives him. The joint resolution was ridiculed, but step by step and step by step we find the men who ridiculed it at that time now advocating it, and going further than the Senator from Florida suggested.

We promised in the Democratic convention, and put in our platform, that we would not send any American boys to fight on foreign soil unless we were attacked, but after that, and after listening to the President's speech at Philadelphia where he repeated that promise, we see the Senate vote down that identical proposition, which convinces me that if the President should come forward tomorrow and ask for a declaration of war against Germany, or against any other country, men would rise on the floor of the Senate and say, "Can you not trust the President of the United States to do what he wants to do in this matter?"

I have not the slightest doubt, and I think the American people should know it, that when we are voting for this bill we are voting to give the President the right to carry on an undeclared war, and if he came forward and asked for a declaration of war there is no doubt in my mind that the Congress would comply with his request. In my judgment, they would do it, because they are giving the power, and many people recognize that we are giving him the power. Inside New Dealers, and college officials, those who get things right from the feed trough, are saying we are in the war; ambassadors are saying we are in the war; all of the New Deal columnists are saying we are in the war, and even the members of the President's Cabinet are saying the same thing. Then, why do Senators rise on the floor of the Senate and say this is a bill to keep us out of war? Why do we fool ourselves and "kid" ourselves and say we do not intend to go to war, that we are passing this bill because we want to do this or that. We are passing it because we are going into the war, and we have not the courage to stand up and say so. So far as I know there is only one Member of the Senate who has had the courage to say what other people are thinking. I refer to the Senator from Virginia, who said he wants to go to war. The others are saying we want to keep out of the war, that we are not going to war; but they are voting, just the same, to give the President the right to make the declaration.

Mr. LODGE. Mr. President, some weeks ago I discussed the so-called lease-lend bill as it was originally introduced. I opposed it because of the "unlimited discretion" which it conferred on the President. It was wide open both as to funds and as to time.

The views on foreign policy which I expressed then have not changed. The bill, however, has changed greatly. The unlimited discretion as regards funds has been effectively curtailed by the Byrd amendment, which prevents the President from incurring a deficiency. The unlimited discretion as to time has been eliminated by the amendment which enables a majority of Congress to put the whole bill out of action at any time. Amendments have also been added op-

posing convoys. The existing prohibition against sending troops outside the Western Hemisphere is specifically retained.

Recently the Chief of Staff, General Marshall, appeared before the Military Affairs Committee in secret session. He made a statement at that meeting which impressed me greatly, and which I am now free to mention. It appears from his testimony that our national-defense program is being seriously delayed because of the interference of foreign orders. A foreign airplane order, for example, would require different sizes and types than an American one. Yet the manufacturer, because of more attractive price, or for some other reason, would take that order. When it comes to filling an order for the United States, the line of production has to be changed, with great delay to our defense.

Properly, the general did not comment on the bill from the standpoint of foreign policy. He made it clear, however, that its passage would put the United States in charge of the defense program instead of leaving it up to the individual manufacturer. Consequently the bill was much in the interest of our national defense.

I deemed this of sufficient importance to write a letter to the General asking him whether H. R. 1776 was of importance insofar as the upbuilding of our national defense is concerned. He stated in his reply:

In my opinion the prompt enactment of this bill into law is a matter of great importance to the proper and expeditious development of our measures for national security. The munitions program in prospect presents a colossal task which can only be accomplished under most favorable circumstances, meaning absence of confusion and simplicity of procedure. The bill has been drawn with this in mind.

Ever since I entered public life I have worked for the upbuilding of our national defense. The failures of our foreign policy and our sense of insecurity today can all be traced to its neglect. I am unhappy at the rumors that the program is not going well. Regardless of our views on foreign policy, all agree that we must by all means build an impregnable defense for America.

This testimony from so expert and patriotic a source is added to the fact that the bill has been so much changed. Its drawbacks are outweighed by its advantages. For these reasons, and in the interest of national solidarity, I shall vote for it.

I still believe that many of the arguments made for the bill are weak. It is not the function of America to establish freedom from want everywhere in the world; it should first establish it here. The invasion of our vital zone by Hitler is not a pressing danger. Although we should be on the alert, we should not be alarmed. Moreover, no country is fighting our battles. Great Britain is defending herself and we are helping her. Our first line of defense is the United States Navy. Moreover, I doubt the likelihood of the negotiated peace which some Senators mention, and I equally doubt the arrival of a permanent peace based on justice to which others have referred. An

armistice, or an armed truce, is the likelihood.

I came to the Senate with two pledges in the field of foreign and military policy. One was: "I favor a foreign policy of strict neutrality." I opposed the repeal of the arms embargo. Our neutrality and our impartiality, however, have long since been abandoned. I believe that future historians will decide that the repeal of the arms embargo was the event which marked the entry of the United States into this conflict—if we should become fully involved. In any case, our foreign policy has been long since abandoned. The chance of keeping our boys from being killed still remains.

My second pledge was: "I favor maintaining an army and navy sufficiently large to be an effective aid in preserving peace for the United States." A strong army and navy is essential if we are to retain such peace as is still left to us. A strong national defense is vital if we become further involved in war. Because I still favor "an army and navy sufficiently large to be an effective aid in preserving peace for the United States," and because I believe that the bill before us will tend to build up such an army and navy, I shall support the bill.

I ask that the letter from General Marshall to which I have referred be printed in the RECORD as a part of my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

MARCH 4, 1941.

HON. HENRY CABOT LODGE, JR.,  
United States Senate.

DEAR SENATOR: I have received your note of March 3, requesting my advice as to the importance and value of bill H. R. 1776 "insofar as upbuilding of our national defense is concerned."

In my opinion the prompt enactment of this bill into law is a matter of great importance to the proper and expeditious development of our measures for national security. The munitions program in prospect presents a colossal task which can only be accomplished under most favorable circumstances, meaning absence of confusion and simplicity of procedure. The bill has been drawn with this in mind.

Furthermore, in view of the world situation with the probable rapidity of new developments, it is my personal opinion and that of the staff, that the legal terms should be so drawn as to permit a maximum of flexibility in the allocation of the products of our production program. In a contest with an arbitrary and ruthless opponent who can take any measures he sees fit and strike where and when he wills with sudden and terrific violence, we must be prepared to act with rapidity if the British Fleet is to continue to contribute to our security in the Atlantic. H. R. 1776 would afford this latitude as to munitions.

Faithfully yours,

GEORGE C. MARSHALL,  
Chief of Staff.

Mr. HOLMAN. Mr. President, it is apparent that this Government is about to embark upon a great adventure, the consequences of which will be vital to the Republic and hazardous to the welfare of the American people. It is my intention always to follow through in contemplating any problem of public or private administration. Since either total victory



or total defeat is the only choice the President will countenance, and as anyone who considers any other termination of this war is, in his opinion, a despicable appeaser, let us assume that by a combination of resources and forces of the United States and Britain, which the bill H. R. 1776 proposes to authorize, the complete conquest of Hitler and Germany is accomplished. Then what?

Are we then to withdraw our victorious armies from Germany and from Europe as we did in the last war, and are we then again to permit the international traders and profiteers to assist the conquered peoples to rearm and again start another world war with all its terrors, tragedies, and devastation? Or are we to maintain a permanent army of occupation to police the conquered peoples? And then what?

In the meantime, after the American, English, Scandinavian, and Germanic peoples have destroyed themselves in this war, will not the Communists of Russia and elsewhere overrun Europe and possibly America?

I should like the proponents of the bill to inform the Senate and the American people which of these courses the administration intends to adopt in case total victory, and not total defeat, awaits us.

Mr. CONNALLY. Mr. President, the debate on the bill has been ample, and for the most part conducted in fine humor, and I do not intend to digress from that course, but I do wish to express my real regret that the Senator from Montana in the closing hours of the debate should go back and rake up newspaper articles and rumors of 20 years ago, and put in the *Record* a great raft of material reflecting upon the record of the Government of the United States during the World War.

(At this point an occupant of the galleries displayed over the railing a banner containing a comment on the bill.)

The PRESIDING OFFICER (Mr. LEE in the chair). Officers in the gallery are directed to remove the banner.

Mr. CONNALLY. Mr. President, the Senator from Montana [Mr. WHEELER] was not in Washington and in official life, as I recall, at the time of the World War. I believe he was a district attorney in Montana under President Wilson. I regret that he sees fit now in a desperate effort to bolster his failing cause on this bill, to go back and rehash the slanders and the wild reports that the United States was fooled into entering the World War by international bankers, that the United States was misled, and thus entered into the World War.

Mr. President, those who were here then, and those who have read the history of that time, know why we became involved in the World War. It was not by reason of the propaganda of the British, as suggested by the Senator from Montana. It was not because of the propaganda of the warmongers. It was not because of the propaganda of the international bankers. It was because of the actions of the assassins of the sea, the German submarines, that murdered our citizens on the high seas where they had a right to be, that destroyed American property on the high seas where it had a

right to be, not once, not twice, not thrice, but scores of times, until finally the patience of the people of the United States was exhausted, and reluctantly the Nation drew the sword.

There is nothing in our record in the World War of which to be ashamed. Let me say to the Senator from Montana, if we had not entered the World War, or after entering it, and standing side by side with the Allies in that day and generation we had failed to triumph, the picture we now see in Europe would not have been 20 years postponed, but perhaps within a very short time following a triumph of Germany in that war America would have been face to face with a challenge to her political and economic life and existence.

So, Mr. President, I wish to express regret and resentment that the Senator from Montana—and this is not the first occasion on which it has occurred—should go back and undertake to besmear and pile all over with odium and opprobrium, the record of the United States in the World War.

I voted for that war. I have no apology to make for that. If the same circumstances shall arise in the future as those which arose in the past, I am prepared to follow a similar course.

Let me say to the Senator from Montana that such arguments will not avail him in his failing cause. We have spent 3 weeks debating the bill. It does not mean war. Of course, war may occur. All of us know that. We have to risk hazards. We have to risk hazards whether we vote for the bill or do not. A hazard exists merely by our being here in the Western Hemisphere. A hazard exists because of our possessions and of our riches, and a still greater hazard exists because we have free government and constitutional institutions on the continent of North America. All those things constitute hazards in view of the system of aggression on the other side of the ocean.

Let me say to the Senator from Montana that I shall vote for the bill. It was Great Britain by whose side we stood in the World War, and today Great Britain, with blood dripping from her wounds, stands sword in hand at the very threshold of civilization and constitutional liberty. I am willing by my vote for this bill to say that we shall not deny her aid in such an hour of trial and peril.

Mr. REYNOLDS obtained the floor.

Mr. GEORGE. Mr. President—

Mr. REYNOLDS. Mr. President, I understand the chairman of the Foreign Relations Committee wishes to speak.

Mr. GEORGE. I merely wish to dispose of the pending amendment.

The PRESIDING OFFICER. The amendment offered by the Senator from Pennsylvania [Mr. DAVIS] is pending.

Does the Senator from North Carolina yield to the Senator from Georgia?

Mr. GEORGE. I will wait until the Senator from North Carolina has concluded.

Mr. REYNOLDS. Mr. President, I for one shall be entirely happy when we shall have cast our votes upon the pending measure. I am pleased that we are nearing the end of a most interesting debate.

I for one am growing weary of being denounced, as I was upon the floor of the State legislature at the capital of my Commonwealth at Raleigh, N. C., because of my opposition to the bill.

I am likewise growing weary of reading editorials in my State newspapers daily denouncing me for my opposition to the bill. So Senators will readily appreciate the fact that I will have a load lifted from my shoulders—not from my conscience—when we shall have finally passed upon the bill.

I have before me a letter from a friend of mine, Hon. Thad Eure, who is the secretary of state of North Carolina, in which he says:

Enclosed herewith is certified copy of House Resolution No. 443, ratified on February 28, which provides that the said resolution be communicated to you.

In a moment I shall send the resolution to the desk and ask to have it read. It is a joint resolution, commending the senior Senator from North Carolina [Mr. BAILEY] for his championship of the lend-lease bill. At least, if I cannot derive for myself any compliments as the result of my opposition to the bill, I can always rejoice in hearing nice things about my friends, and particularly my colleague, with whom I am on extremely friendly terms.

I wish to say to the Senate, to the people of North Carolina, and to Americans at large, that though my colleague and I differ radically upon the bill—as will be evidenced by our respective votes—our differences are friendly differences. I think very highly of him; and I flatter myself to the extent of believing that he thinks highly of me. We are not angry with each other because we have taken different positions, because we recognize that every man is entitled to the expression of his opinions if they are based upon conscientious convictions.

Therefore it provides me with much pleasure to bring to the attention of my colleagues in the Senate a compliment to my distinguished colleague as a result of his favoring the bill which I oppose. Before the clerk reads the resolution, let me say a word further.

Some say that the bill will get us into war. Some say that it will not. I have never said that the bill will get us into war. I have said that it might lead to a declaration of war, and thereby draw us into the war. I want to underline the word "may." So if we do not go to war nobody can say that I predicted that the bill would take us to war. In other words, I am only protecting myself for the campaign in 1944. [Laughter.]

The PRESIDING OFFICER. Without objection, the joint resolution will be read.

The joint resolution was read and ordered to lie on the table, as follows:

#### Resolution No. 17

Joint resolution commending the senior Senator from North Carolina in the United States Senate, the Honorable JOSIAH WILLIAM BAILEY, for his championship of the lend-lease bill

Whereas the senior Senator from North Carolina in the United States Senate, Hon. JOSIAH WILLIAM BAILEY, on Wednesday, Feb-



ruary 19, 1941, championed the cause of democracy and of America by vigorously and ably supporting the passage of the lend-lease bill now pending in the United States Senate, in a well prepared and excellently delivered address on the subject on the floor of the United States Senate; and

Whereas the policy of aid to Great Britain, short of war, was approved by a majority of the people of this Nation at the general election in November 1940; and

Whereas the position taken by the senior Senator from North Carolina has the approval of a great majority of the people of the State which he represents in the United States Senate; and

Whereas it is entirely fitting and proper that this general assembly take occasion to commend the said senior Senator for his stand on this most important legislation: Now, therefore, be it

*Resolved by the house of representatives, the senate concurring:*

SECTION 1. That the General Assembly of the State of North Carolina hereby commends and endorses the worthy action of the senior Senator from this State, as hereinbefore set forth.

SEC. 2. That copies of this resolution be communicated to each of the two Senators from North Carolina in the United States Senate, and to each Member of the House of Representatives from North Carolina in the Federal Congress.

SEC. 3. This resolution shall be in full force and effect from and after its ratification.

In the general assembly read three times and ratified, this the 28th day of February 1941.

R. L. HARRIS,  
*President of the Senate.*  
O. M. MULL,  
*Speaker of the House of Representatives.*

Examined and found correct:  
A. L. PENLAND,  
*For Committee.*

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Pennsylvania [Mr. DAVIS].

Mr. GEORGE. Mr. President, the Senator from Pennsylvania has offered an amendment to strike out and then reinsert a particular provision of the bill. I have said frankly that it does not add anything to the bill. What is suggested in the amendment is already authorized. But if the Senator will shorten his amendment by merely adding, after section 3 (a) (3), the words "or to procure any or all such services by private contract," I shall have no objection to it.

Mr. DAVIS. Mr. President, I agree to the suggestion of the chairman of the Foreign Relations Committee.

The PRESIDING OFFICER. The Senator from Pennsylvania modifies his amendment in accordance with the suggestion of the Senator from Georgia. Is there objection to the modified amendment offered by the Senator from Pennsylvania? The Chair hears none, and it is agreed to.

Mr. MEAD. Mr. President, I offer an amendment, which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment offered by the Senator from New York will be stated.

The LEGISLATIVE CLERK. At the end of section 3, it is proposed to insert the following:

(f) Nothing in this act shall be construed to authorize or permit the authorization of

any action with respect to which a treaty has been concluded to the ratification of which the Senate has failed to advise and consent.

Mr. MEAD. Mr. President, upon this amendment I desire to have the attention of the chairman of the committee; and I ask for his judgment as to the possibility of the ratification of treaties that may be concluded though not ratified by the Senate, or as to the consummation of such treaties.

For instance, on page 1 of the bill, section (2), line 9, we find the following language:

Any \* \* \* facility \* \* \* necessary for the manufacture, production, processing, repair, servicing, or operation of any article described in this subsection—

And so on; and then in paragraph 4, we find the following language:

Manufactured or procured pursuant to section 3, or to which the United States or any foreign government has or hereafter acquires title, possession, or control.

In the combination of those words I find the possibility of the consummation of a treaty that is concluded, even though it has not yet been ratified by the Senate. I now desire to ask the chairman of the committee to express his opinion with reference to that subject.

Mr. GEORGE. Mr. President, the Senator from New York acts upon the request of a Member of the House, I have no doubt.

Mr. MEAD. That is correct.

Mr. GEORGE. The Senator from New York has suggested the amendment, and has submitted it to me. The amendment was discussed with various members of the committee. We have no doubt that nothing in the bill could possibly authorize the President to accept and act upon a treaty which had not been submitted to the Senate, or which, if submitted to the Senate, had at one time been rejected.

I went beyond the committee, and made inquiry of others in official life who would be concerned with a matter of that kind; and I think I am in position to assure the Senator, as I have assured the Representative, that there is no authority whatever in the bill to do the thing that is sought to be prevented by this amendment.

Mr. MEAD. I thank the chairman of the committee for his explanation, and I will say that my judgment squares with his, but I presented the amendment, as he explained, at the request of a Member of the House of Representatives. I appreciate the information which the chairman of the committee has placed in the Record.

Mr. President, I ask unanimous consent to withdraw the amendment which I have sent to the desk.

The PRESIDING OFFICER. Without objection, the amendment offered by the Senator from New York is withdrawn.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. MEAD. I shall be glad to yield.

Mr. TAFT. I assume that the Senator is referring to the St. Lawrence Seaway Treaty; at least, I suppose that was in the mind of the person who asked the question. I will say that from my own stand-

point I do not see why that treaty should not be carried out under the terms of this bill. Why not?

Mr. MEAD. I say to the Senator that it is my opinion that the Member of the House of Representatives who was interested in the pending amendment had that particular treaty in mind. However, I asked the question for the purpose of clarifying the situation. When the treaty comes before the Senate I shall be very anxious and eager to state my attitude, and I know the Senator from Ohio will state his position at that time. However, I presume that the question of whether or not the treaty will be ratified will depend upon the form and the details that will be included in the treaty, but we cannot say ahead of time what they will be.

Mr. TAFT. It seems to me perfectly obvious that under the provision that the President may provide any facility for Canada, we can provide any power for Canada; and also it seems perfectly obvious that a river open to the sea may well be of assistance in the defense of Canada. I see no reason at all why any money appropriated under the bill should not be used for the construction of power and for the opening of the St. Lawrence seaway for the benefit of Canadian defense.

Mr. MEAD. I will say that the judgment of the chairman of the committee differs with that of the Senator from Ohio; and, as I said a moment ago, I accept the judgment of the chairman of the committee.

Mr. TAFT. Unfortunately, of course, the words are what govern, and not the opinion of the chairman.

Mr. MEAD. That may be so, but probably the opinion of the chairman is easily as influential as is the opinion of the Senator who has just spoken. [Laughter.]

Mr. GILLETTE. Mr. President, I have sought recognition in order to present two amendments which I wish to have considered.

Before sending one of the amendments to the desk, without objection I should like at this time to clear the record, which has been left in an unfortunate situation because of a motion for reconsideration which I recently filed. I filed it, not for the purpose of pressing it, but for the purpose of enabling me to make a statement on the matter that was disposed of by the action of the Senate.

At that time the Senate adopted a committee amendment which is on page 5 of the bill—its location in the bill is immaterial, of course—changing, in substance, what is known as the Dirksen amendment which was adopted by the House, and which was designed to have the effect of limiting the authority conferred by the bill to such time as the Congress, by concurrent resolution, should attempt to limit and end that authority.

I opposed that amendment in the committee, and I believe I was the only one who did so. I wished to oppose it when it was presented on the floor of the Senate; but I was called to the telephone as we were considering the committee amendments, and before I had an opportunity to return the amendment had been adopted.



I have filed a motion to reconsider merely to have the opportunity to go on record, so that there will not appear in the record of the Congress of the United States a proposition, presumably with my approval as a Member of the Senate, which in effect establishes the precedent that the Congress of the United States, in passing a piece of legislation, may in the same act provide for its repeal by concurrent resolution.

Mr. President, there is no doubt in my mind that a condition precedent may be provided in a bill to determine the time when it shall go into effect. There is no doubt in my mind that a condition subsequent may be included in the provisions of a bill to terminate it on the happening of some definite contingency or some indefinite contingency, provided it is probable, and provided it is lawful; but the contingency provided in this amendment as a condition subsequent is that the Congress may repeal this act by a concurrent resolution.

Mr. President, the legislative power is not vested in the Congress alone. There is a legislative power that is vested in the Executive; and, in my opinion, by such an amendment as this we attempt to say that at a future time we may repeal the act and deprive the President of the United States of his opportunity to veto the repealing measure if he chooses to do so. The purpose of the amendment, of course, was obvious—to do away with the necessity of having a two-thirds vote to override a veto.

I did not want to go on record as agreeing that such a procedure is constitutional; and I want emphatically to say now that I do not believe the Congress of the United States may pass a measure and in the measure provide for its repeal by an unconstitutional act.

Mr. MURDOCK. Mr. President, will the Senator yield?

Mr. GILLETTE. I will yield briefly to the Senator from Utah.

Mr. MURDOCK. I should not want to impose myself on the argument the Senator is making; but I wish, in my own time, to make a brief statement supplementing the statement of the Senator from Iowa on the point he has made.

Mr. GILLETTE. Mr. President, I send to the desk an amendment which I offer, and which I ask to have stated.

The PRESIDING OFFICER. The Chair understands the Senator from Iowa to ask unanimous consent to withdraw his motion to reconsider the vote by which the amendment on page 4 of the bill was adopted. Without objection, consent is granted. The amendment offered by the Senator from Iowa will be stated.

The CHIEF CLERK. On page 2, lines 14 and 15 it is proposed to strike out the words "Notwithstanding the provisions of any other law, the", and insert in lieu thereof the word "The."

Mr. GILLETTE. Mr. President, I ask unanimous consent to withdraw that amendment temporarily and call up the amendment I have just sent to the desk.

The PRESIDING OFFICER. Without objection it is so ordered. The amendment now offered by the Senator from Iowa will be stated.

The CHIEF CLERK. On page 5, line 4, after the words "Neutrality Act of 1939" and before the period, it is proposed to insert the following: "or the carrying of any passengers or any articles or materials on any American vessel, as defined in such act of 1939, to any foreign country in violation of section 2 (a) of such act of 1939."

Mr. GILLETTE. Mr. President, I assure the members of the Senate that I will be very brief. I think every Senator knows exactly what the purpose of this amendment is. I discussed it at some length when I addressed the Senate two weeks ago outlining my objections to the pending bill. But, to refresh the minds of the Senators or perhaps to call it to the attention of some who were not then present, I will explain the purpose of this amendment. Before doing so, however, I wish to say that I have not occupied a moment of the time of the Senate in the discussion of this bill for the purpose of delay, and I have forgone on several occasions an impulse to discuss matters inherent in the bill in order to obviate delay and hasten the passage of the bill which the majority of the Senate I am convinced is desirous of passing.

There is no doubt in the mind of any American citizen that one of the most impelling, one of the most cogent and powerful factors in bringing on war, and in developing a war psychology in the American people is the destruction of merchant ships on the high seas.

A few moments ago the junior Senator from Texas [Mr. CONNALLY] in referring to the remarks of the Senator from Montana called attention to the powerful effect of the destruction of merchant ships on the psychology of the American people and to the fact that that was a very potent factor in projecting us into the last war. I quoted copiously from the junior Senator from Texas when I addressed the Senate a couple of weeks ago. I did so because he put in language that was 100 percent more forceful than I could put it at this very point. I shall not, of course, go into that again, but, as a preliminary by way of calling attention to the purpose of this amendment, I will quote two paragraphs from the speech of the junior Senator from Texas in supporting the Neutrality Act of 1939:

We are keeping our citizens from bringing themselves within the law by keeping them out of danger zones, by keeping them off belligerent vessels and by not allowing a single American ship to go to a single belligerent power with a thing on earth in it. \* \* \* Before they leave our ports the title must be divested out of American citizens. They must be placed, not upon American ships but upon neutral or other foreign ships.

If the embargo law is kept on the books, American ships—not foreign ships but American ships—can carry any or all of these supplies, other than arms, ammunition, and implements of war, to any or all belligerents—to all nations at war. \* \* \* They may carry them right into England or right into Germany or right into France or right into any other warring nation. What is going to happen? How long will the ships be at sea, with American seamen on them and with an American captain on the bridge, with an

American flag flying above them and with American goods in the holds? How long will they be upon the sea, under the present Embargo Act, before some submarine, stealthily and slyly, perhaps in the night, in the dark, will submarine them and send them to the depths of the sea? Is there any Senator here wise enough to say that will not happen? Is there any Senator here prepared to deny that that will happen?

Following that argument, the Congress of the United States, by the passage of the neutrality law of 1939, attempted to meet and to eliminate that danger. How did we do it? We adopted section 2 (a) to which I refer and from which I read as follows:

Whenever the President shall have issued a proclamation under authority of section 1 (a)—

That is a general proclamation that a state of war exists somewhere in the world. When the President shall have issued such a proclamation—

it shall thereafter be unlawful for any American vessel to carry any passengers or any articles or materials to any state named in such proclamation.

That is the law on the statute books today. It did not, however, meet the entire situation. It prohibited the carrying of passengers and the carrying of materials of any kind on American ships to belligerents in proscribed waters, but it was pointed out, and very properly pointed out, too, that it did not prevent American ships carrying materials to neutrals and in carrying them to neutrals passing through zones which the combatant nations had established as combat or blockade zones and into which they had prohibited the entry of ships.

So, to meet that situation, the Congress went further and said the President may, in his discretion, designate certain zones as danger zones, and thereafter no American vessel may proceed into or through them. In other words, under the law as it exists today an American vessel could not carry anything to Great Britain or to Germany under the operation of section 2 (a) and section 3 of the Neutrality Act. It could not carry anything to Sweden, a neutral nation, because it would have to proceed through waters the President has designated as being in a combat zone.

When the House, in attempting to meet that situation, adopted an amendment to the bill they provided that nothing in this bill shall be construed to permit or to authorize an American vessel carrying material as provided in section 3—that is the combat zone provision—but nothing whatever was said and there is nothing in the bill at the present time, to prohibit American merchant vessels carrying materials to belligerents under the terms of section 2 (a) of the Neutrality Act.

That is all, Mr. President, I have to say on this particular amendment. The amendment simply adds to the House amendment that nothing in this bill shall be construed to authorize or permit the entry of American ships into combat zones contrary to the provisions of section 2 (a) of the Neutrality Act.



Mr. GEORGE. Mr. President—  
SEVERAL SENATORS. Vote!

The VICE PRESIDENT. The question is on the amendment offered by the Senator from Iowa [Mr. GILLETTE].

Mr. GILLETTE. On the amendment I ask for the yeas and nays.

The yeas and nays were ordered, and the legislative clerk called the roll.

Mr. HILL. I announce that the Senator from Oklahoma [Mr. THOMAS], the Senator from New York [Mr. WAGNER], and the Senator from Kansas [Mr. REED] are unavoidably detained.

The Senator from Kansas [Mr. REED] is paired with the Senator from New York [Mr. WAGNER]. I am advised that if present and voting the Senator from Kansas would vote "yea" and the Senator from New York would vote "nay." I am further advised that if present and voting the Senator from Oklahoma [Mr. THOMAS] would vote "nay."

The Senator from Indiana [Mr. VAN NUYS] is absent because of illness. I am advised that if present he would vote "nay."

The Senator from Idaho [Mr. CLARK], the Senator from Iowa [Mr. HERRING], and the Senator from North Carolina [Mr. REYNOLDS] are detained on official business.

The result was announced—yeas 33, nays 55, as follows:

#### YEAS—33

Aiken	Davis	Maloney
Barbour	Gillette	Nye
Bone	Holman	Shipstead
Brewster	Johnson, Calif.	Taft
Brooks	Johnson, Colo.	Thomas, Idaho
Bulow	La Follette	Tobey
Burton	Langer	Vandenberg
Butler	Lodge	Walsh
Capper	Lucas	Wheeler
Clark, Mo.	McCarran	Wiley
Danaher	McNary	Willis

#### NAYS—55

Adams	George	Norris
Andrews	Gerry	O'Mahoney
Austin	Glass	Overton
Bailey	Green	Pepper
Ball	Guffey	Radcliffe
Bankhead	Gurney	Russell
Barkley	Harrison	Schwartz
Bilbo	Hatch	Sheppard
Bridges	Hayden	Smathers
Brown	Hill	Smith
Bunker	Hughes	Stewart
Byrd	Kilgore	Thomas, Utah
Byrnes	Lee	Truman
Caraway	McFarland	Tunnell
Chandler	McKellar	Tydings
Chavez	Mead	Wallgren
Connally	Miller	White
Downey	Murdock	
Ellender	Murray	

#### NOT VOTING—7

Clark, Idaho	Reynolds	Wagner
Herring	Thomas, Okla.	
Reed	Van Nuys	

So Mr. GILLETTE's amendment was rejected.

Mr. GILLETTE. Mr. President, I send to the desk another amendment, which I ask to have stated.

The VICE PRESIDENT. The amendment offered by the Senator from Iowa will be stated.

The LEGISLATIVE CLERK. On page 2, lines 14 and 15, it is proposed to strike out the words "Notwithstanding the provisions of any other law, the" and insert in lieu thereof the word "The."

Mr. GILLETTE. Mr. President, I am under no illusions as to what will happen

to this amendment. It is a two-line amendment, but there are volumes in the two lines.

As every Senator knows, there has been much discussion of the phrase preliminary to the granting of power in section 3, or the delegation of authority—whichever way we wish to express it—that "Notwithstanding the provisions of any other law," the President may do so and so, and so and so. There is, and has been in debate here, a marked difference of opinion as to the effect of those words. My own opinion is that the words are vital. Members of the Foreign Relations Committee and other Senators on the floor have said that the only effect of the words is the same effect that is contained in the usual paragraph in bills providing that "All laws or parts of laws in conflict with this act are hereby repealed"; and the junior Senator from Texas [Mr. CONNALLY], in a colloquy with me on this matter a couple of weeks ago, asserted, I believe, that whether the words were in the bill or not, made no difference; that the later law is the law that governs if it is in conflict with a prior-enacted law on the statute books; and I think he is correct.

Mr. BARKLEY. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Iowa yield to the Senator from Kentucky?

Mr. GILLETTE. Certainly.

Mr. BARKLEY. Even if it be conceded that a later expression of the congressional or legislative will takes precedence over a previous expression, the effect of that would be to repeal permanently the laws which are in conflict with the later expression; whereas the use of this phrase merely suspends such laws until the expiration of this law, when they automatically become operative and in effect again.

Mr. GILLETTE. Mr. President, the distinguished majority leader, in my opinion, is entirely correct, and for that reason in striking out these words I did not add in my amendment the usual provision, that "all laws or parts of laws in conflict with this are hereby repealed," because it is a direct repealer, and then, when the expiration of the time limit on the act arrives, the other acts are repealed, not merely suspended.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. GILLETTE. I yield.

Mr. BARKLEY. If the Senator's theory is correct that automatically the latest expression repeals the previous laws in conflict, then it would be a permanent repealer, and when this law expired, they would still be repealed, unless reenacted by Congress.

Mr. GILLETTE. That is correct, and that is exactly what I said. So when I offered the amendment to strike out the phrase, I did not ask for a substitution of the paragraph.

Mr. BARKLEY. It would not be necessary, under the Senator's theory, to have any substitution, because automatically they would be repealed.

Mr. GILLETTE. Oh, no.

Mr. BARKLEY. Yes.

Mr. GILLETTE. Up to that point the distinguished Senator and I go along together, and from that point he goes east and I go west, because the provision that "notwithstanding the provisions of any other law" the President may do thus and so does not necessitate the determining of whether or not it is in conflict. It merely wipes out all other laws. The question of conflict which would be determined by the priority of the law, or the question of conflict which would have to be determined if we added the phrase about all laws being hereby repealed, is not necessary. We wipe out at one stroke of the pen, by one phrase, the necessity of referring to any other law, saying, "notwithstanding the provisions of any other law" this may be done.

Mr. President, knowing what the result will be, I shall not take the time and weary Senators with an argument. I have here an argument, which is a legal document, and which goes very fully into the whole field. It is technical, and entirely legal document. I ask unanimous consent, instead of reading it at this time, to offer it and have it printed at this point in the RECORD as a part of my remarks.

The VICE PRESIDENT. Is there objection?

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

THE MEANING OF THE PROVISION IN H. R. 1776—"NOTWITHSTANDING THE PROVISION OF ANY OTHER LAW"—AND ITS EFFECT ON OTHER STATUTES

#### I. TO WHAT TYPES OF LAWS DOES THE PROVISION APPLY?

(a) *It does not apply to every existing law*

One interpretation of the provision is that the President is to have plenary legislative authority to repeal or set aside any law he chooses that may stand in the way of giving complete sway to his powers. Taken literally, the contention is too broad. But it is demonstrated hereinafter that the provision does enable the suspension of a large number of statutes whose enforcement may be considered to hinder the full play of the powers granted by H. R. 1776.

While it is entirely likely that such grants of power, in broad language and freed from the restrictions of other laws, may tempt administrators to interpret sweepingly the extent to which they may go, and perhaps to arrogate to themselves an unintended power to legislate, such a consideration does not arise from purely legal analysis of the provision. Interpreted strictly in the light of accepted legal principles, the provision does not justify so broad a conclusion.

(b) *But it is more potent than the usual saving clause*

On the opposite extreme in this debate are those friends of the bill who seem to think that the words "notwithstanding the provisions of any other law" have practically no meaning at all. They say that it means no more than the common statutory phrase "all laws in conflict herewith are repealed," commonly referred to as a "saving clause." (Remarks of Senator CONNALLY, CONGRESSIONAL RECORD, 77th Cong., 1st sess., February 21, 1941, p. 1240.) Their opinion, too, is incorrect.

The courts have held that such a phrase adds nothing at all to a statute because the latest expression of the intention of Congress must prevail, whether or not such a phrase appears in the later law.



The phrase in the present bill does not contain the words "in conflict," and it is previous laws in conflict with a subsequent statute which are repealed by necessary implication, making any express repeal thereof unnecessary surplusage.

The report of the House Committee on Foreign Affairs states that the provision in controversy "has been used by Congress since shortly after the formation of the Union" and cites a number of statutes passed between 1814 and 1822. This statement is directly contrary to the fact. A reference to those statutes indicates that each of them contains the word "contrary" or some similar word describing the prior inconsistent laws which are thereby repealed (1 Stat. 370; 3 Stat. 49, 143, 261, 334, 412, 462, 582, 610, 640, 662).

The report also says that "it has also been used many times since then," but lists only one recent example, to wit, Public, No. 671, Seventy-sixth Congress, June 28, 1940 (National Defense Act), in which it is used and in which it clearly has application to certain labor laws, to the extent of permitting the relaxation of labor safeguards. Therefore it is clear that this provision is more significant than the saving clause in common use, which makes unnecessary an express repeal of previous statutes. Its inclusion in H. R. 1776, which in other respects confers unprecedented broad powers, is made all the more significant by the fact that the law raising the national debt limit (H. R. 2959) which was considered and enacted by Congress after debate had begun on H. R. 1776, expressly listed the prior laws which were repealed or modified.

But let us assume that it has the meaning attributed to it by its sponsors. Then it is entirely surplusage and is redundant, in addition to being ambiguous. Since the law, the courts, and the administrators are required to attempt to give meaning to every word of an act, it is improper and unwise to include superfluous or meaningless words therein. If these words are superfluous, they should be deleted.

The ambiguity of the provision offers a more important reason for deleting it. While the report of the House Committee on Foreign Relations (supra) says that "it has not only been used many times, but its meaning is clear," it would appear that the clarity, if any, does not come from a line of determinations by the courts. A search of the authorities reveals no decision in the Federal or State courts interpreting the word, and only a few in the Canadian courts. To determine its meaning, therefore, it must be subjected to careful original analysis. The dictionary meaning of the word is "without prevention or obstruction from or by; in spite of; as 'he went, notwithstanding the prohibition'" (Webster's New International Dictionary, 2d ed.). Therefore, a proper paraphrase of the bill would be "without prevention or obstruction from the provisions of any other law, the defense articles involved shall be procured, lent, etc." This would seem to give the clause no greater meaning than the usual saving clause containing the words "contrary," "in conflict with," etc.; in other words, the phrase would be meaningless. However, if, in turn, we look into the meaning of the word "obstruct" and its synonyms, we have a different light on the question. Paraphrasing the clause again, it would read, "without prevention, obstruction, interruption, embarrassment, hampering, or hindrance from or by the provisions of any other law, the Government agency shall be authorized to procure, manufacture, etc., the defense articles involved." Thus it is clear that the phrase does have meaning greater than the usual meaningless saving clause.

To determine whether or not its meaning is clear, we need only investigate the word "any," and for the sake of reduction to absurdity, consider that word as having its full

significance, to wit, "each, every, and all." Taking, for example, the law which forbids the burglarizing of boxcars in interstate commerce (title 18, sec. 409, U. S. C.), we may suppose that some industrialist has decided to transport a part of his private arsenal from one of his plants to another and the President has decided that the guns and ammunition would be useful to England, Russia, Japan, or Germany. Would this phrase mean then that he could authorize Secretaries Stimson and Knox to go and get the powder and guns, breaking the seals of the boxcars and taking them out "without prevention, obstruction, interruption, embarrassment, hindrance, or hampering from" the law against such conduct? If the meaning of the phrase is clear, this is what it means. And it also means that the same thing could be done to a carload of steers en route from Chicago to New York if the President should decide that the English needed beef to be well fed and strong in their defense of Britain, and incidentally in defense of America.

To give the benefit of the doubt to the sponsors of this provision, it may be assumed that Congress would not want these defense articles procured in spite of and without hindrance from the speed laws, the laws against bribery, the civil-service laws, the law against burglarizing cars in interstate commerce, and many other inherent laws. In legal terms, this conclusion in the presumption that Congress does not intend to overthrow legal principles which have been in existence for a long period of time, in the absence of a contrary intent clearly expressed in the statute. (*St. Louis v. Delk*, 158 Fed. 931.)

Just as Congress intends this bill to be enforced, if it is passed, so it intends these other irrelevant laws to be enforced, even against the generals and admirals. The bill may say "notwithstanding any law," but it does not mean "notwithstanding any law." The phrase does not mean exactly what it says. Its meaning is doubtful, indistinct, and uncertain. Its meaning is ambiguous. (*Black's Law Dictionary*, 3d ed.)

Before going on to discover the meaning of these words, however ambiguous, it should be pointed out that their mere ambiguity is in itself strong ground for their clarification or deletion. A primary authority says it is doubtless very desirable that statutes should be framed in such clear and precise terms as to secure them from all ambiguity and from all doubts and criticism as to their meaning. (*Dwarris on Statutes*, p. 648 (1843).) Lord Campbell refers to "ill-penned" enactments, "putting judges in the embarrassing situation of being bound to make sense out of nonsense and to reconcile what is irreconcilable." (*Fell v. Burchett*, 7 E. & B. 539.) Justice Story observes that ambiguity sometimes arises from the difficulties besetting the path of a legislative draftsman who, "in order to draw a bill that will pass must often avoid a clear expression of the object and intention in his own mind which would provoke an opposition he may hope to lull to sleep by studied ambiguity." (*U. S. v. Bassett*, 2 Story 389, 404.) If this is a much-studied ambiguity, it amounts to the same thing as duplicity and should be deleted or clarified.

(c) *The provision applies only to laws in pari materia*

If this phrase does not refer to any law, then to what particular laws or types of laws does it refer? As stated above, it certainly refers to more laws and types of laws than only those which are contrary and in conflict with this particular bill. Since the phrase is ambiguous, its true meaning can be discovered by reference to certain other statutes (*Hamilton v. Ralibbone*, 175 U. S. 414, 20 S. Ct. 155). Just as different words, phrases, and provisions of a statute should not be isolated and given an abstract mean-

ing, so the statute itself, in its entirety, should not be interpreted solely by reference to its own terms, but rather by reference to other laws, and particularly those pertaining to the same subject (*Crawford Statutory Construction*, 1940, p. 420). Properly, the statutes to be referred to are those which are in *pari materia*, or "similar," "the same," or "cognate," or whose nature impinges in any manner upon the enforcement of this bill. The net result is that if Congress passes this bill, when it says that these defense articles are to be secured without hindrance, embarrassment, etc., by any other law, it really means any other law on the same subject as this bill or whose subject matter impinges in any way upon the enforcement of this bill. Courts assume that statutes relating to the same subject matter were enacted in accord with the same legislative policy; that together they constitute a harmonious or uniform system of law, and that, therefore, in order to maintain this harmony every statute treating the same subject should be considered (*Crawford, Statutory Construction* (1940), p. 434). It is not deemed necessary or desirable to study the question of how much effect a law must have on the procurement, manufacturing, etc., of defense articles before an administrative official deeply impressed with the importance of his job in a period of stress (which has been officially declared by the President to be a national emergency) will find that such effect will hinder, embarrass, hamper, or interrupt him in the efficient conduct of his statutory duty. Certainly a slight hindrance or delay will probably be enough for him to disregard the law involved, at least for the 2 or 3 years normally required to obtain a decision by the Supreme Court.

However, at least it may be presumed that administrative officials will, in view of the legal theories stated above, limit the laws ignored by them to those which are on the same general subject as this bill, or whose subject matter impinges upon the enforcement of this bill. The title of the bill, "further to promote the defense of the United States and for other purposes," gives only its secondary, resultant, or ultimate purpose. The primary purpose is the procurement or manufacture of materials in a certain way, and the disposal of them to foreign governments. The defense of America is expected to flow from these activities, but the direct subject matter of the bill is the procurement of a vast variety of goods, the manufacture of such goods, and the disposal, repair, or testing, etc., of such goods by the United States. To find bills in *pari materia* on the same subject matter, we must find bills on or related in some manner to these same general subjects.

## II. WHAT IS THE EFFECT OF THIS PROVISION ON OTHER LAWS?

We have considered the general types of statutes which would be affected by this provision. We can now consider the effect this provision would have upon such laws. There are three possible effects. Other laws might be:

- (1) Expressly repealed; or
- (2) Repealed by implication; or
- (3) Suspended every time H. R. 1776 is invoked.

It seems clear that this provision does not expressly repeal any other law. A repealer is an act which revokes or terminates another statute (*State v. Hubbard*, 148 Ala. 391, 41 So. 903; *St. Louis v. Kellman*, 235 Mo. 687, 137 S. W. 443; *Oakland Paving Co. v. Hilton*, 69 Calif. 479, 11 Pac. 3). The usual type of repeal is by express provision of subsequently enacted legislation. This bill does not contain any words indicating intention to repeal apart from this provision. In order for such an express repeal to be effective, the law to be repealed normally must be properly designated or identified (*Holt v. Mobile School*,



29 Ala. 451; *Lullman v. Billington*, 119 N. Y. S. 825; *Common v. Central Pass. R. Co.*, 52 Pac. 506). The provision in question does not specify or designate any other law which is to be superseded.

In order to aver that this bill repeals any prior statute, it must appear that it revokes, terminates, abrogates, or annuls previous law. The term "abrogate" means destruction or annulment, and not mere derogation or impairment. The abrogation of a former law means to abolish it entirely (*Bouvier's Law Dictionary*, 1885).

Another difficulty in the way of terming this provision a repealer lies in the fact that it would apply, not only to laws already in force when H. R. 1776 became law, but also to any other law enacted during the life of H. R. 1776. Nothing in the provision limits its effect to already existing laws. If H. R. 1776 contained merely the usual saving clause, it might be superseded by a later inconsistent law. But since the provision in question is unique, it may well be argued that it would still hold even as against a later statute which does not expressly repeal H. R. 1776.

For the reasons given, the language of the provision itself does not justify the conclusion that Congress by it is attempting to delegate power to repeal other laws to the President. Even if Congress should attempt it, such a delegation probably would be null and void.

Like the power to pass legislation, the power to repeal it is a legislative function or attribute, vested in the Senate and House of Representatives. (*U. S. Constitution*, art. 1, sec. 1. See also *Chicago & N. W. Ry. Co. v. Fuller*, 17 Law. 560, 21 L. ed. 710.) The Congress cannot surrender or abdicate such power, and any attempt to do so is unconstitutional and void. (*Schechter v. U. S.*, 295 U. S. 595, 55 S. Ct. 837, 9: A. L. R. 947; *Panama Ref. Co. v. Ryan*, 293 U. S. 388, 55 S. Ct. 241.)

Secondly, there is such a thing as repeal by implication, wherein the repealing act does not sufficiently point out the law it abrogates but provides that all laws and parts of laws in conflict or inconsistent with the new act are repealed; or where the new act covers the entire subject matter covered by the former law.

An implied repeal can be determined only after close scrutiny of the new law in the light of its own provisions and those of the law apparently abrogated. The inconsistency or repugnancy between two statutes necessary to supplement or repeal the earlier one must be more than a mere difference in their terms and provisions; it must be "such a positive repugnancy between the provisions of the old and new statutes that they cannot be reconciled and made to stand together." (*U. S. v. Greathouse*, 166 U. S. 601, 17 S. Ct. 701; in re *Phoenix Hotel Co.*, 13 Fed. Supp. 229.)

On the other hand, if the repeal is to be inferred from the fact that the new statute is a substitute for the old one, the two statutes must relate to the same subject matter and have the same purpose. (*Brandon v. Askeu*, 172 Ala. 160, 54 So. 605; *Nicely v. Madera Co.* (Calif. App.), 296 Pac. 306.)

In point III of this memorandum, we discuss in some detail the specific statutes which may be affected by this provision. Here, it need merely be noted that H. R. 1776 is unique in that there is no prior law which covers the same broad subject matter (the Pittman Act of June 15, 1940 (22 U. S. C. A.), concerned with aid to the Latin-American countries dealt with some of the subject matter of H. R. 1776, but in a much more restricted field). However, as is indicated in Point III, there are numerous prior laws dealing with separate or single phases of the many-sided subject matter of H. R. 1776, and these laws could be repealed by implication, if H. R. 1776 were invoked.

The difficulty with determining by mere analysis whether this provision repeals by implication any prior law arises from the fact that, because the provision in question differs from the usual repeal provision, the manner in which H. R. 1776 is to be invoked and enforced rests solely in the discretion of the President. In some cases he can use the powers it grants either in a manner inconsistent with a prior law (as, for example, by selling average auxiliary ships for less than 50 percent of their cost, in the face of the existing statute requiring the sale price to be at least 50 percent of the cost), or in conformity with the requirements of an existing statute (as, for example, one requiring certification by military officials that defense articles are not necessary for our own defense). But, since the power is granted by H. R. 1776 to ignore the requirements of other laws, it can be said that the provision in question empowers the repeal by implication of some existing laws, in the discretion of the President. Such repeal would occur as to any other law only if every aspect of that law were covered by H. R. 1776. If another law possessed some provisions which were not covered in the powers granted in H. R. 1776, that other law would not be repealed, but would merely be suspended and rendered ineffective as to those of its provisions covered by H. R. 1776 each time the latter was enforced.

The suspension of other laws is the major effect of the provision in question. Each time H. R. 1776 were invoked in a manner inconsistent with another law, the latter's operative life would be suspended. Technically this differs slightly in effect from the repeal of a law, which wipes it off the statute books. But, as a practical matter, the difference is negligible. If a law is suspended from operation every time H. R. 1776 is invoked, and if H. R. 1776 is invoked frequently, as it would necessarily be to accomplish its avowed purpose, then for all practical purposes the other law is repealed during the life of H. R. 1776. The fact that an earlier law suspended by H. R. 1776 resumes its operative effectiveness when the life of H. R. 1776 expires or when it is repealed, does not vitiate this analysis. The situation is precisely like a case wherein a statute whose life is limited to a specified period expressly or impliedly repeals an earlier law. When the life of the repealer expires or when it is itself repealed, there is authority for the proposition that the earlier law once more becomes operative.

Similarly, it cannot be said that this bill is intended to amend certain other laws. An amendatory act is one which makes an addition to or operates to change the original law so as to effect an improvement therein or to more effectively carry out the provisions for which the original law was passed (*O'Pry v. U. S.*, 249 U. S. 323, 39 S. Ct. 305). That is not the case here. H. R. 1776 creates an entirely new law. This need not be discussed further, because it is not of great importance. However, all these matters should be clarified, if only to avoid confusion.

### III. WHAT SPECIFIC LAWS ARE AFFECTED BY THE PROVISION?

Before proceeding to consideration of the specific statutes affected by this provision, two aspects of the scope of the provision must be discussed. The first arises out of the language of section 3 of H. R. 1776 and concerns the types of actions which may be undertaken "notwithstanding the provisions of any other law." The second deals with the administrative enforcement of the provision.

#### (a) The provision applies to the substantive acts authorized by section 3

An examination of the entire section (sec. 3) discloses a question of interpretation which may be stated: Does the power to perform certain acts without regard to other laws refer to the power of the President to authorize subordinates to procure, etc., cer-

tain articles, or does it refer to the substantive act of procurement, etc., of these articles? The provision in question is situated at the beginning of the section, far from the words describing the authorized substantive acts themselves, and close to the words giving the President power to authorize such actions. It might possibly be contended, therefore, that the phrase modifies the word "authorized" and not the words "manufacture, procure, lend, etc." However, since the President's authorization to a subordinate official indicating the manner of performance is, at least in practical administration, considered to override all legalistic considerations, it would make little difference in practice whether it is the President's authorization or the executory action of subordinate officials which is freed from the restrictions of other laws. In other words, if the President authorizes one of his subordinate officials to do an act in a specified manner, that official will in all probability go ahead and do it anyhow, without getting another opinion from the Attorney General.

In any event, the correct interpretation seems clearly to be that section 3 vests the power to perform the specified substantive acts "notwithstanding the provisions of any other law." The clear intent of the bill is to have those substantive acts accomplished. It would create an obviously absurd situation if the President's power to authorize were alone freed from the restrictions of other laws, but the power of a subordinate to carry out the authorization were hampered by the restrictions of other laws.

The issue of interpretation becomes important, not as a matter of practical administration, but in the cases, likely to be frequent under this bill, where the President may authorize a subordinate to manufacture or procure, etc., certain articles for a foreign country without specifying the manner in or circumstances under which the authorization is to be carried out. Thus, there would be left to a subordinate the power to determine whether labor laws, for example, must be suspended in order to secure the needed articles in time, if the freedom from other laws attaches to the substantive acts themselves.

As has been stated, this seems clearly to be the case. It might be argued otherwise, and the freedom from other laws might be considered to attach only to the President's power to authorize, if the existing laws to be superseded dealt only with authorization by the President, so that the provision could be construed as intended to give the President power hitherto denied him as to authorization of certain acts. But reference to the existing laws (see tables in *CONGRESSIONAL RECORD*, February 6, 1941, p. 705; February 24, 1941, p. 1315) refutes that possibility. The statutes pertaining to the procurement or disposal of military supplies or equipment deal in one form or another, although in restricted manner, with many of the substantive acts specified in H. R. 1776 (sell, exchange, lease, etc., Government property). In some of the laws, the powers granted were to be executed by the President; in others, by heads of Government agencies in the exercise of their own discretion; in still others, by heads of Government agencies pursuant to Presidential authorization.

Finally, even if it were only the President's power to authorize which was freed from the restrictions of other laws, that obstacle could be overcome by using the power to make rules and regulations, granted by section 9 of H. R. 1776, so as to pass on to subordinates the power to act despite the restrictions of other laws.

#### (b) The provision affords tremendous leeway for administrative interpretation

We have pointed out how vague and ambiguous is the provision in question, and how



lacking in delineation. Suppose the bill does pass, containing this ambiguous and therefore incomprehensible clause. Then it will be up to the administrators, in spite of tremendous difficulties, to determine some meaning for it. There is a broad field for interpretation. And to delegate to them the power to interpret in this broad field is to grant them powers amounting almost to the power to legislate (*Panama Refining Co. v. Ryan*, 293 U. S. 388, 55 S. Ct. 241).

While their interpretation is not binding upon the courts (*Tex. & P. Ry. Co. v. U. S.*, 289 U. S. 627, 53 S. Ct. 768), it has the force and effect of law unless and until the Supreme Court overthrows their decisions. And, furthermore, laws, when ambiguous, are what the administrative officers say they are for a long period of time while the judicial time-lag is being overcome and a judicial interpretation is being secured. This is particularly true in times of stress—in times of economic stress, as when the National Industrial Recovery Act was interpreted for many months by administrative officials in a manner which the Supreme Court later held was contrary to the Constitution; in times of military stress, as when the Lever Act, during the last war, was administered according to the interpretation of administrative officials until the war was long over and until the Supreme Court was able to pass upon and to overthrow that interpretation, as invalid.

Administrative interpretation must be made despite the fact that the bill offers no clear statement of policy, fails to define what is "in the national interest" or "vital to the defense of the United States," and offers no standards of guidance.

(c) *The specific laws affected by this provision*

It has been shown in point I of this memorandum that the provision in question applies to and affects all laws upon subjects similar to those involved in H. R. 1776, such as the manufacture, procurement, repair, or disposal of articles, and all laws whose nature impinges in any manner upon the subject matter of H. R. 1776.

In determining what statutes are in pari materia with H. R. 1776, or impinge upon the application of H. R. 1776, it must be remembered that the power to perform any of the substantive acts authorized by section 3, "notwithstanding the provisions of any other law," is the power to perform such substantive acts, "without prevention, obstruction, interruption, embarrassment, hampering, or hindrance from or by the provisions of any other law." Under the sweeping definition of "defense articles" in section 2, H. R. 1776 would apply to virtually every commodity, every machine, and every process in our industrial and agricultural economies. Even its sponsors concede that it covers not only implements of war but "also other articles or commodities, such as cotton, wheat, and all other agricultural products, which may be necessary for defense purposes." (House of Representatives Committee on Foreign Affairs, majority report (No. 18) on H. R. 1776, p. 2.)

It should also be noted that the power to "procure" defense articles is not restricted to buying or obtaining for a consideration, as some speakers on this bill have claimed. (CONGRESSIONAL RECORD, March 1, 1941, Senator BAILEY, pp. 1539-1591.) Webster's International Dictionary defines it as meaning: "To bring into possession; to acquire; gain; get; to obtain by any means, as by purchase or loan." Nor can it be contended that the word has a restricted legalistic meaning. Reference to but a few of the many available statutes pertaining to procurement of Government supplies shows that "procure" also includes: The commandeering and operation of factories (Selective Training and Service Act of 1940, Public Act No. 783, 76th Cong., sec. 9); the establishment of priorities as to certain commodities for military con-

tracts (Public Act of June 28, 1940); the establishment of priorities for nonmilitary commodities needed in connection with the defense program (Executive order of January 7, 1941); the control and use of water-power projects licensed to produce nitrates (16 U. S. C. 809); the acquisition by the Government, with the restriction of use by private firms, of strategic and critical materials (53 Stat. 811, par. 4; 54 Stat. 714, sec. 5); in order to procure articles needed for the defense program, the furnishing of Government-owned facilities at private plants (54 Stat. 292, 297; 54 Stat. 714, sec. 5); in order to prevent possible slowing up of the procurement of defense articles by inexperienced operation of technical machinery, the training of civilian personnel in the handling of such machinery (54 Stat. 292, 297; 54 Stat. 714, sec. 5); the execution of contracts on a "cost plus" basis in order to secure needed articles (54 Stat. 395, sec. 10); the requisitioning of private merchant ships (53 Stat. 1254, sec. 1; 53 Stat. 1255, sec. 3); the condemnation of land (40 Stat. 241; 40 Stat. 518, ch. 51).

These examples indicate the broad scope of the power to procure which is granted by section 3a (1) of H. R. 1776. When that power is read together with the definition of "notwithstanding the provisions of any other law," it becomes apparent that, under H. R. 1776, any law can be suspended whose nature in any manner interferes with or hampers the manufacturing or securing of defense articles. Thus, if the standards or safeguards in any labor law should be deemed to prevent or slow up the production of needed defense articles, or to render the cost of them excessive, that could be considered an interference with manufacture or procurement and such laws could be set aside under the authority of the provision in question. The analysis which follows reveals that this would be the fate of such laws as the Walsh-Healey Act, the Bituminous Coal Act of 1937, the Davis-Bacon Act, the Fair Labor Standards Act, the wages and hours law, and the National Labor Relations Act.

Of course, these laws would not be lightly set aside, since they embody a declaration of public policy that such safeguards are essential to the welfare of labor and the general public. But such a declaration might not avail to save them. H. R. 1776 is justified by its supporters upon the ground that there is a grave national emergency, making imperative the utmost haste in securing maximum possible production at the lowest cost possible. William S. Knudsen, head of the Office of Production Management, admitted in December 1940, that industry was tooling up only 20 percent to 25 percent of the needs of the defense program, and would only be 80 percent tooling up by April 1941 (in his speech to the National Association of Manufacturers). Not only has the situation not been materially bettered since that speech, but the need has become apparent for priorities and rationing with respect to certain vital commodities. Thus, whether labor legislation will be set aside under H. R. 1776 will depend, not upon the good will of the administration toward labor, but upon the needs for speedy and inexpensive production, as envisaged by those who are obsessed with the need for all possible speed in the supplying of aid to Britain and other belligerents. When we recall that all belligerents, in time of war, find it necessary to curtail or abrogate labor safeguards, can we expect more favorable action here in a situation consideration by supporters of H. R. 1776 as virtually akin to wartime?

The list of statutes indicated hereinafter is not complete, for no one seems to know how many of the thousands of laws now on the books are affected by this provision. But the list does indicate the sweeping effect of the provision.

#### A. Laws Pertaining to the Disposal of Military Property

It is conceded by everyone that numerous laws regulating the disposal of Army and Navy equipment and property and United States property and resources are suspended or repealed by the force of the provision in question. Some of those statutes, as presented to the Senate in discussion of H. R. 1776, are listed in Appendix A, attached to this memorandum.

#### B. Statutory Restrictions on Government Agencies

Some instances of the statutory restrictions on Government agencies, such as the Export-Import Bank and the Reconstruction Finance Corporation, which are eliminated by this provision, are attached hereto as Appendix B.

#### C. Labor Legislation

An example would be the Walsh-Healey Public Contracts Act, which requires that any contract entered into by any agency of the United States for the manufacturing or furnishing of materials, supplies, articles, and equipment in any amount exceeding \$10,000, shall include certain stipulations, including one that persons employed by the contractor will be paid not less than the "prevailing wage" in his community. (Title 41, Sec. 38, U. S. Code.)

Another provision that comes clearly within the description of "in pari materia" is the provision in the Bituminous Coal Act of 1937 providing that no coal shall be purchased by any Federal agency produced at a mine where the producer fails to give his employees collective bargaining rights. (Title 15, Secs. 838-839, U. S. Code.)

Both the Walsh-Healey and the Bituminous Coal Acts clearly come under the definition of "otherwise procure" in section 3a (1) of H. R. 1776. The labor safeguards contained in these acts can, therefore, be suspended whenever the President or his subordinates think that the abrogation of these safeguards is necessary to stimulate the production or supply of needed defense articles, or to decrease the cost of such articles.

Another variation on the same theme is the Davis-Bacon Act (40 U. S. C. A. 276a), which requires labor safeguards concerning minimum wages in the specifications for all contracts over \$2,000 for the construction, alteration, and/or repair (including painting and decorating) of public buildings or public works. A United States arsenal, factory, or shipyard would be a defense article under section 2 of H. R. 1776. The construction, alteration, or repair of an arsenal, factory, or shipyard may be necessary to enable the Government to "manufacture—or otherwise procure" defense articles for a foreign country. The act certainly impinges sufficiently upon section 3a (1) of H. R. 1776 to enable the suspension of the labor safeguards if the aides feel that the tremendous cost of the defense program makes it necessary to cut costs, and that elimination of these safeguards will reduce labor costs and, consequently, the cost to the United States of the articles needed, or whenever a contractor or manufacturer who can produce articles by a needed time is unwilling to grant such benefits to his laborers.

Similarly, the provision of the Fair Labor Standards Act, also known as the wages-and-hours law (29 U. S. Code, Supp. 4, sec. 208), can be suspended. This establishes minimum wages and maximum hours standards applicable to private contracts and to contracts for work for a United States agency alike. Thus the "notwithstanding" provision could be used to set aside the fair labor standards law in connection with any contract with a private manufacturer or contractor who is producing or handling in any way any defense article. The provision



might even be used in connection with work done directly under Government auspices. Under section 9 of the selective training and service law of 1940 (Public, No. 783, 76th Cong., September 16, 1940) private factories may be commandeered if their owners refuse to cooperate in producing supplies for the armed forces. The employees in such factories would occupy a hybrid status. They would be working for the Government and yet it is not intended that they would have the status of regular Government employees, for the same section 9 reserves to such employees their existing rights under Federal and State labor legislation. But this reservation could undoubtedly be set aside under the "notwithstanding" clause. There is nothing to prevent the Government from utilizing part and rejecting part of a prior statute, for the provision in question is unrestricted.

Also, for the reasons given above, there can be no doubt that there can be set aside the 8-hour day, 40-hour week, which is in force for laborers and mechanics in the War and Navy Departments (Public Act No. 703, 54 Stat. 714, sec. 5; Public Act No. 588, 54 Stat. 292; both passed in 1940).

Finally, circumstances are conceivable in which the National Labor Relations Act could be set aside, in whole or in part. This can be done, as the analysis above has indicated, if the rights granted by the N. L. R. A. can be considered to hamper or impinge upon the procurement of defense articles.

Two possible situations occur. First, suppose that a large manufacturer secures a contract to produce as a rush job a number of defense articles for the Government; that a complaint charging unfair labor practices under the National Labor Relations Act has been filed against him, and that the N. L. R. B. is to hold a hearing on the charges; that the manufacturer petitions the Government agency involved to direct the N. L. R. B. to hold off the hearing until after the completion of the contract, on the ground that the holding of the hearing will hamper and affect the productive processes at his plant and make it difficult or impossible to perform the contract in the specified time; that, in support of his contention, he points to the fact that an elaborate hearing would probably last several weeks, as others have done, and would take many workers and plant executives away from work at the plant; and that, as has happened in the past, the N. L. R. B. may not be able to hear the case or to reach a decision for months or as long as a year, with consequent friction and impaired morale at his plant during the interim. Under such circumstances, it might be possible for the Government agency to order the hearing held off, or to suspend the N. L. R. A. as to that manufacturer, for the life of his contract. Not so long ago, the Sun Shipbuilding Co. appealed to the Navy for similar relief on such grounds. But the Navy, of course, had no such power then.

A second instance might arise where a union had petitioned the N. L. R. B. for an election to determine whether the union or an independent plant union should be certified as the collective bargaining representative. The manufacturer might seek similar relief upon similar grounds, contending that the actual voting, together with the preceding weeks of electioneering and conflict, would seriously affect the morale and productive capacities of his workers. Again, the Government agency involved could use the "notwithstanding" provision to order such relief.

#### D. Neutrality and Johnson laws

The House committee report contends that the Johnson Act is not superseded by the provision in question because that act does not apply to the Government, and that only section 7 of the Neutrality Act, pertain-

ing to the extension of credits, may possibly be superseded by the "notwithstanding" provision. Whether or not this contention is sound technically, it is certainly clear that H. R. 1776 is violating the spirit of both acts by allowing the extension of credits to foreign belligerents which are in default on debts to the United States, and that these acts are being abrogated. Further, it is clear that the provision in question, read with section 3 (a) (3), allows the setting aside of sections 10 and 11 of the neutrality law, restricting the use of United States ports by foreign vessels, submarines, and armed merchant vessels.

It is further clear that H. R. 1776, by section 3 (a) (3) and the provision in question, allows the setting aside of the 300-mile safety zone established by the Treaties of Panama and Habana and endorsed by the United States and many Latin-American countries. This would be repealed by implication.

#### APPENDIX A

##### Part I

United States Code, title 18, section 23, making it unlawful to fit out or arm in the United States a vessel with intent that it shall be employed by a foreign belligerent against a power or people with which the United States is at peace.

United States Code, title 18, section 24, making it unlawful to increase or augment in our ports the force of a ship of war or other armed vessel belonging to a belligerent power.

United States Code, title 18, section 29, requiring detention of vessel manifestly built for warlike purposes and about to depart, whose cargo is principally of munitions, when circumstances make it probable that such vessel is intended to commit hostilities on foreign states or persons with whom the United States is at peace until President orders release.

United States Code, title 18, section 33; 40 Stat. 222; June 15, 1917, title V, section 3, making it unlawful during a war in which the United States is neutral to send out of our jurisdiction any vessel built, armed, or equipped as a vessel of war for delivery to a belligerent nation.

Public, 671, Seventy-sixth Congress, June 28, 1940, section 14 (a), providing that notwithstanding the provisions of any other law, no military or naval ships, aircraft, supplies, equipment, etc., owned by the United States to be transferred, exchanged, sold, or otherwise disposed of unless the Chief of Naval Operations, if Navy material, or the Chief of Staff of Army, if military material, shall certify that it is not essential to the defense of the United States.

Public, 757, July 19, 1940, section 7, providing that no vessel, ship, or boat (except ships' boats) now in Navy, or being built or hereafter built, to be disposed of except as now provided by law.

United States Code, supplement V, title 50, section 165; 50 Stat. 887; September 1, 1937, section 4, in part prohibiting export of helium unless licensed by the Secretary of State on recommendation of the National Munitions Control Board and the Secretary of the Interior.

Public Resolution 83, Seventy-sixth Congress, joint resolution, June 15, 1940 (aid to American republics), section 1 (b), providing that no contract shall be entered under this bill, interfering with or delaying full use of shipyards, arsenals, munitions plants, and other equipment by the United States for its own purposes.

United States Code, title 20, section 93, November 19, 1919, authorizing the Secretary of War to sell, upon application in writing and under his regulations, machine tools for school use owned by and under War Department control and not needed for Gov-

ernment use to trade, technical, and public schools, etc.

United States Code, title 10, section 1263, April 17, 1920, authorizing the Secretary of War to sell dental outfits in excess of needs of Government, preferentially to persons who served in armed forces or Red Cross and are licensed to practice dentistry.

United States Code, title 10, section 1262, June 5, 1920, authorizing the Secretary of War to sell any surplus material, supplies, or equipment (except foodstuffs) not needed for military purposes, and for which there is no adequate domestic market to any state or foreign government with which the United States was at peace on June 5, 1920.

United States Code, title 10, section 1372; 33 Stat. 837; March 2, 1905, providing that no steamship in the transport service of the United States is to be disposed of without the consent of Congress first obtained.

United States Code, title 50, section 31; 40 Stat. 217; June 15, 1917, section 1, making it unlawful to obtain or to permit to be obtained defense information.

United States Code, title 50, section 32, 40 Stat. 218, June 15, 1917, making it unlawful to disclose or communicate defense information.

United States Code, title 34, sections 491-492; 22 Stat. 296, 599; providing that if ships are found unfit they shall be removed from the Navy register and reported to Congress; that if they are to be sold, there shall be advertisement for sealed proposals for purchase; and that no vessel shall otherwise be sold, or be sold for less than the appraised value, unless the President of the United States shall otherwise direct in writing.

United States Code, title 34, section 493; 39 Stat. 605; August 29, 1916, providing that the Secretary of the Navy may sell auxiliary ships of the Navy which are 18 years of age or over, and which are unsuited to present needs, and can be sold for at least 50 percent of cost; and that the receipts of such sale shall go to the Treasury as miscellaneous receipts.

United States Code, title 14, section 69; 36 Stat. 800; January 28, 1915, section 1, authorizing the President to sell Coast Guard cutters which are deemed unfit, the proceeds to be paid into the Treasury.

Public, 891, Seventy-sixth Congress, December 16, 1940, providing that the Secretary of War shall cause to be manufactured at Government arsenals or factories all supplies or articles that can be done so on an economical basis.

United States Code, title 41, section 10 (a), (b), (c); 47 Stat. 1520; March 3, 1933, title III, providing that, unless it be inconsistent with public interest, all supplies purchased shall be of American source if they are to be used within the United States and if there is sufficient and reasonably available quantity and quality obtainable in the United States.

United States Code, Supplement V, title 34, section 544; 52 Stat. 693; June 15, 1938, in part, providing that no old material of the Navy shall be sold or exchanged if it can be used in construction or repair, but shall be stored; and that if it cannot be profitably so used it may, upon advertisement, be sold at auction.

United States Code, title 10, sections 1594-1603, March 12, 1926, and May 26, 1928, authorizing the Secretary of War to sell at public sale or to certain preferred purchasers military reservations named upon termination by Secretary of War that they are no longer needed for military purposes.

United States Code, title 41, section 5; section 3709 of Revised Statutes, as amended, providing for advertising and bidding on all Government contracts and purchases of supplies.

United States Code, title 34, section 566; 27 Statute 732, March 3, 1893, providing contracts for purchase of gun steel or armor for



Navy shall be made by public competition by advertisement.

United States Code, title 40, section 314; 40 Stat. 1173, July 9, 1918, amended by February 25, 1919, authorizing the President to sell (including specifically sale to foreign governments engaged in war against a government with which United States is at war) any supplies, materials, or equipment, and any building, plant, or factory and land on which located, acquired since April 6, 1917, used to produce such supplies, materials, or equipment which were purchased, acquired, or manufactured by the United States during the emergency existing July 9, 1918.

United States Code, title 34, section 573; section 3723 of Revised Statutes, providing for manner of making contracts, for naval supplies, to be executed in foreign countries: advertising, bidding, certificates, etc.

United States Code, title 10, section 1252; 41 Stat. 272, July 26, 1919, providing that no tents are to be loaned except to certain veterans' organizations.

United States Code, title 10, section 1261, authorizing the President to sell under regulations of Secretary of War military stores which are damaged or unsuitable for public service.

United States Code, title 40, section 303, March 3, 1879, July 23, 1892, May 29, 1928, authorizing the Secretary of War to lease for a period not exceeding 5 years (revocable at will) property (except mineral or phosphate land) not required for public use for the time being and for which there is no other authority to lease in existing law.

United States Code, title 50, section 172, July 9, 1918, authorizing the President to sell lands or real-estate interests acquired for lumber and timber-products production and logs manufactured or otherwise procured for Army, Navy, and certain other agencies.

United States Code, title 10, section 1265; 5 United States Code 211, July 11, 1919, authorizing the Secretary of War to sell surplus supplies, including motortrucks and automobiles owned by and in possession of Government on July 11, 1919, for War Department use to States, municipalities, individuals, or corporations.

United States Code, title 10, section 1263, July 11, 1919, authorizing the President, through any department head, to sell or lease real property or interest therein or appurtenances thereto, acquired since April 6, 1917, for Army storage which is no longer needed.

United States Code, title 19, section 1307, 46 Statutes 689, June 17, 1930, title III, section 307, prohibiting import of goods produced by convicts, forced, or indentured labor, under penal sanctions.

United States Code, title 31, section 487; section 3618 of Revised Statutes, providing that proceeds of sale of old materials, etc., or public property of any kind shall be deposited in Treasury as miscellaneous receipts and shall only be withdrawn or applied by subsequent appropriation.

United States Code, title 50, section 74; 42 Statutes 1142, January 22, 1923, providing that proceeds of sales of useless Navy ordnance material shall be covered into Treasury as miscellaneous receipts.

United States Code, title 49, section 175 (d) May 20, 1926, authorizing the head of a department, agency, airport, etc., to sell in emergencies and under department regulations, fuel, oil, equipment, supplies, mechanical service, and assistance to an airplane owner to aid him to continue on course to private airport.

United States Code, title 10, section 1210, June 1, 1926, authorizing the Secretary of War to exchange deteriorated and unserviceable components and ammunition, not desired to be retained, for cost of converting such ammunition into usable form.

United States Code, title 10, section 1258, February 23, 1936, authorizing the Secretary

of War to dispose of obsolete or no longer needed machinery, mechanical equipment, and tools to selected schools for use in vocational training and instruction.

United States Code, title 10, section 1209, June 1, 1926, authorizing the Secretary of War to exchange deteriorated and unserviceable ammunition and components thereof for ammunition or components in condition for immediate use.

United States Code, title 5, section 118 (d), April 15, 1937, authorizing any Government department to exchange used parts of refrigerators, thermostats, watchmen's clocks, etc., for payment toward new or reconditioned parts.

United States Code, title 10, section 1192 (a), July 27, 1937, authorizing the Secretary of War to sell, loan, or give, under regulations, to contractors which are or may likely be manufacturers or furnishers of supplies and equipment for War Department or Army, drawings, manufacturing and other information, and samples, etc.

United States Code, title 50, section 92 June 16, 1938, authorizing the Secretary of War, with President's approval, to loan with first educational order gages, dies, jigs, tools, drawings, accessories, parts, etc.

United States Code, title 10, section 1271 (a), May 11, 1939, authorizing the Secretary of War to exchange obsolete, unsuitable, and unserviceable machines and tools, etc., pertaining to repair or manufacture of ordnance material for use in national defense for new machines and tools of same or equivalent general character.

Public, No. 703, Seventy-sixth Congress, July 2, 1940, section 1 (a) (3), authorizing the Secretary of War to exchange deteriorated, obsolescent, or surplus military equipment, munitions, and supplies for other similar equipment, etc., of which there is a shortage in order to expedite building up of national defense.

Public, No. 703, Seventy-sixth Congress, July 2, 1940, section 1 (a) and 1 (b): Secretary of War may lease, sell, or otherwise dispose of, with or without advertising, plants, buildings, utilities, facilities, appurtenances, and land acquired under act on such terms as Secretary of War deems advisable in interest of national defense.

Public, No. 829, Seventy-sixth Congress, October 10, 1940, section 1: President may sell or otherwise dispose of articles and materials, the export of which denied by Public, No. 703, July 2, 1940, to persons or corporations of the United States when the President determines in public interest, until June 30, 1942.

#### Part 2

(3) Date of act: April 23, 1904.

Citation: 50 U. S. C. 65.

Disposal by: Secretary of War.

Purchaser: American designers.

Method of disposal: Sell, when necessary in development of designs for use in military service.

Terms: None.

Description of property: Serviceable ordnance and ordnance stores as can be spared for the purpose.

Remarks: Proceeds available to replace like ordnance and stores.

(4) Date of act: March 4, 1915; May 13, 1928.

Citation: 41 U. S. C. 26.

Disposal by: All branches of public service.

Purchaser: No limitation.

Method of disposal: Exchange.

Terms: In part payment for new machines used for the same purpose.

Description of property: Typewriters, adding machines, and other similar labor-saving devices.

Remarks: Report to Congress required. 41 U. S. C. 27 provides that no Government establishment shall dispose of typewriters used less than 3 years.

(5) Date of act: March 4, 1915.

Citation: 10 U. S. C. 1273.

Disposal by: Signal Corps.

Purchaser: No limitation.

Method of disposal: Exchange.

Terms: In purchase of similar equipment. Description of property: Typewriters and adding machines.

Remarks: 41 U. S. C. 27 provides that no Government establishment shall dispose of typewriters used less than 3 years.

(2) Date of act: June 5, 1920.

Citation: 41 U. S. C. 27.

Person restricted: Department or other Government establishment.

Restriction: Must have been used at least 3 years.

Method of disposition restricted: Sale, exchange, or as part payment for another typewriter.

Description property: Typewriting machines.

Remarks: None.

(3) Date of act: February 20, 1931.

Citation: 10 U. S. C. 1354.

Person restricted: Not specified.

Restriction: Without authority of Congress.

Method of disposition restricted: Sale or disposal.

Description of property: Real estate of War Department.

Remarks: Repealed existing statutes in conflict therewith "other than special acts for the sale of stated tracts of land."

(4) Date of act: June 30, 1932.

Citation: 40 U. S. C. 303b.

Person restricted: Not specified.

Restriction: Except as otherwise specifically provided by law, shall be for a money consideration only and shall not include provision for alteration, repair, or improvement of buildings and properties as a part of rental consideration.

Method of disposition restricted: Lease.

Description of property: Buildings and properties.

Remarks:

(7) Date of act: May 12, 1917.

Citation: 32 U. S. C. 23.

Disposal by: Secretary of War.

Purchaser: No limitation.

Method of disposal: Sell at public or private sale (after appraisal), as a whole or in two or more parts as may be deemed best for interests of the United States.

Terms: Sales to be at not less than appraised value.

Description of property: Land acquired by purchase for use as National Guard target range, which has become useless or unavailable for purpose.

Remarks: Expense of advertising, appraisal, survey, and sale to be paid from proceeds and balance placed to credit of State, Territory, or District of Columbia as addition to its allotment under 32 U. S. C. 21 and 22. Act of February 20, 1931 (10 U. S. C. 1354), provides that "no real estate of War Department shall be sold or disposed of without authority of Congress," and repealed existing acts in conflict therewith "other than special acts for the sale of stated tracts of land."

(8) Date of act: May 12, 1917.

Citation: 10 U. S. C. 1272.

Disposal by: Not specified.

Purchaser: No limitation.

Method of disposal: Exchange.

Terms: In part payment for new equipment of same or similar character, to be used for same purpose.

(12) Date of act: July 9, 1918.

Citation: 40 Stat. 849, Military Laws (1939), sec. 2015.

Disposal by: Not specified, but "subject to approval of Secretary of War."

Purchaser: No limitation.

Method of disposal: Exchange.

Terms: In part payment for new equipment of same or similar character to be used for same purposes.



Description of property: Motor-propelled vehicles, airplanes, engines, parts thereof, balloons and appurtenances.

Remarks: None.

#### APPENDIX B

Public, No. 1, Seventy-fourth Congress, January 31, 1935; 49 Statutes 1-2, 5, as amended by 50 Statutes 5, January 26, 1937; 53 Statutes, 510, March 4, 1939; Public No. 420, Seventy-sixth Congress, March 2, 1940; Public, No. 792, Seventy-sixth Congress, September 26, 1940: In part, providing "That the Export-Import Bank of Washington shall not make any loans to any government which was in default in the payment of its obligations, or any part thereof, to the Government of the United States on April 13, 1934, or in violation of international law as interpreted by the Department of State, or for the purchase of any articles, except aircraft exclusively for commercial purposes, listed as arms, ammunition, or implements of war by the President of the United States in accordance with the Neutrality Act of 1939."

Public, No. 792, Seventy-sixth Congress, September 26, 1940: "To assist in the development of the resources, the stabilization of the economies, and the orderly marketing of the products of the countries of the Western Hemisphere by supplying funds, not to exceed \$500,000,000 outstanding at any one time, to the Export-Import Bank of Washington, through loans to, or by subscriptions to preferred stock of, such bank, to enable such bank to make loans to any government, their central banks, or any other acceptable banking institutions, and, when guaranteed by any such government, a central bank, or any other acceptable banking institution, to a political subdivision, agency, or national of any such government, notwithstanding any other provisions of law insofar as they may restrict or prohibit loans or other extensions of credit to, or other transactions with, the governments of the countries of the Western Hemisphere or their agencies or nationals: *Provided*, That no such loans shall be made in violation of international law as interpreted by the Department of State or of the act of April 13, 1934 (48 Stat. 574), or of the Neutrality Act of 1939. Upon the written request of the Federal Loan Administrator, with the approval of the President, the bank is authorized, subject to such conditions and limitations as may be set forth in such request or approval, to exercise the powers and perform the functions herein set forth. Such loans may be made and administered in such manner and upon such terms and conditions as the bank may determine."

RECONSTRUCTION FINANCE CORPORATION,  
Washington, February 20, 1941.

Hon. JOHN A. DANAHER,

United States Senate, Washington, D. C.

DEAR SENATOR: Reference is made to your letter of February 13, 1941, requesting a list of any statutes relating to Reconstruction Finance Corporation which would limit the President's actions under section 3 (a) of H. R. 1776 but for the phrase "notwithstanding the provisions of any other law \* \* \*," contained in said section.

Most of the statutory limitations pertaining to the activities of Reconstruction Finance Corporation are a part of the Reconstruction Finance Corporation Act, approved January 22, 1932 (47 Stat. 5), as amended, or are contained in other statutes which refer expressly to Reconstruction Finance Corporation. The only authorized activities of Reconstruction Finance Corporation of the character related to those enumerated in said section 3 (a) of H. R. 1776 are those set forth in section 5 (d) of the Reconstruction Finance Corporation Act, as amended by the act approved June 25, 1940 (Public, 664, 76th Cong.). However, since said section 3 (a) of H. R. 1776 contains no specific reference to said section 5 (d) of the Reconstruction Finance Corporation Act, nor even to the Reconstruction Finance Cor-

poration, it would seem that said section 3 (a), by being later in the order of enactment, would undoubtedly constitute an independent authorization dissociated entirely from any limitations contained in section 5 (d) of the Reconstruction Finance Corporation Act or elsewhere. The activities authorized by said section 5 (d) of the Reconstruction Finance Corporation Act, and by other statutes pertaining to the Reconstruction Finance Corporation, are all related to purely national purposes, whereas the activities authorized by said section 3 (a) of H. R. 1776 are related to international purposes. Therefore, according to the ordinary rules of statutory construction, said section 3 (a) of H. R. 1776 could hardly be held to incorporate by inference any of the limitations contained in section 5 (d) of the Reconstruction Finance Corporation Act, or elsewhere.

In view of the foregoing, and in answer to your specific inquiry, it is our opinion that there are no statutes presently in effect relating to the Reconstruction Finance Corporation which would limit the President's actions under said section 3 (a) of H. R. 1776 in the absence of the phrase, "notwithstanding the provisions of any other law," contained therein.

Very truly yours,

EMIL SCHRAM.

Mr. GEORGE. Mr. President, I do not wish to argue this point, which has already been argued, but since there has been so much confusion about it, I desire to call attention to a few acts in which this identical phrase has been used by Congress not once but repeatedly.

In the amendment to the Social Security Act of 1939, section 905 (b), the introductory words are "Notwithstanding any other provision of law."

In the act to facilitate the execution of arrangements for the exchange of surplus agricultural commodities produced in the United States for reserve stocks of strategic and critical materials produced abroad, the opening language is, "That notwithstanding any other provision of law."

In the act to expedite national defense, and for other purposes, approved June 28, 1940, in section 5, the language occurs:

Notwithstanding the provisions of any other law.

In the same act, section 14 commences with the words:

Notwithstanding the provisions of any other law.

In the same act, in section 202 (a), this is the language used:

Notwithstanding other provisions of this or any other law.

So, Mr. President, the language is common, it is in general use, it does not effect a repeal of conflicting statutes. It merely suspends them during the operation of the particular act which contains the provision, "Notwithstanding the provisions of any other law."

I wanted to make this statement, not by way of argument against the amendment so much but because when the matter was under consideration I made the assertion that the language was not uncommon in the legislation of Congress, and I desired to call attention simply to those three particular acts.

Mr. GILLETTE. Mr. President, I merely want to say a word or two in re-

sponse to the statement just made by the distinguished chairman of the Committee on Foreign Relations.

I have in the document which was included in the RECORD cited practically every law to which the Senator has referred, I think all of them, and scores more, and in practically every instance the question was not as to a phrase similar to the one now under consideration, but the question was raised by the language, when they are in conflict, "The provisions of any other law in conflict with the provisions of this act," raising the question of conflict. That fully appears in the document.

Mr. DANAHER. Mr. President, I should like to ask the Senator from Iowa, in view of the study he has given to this question, whether the statutes which have been suspended in the other instances cited by the Senator from Georgia, are such as deal not with the disposition of property, but rather for instance, with the execution and administration of duties under our statutes, under circumstances in every case where standards have previously, or in the pending measure, been fixed by the Congress itself? To put it in another way, in this particular instance, in the pending bill, we are being asked to suspend all statutes which we have previously passed under our constitutional duty with reference to the disposition of property, which is a function devolving upon Congress under article IV, section 3, creating a legislative function, in short, and one which cannot be delegated as a matter of constitutional law. Is not that so?

Mr. GILLETTE. Mr. President, the Senator from Connecticut has made an absolutely true statement of the situation as I have found it in the investigation I have made.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Iowa [Mr. GILLETTE].

Mr. CLARK of Missouri. I ask for the yeas and nays.

The yeas and nays were ordered, and the Chief Clerk proceeded to call the roll.

Mr. HILL. I announce that the Senator from Oklahoma [Mr. THOMAS], the Senator from New York [Mr. WAGNER], and the Senator from Kansas [Mr. REED] are unavoidably detained.

The Senator from Kansas [Mr. REED] is paired with the Senator from New York [Mr. WAGNER]. I am advised that if present and voting, the Senator from Kansas would vote "yea," and the Senator from New York would vote "nay."

I am further advised that if present and voting, the Senator from Oklahoma [Mr. THOMAS] would vote "nay."

The Senator from Indiana [Mr. VAN NUYS] is absent because of illness. I am advised that if present and voting, he would vote "nay."

The Senator from Iowa [Mr. HERRING] is detained on official business.

The result was announced—yeas 35, nays 54, as follows:

#### YEAS—35

Adams	Brooks	Clark, Idaho
Aiken	Bulow	Clark, Mo.
Ball	Butler	Danaher
Barbour	Byrd	Davis
Bone	Capper	Gerry



Gillette	Maloney	Tobey
Holman	Nye	Tydings
Johnson, Calif.	Reynolds	Vandenberg
La Follette	Shipstead	Walsh
Lodge	Smith	Wiley
McCarran	Taft	Willis
McNary	Thomas, Idaho	

## NAYS—54

Andrews	George	Miller
Austin	Glass	Murdock
Bailey	Green	Murray
Bankhead	Guffey	Norris
Barkley	Gurney	O'Mahoney
Bilbo	Harrison	Overton
Brewster	Katch	Pepper
Bridges	Hayden	Radcliffe
Brown	Hill	Russell
Bunker	Hughes	Schwartz
Burton	Johnson, Colo.	Sheppard
Byrnes	Kilgore	Smathers
Caraway	Langer	Stewart
Chandler	Lee	Thomas, Utah
Chavez	Lucas	Truman
Connally	McFarland	Tunnell
Downey	McKellar	Wallgren
Ellender	Mead	White

## NOT VOTING—6

Herring	Thomas, Okla.	Wagner
Reed	Van Nuys	Wheeler

So Mr. GILLETTE's amendment was rejected.

Mr. CLARK of Missouri. Mr. President, I offer an amendment, at the end of the bill to add a new section, as follows:

The Congress declares it to be the solemn national policy of the United States that the American people are determined that war, raging in Europe, Asia, and Africa, shall not come to America.

We will not participate in foreign wars, and we will not send our army, naval, or air forces to fight in foreign lands outside of the Americas, except in case of attack. We favor and shall rigorously enforce and defend the Monroe Doctrine.

The direction and aim of our foreign policy has been, and will continue to be, the security and defense of our own land and the maintenance of its peace.

Weakness and unpreparedness invite aggression. We must be so strong that no possible combination of powers would dare to attack us. We propose to provide America with an invincible air force, a navy strong enough to protect all our seacoasts and our national interests, and a fully equipped and mechanized army.

To make America strong, and to keep America free, every American must give of his talents and treasure in accordance with his ability and his country's needs. We must have democracy of sacrifice as well as democracy of opportunity.

To insure that our armaments shall be implements of peace rather than war, we shall continue our traditional policies of the good neighbor, observe and advocate international respect for the rights of others and for treaty obligations, cultivate foreign trade through desirable trade agreements, and foster economic collaboration with the republics of the Western Hemisphere.

Mr. President, the words which I have just read are the words of the Democratic national platform as a declaration of national policy adopted by the Democratic National Convention at Chicago last summer, a declaration upon which President Roosevelt appealed to the people of the United States and won their confidence, and broke the Republic's long tradition against the third term.

Mr. President, there was another convention. I can not include the platform adopted at that convention in my amendment as declaration of national policy. It is not quite so strong as the declaration adopted in Chicago. In my opinion the difference between the two is re-

sponsible for the victory of President Roosevelt. But if any Senator wishes to offer the declaration adopted at the Republican Convention as a substitute for the amendment which I have offered in the nature of a declaration of national policy, I should be very much inclined to accept it. I invite my distinguished friend, the Senator from Oregon [Mr. McNARY].

Mr. ADAMS. Mr. President—

The VICE PRESIDENT. Does the Senator from Missouri yield to the Senator from Colorado?

Mr. CLARK of Missouri. In a moment. I invite my friend, the distinguished Senator from Oregon, the associate standard-bearer of the Republican Party, to offer as a substitute for my amendment the platform on which he appealed to the American people.

I now yield to the Senator from Colorado.

Mr. ADAMS. Mr. President, I shall be glad to yield and not stand in the way of the Senator from Oregon if he desires to make offer of that platform.

Mr. President, I merely wanted to ask a question of a political character. What is the statute of limitations upon the obligations of political platforms? [Laughter.]

Mr. CLARK of Missouri. Mr. President, there has been much said about mandates involved in the last election. If there was any mandate in that election whatever it was to the effect that the American people believed in the sincerity of the President more than they did in the sincerity of Mr. Willkie with respect to their pledges to keep the country out of war, and the fact that the Democratic platform went a good deal further in that regard than did the Republican platform I believe influenced many voters in making their decision.

Mr. President, I do not think anyone will stand on the Senate floor and challenge this proposition. If either candidate for the Presidency of the United States had advocated any such proposition as is embodied in this bill that candidate would have been defeated. I know that as one supporter of the President in the last election I took his declaration, and I also took the declaration of the Democratic platform, in perfect faith. If I had not done so I should not have been able to vote for the reelection of the President of the United States.

Did we mean what we said or did we not? I am offering the flat naked pronouncement of the Democratic platform itself, a declaration of national policy upon which we appealed to the American people, which was unreservedly accepted by the President of the United States himself. As one who made speeches on behalf of the Democratic ticket I offer that as a declaration of principle in this bill.

Of course, Mr. President, at this stage of the proceeding it is rather embarrassing to any Member of this body to raise his voice in this Chamber, because I suppose for the first time in the history of the United States the Senate is proceeding to the consideration of a momentous issue under the eyes and under the restraint of the gendarmerie. We

only have to look around us. There is a policeman in that gallery, a policeman in that gallery, two policemen in that gallery, a policeman there, a policeman there, a policeman there, a policeman there, and a policeman there. A little while ago I saw a visitor to the gallery rise and stretch his neck to see who was speaking. He was promptly waved down by a member of the Capitol police. I do not suppose that that sort of thing has occurred in any legislative body that still claims to be a free legislative body since Charles I arrived with his soldiers to arrest the members of the House of Commons.

Mr. ANDREWS. Mr. President, will the Senator yield?

Mr. CLARK of Missouri. I yield.

Mr. ANDREWS. Is the Senator in favor of what occurred here a few minutes ago?

Mr. CLARK of Missouri. I am not; but I do not think it is necessary, in the course of orderly debate in the Senate of the United States, to have a policeman assigned to stand between Senators' wives to overhear any conversation they may have with one another, and to wave down American citizens who may desire to see who is speaking and to hear what is going on on the floor of the Senate.

Mr. President, I offer the bare proposition contained in the Democratic national platform. I want to find out whether we meant what we said in the last national campaign, or whether we thought the Democratic platform was a platform to get in on, but not to stand on after we got in.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Missouri [Mr. CLARK].

Mr. CLARK of Missouri. I ask for the yeas and nays.

The yeas and nays were ordered, and the Chief Clerk called the roll.

Mr. HILL. I announce that the Senator from Oklahoma [Mr. THOMAS], the Senator from New York [Mr. WAGNER], and the Senator from Kansas [Mr. REED] are unavoidably detained.

The Senator from Kansas [Mr. REED] is paired with the Senator from New York [Mr. WAGNER]. I am advised that if present and voting the Senator from New York would vote "nay."

I am further advised that if present and voting, the Senator from Oklahoma [Mr. THOMAS] would vote "nay."

The Senator from Indiana [Mr. VAN NUYS] is absent because of illness. I am advised that if present and voting the Senator from Indiana would vote "nay."

The result was announced—yeas 32, nays 59, as follows:

## YEAS—32

Adams	Clark, Idaho	Shipstead
Aiken	Clark, Mo.	Smith
Bilbo	Gillette	Taft
Bone	Holman	Thomas, Idaho
Brewster	Johnson, Calif.	Tobey
Brooks	La Follette	Vandenberg
Bulow	Langer	Walsh
Burton	Lodge	Wheeler
Butler	McCarran	Wiley
Capper	Nye	Willis
Chavez	Reynolds	

## NAYS—59

Andrews	Ball	Barkley
Austin	Bankhead	Bridges
Bailey	Barbour	Brown



Bunker Byrd Byrnes Caraway Chandler Connally Danaher Davis Downey Ellender George Gerry Glass Green Guffey Gurney Harrison	Hatch Hayden Herring Hill Hughes Johnson, Colo. Kilgore Lee Lucas McFarland McKellar McNary Maloney Mead Miller Murdoch Murray	Norris O'Mahoney Overton Pepper Radcliffe Russell Schwartz Sheppard Smathers Stewart Thomas, Utah Truman Tunnell Tydings Wallgren White
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## NOT VOTING—4

Reed Thomas, Okla.	Van Nuys	Wagner
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So the amendment of Mr. CLARK of Missouri was rejected.

Mr. ADAMS. Mr. President, we are about to pass a bill authorizing the United States Government to sell to or exchange its property with a belligerent. There is in the Neutrality Act a provision, section 7, which provides that if a private citizen makes a loan to a belligerent or sells any property to a belligerent, he shall be guilty of a felony, and liable to 5 years' imprisonment and \$50,000 fine.

I offer an amendment to repeal that section; I send the amendment to the desk and ask to have it stated.

The VICE PRESIDENT. The amendment will be stated.

The CHIEF CLERK. It is proposed to amend the bill by adding a new section at the end thereof, as follows:

Section 6 and section 7 of the Neutrality Act of 1939 are hereby repealed.

Mr. BARKLEY. Mr. President, I do not desire to argue the matter; but there is no need for the adoption of the amendment, because the provisions of the bill would merely suspend the operation of those provisions of the Neutrality Act if they actually do conflict.

Mr. ADAMS. Mr. President, this is not a matter of conflict between laws; this is a matter of principle. My contention is that the Government of the United States is taking upon itself the right to give or sell to or exchange its property with a belligerent. It should not put a citizen in jail for 5 years and fine him \$50,000 for doing the same thing.

I am merely trying to reconcile the laws in terms of principle. There is no inconsistency in the matter so far as the laws are concerned, but only in the matter of principle.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Colorado [Mr. ADAMS].

The amendment was rejected.

Mr. MURDOCK. Mr. President, I know I may be considered presumptuous at this late hour, and when we are nearing the conclusion of the debate on the bill, to take the time of the Senate; but I feel that I would be derelict in my duty as a Senator, feeling as I do, if I did not call one matter again to the attention of this great deliberative body. I know that I probably am a voice crying in the wilderness this afternoon. I know that probably I cannot do a great deal of good by referring to the matter again, but I can at least satisfy my conscience that

the matter has not been passed without at least an expression against it from me.

We have heard a great deal in this debate about the Constitution of the United States. We have heard a great deal, Mr. President, about the confidence we repose in the President of the United States, three times elected by overwhelming majorities as President.

Mr. President, we have heard a great deal of condemnation of the policy of appeasement, but I wonder if in the adoption of the provision in the bill respecting concurrent resolutions we have not resorted to the policy of appeasement.

I took a great deal of pleasure on yesterday in watching the look of anxiety on our great majority leader's face change to one of pleasure. I was happy to see the smile on his face last evening, before adjournment, as one by one the amendments to the bill were knocked down. Oh, I was happy when he came over here and spoke to the "stone wall," if I may refer to it as that, of new Democratic Senators standing against every amendment. I was happy to see the look of anxiety on the face of the great Senator from South Carolina [Mr. BYRNES], who has had so much to do with this bill, change to a big smile, last night, when it was certain that no amendments were possible that would detract from the bill or scuttle it. I was happy to sit here with this group of new Senators and help carry through the program of the great President of the United States, and of the majority leader of the Senate, and of the men who have stood with him.

However, I think it is not amiss today to call the attention of the Senate to a great debate that happened 99 years ago the 28th day of February, when another great Senator from the State of South Carolina was meeting here on the floor of the Senate the forces against legislation that would strike down the veto power of the President of the United States. Now for 160 years we have gone along under the theory so ably expounded by John C. Calhoun in his debate against striking down the veto power.

When I refer to what has happened here as a policy of appeasement, I do so with due respect, but with the conviction that the cold candor of history will thus label it. I ask Senators who stand here and eloquently ask us to vote to uphold the President of the United States, who stand here and ask us whether we do not repose confidence in him—I ask them to look over on the other side of the Capitol and examine the authorship of the amendment which intruded into this bill—the concurrent-resolution provision. I wonder if the author of that amendment, over on the other side of the Capitol, is so formidable, so influential, that the great leaders of my party in the Senate are willing, as a matter of appeasement, to say, "Yes; we will adopt this concurrent-resolution provision as a compromise, in order to bring about passage of the bill, in spite of the fact it is repugnant to the Constitution.

Today might be a good time, Mr. President, to examine into the very perfect form of government that was set up by

the founding fathers—not a government controlled by an unrestrained majority, not a government controlled by a majority of the States which compose this great Federal Union without respect for the rights of others, but a government which operates by a system of checks and balances which insures freedom and equal justice. Before a bill can be properly enacted into law under our system, three processes are required: First, in the House of Representatives a bill must win a numerical majority. Then, when it comes to the Senate, the vote of a majority of the States is required to pass the bill here. Under the Constitution of the United States a numerical majority over in the House is not enough; and the vote of a majority of the States in the Senate is not enough. Legislation that is passed by those two majorities must still be approved, in order to become law, by the one man in the United States who is elected, not by my State, nor by other States, but by a majority of the electors of all our States.

Right here in your own body, of which I have been a Member now for only a couple of months, you have precedent after precedent to lead you. All that would have been required, in my opinion, is a sincere study of the precedents of the Senate, in order to convince us that never before in the history of this great Nation was a concurrent resolution resorted to in order to strike down the veto power of the President of the United States.

Some may say that as the provision was written into the bill in the House it was unconstitutional, but that after the window-dressing we gave it in the Senate, it is all right now; that it is constitutional, and we are proud of the authorship of the amendment. But the precedents of the Senate say otherwise. They make it clear that it does not matter what the form of the concurrent resolution is; the thing that is binding on the Congress is the substance of the resolution.

After serving 8 years in the House, after being restricted and confined to 5-minute speeches over there, I cannot doubt that the Senate may consider that there is magic in words; there is magic in phrases. But, Mr. President, enough verbiage or phrases cannot be built around the substance of such a concurrent resolution as this to bring it within the Constitution of the United States.

Let me read a paragraph from the great Calhoun, who, as I have said, made an unanswerable argument against striking down the veto power. Let us see what he said in this paragraph, in reply to the proposition expounded by Clay, that a majority of the people of the United States should rule the Nation:

It results from all that has been stated, that either the theory of the Senator is wrong—

Speaking of Senator Clay, of Kentucky—

or that our political system is throughout a profound and radical error. If the latter be the case, then that complex system of ours, consisting of so many parts, but blended, as was supposed, into one harmonious and sublime whole, raising its front on high and challenging the admiration of



the world, is but a misshapen and disproportionate structure, that ought to be demolished to the ground, with the single exception of the apartment allotted to the House of Representatives.

And then he asks this question:

Is the Senator prepared to commence the work of demolition? Does he believe that all other parts of this complex structure are irregular and deformed appendages; and that if they were taken down, and the Government erected exclusively on the will of the numerical majority, it would effect as well, or better, the great objects for which it was instituted: "To establish justice; ensure domestic tranquility; provide for the common defense; promote the general welfare; and secure the blessings of liberty to ourselves and our posterity?" Will the Senator—will anyone—can anyone—venture to assert this? And if not, why not?

This is the question, on the proper solution of which hangs not only the explanation of the veto, but that of the real nature and character of our complex, but beautiful and harmonious system of governments.

I say to the Senate today that if we endeavor to hold within the Congress of the United States the powers to pass legislation, and deprive the President of the United States of his veto power, we shall do exactly as John C. Calhoun told the Senate nearly 100 years ago they would do, and that would be to demolish the system as created by the Constitution.

What is the difference, I ask Senators, between the provision for a concurrent resolution adopted by the House and the one we have adopted here in the Senate? Is there any difference in substance? The simple thing that is done is this: On the House side they said that the powers granted under the bill may be terminated by a concurrent resolution. Then we bring the provision over here and deck it in the ugly garb of appeasement, and send it back to the House and say, "The poor job that you did has now been perfected over here." But how does the provision read, now that we have arrayed it in wordy veils on this side of the Capitol?

The House version of the provision read as follows:

Neither the President nor the head of any department or agency shall, after June 30, 1943, exercise any of the powers conferred by or pursuant to subsection (a), nor shall such powers be exercised if terminated by a concurrent resolution by both Houses of the Congress. \* \* \*

Now we bring the provision over on this side of the Capitol, and we make what was unconstitutional over there constitutional here, by doing what? By adding language; by dressing the parliamentary scarecrow in more words. By the magic of words we clear up what was poorly done on the House side; and the provision now reads:

After June 30, 1943, or after the passage of a concurrent resolution by the two Houses before June 30, 1943, which declares that the powers conferred by or pursuant to subsection (a) are no longer necessary to promote the defense of the United States.

Senators, is not that splitting hairs? Is that not a distinction without a difference? Do we not quibble with words and trifles with the Constitution when we say that what we did here in the Senate is

constitutional, while we denounce what was done in the House of Representatives as unconstitutional?

When the question is presented—it may never be presented, of course, but if it is presented either under the House amendment or the Senate amendment—I wonder what the result will be, if the President still says it is necessary to continue his powers in the defense of America, and the matter is debated in the House and the Senate. What will the debate be? It will be whether the policy of the President in asking that the powers continue is the right one, or whether the policy of the majority of the two Houses is the right one. The same debate will take place whether it is under the House amendment or whether it is under the Senate amendment, and the result will be what? The result will finally be the establishment of a policy, if the concurrent resolution is adopted, striking down the policy we are creating today; and by a concurrent resolution of the two Houses, after 160 years without resort to that type of legal monstrosity, the Congress will have empowered itself, if this provision is upheld, to establish the policy of this great Nation on one of the most vital subjects that ever confronted us, and that is the subject of national defense, without having to refer the legislation to the President of the United States for his approval or disapproval.

The reason why I am taking the time of the Senate today, the reason why I think it is worth while to take a few minutes and even cry out in the wilderness, if that is the case, is because I hope that every Member of this body, between now and the time the conferees of the two Houses go into session, if that should be necessary, will read the statement of John C. Calhoun, and study the precedents of the United States Senate. If my hope is realized, I am confident that, in the conference, this unconstitutional provision will be eliminated, and that the conferees of the two great Houses of Congress will evolve something that is in harmony with the Constitution of the United States.

What a simple thing that would be. There is no question that Congress may set up conditions precedent, and conditions subsequent, either terminating legislation or giving it vitality. Under the Agricultural Act, we established a condition precedent before the legislation became vital. If we, in this bill, want to establish a condition subsequent to terminate the powers of the President in the event that certain contingencies occur, what a simple thing that would be. Why not create a commission, say, composed of the Secretary of the Navy, the Secretary of War, the Chief of Staff of the Army, and the Chief of Naval Operations, and say to them, "When you determine the fact that the quantity of armaments and munitions delivered by the United States to Great Britain has reached such a point that they are able to go on with their own defense without the exercise of these powers, when you determine that the industrial capacity of Great Britain, as compared with that of Germany, is sufficient to relieve the United States

from the obligations we have assumed, you shall certify those facts to Congress, and thereupon the powers conferred hereunder shall come to an end."

It might be argued that that is what we are doing here; that when Congress finds a fact, the powers are terminated; but, I say, the answer to that contention is that the Constitution itself provides how the will of Congress may be invoked, and unless invoked in that way the measure is not constitutional. Whenever the Congress seeks to strike down legislation, whenever the Congress seeks to repeal a law, certainly we must and should exercise the legislative power of Congress according to the provisions of the Constitution. When the legislative will of the Congress is invoked, it must be done according to the Constitution of the United States, or it is unconstitutional.

It may be said that I am talking about something which will never happen. It may be said, Mr. President, that this is a matter which can never get into the courts because no justiciable issue can be made of it. It may be said it is solely and purely a political question of which the Supreme Court of the United States would not take jurisdiction.

My answer to that is that if the courts of the United States are deprived of jurisdiction by reason of the subject matter of the question, then how much more careful, how much more cautious, the Congress should be in the enactment of this legislation.

Mr. President, I ask unanimous consent to have included with my remarks a quotation from Hinds' Precedents, including a report that was made by the Committee on the Judiciary of this great body to the Senate on this very question.

The VICE PRESIDENT. Is there objection?

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

[Quoted from Hinds' Precedents, vol. IV, sec. 3483]

On January 27, 1897, Mr. David B. Hill, of New York, from the Committee on the Judiciary, submitted to the Senate a report (S. Rept. 1335, 2d sess. 54th Cong.) which that committee had been directed to make on the subject of joint and concurrent resolutions and their approval by the President. The subject involved the construction of a portion of section 7 of article I of the Constitution. The committee found that in the first 12 Congresses there were one or two instances of simple resolutions being approved by the President (1 Stat. 96) and that, with one or two exceptions, all joint resolutions were approved. These exceptions were in cases where Congress made requests or recommendations not involving any legislative act. In the first 50 years of the Government the whole number of joint resolutions did not exceed 200, but they gradually increased thereafter until in the Forty-first Congress alone the number exceeded 500. The joint resolutions have been largely used since, but not to the extent reached in that Congress. Except in the few instances in the early Congresses, all joint resolutions have been presented to the President and have been acted on by him.

The committee found that the passage of concurrent resolutions began immediately upon the organization of the Government, but their use has been not for the purpose of enacting legislation but to express the sense of Congress upon a given subject: to adjourn longer than 3 days; to make, amend, or sus-



pend joint rules; and to accomplish similar purposes, in which both Houses have a common interest, but with which the President has no concern.

The report continues:

They are frequently used in ordering the printing of documents, in paying therefor, and in incurring and paying other expenses where the moneys necessary therefor have previously been appropriated and set apart by law for the uses of the two Houses.

Concurrent resolutions from their very nature require the concurrence of both Houses to make them effectual, and if the Constitution in section 7, before quoted, has reference solely to the form, and not to the substance of such resolutions, they must, of course, be presented to the President for his approval.

For over a hundred years, however, they have never been presented. They have uniformly been regarded by all the departments of the Government as matters peculiarly within the province of Congress alone. They have never embraced legislative provisions proper, and hence have never been deemed to require Executive approval.

This practical construction of the Constitution, thus acquiesced in for a century, must be deemed the true construction, with which no court will interfere (*Stuart v. Laird*, 1 Cranch 299). If it be contended that the exception in section 7 (whereby adjournment resolutions are excluded from those which must be presented to the President, although they require the concurrence of both Houses) somewhat corroborates the theory that all other concurrent resolutions are intended to be included, regardless of their character, it may be answered that such exception was rendered necessary because of that other provision of the Constitution (Art. I, sec. 5, subdivision 4) which prevents adjournments for more than 3 days without the consent of each House. Such adjournment resolutions were therefore constitutionally required to be concurrent because the "concurrence" of both Houses was under the Constitution itself necessary thereto to make them valid, and if there had been no exception contained in said section 7 all such resolutions would have been required to be presented to the President, which would be an unprofitable and useless proceeding, as Congress itself should have the sole right to determine the question of its own adjournment, the President being sufficiently protected in such matters by his power to convene Congress whenever he deems it desirable. In other words, the exception was necessary in order to take certain adjournment resolutions out of the category of those "to which the concurrence of the Senate and House of Representatives may be necessary," under the other provisions of the Constitution, and for that good reason all adjournment resolutions were appropriately excepted.

After referring to Revised Statutes (2d ed., 1878), sections 7, 8, and 205, and the printing law (ch. 23, Laws of 1895, sec. 59) for evidences of the views taken by legislators of the subject, the committee came to the following conclusions:

It should also be stated that it has been the uniform practice of Congress since the organization of the Government not to present concurrent resolutions to the President for his approval, and to avoid incorporating in such resolutions any matter of strict legislation requiring such presentation. As a matter of propriety and expediency it is believed to be wise to continue that course in the future. We conclude this branch of the subject by deciding the general question submitted to us, to wit, "whether concurrent resolutions are required to be submitted to the President of the United States," must depend, not upon their mere form but upon the fact whether they contain matter which is properly to be regarded as legislative in its character and effect. If they do, they must be presented for his approval; otherwise they

need not be. In other words, we hold that the clause in the Constitution which declares that every order, resolution, or vote must be presented to the President, to "which the concurrence of the Senate and House of Representatives may be necessary," refers to the necessity occasioned by the requirement of the other provisions of the Constitution, whereby every exercise of legislative powers involves the concurrence of the two Houses; and every resolution not so requiring such concurrent action, to wit, not involving the exercise of legislative powers, need not be presented to the President. In brief, the nature or substance of the resolution, and not its form, controls the question of its disposition.

Mr. MURDOCK. Mr. President, I wish to emphasize an excerpt from that quotation. I ask Senators who are handling the proposed legislation if it does not behoove us today, in what we are doing, to perpetuate and preserve the way of America? I believe it is our solemn duty to exercise the utmost vigilance so that we will not establish a precedent which, innocent as it may now appear, will come back to plague us in the future.

I read again one sentence from the quotation:

In brief, the nature or substance of the resolution, and not its form, controls the question of its disposition.

I ask, is there any difference in the substance of the provision with respect to the concurrent resolution as adopted in the House of Representatives and the substance of it as it is contained in the bill today? The substance of both amendments is this: That whenever a majority of Congress, regardless of the attitude of the President, comes to the conclusion that the powers granted herein should terminate, we may terminate them by a majority vote of the two Houses.

Why was the veto power provided in the Constitution? For the simple reason that the great will of the people of the Union could not be expressed by a numerical majority, it could not be expressed by a majority of the States of the Union, it could not be expressed by the combined wills of the House and the Senate; but the will of the great people of the United States can only be legally expressed, according to our Constitution, by the concurrence of the House and the Senate and the approval of the President.

I assume that the purpose of the concurrent resolution amendment is to win a bigger majority for this bill. But the inevitable result of unconstitutional procedure is, in my opinion, too high a price to pay for big majorities. The Constitution provides in substance that, since the President is the only officer we have who is elected by the whole Nation, when he disapproves legislation passed by the Congress, then, in order to protect all the people of the United States, in order to protect a substantial majority, we can only pass that legislation by a two-thirds majority of the two Houses.

I still think the fathers were intelligent when they wrote the Constitution. They did not give the President an absolute veto. They gave him a qualified veto, which in order to insure the carrying out of the will of the people can be overridden by a two-thirds vote of the representatives of the people of the

United States. But we here today, and the Members of the House of Representatives a few weeks ago, have forgotten that constitutional provision; and now, as John C. Calhoun a hundred years ago told us we would do some time in the future, we are seeking to reserve to the Congress, by the provision in the bill before us, if it is constitutional, the power to repeal a policy, which under the Constitution requires the concurrence of the House and the Senate and the President—we are attempting in this bill the power to strike down a law whenever a majority of the two Houses sees fit.

Mr. President, I do not feel justified in taking more time. I think I have said all I have to say on the subject. But in conclusion, I request again that every Member of the Senate, if he can find time, read the great speech of Calhoun on the veto power. Of course, I admit that I can be wrong; there is no question about that. On the other hand, I submit that even a majority of my party might be wrong, and in my opinion they would do well to reconsider their action on this particular provision, and, if possible, evolve something in conference which would eliminate any question of constitutionality, and preserve the great system that was given to us by the Constitution.

Mr. LUCAS. Mr. President, I have an amendment on the desk which I ask to have stated.

The VICE PRESIDENT. The clerk will state the amendment.

The LEGISLATIVE CLERK. It is proposed to insert a new section at the end of the bill to read as follows:

SEC. 10. In order to promote national unity and to provide more effectively for the national defense, there is hereby established a special joint committee to be composed of the majority leader and the minority leader of the Senate, the majority leader and the minority leader of the House of Representatives, the chairman of the Senate Committee on Foreign Relations, and the chairman of the House Committee on Foreign Affairs. The committee shall select a chairman from among its members. The committee shall, from time to time, at the request of the President, meet with the President and consult with him with respect to matters relating to the national defense. The provisions of this section shall cease to be in effect on July 1, 1946.

Mr. LUCAS. Mr. President, the amendment offered by the Senator from Illinois is one which is understandable by all. I shall not take a great length of time in the discussion of the amendment.

The amendment is offered in order to promote further national unity in connection with the national-defense program. The President of the United States has probably done more to attempt to create a national-unity program than any other single individual, or perhaps any group of individuals, and he did that when he stepped out from the ranks of the Democratic Party and selected a Republican to be Secretary of the Navy, and another prominent Republican to be Secretary of War. In addition to that, in order to promote national unity, the President of the United States has seen fit to appoint Mr.



Knudsen the head of the National Defense Commission, and I understand Mr. Knudsen is also a Republican.

Mr. President, I voted for the confirmation of the nominations of both Mr. Knox and Mr. Stimson for one reason. As I viewed the matter at that particular time, it seemed to me their appointment would go a long way toward uniting the American people in the crisis and the emergency which is here.

There is one thing which Senators and the people of America in general are agreed upon from the standpoint of unity—that is, we all believe in aid to England. I have yet to hear a Senator say on the floor that he does not believe aid should be given to England. The only question has been as to the type of approach. Everyone has the same objective; some want to go one road and some want to go another.

There is one question on which national unity is not as it should be, and that is the question of the concentration of power in the Chief Executive of the Nation. Through all of the debates that has been one question which has given all Senators more concern and trouble than any other one question.

Our system of checks and balances is deeply ingrained in the American people. It has existed for over 150 years, and it took us approximately 150 years in the colonial wilderness to finally arrive at a constitution containing provision for three separate branches of government.

It is always distasteful to Americans to have that system, which has successfully operated so long, materially disturbed. Yet in every crisis, whether it be a foreign crisis or a domestic one, there are times when we must retrace a certain distance from the barricades of liberty in order to save our own national existence, because once our national existence goes, all the liberties about which we talk will ultimately be lost.

History is replete with examples of delegation of power by the legislative branch of the Government to the executive in great emergencies, whether domestic or foreign, and in all cases where the delegation of power was made, after the crisis passed, democracy returned usually more effective than it was before.

Now, again in this bill, we are called upon to delegate wide and extensive powers to the Chief Executive of the Nation. That is especially necessary if we are to give immediate and effective aid to Britain, and at the same time bulwark our own national defense.

Mr. President, under the circumstances I favor that delegation of power. If the Congress of the United States has to hold a dress rehearsal every time the President of the United States wants to make an exchange, or to lease or lend something to Britain or her allies as a matter of defense to this Republic, then it is obvious that we would never give any aid to Britain, because we would encounter the same lengthy debate on two mosquito boats, if the President wanted to give them away, which we have encountered during the last 3 weeks.

Mr. President, I am not objecting to the debate. I understand how democracy works. The procedure has been long and

tedious, but perhaps after all it is the best way, in view of the fact that we are now about to vote.

I have no fears or misgivings about the transfer of the legislative power in this case. I have no fears about a dictatorship. The people of America will take care of that, whether the seeds of dictatorship are wafted in from foreign shores, or a misguided soul attempts to plant them here upon our soil.

Mr. President, there will be no dictatorship here at all. The man in the White House, who has been so kind to the common people, so kind to the underdog, so to speak, in my humble judgment could never be a dictator if he wanted to. What tyrant, what dictator of the Old World ever helped his people in the way the individual who is now the Chief Executive of this Nation has helped the American people? Practically every Senator has given due praise and credit to the President of the United States and has expressed his complete confidence in the President's patriotism, his ability, and his courage.

Notwithstanding all this, there are still some honest people who are skeptical about the delegation of power under this bill. Perhaps some people throughout this country are not sincere when they discuss the question of delegation of power, but there are many people in my State who are skeptical about it, and all I am attempting to do by my amendment is to accomplish the same thing that was attempted to be accomplished by the amendments offered by the Senator from California [Mr. JOHNSON], the Senator from Ohio [Mr. TART], and the Senator from Nebraska [Mr. NORRIS]—to make a declaration of policy which would allay the fears of the people back home.

The argument has been made on the Senate floor that under no circumstances should we place anything in the pending bill which would give the dictator nations any aid or comfort. I am not impressed with that argument, Mr. President, and I will say why. The leadership of the various nations that have dictators at the present time let their people know just what they want them to know through the press and the radio, and nothing more. The various leaders in the dictatorship nations perhaps know just as much of the courage and fidelity of the American people and her leaders as we know ourselves.

Mr. President, it seems to me the President of the United States would welcome counsel and advice coming from the proposed committee. No one would agree that any man is perfect. Everyone makes mistakes. Everyone, regardless of size of the problem he faces, needs counsel and advice. That is why we have committees in the Senate and in the House. No single individual controls a committee. The members of the committee take counsel and advice from their fellow members. Wise and honest counsel in every walk of life frequently results in the avoidance of errors. Such counsel usually produces the best results, and that is exactly the American objective in this crisis.

I do not say that the President of the United States is not going to confer or

consult with a number of persons in connection with the performance or the carrying on of his functions under this bill. I do not say that the President will not consult with others. In fact there is a provision in the bill which suggests that he consult with the experts of the Army and the Navy when it comes to the transfer of defense weapons. He will obtain from those officials technical and expert advice. If he wants advice or counsel when he gets ready to make a great decision—and Mr. President, he will have to make many grave and serious decisions in the next 6 months—he must confer with someone, and who is in better position to give honest, serious, and careful advice if the President wants it, than the group of individuals named in the amendment, who are familiar with this legislation?

Would it not be well for the people throughout the United States to know that the Congress has formed a special committee of six members, three of the House and three of the Senate, members of the Republican Party and of the Democratic Party, whom the President of the United States could call into consultation if he desired?

Mr. President, we all know that under section 3 (a) the President has wide and extraordinary powers, and rightly so. In my opinion, these powers are absolutely indispensable in this emergency. As the days go by, the catastrophe of Europe will grow greater, and decisions of vast importance to the Republic will necessarily have to be made by the Chief Executive.

Mr. President, I do not know whether anyone is interested in the argument I am making, but I should like to have order.

Mr. DANAHER. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. DANAHER. I will tell the Senator that I have been paying very close attention to his argument, but as yet have not been convinced by it. [Laughter.]

Mr. LUCAS. I did not expect to convince the Senator from Connecticut when I began. The Senator from Connecticut has voted wrong on every proposition relating to this measure heretofore, and I do not want to spoil his record.

Mr. President, decisions of grave importance to the Republic will necessarily have to be made by the Chief Executive. Problems will become perhaps more and more acute and increasingly great. It seems to me, under these disturbing circumstances which are bound to affect our defense and our security, that perhaps the President of the United States would welcome a committee appointed by the Congress, composed of Democrats and Republicans, to confer with him from time to time upon these vital matters.

Mr. President, assume that the President of the United States, under the powers granted, is about to make a decision of national and world importance, a decision affecting the security and the defense of the Nation. He has studied the question from every angle; he has not only worked on it during the day, but



has thought of it at night, and he finds himself somewhat troubled. I predict that he will find himself somewhat troubled at times as to the kind of decision to make in this particular crisis so far as the question of exchanging, loaning, and leasing of defense weapons is concerned.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. TYDINGS. I am interested in the Senator's argument. It occurred to me that if the President should reach such a position that he was greatly troubled over what to do in a particular case, he would probably call the leaders of the two parties in the Senate and the House to the White House and say, "Boys, I have to make a decision. I have about decided that so and so is right, and I should like to hear what you have to say about it." Would not what the Senator wishes to put into law happen anyway?

Mr. LUCAS. I will say to the Senator that I think probably he is correct; but what I am trying to do in this amendment is, in order to create a little more national unity, to tell the people of America that the legislative branch of the Government is functioning closely with the executive branch. I say we shall need more national unity on this question than we now have.

Mr. TYDINGS. Mr. President, will the Senator further yield?

Mr. LUCAS. I yield.

Mr. TYDINGS. The Senator knows that the policy he advocates is in effect in many of the States, where there is what is called a legislative council.

Mr. LUCAS. That is correct.

Mr. TYDINGS. Whether or not the Senator's amendment is agreed to, the President, if he should so desire, could appoint an ex officio legislative council and carry out the Senator's wish. The function of the Executive to translate into acts the various legislative authorities which we are giving is primarily and peculiarly one which is his. We will not even allow the Army and Navy to have much to say.

Mr. LUCAS. That is correct.

Mr. TYDINGS. Therefore many of us who are not unsympathetic with the Senator's objective feel that the invitation should come from the President, and that there should be no legislative restriction on his power, even though the proposed committee would be only advisory.

Mr. LUCAS. There would be no veto power in the committee. It would confer with the President only upon the request of the President if he should desire to confer. The committee saw fit to put into the bill a limitation on the President's power, to the extent of stating that if the President should want some expert or technical advice before disposing of defense weapons, he should confer with the Chief of Staff of the Army and the Chief of Naval Operations of the Navy. Such advice is expert and technical.

What I seek to do is to try to tie in that expert advice with some practical advice which is close to the people of the United States. That is the only thought. The President would not have to follow the advice if he did not wish to do so. I say

that teamwork between the executive and legislative branches of the Government in this crisis is absolutely essential, and that the people of America would be much better satisfied if the legislative branch of the Government should select a committee of this kind to confer with the President. I think all America would applaud such an arrangement; and I sincerely hope that the majority leader will accept the amendment, because I offer it in the best of faith. I offer it solely for the purpose of creating further national unity, which we shall need more and more as the crisis develops during the next 6 months.

Mr. BARKLEY. Mr. President, I wish to say only a few words about the amendment. I have discussed it a number of times with the Senator from Illinois, and I appreciate to the fullest possible extent his sincerity and high motive in offering it.

The members of the Committee on Foreign Relations have discussed the amendment. They have not been able to reach a conclusion in favor of it. Three or four objections have been urged by the members of the committee against the amendment, and I wish briefly to submit them to the Senate for its consideration.

In the first place, of course, the President may ask the advice of any Member of either House of Congress when he wants it. He is not required to ask the advice of the proposed committee. The committee is enjoined to attend, upon the invitation of the President, any conference he may wish to call with the six Members of Congress.

As matters now stand, if the committee should be made up of the Senator from Oregon [Mr. McNARY], the Senator from Georgia [Mr. GEORGE], and myself representing the Senate, and the two Members from Massachusetts [Mr. MCCORMACK and Mr. MARTIN], and the chairman of the House Committee on Foreign Affairs [Mr. BLOOM], representing the House, the President might invite the six of us down to the White House for a conference. If he did not see fit to invite us, I am wondering whether or not someone would say that he had violated the spirit of the amendment by refusing or failing to invite the six committee members to the White House for a conference. If the members of the committee should feel any umbrage because of the lack of an invitation—which, of course, they would not—there would be a lack of unity between the President and at least the six members of the committee.

Suppose he should invite the members of this group to the White House for a conference over some action he was contemplating, and suppose half of them should agree with the President and the other half should not agree with him, but suppose he should go ahead and do what he thought he should do. Would the three who disagreed feel that there was any lack of unity, or that there was unity because three agreed with the President and three did not? Would the three, or two, or whatever number did not agree with what the President was about to do—and finally would do—in order that there might be complete unity, refrain

from any comment or criticism of the President's action? Or would they, as members of the committee which had been called into conference, feel it incumbent upon them to announce to the Nation that they did not agree with the action which the President had taken? In such an event we should not have unity.

Another objection has been raised to the amendment. The execution of the law is a Presidential responsibility. Congress cannot share with the President the executive authority; and if Congress desires to keep itself absolutely free to comment upon the action of the President or to criticize it as it may see fit, or to disagree, I am wondering whether the creation of a committee of this sort would in some measure tie the hands of Congress in exercising its own judgment with respect to actions taken by the President.

For those reasons the Committee on Foreign Relations has been unable to accept the amendment, and I submit them to the Senate for its consideration.

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. WHEELER. I merely wish to say that I agree with the Senator with respect to this amendment. I do not want to tie the hands of the President, and I shall vote against the amendment.

Mr. DANAHER. Mr. President, a few minutes ago the Senator from Illinois expressed some concern as to whether or not anyone was listening to him. I assured him that I was and told him that I had not been convinced. We have listened to some arguments here during the past week which have had convincing force, and there has been evidence of it in the votes. I heard the Senator from Louisiana talk for some 4 or 5 hours and finally convince himself that he ought to vote against his own amendment. [Laughter.] I listened to the Senator from Illinois telling us that the country would "feel better" if there were some select committee appointed under our direction to meet with the President if he should invite the committee to confer, with no compulsion upon him to invite them and no requirement that the committee attend if invited.

Mr. President, the extra decisions which by this bill will be forced on the President hourly would require sustained attendance in the White House on the part of any such committee, and while it is true that it does not lie within our power to say who shall and who shall not live in the White House, surely we do not have to add to the President's burdens in that particular.

If there be any just basis for the concern which the Senator from Illinois voices as to the attitude of the country, and if the country would "feel better" to have this consulting committee at a time when the country knows, as the Senator from Kentucky says, that when the President of the United States makes up his mind to do something, he will do what he wants to do, any way, then I submit that the concern arises because the Congress is being asked to turn over to the President its power to act for the



people in the emergency confronting our Nation. It arises because this day the Congress is being asked, in violation of the duty imposed upon it by the Constitution, to turn over its obligations with reference to the disposition of property of the United States. It is asked to turn over to the President of the United States the power to say what countries, in his opinion, are "vital" to our defense—that is the word that is used in the terms of the proposed legislation—that their continued existence shall be said by him, not by us, to be linked with ours, and, vice versa, that correlatively our defense must be said to depend upon the defense of such nations. The Congress of the United States is being asked to abdicate its power to say under what terms an alliance will be created for the continued existence of any nation whose defense is deemed "vital" to our defense. That is the word—not "material" aid to the country we are friendly with, not one we "sympathize" with, but one whose defense is deemed "vital to the defense of the United States."

Mr. President, I desire to know, and I hope that before the day is over some Member of the Senate will tell the Senate, will tell the Congress, will tell the people of the United States, at what point under the administration of the proposed act the President of the United States will say, "That defense which we hitherto deemed vital, that defense which conjured up the need of our turning over our Navy, that defense which required that the assets of the United States be made available, will no longer be deemed vital to the defense of the United States," and that aid will no longer be given. Are we going to reach the point, Mr. President, where in the discretion of one man that nation in which we are interested will be allowed to fall because the President decides that no longer is her defense vital to ours?

Mr. President, on the other hand, once having taken steps under the legislation, once having undertaken commitments, once having engaged by way of legislative pledge to support the continued existence of some other country, are we going to say that we will not go the whole way and sustain her against whatever attack may be made upon her, and maintain her thereafter?

Mr. President, that is what this bill will permit. No wonder the people of the country would feel better, as the Senator from Illinois says, if there were just some little check, if there were just some opportunity for the people to know just where this bill would take us.

Mr. President, the proponents of the bill would justify it; the Committee on Foreign Relations advise us that they would justify it on the ground of aiding the self-defense of the United States. They say that there are "interpretations" arrived at at Budapest as a matter of international law which would expand our obligations under the Kellogg-Briand Pact—a peace treaty—and change it into a war treaty and justify our taking the unneutral step of taking abroad arms, munitions, and implements of war, and opening our ports to the ships of belligerent nations—doing all those things which they know very well violate inter-

national law. They look for an "out"—that is the vernacular of it—they look for an excuse, they look for an expiation; and, in order to justify the step we take, they look to certain international lawyers, not Americans. They say that we will go to Budapest and let some lawyers over there interpret the Kellogg treaty—our treaty, which the United States made, and which binds our Nation to peace, not war—and that we will now say that, since those lawyers decide that it will not violate international law for our President to sit in the White House and decide that some nation is an aggressor, therefore it will be all right for us to go to the aid of the victims of the aggressor, and that we will not thus violate international law.

Mr. President, it beggars our history; there is no justification for it in the treaty, in law, in equity, or in anything else. But this purported action of the people of the United States, to rest on such "interpretations," which will bind us and will be the guide to our entire future policy, which overturns in one fell stroke 150 years of our glorious history, which repudiates the international law we have twice gone to war to sustain—why, Mr. President, it is a perfectly abominable and execrable act to take the people of the United States down the road to war under these circumstances, committing us in futuro, in perpetuity, by the actions which will be taken under this bill.

No wonder the Senator from Illinois says the people of the United States "would feel better" if his amendment prevailed. Indeed, Mr. President, they would feel much better if the bill did not pass at all.

Mr. CLARK of Missouri. Mr. President, it is always a great pleasure to me whenever I am able to agree with my distinguished friend, the majority leader. I always do so whenever I conscientiously can, and whenever I think he is right. In recent months I have found that that has not taken a great deal of my time.

I think the Senator from Kentucky is absolutely right about this matter. So far as I am concerned, Mr. President, I have said before, and I repeat, that I regard the bill as a war bill because I feel perfectly certain that under the provisions of the bill the United States may be plunged into war at the discretion of the President, without the formality of coming back to Congress for a formal declaration of war.

That being true, I would be opposed to the amendment even if it meant something; even if it meant setting up a committee, a joint committee of the Congress, which actually had something to do with the prosecution of the war; because when we go into war I believe it is the duty and the responsibility and obligation of the President of the United States to conduct the war. If we were in a war, if the bill were, in fact or on the surface, what it may mean in effect—a declaration of war—I should be very much opposed to any proposal to set up a joint committee of the Congress and to try to interfere with the President of the United States in his prosecution of the war.

If at any time we do get into a war—which I shall vote against, unless the

United States is attacked—I will be in favor of having the President of the United States, under his high oath of office, prosecute the war. I will be opposed to setting up any sort of a congressional joint committee to interfere with his sole responsibility in the conduct of the war.

But, Mr. President, the amendment does not even mean that. The amendment simply sets up sort of a volunteer committee, and then states that the committee shall from time to time at the request of the President meet with the President and consult with him with respect to matters relating to national defense.

Every Member of this body and every Member of the House of Representatives knows that the President of the United States can consult with any Member of the House or of the Senate on any matter of public policy at any time he sees fit. The President of the United States can call any Member of the Senate at any hour of the day or night, or any Member of the House at any hour of the day or night; and if they are not at the White House in 15 or 20 minutes, it will be only because they are arrested for speeding on the way down. [Laughter.]

The President of the United States habitually consults certain leaders in the House of Representatives and in the Senate, and it is entirely proper that he consult the leaders instead of consulting the ordinary rank and file.

My objection at the present time to the amendment is that it means just exactly zero. It does not mean anything. It is held out to the American people as being an excuse for a bill about which a great portion of the American people have very serious fears and very great objections.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. CLARK of Missouri. I yield.

Mr. LUCAS. The Senator from Missouri was very vociferous in his support of the original Ellender amendment.

Mr. CLARK of Missouri. Mr. President, let me say that I was not.

Mr. LUCAS. I think the Senator from Missouri voted for it.

Mr. CLARK of Missouri. I think I explained that yesterday.

Mr. LUCAS. Did not the Senator vote for the original Ellender amendment?

Mr. CLARK of Missouri. If the Senator will permit me to do so, I shall be very glad to explain the matter. I had announced that I intended to vote against the original Ellender amendment, because I thought it was in the same category as that of the amendment offered by the Senator from Illinois. I intended to make a speech against the original Ellender amendment; but when the original Ellender amendment was withdrawn, and when a second or a third Ellender amendment was brought in—an amendment which I regarded as even worse than the original Ellender amendment—I voted for the original Ellender amendment as a substitute for the committee Ellender amendment, with the announcement on my part on the floor that if the substitute were adopted I intended to vote against that.



Mr. LUCAS. Did not the Senator vote for the amendment offered by the Senator from California [Mr. JOHNSON]?

Mr. CLARK of Missouri. Yes; I certainly did.

Mr. LUCAS. As a matter of fact, the declaration of policy, which the Senator himself admitted, did not mean anything from a legal standpoint—

Mr. CLARK of Missouri. Mr. President, I never said that about the amendment offered by the Senator from California [Mr. JOHNSON]. The Senator from Illinois attempts to put into my mouth words that I did not use. I never used any such expression with reference to the amendment of the Senator from California. I think the amendment of the Senator from California would have been a tremendous deterrent to sending troops abroad or conveying merchant ships.

Mr. LUCAS. Does the Senator think the amendment of the Senator from California would have taken any power away from the President?

Mr. CLARK of Missouri. I do not think the amendment of the Senator from California would have taken away from the President any power he had; but it was an explicit reaffirmance of the power of Congress over those matters.

Mr. LUCAS. The Senator knows, as I know, that the amendment of the Senator from California and the amendment of the Senator from Louisiana, as amendments, were simply declarations of policy which had no legal effect whatsoever; and that is exactly the kind of amendment the Senator from Illinois favors.

When the Senator from Missouri says the amendment offered by the Senator from Illinois amounts to zero, then may I point out that the Senator from Missouri has voted for a great many zero amendments and made some great speeches on them.

Mr. CLARK of Missouri. Mr. President, I voted for certain amendments as declarations of policy. A few minutes ago, I voted for a declaration of policy embodying the exact words of the Democratic national platform upon which we won the election, and which the Senator from Illinois and I both supported.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. CLARK of Missouri. I will be glad to yield to the Senator; but, first let me finish my thought, that there is no declaration of policy in the amendment of the Senator from Illinois—none whatever. Let me read the Senator's amendment.

In order to promote national unity and to provide more effectively for the national defense, there is hereby established a special joint committee to be composed of the majority leader and the minority leader of the Senate, the majority leader and the minority leader of the House of Representatives, the chairman of the Senate Committee on Foreign Relations, and the chairman of the House Committee on Foreign Affairs.

What declaration of principle is there in that part of the amendment, except to establish a new committee, which will have to have a new clerk?

The committee shall select a chairman from among its members. The committee shall,

from time to time, at the request of the President, meet with the President and consult with him with respect to matters relating to the national defense.

Mr. President, the Senator from Illinois knows, as does everyone else, that the President habitually meets every Monday with the majority and minority leaders of the House and the Senate. He certainly can get the Senator from Georgia [Mr. GEORGE], or the Representative from New York [Mr. BLOOM], at any time he wants them to do so, to consult with him on foreign affairs. He does not need an explicit authorization from the Congress.

I have no objection to the effect of the amendment, because it has none; but I do object to the idea that some great concession has been made to the Congress in the establishment of a joint committee which does not ever have to be consulted by the President unless he chooses to do so, and if he desires to consult with any Members of Congress he may do so without this amendment or any particular authorization of law.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Illinois [Mr. LUCAS].

The amendment was rejected.

Mr. BRIDGES. Mr. President, I send to the desk an amendment, which I ask to have stated.

The VICE PRESIDENT. The amendment offered by the Senator from New Hampshire will be stated.

The CHIEF CLERK. On page 2, lines 23 to 25, it is proposed to strike out "government of any country whose defense the President deems vital to the defense of the United States," and in lieu thereof to insert "governments of Great Britain, her dominions beyond the seas, Greece, China, and such other foreign countries as may be invaded or attacked and whose defense is vital to the defense of the United States."

Mr. BRIDGES. Mr. President, this is a very simple amendment. It merely limits the application of the provisions of this measure to Great Britain, her dominions across the seas, Greece, China, and such other countries as may be invaded or attacked. It is a simple amendment, limiting in character, that will give people a little more confidence in this bill, and will prevent the President of the United States from traveling around the world anywhere and selecting nations to be aided.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. BRIDGES. Certainly.

Mr. TYDINGS. I should like to ask, as a matter of information, whether Ireland would be included within the purview of the Senator's amendment.

Mr. BRIDGES. No; it would not, unless attacked or invaded. The amendment would prevent the President from singling out countries at his discretion, and would prescribe a very simple formula for the countries to which aid might be given under the bill.

The hour is late, and I shall not make an extended speech on the amendment.

Mr. BARKLEY. Mr. President, just a word.

The committee gave serious consideration to the suggestion that the language of the bill be modified by naming certain

countries. The committee felt that that was not a wise course to pursue, because the condition of the world is so changeable and kaleidoscopic that nobody can tell from day to day what countries might be affected. If we name any countries, automatically we create in other countries the impression that although they may occupy a similar position, they are left out in the legislation we undertake.

For that reason, I hope the amendment will be rejected.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from New Hampshire [Mr. BRIDGES].

The amendment was rejected.

Mr. TAFT. Mr. President, I offer an amendment which I send to the desk and ask to have stated.

The VICE PRESIDENT. The amendment offered by the Senator from Ohio will be stated.

The CHIEF CLERK. It is proposed to add to the bill a new section, as follows:

Sec. —. Nothing in this act shall modify the provisions of sections 23 to 37 of title 18 of the United States Code (the provisions of the Criminal Code of the United States relating to offenses against neutrality) or of the proclamation of the President issued September 5, 1939, insofar as it relates to said sections 23 to 37 of title 18.

Mr. TAFT. Mr. President, this amendment is intended to prevent the use of American ports as bases for the British fleet. Prohibition of such use has been in the laws of the United States throughout the history of the United States. It never has been suspended before, except in time of war.

Under the Neutrality Act the President issued a proclamation on the 5th of September 1939 in which he called attention to the fact that any such procedure was in violation of the laws of the United States, and would subject to heavy fine and imprisonment any person fitting out such a vessel, or any person starting off supplies from an American port to serve a belligerent vessel. The particular sections of the amendment refer to various features of that one particular question.

Personally, I feel that such conduct as I have described is an act of war. It is the act for which we collected damages from Great Britain in the Alabama case. It is generally considered open warfare. It certainly invites German submarines to pursue British vessels into our ports. It certainly invites the Germans to mine our ports. They would be perfectly justified in doing so. It is one of the things that in my opinion is extremely likely to lead to war, and I believe it should be eliminated.

The hour being so late, I shall not ask for the yeas and nays on the amendment.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Ohio [Mr. TAFT].

The amendment was rejected.

Mr. TAFT. Mr. President, if there are no other amendments to be offered, I offer a substitute for the bill.

The VICE PRESIDENT. The amendment, in the nature of a substitute, offered by the Senator from Ohio will be stated.



The CHIEF CLERK. It is proposed to strike out all after the enacting clause, and in lieu thereof to insert the following:

That the President is hereby authorized to make loans to the Kingdom of Great Britain, the Dominion of Canada, and the Kingdom of Greece, in any sums not exceeding an aggregate of \$2,000,000,000. Such loans shall only be made if the President finds that the borrower nation is unable to provide dollars for its purchases in the United States, and shall only be made for the purchase of merchandise (including arms, ammunition, implements of war, tools, equipment, agricultural products, and other requirements of the borrower) produced or manufactured in the United States or its possessions. The President shall require adequate security (which may include territory, or investments in South America or elsewhere, or naval or military bases) for such loans, unless in his opinion security is not available or cannot practically be given. Promises to repay such loans may be in dollars, or in specified kinds and amounts of shipping, merchandise, or other property estimated by the President to be of equal value at the date of the loan. After the President has approved any such loan, he may guarantee orders given by the borrower in the United States up to the amount of such authorization.

Sec. 2. The President may authorize the Secretary of War, the Secretary of the Navy, or the head of any other department or agency of the Government, to manufacture for any borrower under section 1 anything which such department or agency head is authorized to manufacture for the United States Government, and to sell, at a fair valuation, to any borrower under section 1, any property of the United States Government or of any Government-owned corporation: *Provided, That—*

(a) In the case of property of the United States Army, the Chief of Staff of the Army certifies to the President that the articles to be sold (1) are not necessary to train the authorized personnel of the Army of the United States; (2) are not necessary to equip completely the United States Army forces in the Territories and outlying possessions of the United States; and (3) are not necessary for other essential defense purposes;

(b) In the case of property of the United States Navy, the Chief of Naval Operations of the Navy certifies to the President that such defense articles are not necessary for essential defense purposes.

Mr. TAFT. Mr. President, I have tried to draft a substitute amendment which will meet all the legitimate demands that I know of for aid to England. I have tried to eliminate from the bill all the provisions which seem to me to go far beyond aid to England and give the President power to control the entire foreign policy and foreign-alliance policy of the United States, and domestic policies which I think are wholly unnecessary to aid to England.

This amendment authorizes the loaning of \$2,000,000,000. As far as I can judge, \$2,000,000,000 is all that is necessary during the next year, all that we are likely to have to loan. If a larger sum is required, I think there will be no difficulty whatever in increasing that sum. If anyone is prepared to show any definite evidence that more is needed today, I am perfectly willing to modify the sum so that we may meet the actual requirements; but until the requirements are shown to be larger I see no reason to invite the loan of a larger sum.

The amendment authorizes the President to provide this sum if he finds that the countries concerned cannot provide dollar exchange with reasonable convenience. It authorizes him to require security, but it also authorizes him to waive security if he finds that it is not necessary, or cannot practically be given. It suggests that he at least explore the question of obtaining security—English investments in South America, English islands, or other matters. It does not require him to obtain security. It authorizes the President, if he desires, instead of taking promises to repay in money, to take promises to repay in kind. I myself do not think anybody is going to lend and lease and want the same thing back, but I can see some advantage in taking promises to pay in kind.

The only other suggestion I know of which was made in behalf of aid to England was that they might need our Army and Navy material because it would come off the production lines faster than their own could be produced, so I put in section 2—although I think it can be done under existing law—to authorize our Government to manufacture for foreign governments whatever it may manufacture for itself, and also to permit the transfer of Army property and Navy property on a certificate that it is not necessary for our own essential defense purposes.

It seems to me those are all the purposes of aid to England that anyone can ask. I do not see the advantage of the broad powers of the pending bill if all we are in favor of is aid to England. I do see in those powers a tremendous danger of war. I do see the grant to the President of power to make war if he desires to do so, to make alliances if he desires to do so, to conduct the foreign affairs of this Nation as he sees fit in such a manner as to go to war, and not only to go to war but to go to war with the approval of the Congress of the United States.

People say that the President may make war, that he may get us into war of his own power. Perhaps he may, but he may not do so with the approval of the Congress of the United States unless we pass the bill. We authorize him in the bill to do things which we know may bring on war, and we accept the consequences of giving that authority; consequently, we are assuming the responsibility for a war which may occur.

Mr. President, it is said the bill is greatly improved. So far as I can see, there is only one substantial change from the bill as it was originally introduced, and that is as to the financial control. I think the bill has been improved in this regard. There is a rumor today that that amendment also may be taken out in conference, if the bill goes to conference, and that objection is being made to it by the executive department. I do not know about that, but, in my opinion, that is the only substantial improvement. It does provide that Congress shall have the right to appropriate the money to carry out the purposes of the act, and it will not be possible to go ahead without such appropriations. But how specific appropriations are to be I do not know. My judgment is that we will

find a lump-sum appropriation of 2,000,000,000 or 3,000,000,000 dollars to carry out the purposes of the act.

The convoy amendment seems to me to mean practically nothing at all. The rejection of the Ellender amendment and the O'Mahoney amendment showed that we were not willing to make a decisive declaration of policy as to convoys. The provision refusing to let American ships go into war zones means very little, because under section 2, as the Senator from Iowa pointed out, American ships may, as soon as the law is enacted, in violation of the neutrality act, carry American goods to belligerent countries, and a very slight modification of the war zone might permit them to carry them to England itself; certainly to Ireland.

It is said that there is some improvement in the provision granting powers to manufacture of goods, but, so far as I can see, there is no real reorganization of the management of the manufacture of goods for our country and for England.

The bill, as against the substitute, does authorize very definite things. It does authorize the President to give away the Navy without any finding that it is not essential to our defense. Congress has deliberately turned down the effort to provide that the President cannot give away the Navy.

The bill does open American ports to the British Navy, and the obvious effect of the bill is to give the President power to send our fleet, if he pleases, to Gibraltar or to Singapore, to combine it with the British Navy, to put it where it can be immediately used if the British happen to need it, to do everything but take it into active combat service. It authorizes him, in fact, to participate in the war up to the actual point of shooting the guns against German submarines, and once we are that far, we are going to shoot the guns.

The bill authorizes the President not only to give aid to England by sending them what we manufacture, but by financing goods from all over the world. We can finance Argentine beef; we can finance Australian wool. We can pour out the riches of this country and the money of the taxpayers of this country to finance and support the producers of goods everywhere.

Under the bill the President is given power to help any country in the world. We refused to say he could not help Russia. He can pick out any country in the world and pour out American funds or American machinery or American Army equipment, tanks, or destroyers, solely in his individual discretion, and that means that under the bill he can make practically any treaty he chooses to make.

Consider the treaty we ratified a few days ago, the coffee treaty with Brazil. He could make such treaty under the bill. All that treaty provided was that we would take 9,000,000 bags of coffee from Brazil, 3,000,000 from Colombia, and various other amounts of coffee from other countries, and a certain amount of it is to go to England, and as a consideration for that, he could take the promise of the other party to the treaty.

I have no question that under the bill the President could carry out the terms of the St. Lawrence waterway treaty. The bill says he may provide any facili-



ties necessary for the manufacture of goods for any warring nation. We have already been told that the construction of power plants in South Carolina and in Tennessee is necessary for our own defense. What more logical than that construction of power plants on the St. Lawrence is necessary for Canadian defense, to provide them with greater manufacturing capacity.

There is hardly any treaty one can think of which the President could not make under the bill. We are once for all delegating to the President all the power conferred on us by the Constitution over the foreign policy of the United States through the making of treaties with any nation in the world.

Finally, we are giving the President the power to make war. Under the bill, if we lend the British \$2,000,000,000, and they come here and, under the provisions of the act, get the things they want and take them away, as they have been taking them away, there is very little chance for us to get into the war: that is not going to make the difference between war and peace. But if, under this bill, we give the President power to ship American equipment all over the world, to build up American bases for materials in Africa, in Gibraltar, or in England itself; if we give the President power to say to Greece, "If you go into this war, we will give you this much, and if you send an expedition from Salonika over to Turkey we will give you this much"; or he could say to the British, "If you want to conduct an expedition in Africa and you need such and such equipment, I do not think you should conduct that expedition"—then he is going to run the war. Under this bill the President is going to have all the strings in his hands to operate, throughout the world, war against Hitler conducted by any nation in the world. He is going to have power to bring into the war millions of people who are now at peace, if he thinks it will help the policy of Great Britain in carrying it on.

Mr. President, I have confidence in the President, but, frankly, I do not think he would make a great success at the job. I would far rather leave it to the British to run their own war. But I am perfectly confident that if he undertakes to run the war, under the authority given by this bill, it will not be 6 months before we are in the war.

The people of this country will regard every act of his as their act, they will naturally be interested in what we are doing, until our people themselves declare the war which Hitler may refuse to declare. Or Hitler may simply say, "Well, they are doing practically everything they can in the way of war, and I think perhaps the time has come when I might just as well declare war and get Japan in on the other side, and prevent some of this aid to England."

So I think there is little material difference between the people who feel we should go to war if necessary to save Britain, and those who are for the bill. I am afraid there is a very considerable number in this Chamber who have that belief who are prepared, or will be prepared in another 30 days, to declare war

on Germany if the President should so request.

I cannot argue with such men. I differ with the policy. I think it is a fundamental mistake. Anyone who votes for this bill with the idea that it is a step toward peace or will keep this country at peace, or that it is not endangering our entire peace for years to come, I think is making a fatal mistake.

It is said we should vote for the bill because it is the only bill before us for aid to England. If we vote the bill down we could vote my substitute tomorrow. As a matter of fact, there are enough votes to pass the bill, but certainly I am not required, because I am for aid to Britain, to vote for a bill which in my opinion means war, which in my opinion means at least a delegation to the President of the power to make war. I am not obliged to vote for a bill whose general purpose I approve when it contains the delegation of power this bill contains. I see no reason why, merely because the bill contains one good thing, but a dozen bad things, anyone should vote for it simply because it has been represented as absolutely a bill for aid to England.

If my amendment shall not be adopted, I will vote for any other substitute which will eliminate the extraordinary powers given by the pending bill.

Mr. President, I have only one other word to say. I think the bill will pass. Like the Senator from North Carolina, I do not say that it will bring war, because the President may not push us to war, and I sincerely hope that the fight made here, the expression of opinion from the millions of people throughout the United States that they are determined that this country shall remain at peace, will have an effect on the President when the Members of the Congress have granted him the power to take us into war. I hope the expression that has been given here will deter him from any rash steps toward war. He perhaps thinks he can run the war without getting into the war, but I think he is mistaken. Certainly there is no doubt in my mind that, while a majority of the people of this country are for aid to Britain, an overwhelming majority are in favor of peace, and an overwhelming majority are in favor of the general policy I have set forth here repeatedly, that the future peace of the United States depends on our defending the Atlantic and Pacific Oceans and not undertaking to maintain a balance of power in Europe.

I think the fight has been worth while. I hope very much that, regardless of what Congress may do over my opposition, the President of the United States himself will regard the considered opinion of the people of the United States.

The VICE PRESIDENT. The question is on agreeing to the amendment of the Senator from Ohio [Mr. TAFT].

Mr. TAFT. I ask for the yeas and nays.

Mr. GEORGE. Mr. President, if the Senator will withhold his request for a moment, I should like to say one word. The Senator from Ohio has offered a substitute which embraces substantially the only proposals which have been made as a real substitute for the bill H. R. 1776;

that is to say, the Senator has with commendable candor presented a proposal which is the only actual substitute that has been offered for the bill which has been under discussion.

The general argument submitted by the Senator from Ohio is the argument which has gone on for 18 days in the Senate. I think the Senate certainly is entitled to a yeas-and-nays vote, and there will be no disposition to uphold it.

Presumably the amendments desired to be offered by Senators have been offered, and it is, of course, time that the general question of the merits of the substitute be considered in contrast with and in opposition to the general provisions contained in the bill.

Mr. President, I have only this to say as we approach, not immediately but perhaps near to the time when we shall be able to vote on the bill: That after the most careful and conscientious study and consideration I am morally satisfied that the bill which the Senate is asked to vote upon and to take in preference to the substitute now offered may be administered by the President of the United States in such manner as to make secure the peace of the United States, and to keep war away from our shores, and avoid the necessity of our soldiers participating in war.

No mortal man can say what may happen under any circumstances, but it would seem to me to be sufficient to say that the bill which we hope will be taken in preference to the substitute, may be so administered as to promote the peace and security of the United States.

I join the Senator from Ohio in the request for the yeas and nays.

The yeas and nays were ordered, and the Chief Clerk called the roll.

Mr. HILL. I announce that the Senator from Oklahoma [Mr. THOMAS], the Senator from New York [Mr. WAGNER], and the Senator from Kansas [Mr. REED] are unavoidably detained.

The Senator from Kansas [Mr. REED] is paired with the Senator from New York [Mr. WAGNER]. I am advised that if present and voting, the Senator from Kansas would vote "yea" and the Senator from New York would vote "nay."

I am further advised that if present and voting, the Senator from Oklahoma [Mr. THOMAS] would vote "nay."

The Senator from Indiana [Mr. VAN NUYS] is absent because of illness. I am advised that if present and voting, he would vote "nay."

The result was announced—yeas 29, nays 62, as follows:

#### YEAS—29

Adams	Davis	Reynolds
Aiken	Gerry	Shipstead
Brewster	Gillette	Taft
Brooks	Holman	Thomas, Idaho
Bulow	Johnson, Calif.	Tobey
Burton	Johnson, Colo.	Vandenberg
Butler	La Follette	Wheeler
Capper	Lodge	Wiley
Clark, Mo.	McCarran	Willis
Danaher	McNary	

#### NAYS—62

Andrews	Bilbo	Caraway
Austin	Bone	Chandler
Bailey	Bridges	Chavez
Ball	Brown	Clark, Idaho
Bankhead	Bunker	Connally
Barbour	Byrd	Downey
Barkley	Byrnes	Ellender



George	Lucas	Russell
Glass	McFarland	Schwartz
Green	McKellar	Sheppard
Guffey	Maloney	Smathers
Gurney	Mead	Smith
Harrison	Miller	Stewart
Hatch	Murdoch	Thomas, Utah
Hayden	Murray	Truman
Herring	Norris	Tunnell
Hill	Nye	Tydings
Hughes	O'Mahoney	Wallgren
Kilgore	Overton	Walsh
Langer	Pepper	White
Lee	Radcliffe	

## NOT VOTING—4

Reed	Van Nuys	Wagner
Thomas, Okla.		

So Mr. TART's amendment in the nature of a substitute was rejected.

Mr. NYE. Mr. President—

SEVERAL SENATORS. Vote! Vote!

Mr. CLARK of Missouri. Mr. President, may we have order in the Chamber?

Mr. NYE. Mr. President—

SEVERAL SENATORS. Vote! Vote!

Mr. NYE. I suggest that the officers who are delegated to take care of the galleries, whose occupants are very well behaved, might be delegated to the floor at this time.

Mr. WHEELER. Mr. President, at least there ought to be common courtesy in the Senate among Members of the Senate, to let another Senator speak. If other Senators do not want to speak, they ought to be courteous enough to permit another Senator to speak.

Mr. NYE. I thank the Senator from Montana.

Mr. President, I realize fully the impatience of the Senate at this hour, and regret that it should be my duty to speak at this time; but I cannot have the issue end without a word. I have assured the Senator from Kentucky, the majority leader [Mr. BARKLEY] that he need have no fear that this is an undertaking to filibuster, as many have anticipated might be the case at this late hour.

If the Senator from Kentucky and others have been able to read my heart by the manner in which it may have been reflected in my face for the past several days, it must be realized that with all my heart I have wished, if the only way to defeat the bill were by the filibuster route, that I might have the strength to talk the bill to its death if I had to stand alone to do it. I would not deceive anyone with respect to my attitude as to the wish for a filibuster.

However, I am perfectly aware, no matter how deeply I may feel about it, of the utter futility of any such plan. It is altogether too plain that perhaps even a few days more might not alter the result about to be accomplished. The door has very definitely been closed to the acceptance of any new idea upon the subject. The door has been closed to an opportunity for a consideration which might result in any other conclusion than that which will be drawn.

But I again say that if the power were mine alone, single-handedly or with others, to talk from now until whatever day might be required to accomplish the avoidance of a recording upon this thing that is going to become law, I should do it.

The door has been closed by a propaganda that has taken us completely into its control, a propaganda that knows no bounds, a propaganda that is dictated very largely by hatred. Hatred dominates this hour.

A few days ago, if I may suggest an example, I addressed myself in this Chamber to the subject of the degree to which the British Empire, as such, had been dependent upon aggression. Aggression has been the thing that has made the British Empire what it is. I preceded my demonstration of the individual and separate aggressions by the British Empire with a declaration that I was holding no brief for a Fascist cause, a Nazi cause, or a Communist cause. I said here, in so many words, that I agreed that Germany was an aggressor preceding the war now in progress, and has continued to be an aggressor since the declaration of war. But in order that we may see what false, wrongful, lying impressions are being paraded by propagandists, I must call attention, among other things, to a portion of one of the columns appearing in the press this morning.

I said on March 4, 1941, preceding my remarks on British aggression, among others things, this:

I hold no brief for the policy which Germany is following, and I believe that it may rightfully be accused of aggression in many of the actions which led it to this war, and in some of the things it has done since the war started. But there are one or two observations that need to be made in this connection if we are to even undertake to keep our heads.

I said further that the American people—

also know that Great Britain herself cherishes democratic principles, at least, in the homeland, as well as in her self-governing dominions; and because this is true, they know that her political system at least contains the possibilities and the seeds of social progress.

The welcome which an utterance of that kind receives is revealed by one of the columnists who writes this morning:

Four Members drift out, leaving only eight remaining. NYE, reading from a manuscript and giving every sign of seeing it for the first time, is bitterly assailing British imperialism. At great length he recites the record of British conquests, says nothing about the aggressions of Nazi Germany, Blackshirt Italy, or Japan. The speech will make good reading in Berlin.

Mr. President, I have read from the Merry-Go-Round of this morning, by Drew Pearson and Robert S. Allen; but I do not suppose one ought to take particular offense at reports of that kind, since the air is so full of quick conclusion drawn by those who want to convey the impression that the United States is face to face with the most serious emergency that ever has confronted the Republic. It is not surprising to read things like that when we find other columnists daring to say, as Jay Franklin said a few days ago in his column, *We the People*:

Finally, there is the opposition of the Bennett Clark-Burton Wheeler-Gerald Nye-Bob Reynolds type. The administration does not question their intelligence but it

does doubt their sincerity. It sees the roots of their support as representing subversive forces in our public life.

Mr. President, a continuation of the debate can invite only more and ever more of this propaganda, this smear campaign intended to blacken the reputation and the influence of each and every one who does not get out into the middle of the road and go down the middle of the road with our present-day leadership—a road which some of us believe is a road leading directly to war.

I do not share the views of those who have expressed themselves here this evening respecting the probable absence of danger, leading to war, in the enactment of this legislation. I do share the hope they have expressed, that the conduct of the policy that we are about to indicate and its administration by the President, may be so wise as to avoid the awfulness that will be our lot, with that of the rest of the world, if we become involved in another conflict.

Coming back, Mr. President, to where I began, I repeat in all earnestness that if it is our cause under this legislation to be a force in stopping aggression upon this earth, we are choosing as our ally in the stopping of such aggression the most aggressive aggressor the world has ever known. Newspapers like the Washington Post, and even to a greater extent columnists like Dorothy Thompson, are quick to seize upon such a statement and write their columns and editorials, without reporting in their news columns the faintest sign of any evidence that was brought to support the contention, to argue that it is silly and fantastic, and then editorialize to the disadvantage of the one who might have made the statement.

I observe that such an editorial appearing in the Washington Post was inserted in the CONGRESSIONAL RECORD of March 5 by the senior Senator from New Jersey [Mr. SMATHERS].

I repeat that the country which will be our ally in the course we are blocking out for ourselves by this bill has been an aggressor, unashamed of its aggressions—indeed, rather proud of them.

Much has been said, Mr. President, about the lack of authenticity for the quotation reported by an American publisher as having been afforded during an interview which he enjoyed with Winston Churchill. After this debate is over I shall offer for the RECORD certain evidence supporting the publisher's contention that Winston Churchill did say to him that we made an awful mistake when we failed to continue minding our own business in 1917 and entered the war.

In that same alleged statement Winston Churchill is reported to have said that if only we had stayed out of the war a peace could have been accomplished in Europe in 1917—a peace that might have had some endurance; a peace not dictated by an overwhelming victory or by hate. He said in that statement that our entry into the war in 1917 was responsible for fascism, for nazi-ism, and for the other "isms," including Hitlerism, that have since come to Europe.

Winston Churchill himself has never denied making that statement. I repeat,



Winston Churchill himself has never denied making that statement. He has never made an affidavit. The charges that the report is false have emanated from the British Embassy in Washington.

But be that as it may, here is a quotation which Winston Churchill will never deny, published in 1930 in his book entitled, "A Roving Commission." I read but a portion of one paragraph therefrom—a paragraph from the chapter in which Churchill reveals the part he played in one of the Indian conquests.

We proceeded systematically, village by village.

Remember that H. R. 1776 is a measure which is presumed to bring about an end to the viciousness and the vileness of the kind of war that Hitler has brought to the earth.

We proceeded systematically—

Said Mr. Churchill of his conquest in India—

village by village, and we destroyed the houses, filled up the wells, blew down the towers, cut down the great shady trees, burned the crops, and broke the reservoirs in punitive devastation. So long as the villages were in the plain, this was quite easy. The tribesmen sat on the mountains and sullenly watched the destruction of their homes and means of livelihood. When, however, we had to attack the villages on the sides of the mountains they resisted fiercely, and we lost for every village 2 or 3 British officers and 15 or 20 native soldiers. Whether it was worth it, I cannot tell. At any rate, at the end of a fortnight the valley was a desert, and honor was satisfied.

Oh, Mr. President, I wish I could share with others the feeling of security, the feeling that there is no immediate danger to the United States by reason of the powers of which the Congress is now divesting itself and giving to the President of the United States. I wish I could account fully for the large manner in which the American people and the Congress have responded to the urge to get closer and ever closer to the fires with which for 20 years the American people and the Congress have been swearing they would never again have anything to do.

Some of the change of mind is quite understandable. It is not at all difficult to understand, particularly in the case of Mr. R. E. Flanders, to whom, on August 12, 1936, a gentleman by the name of Joseph Leib addressed this letter. Mr. Flanders is president of the Jones & Lamson Machine Co., of Springfield, Vt.

DEAR MR. FLANDERS: Do you think that business has received the breathing spell that President Roosevelt has promised for some time?

How do businessmen look upon the New Deal administration and its policies? Do you think that Mr. Roosevelt should be reelected?

Mr. Flanders' response is dated August 25, 1936.

DEAR SIR: In reply to yours of August 12, will say that while I have endeavored to support all the policies of the New Deal that seemed to me to be constructive, it has been increasingly difficult to do so.

In particular, medium and small-size business has received a thrust in its vitals instead of the "breathing spell" promised by the President. The new tax bill with its special tax on undistributed profits prevents the growth of small companies and does

worse than that. In our case, and in that of many companies similarly situated who exhausted their reserves and borrowed at the banks for maintaining employment during the depression, it taxes the funds used in paying back the borrowing, it taxes the funds used in expanded working capital for expanding operations and increasing employment, and makes it practically impossible either to pay dividends or lay aside reserves to meet future conditions of unemployment.

I can only conclude that there is no such thing as a "breathing spell" so long as Mr. Roosevelt is President.

On February 19, 1941, this correspondence was renewed, and Mr. Leib wrote to Mr. Flanders:

I was just going through my files and noticed your interesting letter of August 25, 1936, which ends as follows:

"I can only conclude that there is no such thing as a 'breathing spell' so long as Mr. Roosevelt is President."

In view of this, I was wondering how a businessman looks upon the present situation in the political and business world.

Mr. Flanders responded under date of February 24, 1941. If Senators are wondering how, if at all, a man could change his mind during that period, here is an explanation:

I have your letter of the 19th, to which I am glad to reply.

It strikes me that the importance of industry and the importance of increasing the production of industry has been more clearly seen as a war measure than it has as a peace measure. And, since we are now at war, much of the misunderstanding of the peacetime situation no longer holds.

I am not saying more than this publicly or privately because I am at the present time a part of the administration as Administrator in the Machines and Tools Group of the Priorities Division of the O. P. M.

Yours very truly,

RALPH E. FLANDERS.

It is not difficult to understand how easily some minds can be changed; but it will ever be difficult for me to understand what has resulted to bring about the bulk changing of minds with which we have been confronted of late months. There is only one way to account for it in any considerable part, and that is to lay the responsibility for it upon the manner in which our foreign policy has been conducted by the President of the United States.

Charges have been frequently made that, following the quarantine speech in Chicago on October 7, 1937, the administration embarked on a new foreign policy, designed to make the United States play a decisive role in the affairs of Europe and Asia. The statements and actions of this administration in the years following that speech bear out this charge. When one gathers together the statements of the President and of his official family and the reports of official actions taken at their behest, and lines them up in chronological order, as I have done, it will be found that they followed a clear-cut line, relentlessly and consistently moving our country in the direction of taking greater responsibility in righting the wrongs of Europe. We shall see how, as we asserted our right to pass judgment on the morality and immorality of what was taking place across the waters, we were steadily being put in position to accumulate a corresponding ob-

ligation to see that our moral judgments were carried out. Senators will note with astonishment, as I did, the regularity and consistency with which the will to ride a white charger around anarchic Europe has been promoted.

But it is not only of official pronouncements and policies that I wish to talk today. I want to consider with the Senate some of the by-paths of that policy, some of the subsidiary moves on the part of persons influential with public opinion. I want to show how, with barely concealed impatience, the administration has looked forward to the day when American public opinion would support the policy of involvement implicit in the lend-lease bill; how, with inspiration from official sources, a deliberate and concerted effort has been made and carried out to line up the American people in support of the dangerous tightrope policies which the administration has consistently followed since the fall of 1937.

On November 30, 1937, readers of the New York Times were startled at the appearance of a two-column editorial whose thesis was that the United States has "lost its leadership in world affairs" because of the ascendancy of the isolationists and pacifists in and out of Congress. The editorial advised "our statesmen and leaders of public thought" to pluck up courage, ignore these peace-mongers, and warn the treaty breakers and dictators that the democracies may yet stand together to thwart their expansion.

I ask unanimous consent that the editorial from which I have quoted thus briefly may be printed in its entirety at this point in my remarks.

The VICE PRESIDENT. Without objection, it is so ordered.

The editorial is as follows:

The United States has lost its leadership in world affairs and to that fact largely can be attributed the impotence of the Nine-Power Treaty Conference in Brussels. The reason for this loss of influence is plain. Treaty-breaking governments and dictators have become convinced that for no cause short of actual invasion will the United States initiate or join in any effective movement to assure world peace.

For this conviction on the part of these treaty breakers the isolationists and pacifists in Congress and their vociferous supporters in the country are chiefly responsible. These groups include persons who believe that we can stay out of any world conflict. They attribute our entrance into the last international war to British propaganda and the schemes of bankers to enrich themselves; and they oppose any strong peace measures by this Government, even though to abstain from such might mean the loss of freedom to those who regard it as highly as they themselves, and an impairment of liberty to men and women in this very hemisphere.

It is the assertion of such groups and their congressional representatives that, because of the gifts of nature and geography, the United States can retain its institutions and live its full life alone in a world where democracy does not elsewhere exist, even though Great Britain and France were shackled by despotisms which turn human beings into machines for conquest and consign liberty to the fallacies of the past.

The power of these groups and their spokesmen has been in the ascendancy, as acts and events plainly indicate. In recent years they have seized upon every occasion



when the American Government was seeking to express the scruples of conscience against treaty-breaking and aggression, to proclaim that, in no circumstances, would this people do anything effective to restore moral standards among the nations. Organizing, writing pamphlets, and using the CONGRESSIONAL RECORD as their gazette, they gave notice as early as when Japan seized Manchukuo that the fixed future policy of the United States would be to keep out of war abroad, and that it would take no steps to prevent it, however clear the threat to our own institutions.

## II

The attitude took form in the so-called Neutrality Act of 1936, with its "declaration of a state of war" and its "cash-and-carry" provisions. By the first named, the President was instructed by Congress, upon discovery of the existence of a state of war abroad, to withhold war matériel from all concerned, regardless of whether an invaded nation, fighting for its own as in the case of Ethiopia, was left at the mercy of a most ruthless aggressor. By the second named, American vessels were virtually swept from the seas, and only those warring nations which have navies and trade fleets were given access to our markets.

Attempts in the name of international decency, to distinguish between honest and dishonest governments and to permit aid to nations clearly acting in self-defense against banditry, were beaten down in Congress. The world was put on notice that the United States was out to save its own skin from immediate dangers; and the dictators were informed that the American group controlling policy was prepared to see the world remade on Fascist lines without interference and apparently without understanding that this would mean anything dangerous to us at all.

When the President, recently voicing this people's indignation against the invasion of China by Japan and horror at the butchery at Shanghai, recalled that there still were "quarantines" against governments which did these things, a wholesome fear arose in certain capitals that the Neutrality Act might not represent enduring policy for the United States. And when next day the State Department named Japan as aggressor, the fear spread. But a little inquiry sufficed to prove that the pacifist and isolationist groups would not thus be led. Their congressional representatives denounced the expressions as violations of the spirit of the Neutrality Act, which in truth they were, and, as soon as Congress met, the press cables carried abroad proposals of war referenda and other evidences that the group which framed the act is unchanged in its attitude. The Japanese Ambassador to Washington did his duty, and did it accurately and well, when he informed his colleague at Brussels that pacifism was still the American mood. The circulation of this report in the conference capital both tempered the messages to Tokyo and stiffened the rejections therefrom and in its atmosphere the Brussels conference went to its inevitable, inept doom.

Meanwhile, on the pretext that a world alliance against communism is the first essential to peace, Japan, Germany, and Italy have signed a treaty. Outwardly it pledges these governments to stand with force against the encroachment of Soviet teachings and the Soviet form of government. But in some European chancelleries and in Washington the pact is interpreted as a pledge, necessarily not stated in the treaty, that each of these three nations will stand by the two others, defensively and offensively, until each has gained its territorial and other objectives. To illustrate: If Italy further threatens in the Mediterranean and Great Britain steps in to check, Japan will proceed against Hong Kong and Singapore. If Germany thrusts

southeastward in Europe and Great Britain and France move to check, Italy will extend her Mediterranean spheres and Japan will strike at French and British possessions in the Orient.

The ability of the three Fascist states to carry out the arrangement outlined above is, of course, open to the most serious doubts. Germany's Baltic coast is bare to the attack of the British Fleet, and experts are far from convinced that Mussolini could have his way in the Mediterranean, even with Britain greatly preoccupied in Northern European waters. The idea, however, that such a construction by responsible statesmen is placed upon the treaty, which was heretofore largely regarded as a mutual envisioning of bugaboos, now places the alliance where the democracies of the two hemispheres must consider it in stating their policies. And nothing could more effectively give expression to realization of the danger implicit in it than a tangible expression of the determination of this country to stand by the other democracies should the need arise.

## III

This is not a preachment for war measures. The people of the United States are set against military expeditions, and rightly so. But there are effective peace measures, the most recent illustration being the decision of the British and American Governments to negotiate a trade treaty. This should be supplemented by every possible kind of private and public cooperation between Britons and Americans, and others who speak, if not the same language, at least the same spiritual tongue. Understandings on trade, money, and credit will serve as certain weapons against treaty-breakers.

Our statesmen and leaders of public thought could aid peace mightily if, losing fear of the blind peace groups and gaining confidence that plain common sense and self-interest can be trusted, they engaged in public exchanges to put the enemies of peace on notice that the great democracies are aware of what is planned and will stand together against it. The sure shadow of economic starvation on spendthrift governments which cannot wage war unless we supply them, and deny supplies to their victims, can be made sufficiently effective as a deterrent without resort to the substance of sanctions or war.

Should such cooperations be publicly and steadily revealed, and such exchanges of thought take place, the New York Times believes the American people will awake to the facts which menace this Nation; and the world will learn that events are conceivable, that circumstances can arise, outside this hemisphere, which will instantly range American public opinion behind an effective peace policy and make junk overnight of the so-called Neutrality Act. In the face of such exchanges of thought the policy of democratic nations will be stiffened and grooved; and treaty breakers and dictators will take prudent counsel among themselves.

In such a manner can this Nation restore a will for peace in the world and reestablish its lost leadership in international affairs. By such means the ravishers of small or weak neighbors and the enemies of democracy will discover that the United States has not become so timorous and so stupid as to abandon its responsibilities, and imperil its greatness and its freedom. It will be wiser to put them on notice at once.

Mr. NYE. The following day, after this editorial appeared, the Washington bureau of the New York Times reported in what was run as a news story, but was obviously an editorial under the headline "Tire of isolation as fixed policy," that the editorial of the day before had "attracted widespread attention in the Capital and was widely praised in official circles." Secretary Hull had dubbed it a

"very interesting utterance on an important phase of international relationship." It indicated, too, he said, that—

the country is taking more interest in the fundamentals of the Government's international relations and the problems now presented.

Other officials, this alleged news story reported—

frankly confessed that they had always considered extreme isolation a negative policy. They did not challenge the charge that the United States had lost leadership in world affairs, or the contention that this country should cooperate for peace and stand by the other democracies should the need arise.

Now we come, it seems to me, to the nugget of this so-called news story. It went on:

Dissatisfaction with the course of affairs is becoming plainer in some responsible official circles, where the futility of note writing in emergencies is being deplored without there being any satisfactory substitute measures in prospect that would have the support of the American people.

And later on in the story:

Officials are especially eager to have close collaboration with Great Britain, and are encouraged to hope that the projected trade agreement with the United Kingdom will be followed by other measures of a mutual character, which will knit closer in understanding the two countries.

This news story came to the conclusion that "it did not appear that anything was to be done about it" because "the American people favor extreme isolation and are against measures that might bear even a semblance of an element of risk."

However, we must note that the New York Times editorial of the day before had submitted that "our statesmen and leaders of public thought could aid peace mightily if, losing fear of the blind peace groups and gaining confidence that plain common sense and self-interest can be trusted, they engaged in public exchanges to put the enemies of peace on notice that the great democracies are aware of what is planned and will stand together against it." If this were done, said the editorial, the American people would "awake to the facts which menace this Nation; and the world will learn that events are conceivable, that circumstances can arise, outside this hemisphere, which will instantly range American public opinion behind an effective peace policy and make junk overnight of the so-called Neutrality Act."

In other words, here was an out-and-out proposal that "statesmen and leaders of public thought" launch a propaganda campaign to break down the anti-war sentiment of our Nation which had been responsible for the enactment of the neutrality law, to throw overboard the Neutrality Act, and prepare us to support the President in using the threat of war as an instrument of national policy.

That this proposal did not fall upon deaf ears is seen in the holding in New York a few weeks later—in January 1939—of a conference of influential men to plan this campaign of education around the two slogans of "protecting our rights" and "defending the sanctity of treaties." An alliance with Britain was to be sought, and "incidents" in the Far



East could be relied upon as a method of inflaming public opinion against Japan.

At that time the conference was referred to on the floor of the Senate by the Senator from Missouri [Mr. CLARK]. I ask unanimous consent that a quotation from that address of his may be printed in the RECORD at this point in my remarks.

The VICE PRESIDENT. Without objection, it is so ordered.

The matter referred to is as follows:

Mr. President, a deliberate attempt is being made in this country at the present time by certain interests to take advantage of the unhappy situation which exists in other parts of the world to propagandize for a tremendous armament in the United States. I think, in fact I know—and I am not alone on this floor in my information of the fact—that meetings have recently been held in the city of New York, presided over by an eminent official of the State Department—just what his official status is no one seems to know, but he is referred to in the public press from time to time as an ambulatory ambassador or a peripatetic ambassador or an ambassador at large—and attended by certain eminent naval and military officers of the United States and certain great financiers in the city of New York, in which the proposal has been made that a regular campaign, amply financed, shall be undertaken in the way of propaganda in the United States to make this country war-minded; and if the Members of the Senate and the public will take the trouble to read some of the radio broadcasts made since that meeting in New York, by Admiral Woodward and other eminent naval officers, they will see the effect and workings of that propaganda. In my judgment, Admiral Woodward should be court-martialed for trying to influence the Congress by propaganda. (CONGRESSIONAL RECORD, March 30, 1938.)

Mr. NYE. Since that time the propaganda campaign has been plainly discernible in the New York Times, the Chicago Daily News, the Boston Herald, and other newspapers, not to mention the writings of several well-known and widely read columnists, which I shall go into briefly later. How successful the campaign has been we can judge for ourselves from the fact that we are today debating an administration-sponsored measure that contemplates going the whole hog, if necessary—which means war—to make Europe behave.

In addition to these proofs, we have an intimate play-by-play description of the course followed by the administration in the past few years, written by two men who obviously had a direct pipe-line to the White House. I am referring to the American White Paper, written by Joseph Alsop and Robert Kintner. The White Paper is full of references to confidential diaries and memoranda of men in high places in the administration. It is obviously based on information usually unavailable to other correspondents. Joseph Alsop is the President's cousin, and, I am told, is known among Washington newspapermen to have very close connections at the White House. Frederick William Wile, Washington columnist, commenting on the American White Paper, wrote:

It is the plainest speaking to emanate from an authoritative quarter—authoritative because one of the authors, Joseph Alsop, is a cousin of the President, enjoys his confidence, and manifestly is writing, if not on

White House inspiration or at its instigation, at least on the basis of information available only in that exalted region. (Washington Star, April 24, 1940.)

So the American White Paper has been generally accepted as semiofficial. In it the authors show the behind-the-scenes activities and moods of the men who have been making our foreign policy in the past 3 critical years. They show the almost, at times, angry impatience of these men at the failure of American public opinion to join with them, their confidence that they could in time swing public opinion into line:

If war came, the President did expect to use methods short of war in aid of the democracies. He foresaw the change in the minds of the people, and was sure that his policy would be supported in the end. (American White Paper, p. 18, 1940.)

Commenting on White House attempts to revive the Neutrality Act so that our official actions in condemning aggressors could be "stronger and more effective than mere words," the White Paper mentions the late Senator Pittman's assurance that "if neutrality revision were only left in his hands, it would be accomplished in time," and ends up with—

and so Hull and the President settled themselves to wait. It was not easy waiting, that winter. (American White Paper, 1940, p. 27.)

Again, the day the war broke out in Europe, and the President was preparing his radio speech, we are shown his impatience at having to abide by the neutrality policy adopted by Congress. In this speech, it will be remembered, he said no one must "falsely talk of America sending its armies to European fields." The United States would follow a policy of neutrality; the Neutrality Act would be enforced. Every effort must be made to keep out of war. "I hope the United States will keep out of this war. I believe that we will."

The White Paper, page 70, says that as he read the speech to Hull, Welles, Berle, and Louis Johnson, he—

was far from content that afternoon \* \* \* he might have preferred to cry havoc, yet the necessities of the situation had required him to speak calmly. "I hate to be a Pollyanna," he said irritably, of the speech.

At the insistence of his small audience, we are told (White Paper, p. 70) he cut out "one or two phrases too directly naming the original aggressor" but refused to cut out his rejection of neutrality of thought.

In the earlier days, before the war broke out, says the White Paper:

Almost daily he asked Bullitt and Kennedy, Hugh Wilson in Berlin, and William Phillips in Rome, "Is there anything we can do to help?" Regularly the answer came back, "not without making some commitment." And, in view of American public opinion, a commitment was quite impossible.

The President, sitting in his oval office among the ship pictures, devouring cables, directing all activity between incessant telephone calls to Europe, fumed sometimes at the necessity for caution. (American White Paper, 1940, p. 8.)

Commenting on Munich, the authors say:

Condemned to impotence by a public opinion deeply suspicious of foreign adventures,

our policy-makers had been unable to back up Hull's economic program with the vast political influence we might have wielded. (American White Paper, 1940, p. 12.)

And later on:

But, while we had the power, our people continued to lack the will. Clear through our interests seemed, the President dared not assert our influence, utter a threat or offer a commitment, for fear of the political consequences. (American White Paper, 1940, p. 17.)

In the spring of 1939, following the invasion of Albania by Italy:

As usual the President had been on the trans-Atlantic telephone, calling his ambassadors to ask if there was anything he could do. As usual, the answers had been coming back, "Not without making some commitment." And, as always, public opinion put the commitments out of the question. (American White Paper, 1940, p. 35.)

These authors, who are obviously mouthpieces for the White House, say:

The fact is that from the Munich crisis through the spring of 1939, American policy was ingenious rather than forthright. It was ersatz; the best substitute the President could improvise for the more positive policy he was debarred from following. (American White Paper, 1940, p. 39.)

As early as Munich, they say, as American policy makers watched the course of events, "even then there were signs their do-nothing mood would not prove durable. (American White Paper, 1940, p. 7.)

The Neutrality Act apparently was to these men the embodiment of a hateful and disliked policy. Says the White Paper.

Do-nothingism had produced the Neutrality Act, and in the Neutrality Act was embedded the arms embargo, withholding essential aid from the democracies in time of war. The embargo was an important point in Hitler's strategy. Its mere existence negated the policy of methods short of war (p. 18).

By the spring of 1939 they grew tired of waiting for Senator Pittman to round up enough votes in the Senate for repeal of what they considered a "do-nothing" policy.

Thereupon the President and Hull took the fight into their own hands, beginning a series of conferences with wavering Senators and Congressmen. They discussed what to say in advance, and each supplemented the other.

The President saw the men assigned to him in the late afternoons, when his work was done and the warm spring dusk was veiling the White House garden outside his office windows. His topics were the situation's political aspects, the likelihood of war, and war's meaning to this country if the dictatorships should be victorious. He spoke calmly, often half humorously, but what he said was neither soothing nor funny, for he carried his speculations to a strong conclusion. Pointing out that the British in defeat could not remain the masters of the sea, he predicted dominant sea power as the first objective of the victors. Underlining the threat of new navies in the Atlantic, he recalled the difficulties of our own South American relations, and the ease with which the dictatorships, hungry for raw materials, could use South America's products. To the by now goggle-eyed lawmakers, he pictured the dictatorships expanding their South



American trade, subsidizing friendly politicians, supplying military instructors and industrial advisers, putting us "on the defensive in our own backyard."

"Of course, this seems very remote," he used to conclude. "But these are remote possibilities which no far-sighted man can overlook. It's our job to take care of that kind of possibility. And I regard repeal of the embargo as the greatest step we can take to guard the country's interests, both to keep the peace and in the event of war."

Hull who did his missionary work in quiet chats in his unpretentious apartment at the Carlton Hotel, spoke more of principle and of the situation's economic side. His language was extremely salty, and much of it has been preserved. He told the Senators and Congressmen they were "making the mistake of their lives" to view the oncoming conflict as "another goddam piddling dispute over a boundary line." It would be no local war, he said, but an assault on the peace of the world by "powerful nations armed to the teeth, preaching the doctrine of naked force and practicing a philosophy of barbarism." Of the embargo itself, he remarked bitterly that we had "substituted a wretched little hob-tailed, sawed-off domestic statute for the established rules of international law," and by so doing had "conferred a gratuitous benefit on the probable aggressors, depriving those who would resist them of the right to buy the wherewithal of resistance in this country."

"Why, dammit," he once cried out, "these nations have told us again and again what they mean to do. Hitler intends to make himself the colossus of Europe, while Japan places her heel on Asia. If they succeed, we will have to transact our business with the rest of the world through Tokyo and Berlin. We know all this, and yet we retain this embargo, which directly encourages Hitler, makes war more likely, and threatens our own peace and safety. Back home we call people who do that kind of thing just plain chuckle-headed." (American White Paper, 1940, p. 40-42.)

Alsop and Kintner throw light on the purpose of the provocative policy this administration has followed for more than 3 years:

Pondering the problem, discussing their methods short of war, the President, Hull, and Welles hit upon an ingenious, if somewhat optimistic solution. Big talk being an established tradition of American diplomacy, they would treat Hitler to a sort of psychological peace offensive. They would "speak sharply to the little boy and beat him when he sneezes" (The President has a family weakness for quotations from Alice) until he learned to count this country's weight in the scale against him. (American White Paper, 1940, p. 18.)

The peace offensive's most important moves took place in private. In Berlin Hugh Wilson was instructed to seize upon every informal opportunity to instill in the mind of the Wilhelmstrasse the thought that further German aggression would cause the gravest repercussions in the United States. Bullitt in Paris, Kennedy in London, and other American envoys in other capitals were always ready with the same opinion for any German ear. In Washington, State Department officials repeatedly warned members of the German Embassy staff against miscalculating this country's future course. Thus, without any formal steps being taken, the Wilhelmstrasse was constantly worked upon to accept the desired view. Unfortunately, however, the Wilhelmstrasse had been worked upon before, though in less concerted fashion, notably by Bullitt and Wilson. There had been no visible result. Therefore, to make the private warnings more effective, there were also public demonstrations. (American White Paper, 1940, p. 23-4.)

Two such incidents were the recall of our Ambassador at Berlin, Hugh Wilson, and the rejection of the German protest against one of Secretary of the Interior Ickes' blistering anti-Nazi speeches.

The purpose of these incidents

was not to exhibit indignation for the pure moral pleasure of so doing. The purpose was to convince Hitler, Ribbentrop, and the rest that if American opinion would support such violent affronts to Germany at this time, something much worse was to be expected later. (American White Paper, 1940, p. 26.)

and "every move had to be carefully calculated for maximum effect in Germany and minimum effect in the still isolationist United States" (American White Paper, 1940, p. 23.)

This so-called peace offensive, says the White Paper, "became the forerunner of present policy toward the war" (p. 19).

The White Paper shows that in these critical years the administration initiative in the peace offensive was confined to passing judgments, administering scoldings, on the basis of what the aggressors had done. It is not shown that even once did the administration seize the initiative in proposing a constructive peace move that had some chance of being accepted.

And a reason is not far to seek. Our foreign policy was based not on a long-time program that served as a point of reference for day-to-day actions but on the cables coming from abroad. As Alsop and Kintner say, interpreting the mood of the administration, "The cables make our foreign policy" (p. 4). Explaining the Senate's unwillingness to repeal the arms embargo, they say "the trouble was the lack of liaison between cable readers and noncable readers (p. 43).

Thus, since obviously the Congress and the whole country couldn't all read all the cables "with repeal refused," say Alsop and Kintner, "the United States almost ceased for a while to have a foreign policy" (p. 47).

The entire emphasis was put on the threat of war.

When, in July 1939, the Senate Foreign Relations Committee voted 12 to 11 not to report out repeal of the arms embargo, "refusing to surrender, the President and Hull decided to hold a meeting of Senate leaders to discuss reversal of the committee's action." When the men were gathered in the upstairs study of the White House the President—

plunged in, telling the story he had told so often before, emphasizing the danger of war, outlining war's possible consequences, rehearsing the arguments for repeal of the embargo. He spoke temperately but grimly, and he avoided the daring speculations he had offered in his earlier talks. Instead, he dwelt at length on the authenticity of his information, describing his constant exchanges with British and French leaders, mentioning all sorts of supporting testimony, trying hard to make the Senators believe that war really threatened. (American White Paper, 1940, p. 44.)

While the President, listing the alternatives confronting the country, told a friend that we—

can stay out, following my policy of methods short of war to aid the democracies. And that is what we shall do (p. 49).

Alsop and Kintner say:

In truth the President, who is certainly no believer in peace at any price, does seem to have had our ultimate entry into the war in his mind as a very remote possibility. (American White Paper, 1940, p. 49.)

Perhaps the greatest service the American White Paper performs is its revelation of the President's lack of frankness in failing to indicate to the people what his real aim was. It shows that the fundamental issues on which the President was taking action were cloaked by arguments concerning issues of secondary importance. Alsop and Kintner speak of the President's opening message to the special session of Congress that met in the fall of 1939 as a "curious but effective paper."

It was curious because it did not once refer to the real aim behind the repeal drive, to permit the democracies to use the United States as their arsenal. Instead, it opened with a general statement that all must work together in the cause of peace, rehearsed the story of the most recent aggressions, and recalled at great length the arguments of the message of the previous January on the state of the Union. It then repeated the arguments of international law, suggested that the Neutrality Act was neither neutral nor impartial, and denounced the illogic of embargoing one class of exports and not the rest. It outlined Hull's reasoning against mandatory legislation, also referred to the cash-and-carry plan, and left the choice up to Congress. And it closed with a plea for no partisanship in perilous days. It was effective because it clearly stated, in telling phrases, what might be called all the secondary arguments. By the singular tabus of American politics, these arguments were most prominently used in the ensuing fight. (American White Paper, 1940, p. 734.)

Mr. President, 2 years ago I prepared a survey of foreign policy of the Roosevelt administration, starting in 1933, but never made use of it. In more recent days, with very able help, I have brought that survey of foreign policy up to date, quoting from official messages and official documents. I ask unanimous consent that the survey may be printed following my remarks.

**THE VICE PRESIDENT.** Is there objection?

There being no objection, the survey was ordered to be printed in the RECORD, as follows:

#### SURVEY OF FOREIGN POLICY OF ROOSEVELT ADMINISTRATION 1933-41

#### ANALYSIS OF CHRONOLOGICAL SURVEY OF OUR FOREIGN POLICY

The following chronological survey of the present Administration's statements and actions affecting foreign policy shows that the traditional role of the United States in world affairs had been abandoned. It shows that, particularly since the President's quarantine speech in the fall of 1937, we have been moving steadily in the direction of deeper involvement in the quarrels of Europe. This movement has taken place against the concededly overwhelming desire of the American people to stay out of European wars.

It is true that up to the time of the quarantine speech, most of the administration's actions and pronouncements with regard to international relationships were in the professed interest of preserving peace. But an analysis shows the attitude of those responsible for them. The United States should play a decisive role in world affairs; it had the right to say anything, make any move or commitment, inasmuch as it was interested in peace,



no matter whether or not the United States had a direct interest in a specific situation; it had become the guardian of international morality, law, and order.

The logical result was that when the quarantine speech revealed the determination of the administration to play a positive role in assisting in the punishment of aggressors, the world had already been conditioned to the concept of a United States, assuming responsibility for upholding the right side in situations with which it was only remotely, if at all, connected. Another result was that the United States would in the future find it difficult to take the attitude of traditional neutrality with regard to a conflict between nations, having already been committed by *ex parte* utterances by administration leaders.

The detailed summary which follows this résumé shows that the policy followed by this administration, step by step, has:

(1) Enlarged our commitments from defense of our own territory to defense of Latin America, of Canada, and now to the giving of aid to victims of aggression anywhere in the world, aid that is so unlimited as to include military action at the discretion of the President.

(2) Changed the policy of the United States with regard to wars between other nations from the policy of neutrality first written into law in the summer of 1935 at the insistence of the American people, to one so absolutely unneutral as to be considered by competent authorities to justify a declaration of war upon the United States.

(3) So closely followed and supported British policy in the Far East and in Europe, that the United States is now committed to whatever aid Britain needs to guarantee her victory, to whatever action is required to assure the continuance of the British Empire.

The summary also reveals:

(a) That the President has never really been in harmony with the spirit of the neutrality law, which as originally enacted sought to prevent our involvement in war through taking sides. Even as early as 1935, before the first neutrality law was adopted, he was insisting that he be given discretionary powers. Since that time, he has consistently fought against legislation which would prevent him from taking sides in a dispute. He has apparently assumed that since the neutrality law was enacted in response to public pressure to keep the country out of war, he had the right to determine whether or not in his judgment its application would accomplish that purpose.

(b) That the President has persistently tried to mold American public opinion to the support of his conception of the United States as guardian of international morality, confident of his ability to skirt close to the edge of involvement and yet avoid war. He has used his Cabinet officers, those having little to do with foreign affairs, as well as those primarily concerned therewith, to make extreme statements that were provocative or that indicated a bold new direction in our foreign policy, so that public opinion could be edged into the new path by his subordinates, while in comparison his own utterances seemed mild. When there had seemed to be a deviation from his course of increasing involvement in the affairs of other continents, it has usually been because he sensed that public opinion needed reassurance.

(c) That peace statements and peace moves have usually taken place against a back drop of provocative utterances or actions, which would make it certain that the aggressors would be further alienated and unwilling to cooperate, and at the same time allow the President to pose as the guardian of peace.

#### OUR TRADITIONAL POLICY

What was the traditional policy of the United States?

In the past, the United States had concentrated on developing the "potentials of the American heritage." It had turned its back on the controversies and wars of Europe and Asia. At the same time it had taken a positive stand, and maintained it, against the intrusion of European or Asiatic powers or systems or ambitions in the Western Hemisphere.

This was essentially a practical policy. There was a general impression that Europe was a hotbed of intrigues, of preparations for war, all unrelated to the American dream. As Thomas Jefferson said:

"Their mutual jealousies, their balance of power, their complicated alliances, their forms and principles of government, are all foreign to us. They are nations of eternal war. All their energies are expended in the destruction of the labor, property, and lives of their people." (Beard, *A Foreign Policy for America*, p. 16, 1940.)

Before Jefferson, John Adams had declared that "all the powers of Europe will be continually maneuvering with us to work us into their real or imaginary balance of power." (Beard, *op. cit.*, p. 16.)

And in advance of them all, George Washington had referred to the controversies of Europe as having causes that were "essentially foreign to our concerns."

On the basis of such opinions, Washington warned against entangling "our peace and prosperity in the toils of European ambition, rivaiship, interest, humor, or caprice, against 'interweaving our destiny with that of any part of Europe.'" (Beard, *op. cit.*, p. 15.)

Adams held that "we should separate ourselves as far as possible and as long as possible from all European politics and wars." (Beard, *op. cit.*, p. 16.)

On the United States, Jefferson said: "Never had a people so favorable a chance of trying the opposite system, of peace and fraternity with mankind, and the direction of all our means and faculties to the purposes of improvement instead of destruction."

Thus, in the early days, United States foreign policy (according to the makers of that policy) was based on the concept of a free and independent Republic with a destiny of its own, disassociated from political entanglements with the destinies of other continents.

The founding fathers did not overlook the possibility that the quarrels of Europe might be reflected in the Western Hemisphere; that European ambitions might seek fulfillment in the New World. For this contingency George Washington advocated strengthening the Union and building up defensive forces so that the United States would be free to "choose peace or war as our interest, guided by justice, shall counsel."

This did not mean a refusal to collaborate with other nations. Washington himself held that "we may safely trust to temporary alliances." It did mean that the United States remained a free agent in choosing the degree and extent of its international collaboration. It meant that the United States retained the initiative in deciding when its zone of interests was sufficiently affected by foreign conflicts to warrant intervention.

It did not mean complete isolation. The development of the world's resources and the increasing ease with which they were made available to the world resulted in an interdependence that called for growing economic and commercial collaboration. The United States was eager to promote commerce and intercourse with other nations. Diplomatic and consider relations were sought and consummated. Diplomatic protection was extended to commercial interests.

Traditionally, United States foreign policy has steered clear of commitments, for more than a temporary period, that would limit its independence in international relationships. It has retained its freedom to choose war or peace.

#### EARLY ACTIONS, 1933-36

The now famous quarantine speech by President Roosevelt in Chicago in October 1937 set a new course for United States foreign policy. It is true that previous pronouncements and actions showed a growing acceptance of responsibility on the part of the United States for the preservation of law and order outside our own hemisphere. It is further true that early in his first term (April 1933) the President had told Ramsay MacDonald that we would take part in a consultative pact. He had authorized Norman Davis, head of the American delegation to the Geneva Disarmament Conference, to announce United States willingness to cooperate in imposing sanctions on aggressor nations, if a disarmament agreement were reached and if Congress approved. In June 1933 he gave his endorsement to the Four Power Pact agreed upon by France, Germany, Great Britain, and Italy (but never ratified). In July he sent an impressive delegation to the London Economic Conference to take part in an international gathering that was to restore the world's economic equilibrium, but then wrecked it on the announced ground that our national house must first be put in order.

No one of these excursions into the realm of international dealings had implied a commitment to action of an interventionist character.

Indeed, most of the President's statements on foreign affairs during his first term were careful to take account of the reluctance of the American people, based on their heritage, to become involved in the affairs of other continents.

In December 1933, the President said:

"We have, I hope, made it clear to our neighbors that we seek with them future avoidance of territorial expansion and of interference by one nation in the internal affairs of another. \* \* \* I have made it clear that the United States cannot take part in political arrangements in Europe, but that we stand ready to cooperate at any time in practicable measures on a world basis looking to immediate reduction of armaments and the lowering of the barriers against commerce." (New York Times, December 29, 1933.)

"I have said to every nation in the world something to this effect: \* \* \* A simple declaration that no nation will permit any of its armed forces to cross its own borders into the territory of another nation." (New York Times, December 29, 1933.)

On leaving Honolulu in July 1934, he said:

"These forces (Army and Navy) must ever be considered an instrument of continuing peace, for our Nation's policy seeks peace and does not look to imperialistic aims." (New York Times, July 29, 1934.)

Speaking at the San Diego Exposition in October 1934, he said:

"The American people can speak but one sentiment; despite what happens in continents overseas, the United States of America shall and must remain, as long as the Father of our country prayed that it might remain—unentangled and free. \* \* \* We not only earnestly desire peace, but we are moved by a stern determination to avoid these perils that will endanger our peace with the world." (New York Times, October 3, 1935.)

And in the same month in New York he said:

"I have pledged myself to do my part in keeping America free of those entanglements that move us along the road to war." (New York Times, October 18, 1935.)

A month later, in his Armistice Day address at Arlington Cemetery, he said:

"The primary purpose of the United States of America is to avoid being drawn into war. \* \* \* Under no circumstances will this



policy of self-protection go to lengths beyond self-protection." (New York Times, November 12, 1935.)

The Democratic platform of 1936, to which the President declared he subscribed, was as follows:

"We reaffirm our opposition to war as an instrument of national policy, and declare that disputes between nations should be settled by peaceful means. We shall continue to observe a true neutrality in the disputes of others; to be prepared resolutely to resist aggression against ourselves; to work for peace and to take the profits out of war; to guard against being drawn by political commitments, international banking, or private trading into any war which may develop anywhere."

In his annual message to Congress on January 3, 1936, his attitude seemed to be entirely in line with the neutrality law passed by Congress 6 months before. He said:

"As a consistent part of a clear policy, the United States is following a twofold neutrality toward any and all nations which engage in wars that are not of immediate concern to the Americas. First, we decline to encourage the prosecution of war by permitting belligerents to obtain arms, ammunition, or implements of war from the United States. Second, we seek to discourage the use by belligerent nations of any and all American products calculated to facilitate the prosecution of a war in quantities over and above our normal exports to them in time of peace."

Seven weeks later his opposition to aiding belligerents was even more marked:

"It is true that the high moral duty I have urged on our people of restricting their exports of essential war materials to either belligerent to approximately the normal peacetime basis has not been the subject of legislation. Nevertheless, it is clear to me that greatly to exceed that basis, with the result of coming profits not possible during peace, and especially with the result of giving actual assistance to the carrying on of war, would serve to magnify the very evil of war which we seek to prevent. This being my view, I renew the appeal made last October to the American people that they so conduct their trade with belligerent nations that it cannot be said that they are coining new opportunities for profit or that by changing their peacetime trade they give aid to the continuation of war." (New York Times, March 1, 1936.)

#### TOWARD INTERVENTION, 1937-41

During the 1936 campaign, the President said at Chautauqua: "I can at least make certain that no act of the United States helps produce or to promote war. \* \* \* The Congress of the United States has given me certain authority, devised safeguards of American neutrality in case of war."

At that time, the President's chief fear regarding United States involvement in a war that might break out abroad apparently was concerned with the pressure that those who expected to make profits out of a foreign war might exert. He appeared to have complete confidence in his ability to keep us out.

After the President was well established in the White House for his second term, a new note was sounded. There was no defection from his frequent expressions of clear-cut determination to stay out of war, but there were noticeable the beginnings of an attempt to build a sense of world responsibility.

#### Circular note, July 16, 1937

On the outbreak of fighting in the Far East, Secretary of State Hull, on July 16, 1937, issued a circular note to the nations of the world, laying down the principles of international conduct. The United States stands, he said:

"For the maintenance of peace. We advocate national and international self-restraint. We advocate abstinence by all nations from use of force in pursuit of policy and from interference in the internal affairs of other nations. We advocate adjustment of problems in international relations by processes of peaceful negotiation and agreement. We advocate faithful observance of international agreement. Upholding the principles of the sanctity of treaties, we believe in modification of provisions of treaties, when need therefor arises, by orderly processes carried out in a spirit of mutual helpfulness and accommodation. We believe in respect by all nations for the rights of others and performance by all nations of established obligations. We stand for revitalizing and strengthening of international law. We advocate steps toward promotion of economic security and stability the world over. We advocate lowering or removing of excessive barriers in international trade. We seek effective equality of commercial opportunity and we urge upon all national application of the principle of equality of treatment." (And So to War, by Hubert Herring, p. 25.)

In reply to Secretary Hull, Great Britain, France, the Oslo Powers, many Balkan states, most Latin American states, and Russia, agreed to the policy laid down. Commenting on the replies, Secretary Hull said:

"This Government does not believe in political alliances or entanglements, nor does it believe in extreme isolation. It does believe in international cooperation for the purpose of seeking through pacific methods the achievement of those objectives set forth in the statement of July 16." (State Department press releases, August 28, 1937, pp. 166-167.)

In the early fall the war in the Far East was causing headaches in our State Department. On the one hand, there was an attempt to withdraw from the possibility of involvement in the war. The President issued a press conference statement urging "all the 7,780 Americans in China to get out"; with a warning that any who remained did so at their own risk. A Presidential order declared that Government-owned ships might not carry munitions to China. (State Department press release, September 18, 1937.)

At the same time, there was no disposition to let those Americans who did remain lack protection. Admiral Harry E. Yarnell, commander in chief of the American Asiatic Squadron, declared that American naval vessels would remain in ports where American citizens are concentrated and will remain there until it is no longer possible or necessary to protect them or until they have been evacuated. (New York Times, September 25, 1937.)

#### Quarantine speech, October 5, 1937

On October 5, President Roosevelt delivered at Chicago his quarantine speech. He declared:

"The peace-loving nations must make a concerted effort in opposition to those violations of treaties and those ignorings of humane instincts which today are creating a state of international anarchy and instability, from which there is no escape through mere isolation or neutrality. \* \* \*

"It seems to be unfortunately true that the epidemic of world lawlessness is spreading.

"When an epidemic of physical disease starts to spread the community approves and joins in a quarantine of the patients in order to protect the health of the community against the spread of the disease.

"It is my determination to pursue a policy of peace and to adopt every practicable measure to avoid involvement in war. \* \* \*

"War is a contagion, whether it be declared or undeclared. It can engulf states and peoples remote from the original scene of hostilities. We are determined to keep out of war, yet we cannot insure ourselves against the disastrous effects of war and the dangers

of involvement. We are adopting such measures as will minimize our risk of involvement, but we cannot have complete protection in a world of disorder in which confidence and security have broken down.

"If civilization is to survive, the principles of the Prince of Peace must be restored. Shattered trust between nations must be revived.

"Most important of all, the will for peace on the part of peace-loving nations must express itself to the end that nations that may be tempted to violate their agreements and the rights of others will desist from such a cause. There must be positive endeavors to preserve peace.

"America hates war. America hopes for peace. Therefore America actively engages in the search for peace." (State Department Press Release, October 9, 1937, pp. 277-279.)

In "the light of the unfolding developments in the Far East," the State Department issued a memorandum declaring that "the Government of the United States has been forced to the conclusion that the action of Japan in China is \* \* \* contrary to the provisions" of the Nine Power Treaty and the Anti-war Pact. But the President did not see fit to apply the embargo provided for in the neutrality law. (State Department Press Releases, October 9, 1937.)

Reaction to the quarantine speech was immediate. The President in his fireside chat of October 12 was forced to reassure the American people by saying:

"We seek peace not only for our generation but also for the generation of our children. \* \* \* The common sense, the intelligence of America agree with my statement that America hates war. America hopes for peace. Therefore America actively engages in the search for peace."

#### Embargo Act and Far East, October 1937

In reply to criticisms of the President's failure to apply the neutrality law in the Far East, Congressman McReynolds defended the administration's policy on the following grounds:

(1) That the President was acting within his legal authority in declining to recognize a state of war.

(2) That the purpose of the neutrality bill was to keep the country out of war and the present policy followed this idea.

(3) That the policy of the State Department has been the wisest policy that could be pursued. (CONGRESSIONAL RECORD, November 17, 1937, p. 93.)

Already the embargo law was being used as an instrument of foreign policy by the President, and not as a law to be applied to conditions specified for its enforcement.

The policy was put under way of changing the national policy of neutrality, as declared by Congress, into a policy of involvement in the disputes of the entire world, a policy pressed upon the country by an aggressive and calculated series of public statements by the President and the Secretary of State.

#### Parallel action with Britain on Far East, February 1938

In December 1937 the United States gunboat *Panay* was sunk. In the weeks following the United States joined Britain and France in serving notice on Japan that they would scrap existing limitations on battleships and cruiser building unless Japan agreed within 2 weeks to divulge her naval building plans and abide by the qualitative limits of the London Naval Treaty of 1936 (State Department Press Releases, February 5, 1938). Further collaboration with Britain was revealed when news leaked out regarding the secret London visit of Capt. Royal E. Ingersoll, head of the United States Navy War Plans Division. The New York Times said:

"His presence in London was ordered kept secret, and even now after the visit has been revealed by Washington, both the embassy and the admiralty are preserving the strictest



silence on the purpose of the visit. It is indicated that these orders came direct from President Roosevelt (February 6, 1938).

United States naval vessels were sent to Singapore at the invitation of the British for the ceremonies in connection with the opening of the new British naval base.

Concern over the growing parallelism of our foreign policy with Britain's resulted in a resolution of inquiry, demanding that the Secretary of State "advise the Senate whether or not any alliance, agreement, or understanding exists or is contemplated with Great Britain relating to war or the possibility of war" (CONGRESSIONAL RECORD, February 7, 1938). Secretary Hull answered with a categorical denial (Department of State Press Releases, February 12, 1938).

*President's message on defense beyond our coasts, January 29, 1938*

In his January 28, 1938, message to Congress, the President asked for increased naval expenditures. In explaining the necessity, he said:

"Adequate defense means that for the protection not only of our coasts but also of our communities far removed from the coast we must keep any potential enemy many hundred miles away from our continental limits.

"We cannot assume that our defense would be limited to one ocean and one coast and that the other ocean and the other coast would with certainty be safe. We cannot be certain that the connecting link—the Panama Canal—would be safe. Adequate defense affects, therefore, the simultaneous defense of every part of the United States of America." (State Department Press Releases, January 29, 1938, pp. 190-191.)

Earlier in the month the House had rejected the Ludlow war-referendum amendment by a vote of 209 to 188 after, it was generally agreed, almost unprecedented administration pressure.

The growing sense of responsibility for what was going on in the rest of the world became more apparent.

"Speaking to a group of Protestant clergymen he is receiving at the White House, the President, on January 31, expresses his gratification over the 'spiritual awakening' which has come about in America. 'It makes me realize more fully that we do have, in addition to the duty we owe our own people, an additional duty to the rest of the world. Things have been going on in other countries—things which are not spiritual in any sense of the word—and that is putting it mildly. \* \* \* I must make a confession. I did not realize until the last few years how much America has in the world. I did not really, down deep in my heart, believe very much in church missions in other lands. Today I do.'" (New York Times, February 1, 1938.)

Still, Senator Pittman on February 1 was moved to declare our policy to be one of "noninterference and nonintervention in the domestic relations of other governments." (CONGRESSIONAL RECORD, February 1, 1938, p. 1326.)

*Ickes' speech denouncing dictators, February 22, 1938*

It was the practice of the administration to allow Cabinet officers who had nothing to do with foreign affairs to make speeches which indicated the direction of our foreign policy, or which denounced this or that nation. Secretary of the Interior Ickes on February 22 delivered, under the auspices of the British Broadcasting Corporation, an address which emphasized the community of interests between America and England, and bitterly denounced the dictator governments. He said, in part:

"Totalitarianism, either of the right or of the left, is alien to the spirit that dominates the English-speaking democracies of the world. Totalitarianism is subversive of the

ideals upon which our democracies are founded. \* \* \*

"We in America realize that sappings from within and assaults from without have clearly put the democratic nations of the world on notice that they can no longer take it for granted that the institutions that they have built up with so much love and at so much sacrifice can stand of themselves without vigorous and intelligent support and defense." (New York Times, February 23, 1938.)

Early in February six army bombers were sent to Argentina to help celebrate the inauguration of Dr. Roberto M. Ortiz as President. (New York Times, February 10, 1938.)

On February 15 the President in his press conference "assured the country that it was important \* \* \* to remember \* \* \* we might be faced with a war on both sides of the continent." (And So to War, by Hubert Herring, pp. 58-59.)

*Naval policy amendment, February 12, 1938*

Up to this time the naval policy of the United States had not been clearly stated. During consideration of the naval appropriations bill, Congressman Vinson, administration chairman of the House Naval Affairs Committee, proposed an amendment to the bill, writing into the bill the naval policy that had been adopted some years before by the General Board of the Navy, but had never been submitted for congressional approval. The amendment if adopted would have put on the statute books a policy of sending the Navy anywhere in the world. It said:

"It is declared to be the fundamental naval policy of the United States to maintain an adequate Navy in sufficient strength to guard the continental United States by affording naval protection to the coast line, in both oceans at one and the same time; to protect the Panama Canal, Alaska, Hawaii, and our insular possessions; to protect our commerce and citizens abroad; to maintain a Navy in sufficient strength to guarantee our national security, but not for aggression; to insure our national integrity, and to support our national policies.

"It is further declared to be the policy of the United States that an adequate naval defense means not only the protection of our continental coast line, the Canal Zone, Alaska, Hawaii, and our insular possessions, but also a defense that will keep any potential enemy away from our shores." (New York Times, February 12, 1938.)

The amendment was withdrawn because, many felt, the policy it embodied could not stand a public analysis.

*Industrial mobilization bills, February 1938*

That the administration was making preparations for the eventuality of war was evident in the introduction on February 8 and on February 24 by Congressman May of two industrial mobilization bills. The bills were allegedly aimed at taking the profits out of war, and mobilizing the Nation for an emergency and were so reported to the House. The latter purpose was so completely served in the measure that almost dictatorial powers were prescribed for the President. The report of the minority of the House committee characterized it as "unnecessary, full of pretense \* \* \* and a serious danger to democracy. It does none of the things it says it does. It takes absolutely no 'profits out of war,' it 'equalizes burdens of war' in no manner whatsoever; it does not 'promote peace.' Yet in its title it claims to do all these things." (Washington Information Service, March 15, 1938, p. 7.)

How poorly the first purpose was served became evident. The administration failed to push the measures, as it became apparent from the many more bills limiting war profits which were introduced, that just how profits should be taken out of war had not been adequately thought out before the

measures were put into the hopper. The fact that the War Department later asked the Brookings Institution to make a study of war profit limitations further confirms this view.

*Hull on what our policy is, March 5, 1938*

Several important foreign policy statements were issued in the spring of 1938. On March 4, Secretary Hull made public a memorandum on American foreign policy during the last 5 years, in which he said:

"We avoid entering into alliances or entangling commitments but we believe in cooperative effort by peaceful and practicable means. \* \* \* This Government has scrupulously adhered to the fundamental principle of neutrality; it has followed a policy of noninvolvement and nonparticipation in conflicts within and between other nations." (State Department Press Releases, March 5, 1938, pp. 288, 292.)

On March 12 Austria collapsed as an independent state. Over in the Pacific events moved Paul V. McNutt, High Commissioner of the Philippines, to declare in a Nationwide broadcast on March 14 that the whole question of Philippine independence "should be reexamined in the light of recent disquieting world events." In private conversations he voiced his personal opinion that Philippine independence would be a tragedy for the United States and the Islands. (Washington Information Service, March 15, 1938.)

*Hull on what our policy is, March 17, 1938*

On March 17, Secretary of State Hull outlined the principles of American foreign policy in an important speech before the National Press Club in Washington. The principles were as follows:

"On July 16, 1937, I issued a public statement setting forth the fundamental principles to which our Government adheres in the formulation of its foreign policy. \* \* \*

"The most important of these principles, which are indispensable to a satisfactory international order, are as follows:

"Maintenance of peace should be constantly advocated and practiced.

"All nations should, through voluntary self-restraint, abstain from use of force in pursuit of policy and from interference in the internal affairs of other nations.

"All nations should seek to adjust problems arising in their international relations by processes of peaceful negotiations and agreement.

"All nations should uphold the principle of the sanctity of treaties and of faithful observance of international agreements.

"Modification of provisions of treaties, when need therefor arises, should be by orderly processes carried out in a spirit of mutual helpfulness and accommodation.

"Each nation should respect the rights of others and perform scrupulously its own established obligations; in brief, international law and the spirit which underlies it must be revitalized and strengthened.

"Steps should be taken toward promotion of economic security and stability the world over through lowering or removal of barriers to international trade, according to effective equality of commercial opportunity, and application of the principle of equality of commercial treatment.

"National armaments should be limited and be progressively reduced; at the same time, realizing the necessity for maintaining armed forces adequate for national security, each nation should to that end be prepared to reduce or increase its own armed forces in proportion as reductions or increases are made by other nations.

"Apart from the question of alliances with others, each nation should be prepared to engage in cooperative effort by peaceful and practicable means in support of these principles." (New York Times, March 18, 1938.)



The most revealing passages of his speech were the following:

"\* \* \* The interest and concern of the United States—whether in the Far East, in any other part of the Pacific area, in Europe or anywhere else in the world—are not measured alone by the number of American citizens residing in a particular country, or by the volume of investment and trade, or by exceptional conditions peculiar to the particular area. There is much broader and more fundamental interest—which is that orderly processes in international relationships, based on the principles to which I have referred to, be maintained.

"The momentous question—let me repeat—is whether the doctrine of force shall become enthroned once more and bring in its wake, inexorably, international anarchy and a relapse into barbarism; or whether this and other peaceful nations, fervently attached to the principles which underlie international order, shall work unceasingly—singly or in cooperation with each other, as circumstances, their traditional policies and practices, and their enlightened self-interest may dictate—to promote and preserve law, order, morality, and justice as the unshakable bases of civilized international relations.

"\* \* \* we will persevere in appropriate efforts to safeguard our legitimate rights and interests in every part of the world."

A Geneva wireless to the New York Times said that the speech was "warmly welcomed" in League of Nations quarters; that the hope was expressed "that it will encourage and stiffen the British." The dispatch went on to say:

"These circles are especially gratified by Mr. Hull's stand for parallel action in defense of American interests and principles everywhere in the world.

"His speech seems to be generally interpreted here as meaning that Washington has definitely taken a position for this policy despite opposition and means to continue vigorously educating the American public away from isolationism while reminding the German-Italian-Japanese triangle that the United States remains a power in the world." (New York Times, March 20, 1938.)

*Reactions abroad to Hull statements, summer 1938*

This comment, and two other press comments on later speeches of Secretary Hull's revealed the light in which they were being interpreted:

"What strategists of the Rome-Berlin-Tokyo triangle can obviously look forward to, during the remainder of this administration and probably after the 1940 Presidential election, is a stiffening American attitude of moral resistance to the gospel of force. It will be a resistance backed by a growing fleet, and, if administration advisers judge rightly, an ever-growing uncertainty in those capitals as to the moment at which American public opinion might demand that lawless force be met with force.

"That is the stake for which President Roosevelt and his aides are playing." (Associated Press, June 19, 1938.)

"Secretary of State Cordell Hull's speech, broadcast last night from Washington, is regarded in France as an important milestone in the evolution of American public opinion and American foreign policy alike. His ringing warning to the totalitarian states that a showdown is impending between the forces making for international anarchy and those striving for the maintenance of public law indicates, in the opinion of French commentators, that if Germany attempts to repeat in Czechoslovakia her successful coup in Austria, America will range herself on the side of Great Britain and France in the conflict that will follow." (New York Herald Tribune Bureau, Paris, August 17, 1938.)

*Kennedy on United States foreign policy, March 19, 1938*

Ambassador Kennedy about this time was explaining the United States policy in Lon-

don. Speaking before the Pilgrims' dinner in London March 18, he said:

"My country is unwilling to bind itself to any course of action in the future without an opportunity to examine the situation in the light which then envelops it.

"It seems to me, to judge from conflicting and contradictory reports which reach us from abroad, that this attitude of the United States is not well understood. In some quarters it has been interpreted to mean that our country would not fight under any circumstances short of actual invasion. That is not accurate, in my opinion, and it is a dangerous sort of misunderstanding to be current just now. Others seem to imagine that the United States could never remain neutral in the event a general war should unhappily break out. That, I believe, is just as dangerously conceived a misapprehension as the other." (Department of State Press Releases on shipments, March 19, 1938, p. 388.)

*Dissatisfaction with Spanish embargo, May 1938*

The embargo of munitions to Spain had been in effect for some time, contrary to international law and to the traditional policy of the United States to supply arms to legitimate governments threatened by revolution. Here was a specific case of high-handed use of an existing law—to the President this law was apparently an instrument of policy, to be applied or not, as he saw fit. He did not choose to apply it in connection with the Sino-Japanese war.

The President, in a press conference on April 21: "Voiced some dissatisfaction with the Neutrality Act, as he has done before. He implied that its application to Spain had not been entirely satisfactory. But he declined to give much comfort to those leading the movement for a change in policy at this time. The neutrality law, he said, had two objectives—to keep the United States out of war, and to avoid giving aid to one side against the other in armed war, anywhere. While the law had been difficult to operate, he felt that neutrality had been applied to Spain as well as was possible under the act, and to change the act now would violate the second objective. By indirection, he implied that it would not be possible to apply the act against Germany and Italy." (Washington Information Service, May 1, 1938, p. 2.)

The Senate resolution to lift the embargo and allow export of munitions to Spain on a cash and carry basis was tabled by vote of the Senate Foreign Relations Committee after receipt of a letter from Secretary of State Hull opposing a change in this law. (State Department Press Release, May 14, 1938.)

*Provocative United States statements, May-June, 1938*

In May and June there were several official statements issued, in which our Government continued its policy of warning and admonishing recalcitrant nations.

On May 28, Secretary of State Hull expressed the Administration policy of being the conscience of the world when he sent an urgent reminder to Germany and Czechoslovakia to observe their obligations under the Kellogg-Briand Pact and to compose their difficulties by peaceful means. He reminded them that their "pledge is no less binding now than when it was entered into." (State Department press releases, May 28, 1938.)

On June 1, Secretary Hull sent a note to Japan, expressing concern over interference with property and other rights of missionaries and businessmen. (State Department press release, June 4, 1938.)

Acting Secretary of State Sumner Welles protested that "any general bombing of an extended area wherein there resided a large population in peaceful pursuits is contrary to every principle of law and of humanity." (State Department press release, June 4, 1938.)

Secretary Hull, speaking to the Tennessee Bar Association on June 3, called for "strong and united" backing of a program to restore throughout the world the principles of "order under law," and continued:

"The rise of 'international anarchy,' and 'savagery' makes urgent the need for action to reverse 'the present disastrous trends,'" he declared. \* \* \*

"Declaring 'isolation' not only a 'bitter illusion,' but harmful and dangerous to the Nation as well, Mr. Hull went on to outline the United States' program for world co-operation. \* \* \*

"In measured words the Secretary denounced 'anarchy' and traced the emergence of 'international order under law' with the rise of civilization since the Dark Ages. \* \* \*

"The most important problem now confronting the human race," he declared, "is that of establishing throughout the world, as the foundation of further progress, an unshakable regime of order under law. \* \* \*

"I can wish for our country no more glorious course than to be a leader in devotion to these principles and in service of their preservation and advancement."

"\* \* \* Attempts to achieve national isolation would not merely deprive us of any influence in the councils of nations but would impair our ability to control our own affairs." (New York Times, June 4, 1938.)

Francis B. Sayre, Assistant Secretary of State, speaking to the American Society of International Law, aroused considerable curiosity as to what positive action the administration had in mind. He said:

"When forces of lawlessness are abroad, supine inaction in effect means siding with evil against the good. The strongest encouragement which can be given to lawless aggressors is to make it quite clear that they have nothing to fear from those with power to withstand them.

"The United States cannot afford to be a cipher at this crucial moment of the world's history. We must be resolute and prepared, if necessary, to withstand the aggression of the lawless." (New York Times, June 7, 1938.)

*Hull seven-point peace program August 16, 1938*

About the middle of August Secretary Hull proposed a seven-point peace program, essentially the same as in his speech of March 17, and evidencing the same consuming preoccupation with the guardianship of the world, for which, apparently, we were divinely fitted.

But along with his statement of his hopes for peace came the following belligerent pronouncement:

"Unfortunately, as time goes on, the disintegration of the structure of world order under law and the abandonment or repudiation of the principles underlying it have proceeded with staggering rapidity. Orderly and peaceful processes and methods of international cooperation have in many regions given way to military aggression and armed force.

"Today, invasion of territory of sovereign states, destruction of lawfully constituted governments, and forcible seizure of hitherto independent political entities, interference in the internal affairs of other nations, wholesale violation of established treaty obligations, growing disregard of universally accepted principles of international law, attempts to adjust international differences by armed force rather than by methods of pacific settlement, contemptuous brushing aside of rules of morality—all these appalling manifestations of disintegration seriously threaten the very foundations of our civilization."

Once more an administration peace proposal had been offset by a gratuitous lecture to the very governments whose cooperation was most needed if peace were ever to have any meaning.

Secretary Hull's indictment of the dictator governments was so severe that it called forth from Lord Rothermere's London Evening



News the protest that such a statement "irritates more than it assists." "Noble sentiments," the English publisher went on to say, "have their place; moral indignation even is sometimes a worthy quality. But at the present moment in world affairs, tact and restraint are major virtues."

A few days before the Hull outburst the United States and Great Britain (August 11) announced that they had "agreed to set up a regime for the use in common of the islands of Canton and Enderbury in the Phoenix groups and for the employment of these islands for purposes connected with international aviation and communication, with equal facilities for each party." (State Department Press Releases, August 13, 1938.)

#### *Pledge to Canada August 18, 1938*

Further cooperation with the British Empire came to view when the President included the Dominion of Canada in the orbit of United States interest in a speech at Kingston, Ontario, on August 18. He said:

"The Dominion of Canada is part of the sisterhood of the British Empire. I give to you assurance that the people of the United States will not stand idly by if domination of Canadian soil is threatened by any other empire." (State Department Press Releases, August 20, 1938.)

Secretary of Commerce Roper showed by a statement made on August 19, what a long distance had been traveled since the President's Chataqua address. He said:

"From the point of view of foreign commerce there must always be taken into consideration that even a temporary derangement of economic relations may result in a permanent transfer of trade from this country to some other nation. \* \* \* From our standpoint here, we do not wish to sacrifice our proper trade relations and opportunities."

#### *How we look to Portugal, September 18, 1938*

How United States peace pronouncements sounded in the ears of small powers that had to depend on the larger nations' wills for their very existence, was startlingly revealed in a communication from the Government of Portugal. Answering Secretary Hull's July 16, 1937, circular note to the nations of the world, the Portuguese Government said:

"Now, in the political field, it is pertinent to ask whether the internationalism of our days is a factor of peace or of war. It seems to us that internationalism, covering as it does pronounced leanings toward national imperialisms, is a source of complications and dangers. The idea of the supernational organization and the tendency toward 'world citizenship' are either essentially erroneous and humanly impossible or are so far removed from present conditions that they can only act—even if the fact noted above did not exist—as perturbing elements." (State Department Press Releases, September 18, 1937.)

#### *Indications of stronger policy fall, 1938*

Four important policy pronouncements in October indicated the way the wind was blowing; along the road to actual involvement in the disputes of the entire world:

On October 3: "Under Secretary of State Welles, in a Nation-wide radio broadcast, voiced the opinion that 'today, perhaps more than at any time during the past two decades, there is presented the opportunity for the establishment by the nations of the world, of a new world order based upon justice and upon law.'" (Washington Information Service, November 1, 1938.)

President Roosevelt, in a speech October 25 "to the New York Herald Tribune Forum on World Affairs, declares that 'there can be no peace if national policy adopts as a deliberate instrument the threat of war. \* \* \* Greater reassurance than can be given by words must be provided if we are to 'be relieved' of the necessity of increasing our own Military and Naval Establishments.'" (Washington

Information Service, November 1, 1938).

The State Department made public on October 26 the "full text of a note presented to Japan on October 6, calling attention to repeated violations of the open-door principle by Japan and hinting at possible reprisals if Japan fails to take prompt and effective measure to safeguard legitimate American rights and interests in China." (Washington Information Service, November 1, 1938.)

"A strong reaffirmation of the Monroe Doctrine, which the Buenos Aires Conference declared was a doctrine for all the American states, was found in President Roosevelt's speech of October 26, in which he said, 'We are determined to use every endeavor in order that the Western Hemisphere may work out its own interrelated salvation in the light of its own interrelated experience.'" (Washington Information Service, November 1, 1938.)

In late November Ambassador Wilson was recalled from Berlin, a trade agreement with Britain was signed, and it was made clear in a note from Japan that Tokyo had no intention of departing from her announced intention of establishing a new order in eastern Asia.

#### *No alliances in Western Hemisphere December 15, 1938*

Widespread fear of foreign entanglements compelled the administration to soothe the people.

Assistant Secretary of State Berle soon found it necessary to deny that the United States had any thought of "preparing a military alliance" among the nations of the Western Hemisphere. He said:

"It is perfectly plain that the American continent does not feel that a system of military alliances is needed for the defense of the New World." (Washington Information Service, December 15, 1938.)

#### *Ickes speech denouncing Germany, December 19, 1938*

But close on the heels of these purportedly reassuring statements came another provocative Ickes outburst. Speaking to the Zionist Society in Cleveland on "Esau, the Hairy Man," he described Hitler as one who "counts that day lost when he can commit no new crime against humanity." (New York Times, December 19, 1938.)

Berlin's reply to Mr. Ickes' tirade was to instruct the German Chargé d'Affaires in Washington to protest against the Secretary's "insulting and vulgar utterances." (New York Times, December 23, 1938.) Under Secretary Welles much later countered with a press conference statement that Mr. Ickes' remarks had "accurately reflected the views of the overwhelming majority of Americans." (New York Times, December 20, 1939.)

Evidence of a stiffer policy in the Far East, scarcely designed to preserve neutrality, was found in the \$25,000,000 credit extended to China by the Export-Import Bank on December 15, coupled with the announcement by Secretary Morgenthau that the Treasury would continue to allow credits against Chinese gold held in this country. This was reiterated in the State Department note of December 31 to Japan, firmly rejecting the Japanese thesis that a "new order had arisen in eastern Asia, and reserving all rights of the United States as they exist."

#### *Steps toward positive policy early 1940*

At this time the steps toward a positive policy became increasingly marked. The positive policy placed a "chip" on our shoulder and blusteringly invited hostile action.

Senator Pittman, chairman of the Senate Foreign Relations Committee, declared that if the Japanese Government did not make a satisfactory reply to recent State Department notes, we should ostracize the Japanese. (Washington Information Service, January 4, 1939.)

Through the Export-Import Bank commercial credits were opened to finance

American exports in Latin America in competition with German, Italian and Japanese Trade. (Washington Information Service, January 4, 1939.)

On December 18 the United States initiated a new trade agreement, calling for unconditional most-favored-nation treatment, with Turkey, a country which lay in the path of German's eastern trade expansion. (Washington Information Service, January 4, 1939.)

A plan for fortifying the island of Guam in the western Pacific was put before Congress but was turned down in the House.

The President's message to Congress, early in 1939, further clarified the petition stated in the Chicago speech. He advocated action against "aggressors," action that was "short of war" but "more effective than mere words." He said:

"Swords may be futile, but war is not the only means of commanding a decent respect for the opinions of mankind. There are many methods short of war, but stronger and more effective than mere words, or bringing home to aggressor governments the aggregate sentiments of our own people."

"At the very least, we can and should avoid any action, or any lack of action, which will encourage, assist, or build up an aggressor." (Washington Information Service, January 4, 1939.)

#### *"France Our Frontier" February 1, 1939*

On February 1, it was reported that the President had asked the members of the Senate Military Affairs Committee, meeting with him in secret session, to "regard France as the actual frontier of America in an apparently inevitable show-down between democracies and dictatorships." (New York Times, February 1, 1939.)

The following day the President characterized the story alleged to have been revealed by an unidentified member of the committee, as "a deliberate lie." He said that anyone attributing the statement to him was a "boob," and that the (foreign) policy has not changed and it is not going to change." (New York Times, February 4, 1939.)

The same day the Washington correspondent of the New York Times wrote:

"Upon a recheck today the New York Times found its sources still insistent on the report that, in connection with present world affairs, the President put the American first line of defense in France."

"There was some question as to whether the words 'frontier' or 'first line of defense' were used at the conference—there was even argument among the sources on this point."

There is no inconsistency between the stories if we realize that the foreign policy of which the President spoke was the policy of "policing the world," which he had apparently long contemplated.

#### *Bullitt speech in Paris, February 22, 1939*

United States Ambassador to France William E. Bullitt, speaking at a Washington's Birthday dinner at the American Club in Paris, said, "We know we will not start a war with any nation. We are not in the habit of starting wars." The Associated Press dispatch published in this country noted that "the word 'starting' was underscored in a printed text of the speech distributed to newspapermen." (New York Times, February 23, 1939.)

#### *President on basic principles, February 15, 1939*

The President had occasion at about this time to state in a press conference what he considered the basic principles of American foreign policy, which he could still describe as—

"We are against any entangling alliances, obviously. We are in favor of the maintenance of world trade for everybody—all nations—including ourselves; we are in complete sympathy with any and every effort



nation to reduce or limit armaments. As a nation—as American people—we are sympathetic with the peaceful maintenance of political, economic, and social independence of all nations in the world." (Washington Information Service, February 15, 1939.)

*Pittman on possibility of war, February 21, 1939*

On February 20 Senator Pittman made a statement indicating that one member of the administration, at least, did not rule out the possibility of our involvement in war. He was quoted as saying:

"That Americans would die if necessary to preserve the things they consider worth more than life: \* \* \*

"Ridiculing the British policy of appeasement and the American isolationists, the chairman of the Senate Foreign Affairs Committee called for a firm stand in defense of American rights throughout the universe. \* \* \*

"The policy of appeasement has not only been unsuccessful and ultimately destructive but has been immoral. It is evident that a person can die but once, and the period of life is limited, and that it is far better that he die a few days earlier for Christianity, justice, and liberty than that he live a little longer in cowardice and degeneracy." (New York Times, February 21, 1939.)

That very real assistance in supplying war materials was already being given was confirmed in the announcement on February 14 by a French military mission in the United States that it had purchased 500 new war planes at an estimated cost of \$60,000,000. A few weeks earlier a California plane crash revealed that a representative of the French Air Ministry was being shown unusual courtesies in examining experimental planes of the United States Army.

Building up Western Hemisphere defense was the announced intent of the bill (introduced by Senator PITTMAN and Representative BLOOM, administration chairmen of the committees dealing with foreign affairs in the Senate and the House) authorizing the War and Navy Department to sell ordnances, naval vessels, and other war materials to Latin-American nations and permitting transmission of restricted, confidential plans, specifications, and information on armaments sold to them (provided the information was left secret for a year and not resold to a non-American power). (Washington Information Service, March 15, 1939.)

About the same time, credits were advanced to Brazil for the purpose of meeting the Nazi barter menace.

#### *Stiffening toward Germany, March 1939*

The administration attitude toward Germany was becoming stiffer. On March 17 Under Secretary of State Welles issued a statement condemning wanton lawlessness and arbitrary force. On March 18 the Treasury Department announced that it was applying countervailing duties of 25 percent against imports from Germany. (Washington Information Service, April 3, 1939.)

#### *"If we don't have war," April 10, 1939*

Two related occurrences early in April jerked the country to a new understanding of what was going on in the President's mind. Leaving Warm Springs, Ga., on Easter Sunday, the President remarked, "I'll be back in the fall, if we don't have war."

Commenting editorially on that statement, the Washington Post (April 11, 1939) said:

"None knows better than the President that his office makes his most casual public observation subject to interpretation as a matter of national policy. And no President was ever more skillful than Mr. Roosevelt in making the most of every opportunity to give a positive direction to public thinking on important issues.

"Most Americans realize today that the sweep of events has now brought Europe to

the very verge of war. What is insufficiently realized is the tremendous implications of the impending catastrophe for every citizen of this country. In spite of the best-informed warning to the contrary many still believe that another world war might leave the United States relatively undisturbed. In spite of the virtual certainty of American involvement there are many who would seek to achieve isolation by panicky legislation, or to seek shelter behind other paper guaranties of immunity. \* \* \*

"There is speculation as to what the President meant by 'we.' Did he mean if the United States is itself engaged in hostilities, or merely if a major conflict is raging overseas? Those who have followed Mr. Roosevelt's thoughtful speeches on the conditions necessary for peace will understand his choice of a pronoun. By 'we' he undoubtedly meant western civilization. A war affecting its foundations would immediately affect us vitally, whether or not the United States was at the outset physically involved."

In answer to a question in his press conference the morning the editorial was published, the President "made known his belief by expressing his approval of a newspaper editorial interpreting his use of the collective pronoun 'we' in his farewell remarks at Warm Springs, Ga., Sunday." (New York Times, April 12, 1939.)

Describing the occurrence, Arthur Krock, Washington correspondent for the New York Times, said:

"Tuesday the Nation's constitutional spokesman in foreign affairs Commander in Chief of the Army and Navy, virtually announced in advance of war a course of aggressive partisanship.

"The President's open assumption of a position to which he has been advancing since his quarantine speech in Chicago in 1937, too, as has been said in indirect form. But it was perfectly clear."

*Will match force with force—F. D. R., April 15, 1939*

Three days after the press interview the President delivered an address before the governing board of the Pan American Union in which he compared the aggressor nations to the Huns and the Vandals and in effect promised to use all the resources of the United States to defend the Americas, including Canada, stating that this country was ready to match "force with force":

"Do we really have to assume that nations can find no better methods of realizing their destinies than those which were used by the Huns and Vandals fifteen hundred years ago? \* \* \*

"The American peace which we celebrate today has no quality of weakness in it. We are prepared to maintain it, and to defend it to the fullest extent of our strength, matching force with force if any attempt is made to subvert our institutions, or to impair the independence of any one of our group." (New York Times, April 15, 1939.)

#### *Appeal to dictators April 1939*

Having on April 14 delivered himself of a scathing reference to the dictators, the next day the President followed it up with identical notes to Hitler and Mussolini, further taking them to task. He said:

"Three nations in Europe and one in Africa have seen their independent existence terminated. A vast territory in another independent nation of the Far East has been occupied by a neighboring state. Reports, which we trust are not true, insist that further acts of aggression are contemplated against still other independent nations. Plainly the world is moving toward the moment when this situation must end in catastrophe unless a more rational way of guiding events is found.

"You have repeatedly asserted that you and the German people have no desire for war. If this is true there need be no war.

"Nothing can persuade the peoples of the earth that any governing power has any right or need to inflict the consequences of war on its own or any other people save in the cause of self-evident home defense." (New York Times, April 16, 1939.)

Thus, having made sure that the recipients of the notes would be thoroughly angered, he asked them to sign a 10-year nonaggression pact. In return, he promised American participation in a prompt discussion of the armaments problem and economic problems. But, scolded the President, he would "not sound out other governments on the prepared non-Aggression Pact until Hitler and Mussolini gave assurance that your armed forces will not attack or invade the territory or possessions of the following nations: Finland, Estonia, Latvia, Lithuania, Sweden, Norway, Denmark, the Netherlands, Belgium, Great Britain and Ireland, France, Portugal, Spain, Switzerland, Liechtenstein, Luxembourg, Poland, Hungary, Rumania, Yugoslavia, Russia, Bulgaria, Greece, Turkey, Iraq, the Arabias, Syria, Palestine, Egypt, and Iran. \* \* \* Such an assurance clearly must apply not only to the present day but also to a future sufficiently long to give every opportunity to work by peaceful methods for a more permanent peace."

The two dictators reacted as might be expected: Mussolini castigated the proposal as "Messiah-like," mobilized the civilian population on a war basis, and announced an enlarged 10-year armaments program. Hitler's violent tirade before the Reichstag included not only rejection of the plan but also denunciation of the German-Polish nonaggression treaty of 1934 and of the naval limitation agreement with Great Britain. A few weeks later the German-Italian military pact was signed.

#### *Tension grows in Far East, summer 1939*

While United States relations with the European dictators were thus steadily growing worse, tension over the far eastern situation likewise was stimulated. A surprise order (personally approved by the President, according to White House attachés, said the New York Times of April 16, 1939) suddenly ordered most of the United States Fleet to return to the Pacific. American, British, and French naval vessels were dispatched to Amoy, as United States Ambassador Grew in Tokyo delivered a reply to Japanese demands for changes in the administrative status of the International Settlement at Shanghai. (Washington Information Service, June 1, 1939.)

A few weeks later two protests were delivered in Tokyo on the same day regarding the Tientsin dispute. (Washington Information Service, August 1, 1939.)

The United States then proceeded to shake the "big stick." Secretary Hull on June 21 announced that the American Consul General at Tientsin had formally objected to the effects of the blockade on American interests. The next day Admiral Yarnell, commander in chief of the American Asiatic Fleet rejected a Japanese demand that American nationals and naval vessels be withdrawn from Swatow which had just been occupied by Japanese forces. The British naval commander did likewise, and additional British and American vessels were dispatched to Swatow. (Washington Information Service, August 1, 1939.)

On July 26 the United States gave notice that it wished to terminate the Treaty of Commerce and Navigation of 1911 with Japan. (State Department Bull., July 29, 1939.)

#### *Hull on repealing embargo, June 3, 1939*

Late in May Secretary Hull in identical letters to Senator Pittman and Representative BLOOM set down a seven-point neutrality program which included repeal of the arms embargo. (State Department Press Releases, June 3, 1939.)



*House vote on repeal June 30, 1939*

The House turned down the administration request on June 30 by a vote of 214 to 173 and passed a resolution with a modified embargo limited to "arms and ammunition." (Washington Information Service, August 1, 1939.) A few days later the President sent a message to Congress regarding neutrality revision. He said:

*President on repeal, July 1939*

"Those of us who support the recommendations formulated for the elimination of the embargo are convinced that the arms embargo plays into the hands of those nations which have taken the lead in building up their fighting power. It works directly against the interests of the peace-loving nations, especially those which do not possess their own munitions plants." (State Department Bulletin, July 15, 1939.)

Assistant Secretary of War Johnson came into the picture about this time with a scathing denunciation of the Neutrality Act. He assailed it as tantamount to "giving Germany an Atlantic fleet." The act, he said, "could only be an encouragement to Germany to produce the kind of crisis with which we struggle today." \* \* \* "Maintenance of the arms embargo which discriminated in favor of Germany is a direct move encouraging war." (New York Times, August 29, 1940.)

*Appeals to avoid war, August 1939*

Before the outbreak of war on September 3, and the calling of the special session of Congress that finally repealed the embargo, the President made two more appeals to Hitler. The first, addressed to President Moscicki, of Poland, as well on August 24, asked for settlement of the dispute between them by direct negotiation, impartial arbitration, or conciliation. (State Department Bulletin, August 26, 1939.) The second message to Hitler went the following day.

At the same time (Aug. 24, 1939) the President sent a message to King Victor Emmanuel of Italy, asking Italy to "formulate proposals for a solution of the present crisis." (State Dept. Bulletin, August 26, 1939.)

*Message on war outbreak September 3, 1939*

The President's message immediately following the declaration of war on Germany by Britain and France, September 3, was definitely on the side of neutrality. He said:

"This Nation will remain a neutral nation. \* \* \* I hope the United States will keep out of this war. I believe that it will. And I give you assurances that every effort of your Government will be directed toward that end.

"As long as it remains within my power to prevent it, there will be no black-out of peace in the United States."

*Neutrality applied September 5, 1939*

The Neutrality Act was invoked 2 days later, and within the next 3 days a state of limited emergency was proclaimed. (State Department Bulletin, September 9, 1939.)

Almost immediately following these reassurances of neutrality, several administration moves showed that within the limits of what was officially described as a policy of neutrality, the administration considered that it retained considerable freedom of aggressive action.

*F. D. R. request for embargo repeal, September 21, 1939*

On September 21 the President asked repeal of the arms embargo, on the amazing ground that it was a dangerous departure from the traditional neutrality policy of the United States. He declared that the existing arms embargo was "most vitally dangerous to American neutrality, American security, and American peace."

"I seek a greater consistency through the repeal of the embargo provisions, and a return to international law. I seek reenact-

ment of the historic and traditional American policy which, except for the disastrous interlude of the Embargo and Nonintercourse Acts, has served us well for nearly a century and a half.

"It has been erroneously said that return to that policy might bring us nearer to war. I give to you my deep and unalterable conviction, based on years of experience as a worker in the field of international peace, that by the repeal of the embargo the United States will more probably remain at peace than if the law remains as it stands today.

"Repeal of the embargo and a return to international law are the crux of this issue." (New York Times, September 22, 1939.)

Secretary of State Hull, speaking at the New York World's Fair, warned the world that: "Each of our republics is ready to defend itself against any threat to its security that may come from any part of the world." (New York Times, September 23, 1939.)

*Stiffening in Far East, October-November 1939*

A significant diplomatic step was taken by Ambassador Joseph Grew in an outspoken speech before the American-Japanese society on October 18. Mr. Grew bluntly declared that the:

"American people regard with growing seriousness the violation and interference with American rights by Japanese armed forces in China in disregard to treaties and agreements." Mr. Grew added that what he had to say 'came straight from the horse's mouth,' and that the American people had been 'profoundly shocked' by the widespread use of bombing in China. To them, Japan's 'new order in East Asia' appeared to include depriving Americans of their 'long established rights in China.' (Washington Information Service, November 1, 1939.)

The stage had been set for strengthening United States influence in the Far East in the weeks preceding Ambassador Grew's speech.

"On September 15, 14 long-range bombing airplanes were sent from Hawaii to the Philippines for neutrality patrol duty. On September 24 the aircraft carrier *Langley* arrived in Manila to join other vessels assigned to a neutrality patrol of Philippine waters. On October 5 the bulk of the scouting force of the United States Fleet sailed from San Diego to Pearl Harbor, Hawaii, several months in advance of the annual maneuvers." (Washington Information Service, November 1, 1939.)

*United States and Soviet-Finnish war outbreak, November-December 1939*

A new stream of admonitions and advice began flowing now from Washington to Russia, about to pounce on Finland. The response from Moscow was equally vigorous. Premier Molotov declared that President Roosevelt's decision "to intervene" was hard "to reconcile with the American policy of neutrality." (Washington Information Service, November 1, 1939.) The messages to the Kings of Sweden, Norway, and Denmark, designed to encourage these nations to support Finland, apparently failed in their purpose.

Later actions of our Government with regard to the Finnish-Russian dispute, notably the \$100,000,000 loan authorized by Congress and the moral embargo called for by the President on December 2, showed clearly that there was no intention on the part of our Government to follow a policy of neutrality.

Senator Pittman "accuse Russia of 'the total abandonment of every sincere policy looking to a just peace.' He told reporters that Russia had created 'fictitious incidents' and that war sentiment had been stirred up among the Russian people 'as a prelude to an excuse for conquest.'" (New York Times, November 30, 1939.)

On the outbreak of war, the President had addressed an appeal to the Soviet, as he had

to other powers engaged in hostilities, "publicly to affirm its determination that its armed forces shall in no event, and under no circumstances, undertake the bombardment from the air of civilian populations or of unfortified cities, upon the understanding that these same rules of warfare will be scrupulously observed by all of their opponents." (New York Times, December 1, 1939.)

Calling for the moral embargo, the President said:

"The American Government and the American people have for some time pursued a policy of wholeheartedly condemning the unprovoked bombing and machine-gunning of civilian populations from the air.

"This Government hopes, to the end and that such unprovoked bombing shall not be given material encouragement in the light of recent recurrence of such acts, that American manufacturers and exporters of airplanes, aeronautical equipment, and materials essential to airplane manufacture will bear this fact in mind before negotiating contracts for the exportation of these articles to nations obviously guilty of such unprovoked bombing." (New York Times, December 3, 1939.)

On December 19, Under Secretary of State Welles leveled at Premier Molotov a blast of ridicule and sarcasm, calling attention to the historical misstatements in the Premier's "extraordinary address."

*Western Hemisphere neutrality zone, September 1939*

Since September the American republics had been seriously concerned with working out a joint policy toward warring Europe. Under Secretary of State Welles, addressing the conference, called in Panama for that purpose, urged the "desirability of our reaching some uniform standards of approach with regard to the steps which we may individually take in determining and asserting our rights and obligations as neutrals.

"There is no moral justification for any nation to loose war upon humanity when the resort to peaceful procedure for the solution of controversies or of inequities is available." (New York Times, September 26, 1939.)

The conference approved the declaration of "a fixed neutral zone within which belligerent activities would be regarded as a danger to American peace." (New York Times, October 3, 1939.) Newspapers estimated that the safety zone would extend 200 or 300 miles offshore around the United States, Central and South America.

British criticism of the safety zone was immediately forthcoming. A London dispatch declared its enforcement without "any sanction in international law and would amount to an act of war." (New York Times, October 5, 1939.)

The day following, it was reported that "This opposition took official form when the British Ambassador called on Secretary Hull and sought information concerning the neutral zone proposed by the Conference meeting at Panama." (New York Times, October 6, 1939.) In the course of later developments arising out of the war, the United States failed to enforce the neutral zone policy, and failed to protest against encroachments into that zone by Great Britain.

*Message to Congress January 1940*

The President's first message to the 1940 Congress was more restrained, less provocative, less specific than his message of the year before, but still determinedly bent on the road of world guidance:

"He voiced the hope that the United States will not become involved in military participation, but he underlined again the basic, long-term assumptions which have guided Executive policy since the summer of 1937; he rejected the idea that America can escape the effects of war by pretending—like ostriches—that what is happening abroad is none of our business. He insisted that our destiny and the destiny of our children is tied up with the



future of Western civilization. He insisted that we cannot find security for ourselves and our institutions if the rest of the world is dominated by force. He asserted that the United States must be prepared to cooperate with other nations to assure the preservation of the kind of world in which we can live happily and prosperously." (Washington Information Service, January 15, 1940.)

Critics of the speech noticed that although the President said that "the overwhelming majority of our fellow citizens do not abandon in the slightest their hope and expectation that the United States will not become involved in military participation in the war," he carefully gave all the reasons for our moral participation in the war.

Close on the heels of the President's message came the Vinson naval authorization bill, whose execution, it was estimated, would require \$1,300,000,000. A navy of the size is called for was a logical adjunct of the policy the President had chosen to follow.

#### *Pressure in Far East, January 1940*

Pressure in the Far East was continuing. The "moral embargo," preventing Japan from securing certain American processes for the manufacture of high-octane gasoline was quietly being used. But a continuing flow of war supplies was still going to Japan, a policy somewhat at variance with the notes of protest to Japan and the loans to China.

#### *President denounces Russia, February 10, 1940*

Speaking before the American Youth Congress on February 10, the President flayed the Soviet dictatorship and declared that 98 percent of the Americans favored the Finns. (New York Times, February 11, 1940.)

#### *On moral peace basis, March 16, 1940*

The President was still keeping his concern for international morality before the world. In his March 16 broadcast, he said:

"Today we seek a moral basis for peace. It cannot be a real peace if it fails to recognize brotherhood. It cannot be a lasting peace if the fruit of it is oppression, or starvation, or cruelty, or human life dominated by armed camps. It cannot be a sound peace if small nations must live in fear of powerful neighbors. It cannot be an intelligent peace if it denies free passage to that knowledge of those ideals which permit men to find common ground. It cannot be a righteous peace if worship of God is denied." (Department of State Bulletin, March 30, 1940.)

#### *Panama inspection, February 15, 1940*

On February 15 the President sailed for Panama to inspect the Canal fortifications. The trip was surrounded with dramatic secrecy and hints of unusual safeguards for the President's safety. Naturally, the country speculated excitedly as to why such thorough precautions had to be taken.

#### *Cromwell speech, March 19, 1940*

On March 19, shortly after his appointment as Minister to Canada, James H. R. Cromwell delivered a speech in Toronto, drawing a shocking picture of the barbarities inflicted by the Germans and left no doubt that the democracies could expect the same treatment if Germany should conquer America and set up a totalitarian state. He made statements that were so vigorously pro-Ally that he himself admitted they might cause comment as the utterance of a diplomat, but that he was "ready to risk his head on his own interpretation of a diplomat's duty." (New York Times, March 20, 1940.) The flood of protest was followed by immediate repudiation by the White House and a severe reprimand by the State Department. But this repudiation apparently did not extend to withdrawal of support of Mr. Cromwell's candidacy for the senatorship in New Jersey. Mr. Cromwell's candidacy continued to be supported by the President's lieutenant, Mayor Hague.

#### *Must meet force with force—F. D. R., April 15, 1940*

On April 15, the President warned the nations of the Western Hemisphere that they could keep their peaceful system only if they were prepared "to meet force with force if challenge is ever made." He reminded them that the "cooperative peace of the Western Hemisphere was not created by wishing; and it will require more than words to maintain it." (Washington Information Service, April 16, 1940.)

#### *Dutch East Indies, May 1940*

The two conflicts in Europe and the Far East were increasingly tied into direct relationship. This was demonstrated by the Japanese when, on April 15, they expressed concern over the status of the Dutch East Indies. They declared that they could not "but be deeply concerned over any development accompanying the aggravation of the war in Europe that may affect the status quo of the Netherlands Indies." (Mr. Hull's reply was prompt and definite: The Japanese were to keep "hands off." (Washington Information Service, May 2, 1940.)

He said:

"Intervention in the domestic affairs of the Netherlands Indies or any alteration of their status quo by other than peaceful processes would be prejudicial to the cause of stability, peace, and security not only in the region of the Netherlands Indies but in the entire Pacific area.

"In view of these facts, commitments and expressions of intention to respect the status quo of the Netherlands East Indies cannot be too often reiterated." (State Department Bulletin, May 11, 1940.)

#### *Taussig on inevitability of Far East war, April 22, 1940*

Rear Admiral Joseph K. Taussig threw a bombshell into consideration of the far eastern situation when he declared in Senate hearings on the naval expansion bill that war with Japan was inevitable. "When there are nations who believe only in the sword to obtain what they want from others, and are anxious to use it, peaceably inclined nations must go to war to defend themselves or accept domination. Such a situation exists today, and I cannot see how we can escape being forced into eventual war by the present trend of events." His statement was immediately repudiated by the Navy Department. Admiral Stark said he spoke only for himself. (New York Times, April 23, 1940.)

#### *American White Paper, April 1940*

Early in April there appeared in Washington book stores *The American White Paper*, a 100-page story of American diplomacy and the present war. The authors, Alsop and Kintner, known in Washington as good reporters, pointed out that while the President had no intention of sending an army overseas—only the Navy and the Air Force—it was expected that loans and credits and possibly gifts of supplies, would be sent to the Allies when their cash was exhausted.

It was known that the authors had close connections at the White House. (Joseph Alsop is the President's cousin.)

Since the *White Paper* was obviously based on confidential diaries and memoranda of men in high places in the administration, the account was generally accepted as semi-official.

#### *Stab-in-the-back speech June 10, 1940*

The President's penchant for making blunt statements, when the urge was upon him, regardless of the consequences, took a particularly provocative form in his comment on Italy's declaration of war on France. Speaking at his son's graduation exercises at the University of Virginia on June 10, he declared, "The hand that held the dagger

has struck it into the back of its neighbor." (State Department Bulletin, June 15, 1940.)

The New York Times characterized the address now known as the stab-in-the-back speech as "perhaps unmatched in the history of American diplomacy for its blunt indiscretion." (June 11, 1940.)

#### *Conscription—Sending forces abroad, June 1940*

Late in June the first peacetime conscription act known in this country was introduced in Congress. (It was signed by the President on September 16; registration day was October 16.) Later in the summer the President in effect asked for authority to send the National Guard outside the United States and its possessions. He said that "in the future the hands of the United States might be tied in a very great emergency if general authority for use of the National Guard were not in the conscription law." (New York Times, August 10, 1940.)

In spite of the President's assurance in his July 10 message to Congress that "we will not use our arms in a war of aggression; we will not send our men to take part in European wars," his frequent statement of his determination not to send armed forces abroad by now had a hollow sound.

#### *Democratic Party platform, July 1940*

The Democratic Party 1940 platform plank on foreign policy stated, "We will not send our Army, naval, or air forces to fight in foreign lands, outside of the Americas, except in case of attack." Whatever the meaning of the last phrase, the President indicated in his acceptance speech that there was to be no change in the foreign policy he had been following although the intent of the plank appeared to be to reassure the people on the President's stand. As a matter of fact, he said, "So long as I am President I will do all I can to insure that that foreign policy (the foreign policy he had been following since his quarantine speech) remains our foreign policy." Although the platform did not mention conscription, the President went out of his way to endorse it as "necessary and as fair today as it was in 1917 and 1918." (Washington Information Letter, July 19, 1940.)

#### *Hull denounces dictators, July 22, 1940*

Speaking to the Habana meeting of foreign Ministers of the American Republics, Secretary Hull on July 22 continued the administration policy of taking pot shots at the dictators. He said:

"These forces (of ruthless conquest) now at work in the world, shrink from no means of attaining their ends. In their contempt for all moral and ethical values, they are bent on uprooting the very foundations of orderly relations among nations and on subverting, undermining, and destroying existing social and political institutions within nations."

#### *Hull warnings of danger, August 1940*

Two weeks later, in a release to the press, he warned the American people that they must be ready for any eventuality:

"The one and only sure way for our Nation to avoid being drawn into serious trouble or actual war by the wild and destructive forces now abroad elsewhere in the world and to command respect for its rights and interests abroad is for our people to become thoroughly conscious of the possibility of danger, to make up their minds that we must continue to arm, and to arm to such an extent that the forces of conquest and ruin will not dare make an attack on us or on any part of this hemisphere. To this end each citizen must be ready and willing for real sacrifice of time and of substance and for hard personal service. In the face of terrific problems and conditions and until the present serious threats and dangers have disappeared, we cannot pursue



complacently the course of our customary normal life." (Department of State Bulletin, August 10, 1940.)

*Joint Defense Board with Canada, August 18, 1940*

By August 18 negotiations with Canada had progressed to such an extent that President Roosevelt and Prime Minister Mackenzie King, of Canada, announced the setting up of a permanent joint defense board. (State Department Bulletin, August 24, 1940.)

Returning from his vacation late in August, Secretary Hull again felt it necessary to warn the American people of impending danger:

"I feel constrained to reemphasize the view expressed upon my return from the Habana Conference, that the possibilities of danger to the American republics are real; that a threat to any important part of the Americas means a threat to each and all of the American nations. The conclusion is therefore inescapable that full and adequate preparations for hemispheric defense cannot be completed too soon. I desire again to appeal for the fullest possible measure of unity on the part of our people in support of such program of defense and of related foreign policies." (Department of State Bulletin, August 31, 1940.)

*Cudahy rebuke, August 1940*

In August, John Cudahy, Ambassador to Belgium, was severely rebuked by Under-Secretary Welles (in Secretary Hull's absence) for giving out an interview revealing deplorable food conditions in Belgium and referring to the exemplary conduct of the German troops of occupation. It was important, said Mr. Welles, for American representatives abroad "to refrain at this critical time from making public statements other than those made in accordance with the instructions of the Department of State." What those instructions were was not made clear.

*Destroyer-base deal; late August*

By the late summer of 1940, the President was so committed to aid to England that he was willing to arrange an international deal of vital importance involving not only a question of foreign policy but of national defense as well, without prior authorization of Congress. It was a deal in which 50 destroyers of the American Fleet were exchanged for the right to build air and naval bases at eight strategic points on British Western Hemisphere possessions.

An opinion handed down by the Attorney General upheld the President's action on legal grounds that were highly questionable, and involved a strained interpretation of existing laws.

That the transfer of the destroyers to Great Britain was unconstitutional and unlawful was held by many legal experts, among them Edwin S. Corwin, formerly Special Assistant to the Attorney General. In a letter to the New York Times on October 13 he said:

"The President's action in transferring the 50 destroyers to Great Britain, instead of being reconcilable with the status of neutrality, which it is the purpose of the Neutrality Act to protect, was an abandonment of that status.

"The President's action transferring the 50 destroyers to Great Britain was not authorized by the act of Congress dealing with the sale and disposal of unfit vessels of the Navy, but was an invasion of the constitutionally delegated power by virtue of which that legislation was enacted.

"Secondly, it was also an invasion of Congress' hitherto exclusive power to define for the United States the requirements of international law respecting neutrality.

"Thirdly, as a departure from neutral status, the President's action was a step toward belligerent status—a step toward war—and as such was an invasion of Congress' constitutional power to declare war."

*Three-power Axis agreement, September 1940*

Late in September, Germany, Italy, and Japan announced that they had reached an agreement of alliance. President Roosevelt's speech in Dayton on October 12, although addressed to the nations of the Western Hemisphere, was generally looked upon in this country and abroad as a direct answer to the Axis alliance:

"Mr. Roosevelt not only rejected the doctrine of 'appeasement' but warned that 'no combination of dictator countries of Europe and Asia will stop the help we are giving to almost the last free people now holding them at bay.' He declared that the United States is mustering its men 'for the protection of the whole Western Hemisphere' but he added that in speaking of the Western Hemisphere 'we include the right to the peaceful use of the Atlantic Ocean and of the Pacific Ocean.'" (Washington Information Service, October 17, 1940.)

*Burma Road episode, October 1940*

Early in July, Great Britain and Japan had agreed to close the Burma Road for a period of 3 months. While there was no official statement, it was rather generally understood in Washington that Britain could not keep the Burma Road open without help; and in early July, Washington was not disposed to guarantee assistance in the Far East. When the road was opened in the middle of October, there was reason to believe that assurances had been given by Washington that had not been forthcoming in July. (Washington Information Service, October 17, 1940.)

The obvious conclusion was that not only was the United States making commitments regarding Europe but in the Far East as well. The result, according to the Washington Post (October 6) was likely to be "that instead of hampering its development, American diplomacy is tacitly assisting the establishment of a solid totalitarian bloc stretching from German-occupied France to the coast line of Alaska."

*Campaign peace pledges, fall 1940*

At this point, just before the election, a quick survey of some of the President's campaign speeches is revealing. Clearly, he was elected on a platform of staying out of war; he assured the voters that our armed forces were not to be sent abroad to fight outside the Americas:

"I hate war now more than ever. I have one supreme determination—to do all I can to keep war away from these shores for all time. I stand with my party, upon the platform adopted at Chicago: 'We will not participate in foreign wars, and we will not send our Army, naval, or air forces to fight in foreign lands outside of the Americas, except in case of attack.'" (From address to teamsters' union convention, Washington, September 11, 1940.)

"For many years every ounce of energy I have has been devoted to keeping this Nation and the other republics at peace with the rest of the world. That is what continues uppermost in my mind today, the objective for which I hope and work and pray." (From radio address on Western Hemisphere defense, October 12, 1940.)

"To Republicans and Democrats, to every man, woman, and child in the Nation, I say your President and your great Secretary of State are following the road to peace. We are arming ourselves not for any purposes of conquest or intervention in foreign disputes. I repeat that I stand on the platform of our party. \* \* \* It is for peace I have labored; and it is for peace I shall labor all the days of my life." (From address in Convention Hall, Philadelphia, October 30, 1940.)

"Your Government will devote its every thought, its every energy, to the cause that is common to all of us—the maintenance of

the dignity, the prosperity, and the peace of our country." (From address opening the draft drawing, Washington, October 29, 1940.)

"I have said this before, but I shall say it again and again. Your boys are not going to be sent into any foreign wars. They are going into training to form a force so strong that by its very existence it will keep the threat of war far away from our shores. The purpose of our defense is defense." (From address at Boston Garden, October 30, 1940.)

"The first purpose of our foreign policy is to keep our country out of war. At the same time we seek to keep foreign conceptions of government out of the United States. The second purpose of this policy is to keep war as far away as possible from the shores of the entire Western Hemisphere. We make it clear that we intend to commit none of the fatal errors of appeasement. Through it all there have been two thoughts uppermost in my mind—to preserve peace in our land and to make the forces of democracy work for the benefit of the common people of America." (From address at Cleveland, November 3, 1940.)

*Aid to England, November 1940*

Almost immediately after the election, aid to England became the President's chief preoccupation—a policy which many felt was hardly in keeping with the campaign promises. The pressing needs of the British, softened during the campaign, were now brought out into the open. At his press conference on November 8, the President announced that war materials produced in the United States in the future would be divided 50-50 with Great Britain. On the same day the Priorities Board of the National Defense Advisory Council announced approval of the British application to place orders for 12,000 airplanes in addition to the 14,300 already under contract at the manufacturers. (Washington Information Service, November 15, 1940.)

The process of burning bridges over which negotiations might be carried on continued with such statements as that of Frank Knox, Secretary of the Navy. Speaking extemporaneously to a conference of 750 leading businessmen of New England, he declared that the United States would not "appease anybody on earth." He characterized Hitler as "a fanatic, greedy for world domination." This was a world in which "force and force alone determines the fate of nations." (New York Times, November 15, 1940.)

By early December the United States had greatly enlarged her importance as a dominant factor in the world balance of power. This was emphasized by the following:

"(1) Britain's decision to raise the issue of financial aid;

"(2) the more urgent appeal for 'planes, munitions, and ships';

"(3) the appointment of Admiral Leahy as Ambassador to the Vichy government of France;

"(4) the resignation of Mr. Kennedy as Ambassador to London;

"(5) the announcement of a new loan to China." (Washington Information Service, December 3, 1940.)

*Credit to China, November 30, 1940*

All pretense of neutrality had vanished. On November 30, the White House announced an arrangement to make available another \$100,000,000 to the Chinese Government, thereby "countering Japan's ratification of a peace treaty with her Nanking puppet regime in China." (New York Times, December 1, 1940.)

*F. D. R. Caribbean cruise, December 3, 1940*

The President's early December cruise to the Caribbean area served to keep before the public our collaboration with Britain, since his itinerary included visits to bases acquired from Britain in the destroyer deal of late



summer. (New York Times, December 4, 1940.)

*Britain a "good risk," December 4, 1940*

Federal Loan Administrator Jesse H. Jones' comment that "Britain is a good risk for a loan" was "accepted as a further confirmation of reports that this country was considering financial and additional other aid to Great Britain," according to the New York Times (December 5, 1940).

The pros and cons of the aid question were being thoroughly thrashed out in the press, as the President awaited the right moment to offer his plan. It was clear from the ardent discussion of ways and means that the public would be suspicious of a repetition of aid methods used in the World War—loans and credits, and sending our shipping into war zones.

*Lothian speech, December 11, 1940*

Lord Lothian, British Ambassador, put a blunt case before the American people in his speech before the American Farm Bureau Federation, leaving the implication that it was "our" war as well as a British war. "We think that this is a situation which concerns you almost as much as it concerns us," he said. "It has long been clear that your security, no less than ours, depends upon our holding the Atlantic impregnable, and you the Pacific." The issue of victory or defeat "now depends largely" on the decision of the United States regarding the part it should play in the conflict, he said. (New York Times, December 12, 1940.)

*Britain asks aid, December 17, 1940*

The Under Secretary of the British Treasury, Sir Frederick Phillips, came to Washington for discussions with United States Treasury officials, and on December 16 "high Government officials revealed that that country (Britain) had definitely asked for" financial assistance (New York Times, December 17, 1940.)

*Lend-lease plan proposed, December 17, 1940*

Thus the stage was set for the President's important press conference of December 17, when he explained the principle of the lend-lease plan, at that time not yet in legislative form.

Declaring that the United States should do everything possible to help the British Empire, the President asserted that no major war had ever been won or lost through lack of money and characterized as narrow-minded or banal the idea that dollars should be lent or given outright to Great Britain. He insisted that the dollar sign be removed from all consideration of aid to the British \* \* \* the problem of payments on replacements were secondary. (New York Times, December 18, 1940.)

*United States now arsenal for democracy, December 30, 1940*

In his fireside chat 2 weeks later he summoned the American people to their greatest effort to increase production so that this country might live up to the obligation he had assumed for it as the "arsenal of democracy." We must "get these weapons to them in sufficient volume and quickly enough, so that we and our children will be saved the agony and suffering of war which others have had to endure. \* \* \* In a military sense Great Britain and the British Empire are today the spearhead of resistance to world conquest."

He declared it to be the determination of the United States to send more and more supplies to those fighting democracy's battle. This policy of "dynamic nonbelligerence" he believed would keep the country out of war but could not guarantee it. He wanted to keep the country out of a "last-ditch war."

This time his assurances regarding the sending of armed forces abroad had become a statement that "there is no demand for

sending an American expeditionary force outside our own borders. There is no intention by any member of your Government to send such a force." (New York Times, December 30, 1940.) (State Department Bulletin, January 4, 1941.)

Thus the man who gave constant assurances during the campaign that armed forces would not be sent abroad was now, in effect, placing the initiative for deciding if and when our forces were needed in Britain's hands. Thus the man who on the outbreak of war had said, "This Nation will remain a neutral nation" committed us to a policy that was but one step short of war in its distance from neutrality.

*Policy now aid to all victims of aggression anywhere, December 7-January 6, 1941*

But it is not only England we were to aid. Early in December the President had "assured King George II of Greece, in a message made public today, that steps were being taken for the United States Government to extend aid to Greece under its 'settled policy' of extending aid to those governments and peoples 'who defend themselves against aggression.'" (New York Times, December 8, 1940.)

And in his January 6 message to Congress on the state of the Union he declared that in the future "which we seek to make secure" (emphasis supplied) we look forward to a world founded on the four essential human freedoms of speech, of expression, of worship and freedom from want and from fear. In listing these four freedoms he added the phrase "anywhere in the world." (New York Times, January 7, 1941.)

So at the beginning of 1941 the United States finds itself committed to a policy of aiding the victims of aggression anywhere in the world. It does not matter if the United States has a direct interest or not in a specific situation. It is admitted by the President that this course may lead to war. And under the terms of the lend-lease bill, the kind and extent of aid we shall give is left entirely to the President's discretion.

*Knox: "Britain Our Only Friend," August 1940*

The logical result of the steps we have taken in this direction in the last 4 years is to put the United States in the unenviable position so bluntly described by Secretary of the Navy Knox before the House Military Affairs Committee in August: "In the event that England goes down—and I pray to God that won't happen—we will be left without a friend in the world." More important, it is now declared (by Calvin B. Hoover, consultant of the Advisory Commission of the Council of National Defense) that "the Nation is irrevocably committed to the defense of the democracies at whatever risk and at whatever cost." (New York Times, February 16, 1941.)

The VICE PRESIDENT. The bill is open to further amendment. If there is no further amendment to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The VICE PRESIDENT. The question now is, Shall the bill pass?

Mr. GEORGE. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. McNARY. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Ellender	Murray
Aiken	George	Norris
Andrews	Gerry	Nye
Austin	Gillette	O'Mahoney
Bailey	Glass	Overton
Ball	Green	Pepper
Bankhead	Guffey	Radcliffe
Barbour	Gurney	Reynolds
Barkley	Harrison	Russell
Bilbo	Hatch	Schwartz
Bone	Hayden	Sheppard
Brewster	Herring	Shipstead
Bridges	Hill	Smathers
Brooks	Holman	Smith
Brown	Hughes	Stewart
Bulow	Johnson, Calif.	Taft
Bunker	Johnson, Colo.	Thomas, Idaho
Burton	Kilgore	Thomas, Utah
Butler	La Follette	Tobey
Byrd	Langer	Truman
Byrnes	Lee	Tunnell
Capper	Lodge	Tydings
Caraway	Lucas	Vandenbergh
Chandler	McCarran	Wallgren
Chavez	McFarland	Walsh
Clark, Idaho	McKellar	Wheeler
Clark, Mo.	McNary	White
Connally	Maloney	Wiley
Danaher	Mead	Willis
Davis	Miller	
Downey	Murdock	

The VICE PRESIDENT. Ninety-one Senators having answered to their names, a quorum is present.

Mr. CLARK of Missouri. Mr. President, I send to the desk an amendment which I ask to have stated.

The VICE PRESIDENT. The amendment is out of order. Is there objection to the presentation of the amendment at this time?

Mr. CLARK of Missouri. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. CLARK of Missouri. Why is this amendment out of order?

The VICE PRESIDENT. The bill has been read the third time.

Mr. CLARK of Missouri. Mr. President, has the bill been engrossed? I ask for the reading of the engrossed copy.

Mr. GEORGE. Mr. President, there is no objection, if the Senator from Missouri wishes to offer an amendment. I ask unanimous consent that he may without prejudice to the action heretofore taken, be permitted to offer the amendment.

The VICE PRESIDENT. Is there objection? The Chair hears none. The amendment will be stated.

The CHIEF CLERK. On page 2, line 15, after the word "law," it is proposed to insert the words "heretofore enacted."

Mr. CLARK of Missouri. Mr. President, I can very briefly explain the purpose of the amendment. I have no desire to delay the Senate on it. Section 3 (a), beginning in line 14, on page 2, reads at the present time:

Notwithstanding the provisions of any other law, the President may from time to time—

That authorizes the President to suspend any law whatever. My amendment simply limits it to the laws heretofore enacted, and excludes laws which may be passed in the future by the Congress of the United States.

I was opposed to the original provision. I voted for the amendment of the Senator from Iowa to strike out those words. I think the Congress should suspend not only all laws which have heretofore been passed, but all laws which may be



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passed in the future. That is the only purpose of my amendment, and on it I ask for the yeas and nays.

The yeas and nays were not ordered.

The VICE PRESIDENT. The question is on agreeing to the amendment of the Senator from Missouri.

The amendment was rejected.

The VICE PRESIDENT. The question is, Shall the bill pass? The yeas and nays have been ordered, and the clerk will call the roll.

The Chief Clerk called the roll.

Mr. HILL. I announce that the Senator from Oklahoma [Mr. THOMAS], the Senator from New York [Mr. WAGNER], and the Senator from Kansas [Mr. REED] are unavoidably detained.

The Senator from Kansas [Mr. REED] is paired with the Senator from New York [Mr. WAGNER]. I am advised that, if present and voting, the Senator from Kansas would vote "nay" and the Senator from New York would vote "yea."

I am further advised that, if present and voting, the Senator from Oklahoma [Mr. THOMAS] would vote "yea."

The Senator from Indiana [Mr. VAN NUYS] is absent because of illness. I am advised that, if present and voting, he would vote "yea."

The result was announced—yeas 60, nays 31, as follows:

#### YEAS—60

Andrews	George	Miller
Austin	Glass	Murdock
Bailey	Green	Murray
Ball	Guffey	Norris
Bankhead	Gurney	O'Mahoney
Barbour	Harrison	Overton
Barkley	Hatch	Pepper
Bilbo	Hayden	Radcliffe
Brewster	Herring	Russell
Bridges	Hill	Schwartz
Brown	Hughes	Sheppard
Bunker	Kilgore	Smathers
Burton	Lee	Smith
Byrd	Lodge	Stewart
Byrnes	Lucas	Thomas, Utah
Caraway	McFarland	Truman
Chandler	McKellar	Tunnell
Connally	McNary	Tydings
Downey	Maloney	Wallgren
Ellender	Mead	White

#### NAYS—31

Adams	Davis	Shipstead
Aiken	Gerry	Taft
Bone	Gillette	Thomas, Idaho
Brooks	Holman	Tobey
Bulow	Johnson, Calif.	Vandenberg
Butler	Johnson, Colo.	Walsh
Capper	La Follette	Wheeler
Chavez	Langer	Wiley
Clark, Idaho	McCarran	Willis
Clark, Mo.	Nye	
Danaher	Reynolds	

#### NOT VOTING—4

Reed	Van Nuys	Wagner
Thomas, Okla.		

So the bill (H. R. 1776) was passed, as follows:

[Senate amendments in italic; matter stricken in black brackets]

*Be it enacted, etc.,* That this act may be cited as "An act to promote the defense of the United States."

Sec. 2. As used in this act—

(a) The term "defense article" means—

(1) Any weapon, munition, aircraft, vessel, or boat;

(2) Any machinery, facility, tool, material, or supply necessary for the manufacture, production, processing, repair, servicing, or operation of any article described in this subsection;

(3) Any component material or part of or equipment for any article described in this subsection;

(4) Any agricultural, industrial, or other commodity or article for defense.

Such term "defense article" includes any article described in this subsection: Manufactured or procured pursuant to section 3, or to which the United States or any foreign government has or hereafter acquires title, possession, or control.

(b) The term "defense information" means any plan, specification, design, prototype, or information pertaining to any defense article.

SEC. 3. (a) Notwithstanding the provisions of any other law, the President may, from time to time, when he deems it in the interest of national defense, authorize the Secretary of War, the Secretary of the Navy, or the head of any other department or agency of the Government—

(1) To manufacture in arsenals, factories, and shipyards under their jurisdiction, or otherwise procure, to the extent to which funds are made available therefor, or contracts are authorized from time to time by the Congress, or both, any defense article for the government of any country whose defense the President deems vital to the defense of the United States.

(2) To sell, transfer title to, exchange, lease, lend, or otherwise dispose of, to any such government any defense article, but no defense article not manufactured or procured under paragraph (1) shall in any way be disposed of under this paragraph, except after consultation with the Chief of Staff of the Army or the Chief of Naval Operations of the Navy, or both. The value of defense articles disposed of in any way under authority of this paragraph, and procured from funds heretofore appropriated, shall not exceed \$1,300,000,000. *The value of such defense articles shall be determined by the head of the department or agency concerned or such other department, agency or officer as shall be designated in the manner provided in the rules and regulations issued hereunder. Defense articles procured from funds hereafter appropriated to any department or agency of the Government, other than from funds authorized to be appropriated under this Act, shall not be disposed of in any way under authority of this paragraph except to the extent hereafter authorized by the Congress in the Acts appropriating such funds or otherwise.*

(3) To test, inspect, prove, repair, outfit, recondition, or otherwise to place in good working order, to the extent to which funds are made available therefor, or contracts are authorized from time to time by the Congress, or both, any defense article for any such government, or to procure any or all such services by private contract.

(4) To communicate to any such government any defense information, pertaining to any defense article furnished to such government under paragraph (2) of this subsection.

(5) To release for export any defense article disposed of in any way under this subsection to any such government.

(b) The terms and conditions upon which any such foreign government receives any aid authorized under subsection (a) shall be those which the President deems satisfactory, and the benefit to the United States may be payment or repayment in kind or property, or any other direct or indirect benefit which the President deems satisfactory.

[(c) Neither the President nor the head of any department or agency shall, after June 30, 1943, exercise any of the powers conferred by or pursuant to subsection (a), nor shall such powers be exercised if terminated by a concurrent resolution by both Houses of the Congress, except that until July 1, 1946, such powers may be exercised to the extent necessary to carry out a contract or agreement with such a government made before July 1, 1943.]

(c) After June 30, 1943, or after the passage of a concurrent resolution by the two Houses before June 30, 1943, which declares

that the powers conferred by or pursuant to subsection (a) are no longer necessary to promote the defense of the United States, neither the President nor the head of any department or agency shall exercise any of the powers conferred by or pursuant to subsection (a); except that until July 1, 1946, any of such powers may be exercised to the extent necessary to carry out a contract or agreement with such a foreign government made before July 1, 1943, or before the passage of such concurrent resolution, whichever is the earlier.

(d) Nothing in this act shall be construed to authorize or to permit the authorization of conveying vessels by naval vessels of the United States.

(e) Nothing in this act shall be construed to authorize or to permit the authorization of the entry of any American vessel into a combat area in violation of section 3 of the Neutrality Act of 1939.

SEC. 4. All contracts or agreements made for the disposition of any defense article or defense information pursuant to section 3 shall contain a clause by which the foreign government undertakes that it will not, without the consent of the President, transfer title to or possession of such defense article or defense information by gift, sale, or otherwise, or permit its use by anyone not an officer, employee, or agent of such foreign government.

SEC. 5. (a) The Secretary of War, the Secretary of the Navy, or the head of any other department or agency of the Government involved shall, when any such defense article or defense information is exported, immediately inform the department or agency designated by the President to administer section 6 of the act of July 2, 1940 (54 Stat. 714), of the quantities, character, value, terms of disposition, and destination of the article and information so exported.

(b) The President from time to time, but not less frequently than once every 90 days, shall transmit to the Congress a report of operations under this act except such information as he deems incompatible with the public interest to disclose. Reports provided for under this subsection shall be transmitted to the Secretary of the Senate or the Clerk of the House of Representatives, as the case may be, if the Senate or the House of Representatives, as the case may be, is not in session.

SEC. 6. (a) There is hereby authorized to be appropriated from time to time, out of any money in the Treasury not otherwise appropriated, such amounts as may be necessary to carry out the provisions and accomplish the purposes of this act.

(b) All money and all property which is converted into money received under section 3 from any government shall, with the approval of the Director of the Budget, revert to the respective appropriation or appropriations out of which funds were expended with respect to the defense article or defense information for which such consideration is received, and shall be available for expenditure for the purpose for which such expended funds were appropriated by law, during the fiscal year in which such funds are received and the ensuing fiscal year; but in no event shall any funds so received be available for expenditure after June 30, 1946.

SEC. 7. The Secretary of War, the Secretary of the Navy, and the head of the department or agency shall in all contracts or agreements for the disposition of any defense article or defense information fully protect the rights of all citizens of the United States who have patent rights in and to any such article or information which is hereby authorized to be disposed of and the payments collected for royalties on such patents shall be paid to the owners and holders of such patents.

SEC. 8. The Secretaries of War and of the Navy are hereby authorized to purchase or



otherwise acquire arms, ammunition, and implements of war produced within the jurisdiction of any country to which section 3 is applicable, whenever the President deems such purchase or acquisition to be necessary in the interests of the defense of the United States.

Sec. 9. The President may, from time to time, promulgate such rules and regulations as may be necessary and proper to carry out any of the provisions of this act; and he may exercise any power or authority conferred on him by this act through such department, agency, or officer as he shall direct.

Sec. 10. *Nothing in this act shall be construed to change existing law relating to the use of the land and naval forces of the United States, except insofar as such use relates to the manufacture, procurement, and repair of defense articles, the communication of information and other noncombatant purposes enumerated in this act.*

Sec. 11. *If any provision of this act or the application of such provision to any circumstance shall be held invalid, the validity of the remainder of the act and applicability of such provision to other circumstances shall not be affected thereby.*

Mr. GEORGE. Mr. President, I ask that the bill be printed with the amendments made in the Senate numbered.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. GEORGE. I move that the Senate insist upon its amendments, request a conference with the House of Representatives thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Vice President appointed Mr. GEORGE, Mr. HARRISON, Mr. CONNALLY, Mr. BARKLEY, Mr. JOHNSON of California, Mr. CAPPER, and Mr. LA FOLLETTE conferees on the part of the Senate.

#### ORDER OF BUSINESS

Mr. BARKLEY. Mr. President, I wish to announce for the benefit of Senators that I shall presently move for an adjournment until Monday at 12 o'clock, at which time I hope to have the calendar called for the consideration of bills to which there is no objection. Two appropriation bills are ready for action, which we may also dispose of on Monday, and there are one or two naval bills, which may be passed on the call of the calendar. If not, we shall endeavor otherwise to dispose of them.

The VICE PRESIDENT. What is the pleasure of the Senate?

#### CONFIRMATION OF NOMINATIONS OF POSTMASTERS

Mr. BARKLEY. Mr. President, I ask unanimous consent, as in executive session, that the nominations of a number of postmasters on the Executive Calendar be confirmed en bloc. That is all there is on the Executive Calendar.

The VICE PRESIDENT. Without objection, it is so ordered.

#### ADJOURNMENT

Mr. BARKLEY. I move that the Senate adjourn.

The motion was agreed to; and (at 7 o'clock and 38 minutes p. m.) the Senate adjourned until Monday, March 10, 1941, at 12 o'clock meridian.

#### CONFIRMATIONS

Executive nominations confirmed by the Senate March 8 (legislative day of February 13), 1941:

##### POSTMASTERS

##### ILLINOIS

Peter R. Buschbacher, Ashton.  
Vivian G. White, Blue Mound.  
Walter A. Romrich, Galena.  
Ella F. Day, Hamburg.  
Charles H. Beien, Rock Falls.  
George J. Holm, South Wilmington.  
John H. Zitzmann, Trenton.  
Sadie E. Stouffer, Waddams Grove.

#### SENATE

MONDAY, MARCH 10, 1941

The Reverend Hunter M. Lewis, assistant rector, Church of the Epiphany, Washington, D. C., offered the following prayer:

O Lord our governor, Creator of all mankind and preserver of their destinies, from whom cometh all wisdom and knowledge, and before whose perfect thought our sublimest reason seemeth of no avail: Grant, we beseech Thee, unto these Thy servants to whom hath been given the responsibility of government, the spirit of a sound mind, of judgment and truth, that their deliberations may be fruitful in righteousness, their decisions fraught with Thy wisdom.

Endue their hearts with zeal, their minds with nobility of thought, and their wills with such singleness of purpose that our whole Nation, knowing that they have been inspired of Thee, may follow their leadership with gallant and high-hearted enthusiasm, that the peace of God may be established upon earth, and the nations of the world may become the kingdom of our Lord and Saviour, Jesus Christ. Amen.

#### THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day of Saturday, March 8, 1941, was dispensed with, and the Journal was approved.

#### MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Latta, one of his secretaries.

#### MESSAGE FROM THE HOUSE—ENROLLED BILLS SIGNED

A message from the House of Representatives, by Mr. Calloway, one of its reading clerks, announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

S. 189. An act for the relief of William Boyer; and

S. 251. An act for the relief of John Mulhern.

#### CALL OF THE ROLL

Mr. HILL. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Ellender	Murray
Aiken	George	Norris
Andrews	Gerry	Nye
Austin	Gillette	O'Mahoney
Bailey	Glass	Overton
Ball	Green	Pepper
Bankhead	Guffey	Radcliffe
Barkley	Gurney	Reed
Bilbo	Harrison	Reynolds
Bone	Hatch	Russell
Brewster	Hayden	Schwartz
Bridges	Herring	Sheppard
Brooks	Hill	Shipstead
Brown	Holman	Smathers
Bulow	Hughes	Smith
Bunker	Johnson, Calif.	Stewart
Burton	Johnson, Colo.	Taft
Butler	Kilgore	Thomas, Idaho
Byrd	La Follette	Thomas, Utah
Byrnes	Lee	Truman
Capper	Lodge	Tunnell
Caraway	Lucas	Tydings
Chandler	McCarran	Vandenberg
Chavez	McFarland	Wallgren
Clark, Idaho	McKellar	Walsh
Clark, Mo.	McNary	Wheeler
Connally	Maloney	White
Danaher	Mead	Wiley
Davis	Miller	Willis
Downey	Murdoch	

Mr. HILL. I announce that the Senator from Indiana [Mr. VAN NUYS] is absent from the Senate because of illness.

The Senator from Oklahoma [Mr. THOMAS] and the Senator from New York [Mr. WAGNER] are unavoidably detained.

Mr. AIKEN. I announce that the Senator from North Dakota [Mr. LANGER] is absent because of illness.

The VICE PRESIDENT. Eighty-nine Senators have answered to the roll call. A quorum is present.

#### PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate by the Vice President, or presented by Senators, and referred as indicated:

##### By the VICE PRESIDENT:

A letter in the nature of a memorial from Mrs. Chilson, of Towanda, Pa., remonstrating against involvement in foreign war; to the table.

A telegram in the nature of a memorial from Daniel J. Downing, of Albany, N. Y., remonstrating against the enactment of the so-called lease-lend bill; to the table.

A telegram from Wallace Hamilton, of San Diego, Calif., inviting attention to the counsel of Hamilton to the effect that the utility of a cordial union, under an efficient national government, affords the best security against hostilities with foreign governments, etc.; to the table.

A concurrent resolution of the Legislature of the State of North Dakota; to the Committee on Agriculture and Forestry:

##### "House Concurrent Resolution Q"

"Concurrent resolution petitioning Congress to enact the Capper bill establishing a division of cooperatives in the United States Department of Agriculture

"Be it resolved by the House of Representatives of the State of North Dakota (the Senate concurring therein):

"Whereas cooperation has proven beneficial to both producer and consumer and through years of successful operation in all democracies has established itself as a useful economic unit of well-ordered society; and

"Whereas Senator ARTHUR CAPPER, of Kansas has introduced a bill (S. 650) to establish a division of cooperatives in the United States



77TH CONGRESS  
1ST SESSION

# H. RES. 131



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## IN THE HOUSE OF REPRESENTATIVES

MARCH 10, 1941

Mr. COOPER submitted the following resolution; which was ordered to be printed

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## RESOLUTION

- 1      *Resolved*, That immediately upon the adoption of this
- 2 resolution the bill H. R. 1776, an Act further to promote
- 3 the defense of the United States, and for other purposes,
- 4 with Senate amendments thereto, be, and the same is hereby,
- 5 taken from the Speaker's table to the end that all Senate
- 6 amendments be, and the same are hereby, agreed to.



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# RESOLUTION

To take H. R. 1776 from the Speaker's table.

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By Mr. COOPER

MARCH 10, 1941

Ordered to be printed











requested, bills of the House of the following titles:

H. R. 3155. An act to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes; and

H. R. 3325. An act to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 2788. An act making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices for the fiscal year ending June 30, 1942, and for other purposes.

The message also announced that the Senate insists upon its amendments to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. GLASS, Mr. BYRNES, Mr. RUSSELL, Mr. ADAMS, Mr. MCCARRAN, Mr. NYE, and Mr. BRIDGES to be the conferees on the part of the Senate.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 3617. An act making deficiency and supplemental appropriations for the Army and Navy for the national defense for the fiscal year ending June 30, 1941, and for other purposes.

The message also announced that the Senate insists upon its amendments to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. ADAMS, Mr. GLASS, Mr. McKELLAR, Mr. HAYDEN, Mr. BYRNES, Mr. NYE, and Mr. LODGE to be the conferees on the part of the Senate.

The message also announced that the Senate had passed bills and a joint resolution of the following titles, in which the concurrence of the House is requested:

S. 6. An act for the relief of Maude Wilcox;

S. 162. An act to strengthen the national defense by creating the grade of chief warrant officer in the Army, and for other purposes;

S. 164. An act to further amend the thirteenth paragraph of section 127a of the National Defense Act, as amended by the act of June 8, 1926, so as to decrease the restriction on the number of enlisted men of the Regular Army who may be detailed as students at educational institutions and other places;

S. 192. An act for the relief of the Johnson Flying Service, Inc.;

S. 212. An act for the relief of Arvy A. Lothman;

S. 216. An act for the relief of A. B. Codrington;

S. 242. An act to repeal certain provisions of the act of February 25, 1929, entitled "An act to authorize appropriations for the construction at military posts, and for other purposes," and the act of July 3, 1930, entitled "An act making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1930, and prior fiscal years, to provide supplemental appropriations for the fiscal years ending

June 30, 1930, and June 30, 1931, and for other purposes";

S. 248. An act for the relief of John G. Hunter;

S. 287. An act to authorize the use of certain lands for military purposes at the Fort McPherson Military Reservation, Ga., and the Fort Du Pont Military Reservation, Del.;

S. 309. An act for the relief of Dr. Morris B. Toubman;

S. 319. An act for the relief of Virginia Bowen, Willie W. Hudson, and John L. Walker;

S. 412. An act to provide for the appointment of an additional circuit judge for the seventh judicial circuit;

S. 429. An act for the relief of Mattie E. Baumgarten;

S. 432. An act for the relief of Ervine J. Stenson;

S. 433. An act to relieve disbursing officers, certifying officers, and payees in respect of certain payments made in contravention of appropriation restrictions regarding citizenship status;

S. 436. An act for the relief of Maximo Abrego;

S. 441. An act for the relief of certain disbursing officers of the Army of the United States and for the settlement of individual claims approved by the War Department;

S. 478. An act to authorize the Secretary of the Treasury to permit the construction and maintenance of overhanging walks on the highway bridge, route No. 36, at Highlands, N. J., for public use;

S. 482. An act to provide for the appointment of one additional United States district judge for the northern district of Ohio;

S. 498. An act for the relief of George H. Crow;

S. 527. An act for the relief of Ernest H. Steinberg;

S. 706. An act for the relief of Blanche W. Stout;

S. 819. An act for the relief of the widow and children of Dr. Jo M. Ferguson;

S. 829. An act for the relief of Mr. and Mrs. T. Earl Rodgers;

S. 840. An act to create the grade of aviation cadet in the Air Corps, Regular Army, and to prescribe the pay and allowances therefor, and for other purposes;

S. 881. An act to permit the reemployment by the Federal Bureau of Investigation of persons retired under the Civil Service Retirement Act;

S. 885. An act for the relief of certain claimants who suffered by flood in, at, or near Bean Lake, in Platte County, in the State of Missouri, during the month of March 1934;

S. 897. An act for the relief of G. F. Allen, chief disbursing officer of the Treasury Department, and Bernard Paulson, special disbursing officer of the State Department;

S. 933. An act for the relief of John McAlister, Inc.;

S. 957. An act for the relief of Glen E. Robinson, doing business as the Robinson Marine Construction Co.;

S. 1033. An act conferring jurisdiction upon the Court of Claims of the United States to hear, examine, adjudicate, and render judgment on the claim of the legal representatives of the estate of Robert Lee Wright;

S. J. Res. 7. Joint resolution affirming and approving nonrecognition of the transfer of any geographic region in this hemisphere from one non-American power to another non-American power, and providing for consultation with other American republics in the event that such transfer should appear likely;

S. J. Res. 31. Joint resolution authorizing the President of the United States to present to Eire, on behalf of the people of the United States, a statue of Commodore John Barry; and

S. J. Res. 43. Joint resolution to carry out the obligations of the United States under the Inter-American Coffee Agreement, signed at Washington on November 28, 1940, and for other purposes.

#### OFFICE OF GOVERNMENT REPORTS IN THE EXECUTIVE OFFICE OF THE PRESIDENT

Mr. SABATH, from the Committee on Rules, submitted the following privileged resolution, which was referred to the House Calendar and ordered to be printed:

##### House Resolution 127

*Resolved*, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 3368, a bill authorizing expenditures for the Office of Government Reports in the Executive Office of the President. That after general debate, which shall be confined to the bill and continue not to exceed 2 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Expenditures in the Executive Departments, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the bill for amendment, the Committee shall rise and report the same to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

#### INSPECTIONS AND INVESTIGATIONS IN COAL MINES

Mr. SABATH, from the Committee on Rules, submitted the following privileged resolution, which was referred to the House Calendar and ordered to be printed:

##### House Resolution 135

*Resolved*, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of H. R. 2082, a bill relating to certain inspections and investigations in coal mines for the purpose of obtaining information relating to health and safety conditions, accidents, and occupational diseases therein, and for other purposes. That after general debate, which shall be confined to the bill and continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Mines and Mining, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the bill for amendment, the Committee shall rise and report the same to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit, with or without instructions.

#### EXTENSION OF REMARKS

Mr. SMITH of Washington. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Record and to include therein an article by Mr. Alfred Friendly.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.



## THE LEND-LEASE BILL

Mr. GOSSETT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. GOSSETT. Mr. Speaker, as the lease-lend bill becomes law, America renews and redoubles her efforts to so use her vast resources as to preserve democracy and to avoid war. We seek to substitute economic force for military action. The success of this program depends upon the efficiency with which it is prosecuted. Maximum production and preparedness is the surest way to peace. If preparedness and production is our best insurance against war, then we will be derelict in our duty to future generations, as well as to this one, if we do not do a good job. We must not be too late with too little. National unity in this effort becomes a necessity. Politics and partisanship must be laid aside until the crisis is over. No individual or group of individuals within this country, from selfish motives or otherwise, must be permitted to interfere with this program. Both industry and labor must do their part. All must realize that small sacrifices now will save large sacrifices later. Causes for strikes must be removed, and strikes that delay production must be prevented. Profiteering in any way out of this crisis is abhorrent to democratic ideals and insulting to American citizenship.

This is the first time in American history that a President has fully and frankly faced all the facts in a time of international crisis, and has attempted to put this Nation upon an adequate war basis in time of peace as a means of staying at peace. This is the first time in the world's history that an honest and intelligent effort has been made by a great Nation to substitute economic force for military action. This is the most sane, sensible, and serious peacetime effort ever made by any people to preserve their freedom, promote their security, and avoid armed conflict. Heretofore we have got into all wars with little or no anticipation or preparation. Our different approach to this crisis offers hope of a different result. Our potential enemies have usually provoked or declared war upon us because of one of two errors, that is: First, thinking they could bluff us; or second, thinking they could whip us. No such mistakes should be made in the future.

To avoid these mistakes now requires the united efforts of the American people. Had George Washington received full support from the Thirteen Colonies the Revolutionary War would have ended without the suffering of Valley Forge. Had Abraham Lincoln received the full support of even the Union over which he presided, the Civil War would have ended in half the time with half the loss to both sides. Had Woodrow Wilson received the support of even a majority of the American people in his post-war efforts, the present world conflict would not have occurred. If Franklin Roosevelt receives the support to which he is now entitled from this country, much

suffering and hardship and probable disaster will be avoided. [Applause.]

## EXTENSION OF REMARKS

Mr. RODGERS of Pennsylvania. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD on the St. Lawrence seaway proposition.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. MCGREGOR. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a newspaper article.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. RUSSELL. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein portions of a resolution passed by the Texas State Senate.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. ELIOT of Massachusetts. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include an editorial from the Boston Post of March 6, 1941, and a letter from Mr. Carl A. Meyer, member of the board of directors of the World War Veterans of the United States Merchant Marine.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

## PERMISSION TO ADDRESS THE HOUSE

Mr. LELAND M. FORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. LELAND M. FORD. Mr. Speaker, taking this morning's Washington Post, in one column we see that the Allis-Chalmers plant may be the first industry to be drafted, and in another column we see where Mr. Bullitt likened the United States attitude to that of France.

I just heard my colleague, Ed Gossett, ask for cooperation. You are not getting any cooperation from the subversive-racketeering-led C. I. O. union. What is going to happen to this country if the C. I. O. dominates and takes over the industry of this country? I think you have your answer in what happened in France, and I think it is pretty near time this country really looked into this matter of defense and, Mr. Gossett, so far as cooperation extends, it certainly should extend through the C. I. O. I have no confidence in Mr. Hillman. I do not think he represents America. I think he represents the communistic-socialistic dominated C. I. O., and his interests are for them first against America. I think Mr. Hillman has got to go if we are going to have a defense program. [Applause.]

[Here the gavel fell.]

## EXTENSION OF REMARKS

Mr. TRAYNOR. Mr. Speaker, I ask unanimous consent to extend my re-

marks in the RECORD and include an editorial from the Washington Post of March 8, 1941.

The SPEAKER. Is there objection? There was no objection.

## CALL OF THE HOUSE

Mr. FISH. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. Evidently there is no quorum present.

Mr. McCORMACK. Mr. Speaker, I move a call of the House.

The motion was agreed to.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 23]

Anderson, Calif.	Hébert	Pierce
Barry	Hook	Robison, Ky.
Bates, Mass.	Imhoff	Sanders
Beam	Jenks, N. H.	Scanlon
Blackney	Jensen	Schaefer, Ill.
Bolles	Johnson, Ind.	Scrugham
Buck	Johnson,	Secrest
Cannon, Fla.	Lyndon B.	Shannon
Casey, Mass.	Johnson, W. Va.	Sheppard
Celler	Kelly, Ill.	Sheridan
Clark	Kennedy,	Smith, Pa.
Ciuett	Michael J.	Taylor
Collins	Kleberg	Thomas, N. J.
Cullen	Lea	Tinkham
Dickstein	Maas	Weaver
Dies	Marcantonio	White
Folger	Merritt	Winter
Geyer, Calif.	O'Day	
Gregory	Osmer	

The SPEAKER. On this roll call 377 Members have answered to their names, a quorum.

On motion of Mr. McCORMACK, further proceedings, under the call, were dispensed with.

## PROMOTION OF NATIONAL DEFENSE

Mr. BLOOM. Mr. Speaker, in pursuance of the order agreed to yesterday, I call up House Resolution 131, which I send to the desk and ask its immediate consideration.

The Clerk read as follows:

House Resolution 131

*Resolved*, That immediately upon the adoption of this resolution the bill H. R. 1776, an act further to promote the defense of the United States, and for other purposes, with Senate amendments thereto, be, and the same is hereby, taken from the Speaker's table to the end that all Senate amendments be, and the same are hereby, agreed to.

Mr. BLOOM. Mr. Speaker, I ask unanimous consent that the Clerk read the Senate amendments to the bill H. R. 1776.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read as follows:

Page 2, line 5, after "Any", insert "agricultural, industrial or."

Page 2, line 20, after "procure", insert "to the extent to which funds are made available therefor, or contracts are authorized from time to time by the Congress, or both."

Page 2, line 24, after "transfer", insert "title to."

Page 3, line 8, after "\$1,300,000,000", insert "The value of such defense articles shall be determined by the head of the department or agency concerned or such other department, agency, or officer as shall be designated in the manner provided in the rules and regulations issued hereunder."

Page 3, line 8, after "\$1,300,000,000", insert "Defense articles procured from funds hereafter appropriated to any department or



agency of the Government, other than from funds authorized to be appropriated under this act, shall not be disposed of in any way under authority of this paragraph except to the extent hereafter authorized by the Congress in the acts appropriating such funds or otherwise."

Page 3, line 10, after "order", insert "to the extent to which funds are made available therefor, or contracts are authorized from time to time by the Congress, or both."

Page 3, line 11, after "government", insert "or to procure any or all such services by private contract."

Page 3, line 16, after "article", insert "disposed of in any way under this subsection."

Page 3, strike out line 25 and lines 1 to 7, inclusive, on page 4, and insert:

"(c) After June 30, 1943, or after the passage of a concurrent resolution by the two Houses before June 30, 1943, which declares that the powers conferred by or pursuant to subsection (a) are no longer necessary to promote the defense of the United States, neither the President nor the head of any department or agency shall exercise any of the powers conferred by or pursuant to subsection (a); except that until July 1, 1946, any of such powers may be exercised to the extent necessary to carry out a contract or agreement with such a foreign government made before July 1, 1943, or before the passage of such concurrent resolution, whichever is the earlier."

Page 6, line 5, after "year", insert "but in no event shall any funds so received be available for expenditure after June 30, 1946."

Page 7, after line 2, insert:

"Sec. 10. Nothing in this act shall be construed to change existing law relating to the use of the land and naval forces of the United States, except insofar as such use relates to the manufacture, procurement, and repair of defense articles, the communication of information and other noncombatant purposes enumerated in this act."

Page 7, after line 2, insert:

"Sec. 11. If any provision of this act or the application of such provision to any circumstance shall be held invalid, the validity of the remainder of the act and the applicability of such provision to other circumstances shall not be affected thereby."

Mr. BLOOM. Mr. Speaker, I yield myself 10 minutes to explain the Senate amendments on H. R. 1776, and ask that I be not interrupted until I have concluded the explanation.

Amendment No. 1: This amendment is to emphasize what was already implicit in the House bill—that the term "defense article" includes agricultural and industrial articles which are for defense. The amendment in no way changes the legal effect of the House bill.

Amendment No. 2: This amendment also states specifically what was already true under the House bill. Under the House bill, with or without the amendment, the President is free to negotiate contracts with foreign governments whose defense he deems vital to our defense, for the manufacturing or procuring for them of defense articles under section 3 (a) (1). Under the bill, with or without the amendment, he will not be able to fulfill such contracts by devoting money to manufacturing and procurement under section 3 (a) (1) unless the money for such purposes is available out of an appropriation, or unless authority is given, in an appropriation bill or otherwise, to obligate the United States by letting contracts for the actual work of manufacture or procurement,

Amendment No. 3: This amendment seeks to emphasize what was already true under the House bill—that the inclusion of the word "transfer" in section 3 (a) (2) of the bill did not authorize the delivery of defense articles by convoys or armed forces of the United States. The amendment is wholly unnecessary but does no harm.

Amendment No. 4: This amendment clarifies the provision of the House bill, putting a ceiling of \$1,300,000,000 on the value of defense articles disposed of under section 3 (a) (2) if procured from funds appropriated before the passage of the act. It provides that such value shall be determined by the head of the department or agency concerned or by an agency designated under the rules and regulations authorized by section 9 of the bill.

Amendment No. 5 (Byrd amendment): This amendment provides that if any future appropriation is under an authorization not contained in the bill, no defense article procured from such appropriation shall be disposed of under section 3 (a) (2) unless such disposition is authorized by Congress. Under the bill, with the amendment, the President may, without further action of Congress, under paragraph (2) of section 3 (a), dispose of defense articles procured from past appropriations, no matter what such appropriations were for, up to an aggregate value of \$1,300,000,000; but as to defense articles procured from future appropriations he may not dispose of a single dollar's worth under such paragraph unless the appropriation is available for such disposition or unless such disposition is hereafter authorized by Congress.

Amendment No. 6: This amendment has exactly the same effect, with respect to testing, repairing, and so forth, of defense articles for a foreign government as amendment No. 2 has with respect to manufacturing or procuring defense articles for a foreign government. It does not in any way change the legal effect of the House bill.

Amendment No. 7: This amendment emphasizes what was already provided by the House bill—that the work of testing, repairing, and so forth, of defense articles for foreign governments may be performed either in Government facilities or under contract with private parties.

Amendment No. 8: This amendment merely provides that the right to release for export defense articles to any foreign government relates only to articles disposed of under section 3 (a).

Amendment No. 9: This amendment clarifies provisions of section 3 (c) of the House bill, relating to the time limit for the exercise of the powers conferred by section 3 (a) of the bill. It does not in any way lengthen or shorten the time limit contained in the House bill.

Amendment No. 10: This amendment fixes June 30, 1946, as the time limit on the expenditure under section 6 (b) of funds received from any government as consideration for aid furnished it under section 3 (a).

Amendment No. 11: This amendment provides that the act is not to be construed to change existing law relating to the use of land and naval forces of the

United States, except insofar as such use relates to the manufacture, procurement, or repair of defense articles, the communication of information, the work of testing, reconditioning, and so forth, of defense articles, and other noncombatant purposes enumerated in the bill.

Amendment No. 12: This amendment is the usual separability clause to provide for the unlikely event of any part of this act being held unconstitutional.

Mr. FISH. Mr. Speaker, I yield 5 minutes to the minority leader, the gentleman from Massachusetts [Mr. MARTIN].

Mr. MARTIN of Massachusetts. Mr. Speaker, I voted against the lease-lend bill because I opposed the granting of powers to the President, which I believed should be retained by the Congress. I feared the bill as written would bring us nearer to war. My position in that respect remains unchanged. [Applause.]

A decisive majority in both branches of Congress has decided otherwise.

There is obviously no chance for further amendments. That being the case, all we have before us today for consideration are the amendments added to the bill in the Senate. We may well question the effectiveness of these amendments. They certainly do not provide the restrictions I would like to see in this bill. I do not believe they are adequate, but, as I have stated, we are powerless to strengthen them.

Inadequate as are these amendments, they are an improvement, and for that reason I shall vote in favor of them. [Applause.] And I realize that Congress, having determined to follow the policy set forth in the bill, it is the part of wisdom to act quickly. At least these amendments voice the apprehensions of Congress, and I sincerely hope the President will use these enormous powers wisely.

We have taken a step unparalleled in American history. There is danger at every step we take from now on. All of us, no matter which side we may have supported in this historic controversy, pray fervently that the decision is a wise one and that it will preserve peace and security for our country.

Let me say we stand united for liberty at home, and we share in a common desire to see liberty prevail in every part of the world. Totalitarianism either at home or abroad is obnoxious to us all. We live, thank God, in a country where we can debate these great questions and divide as our convictions direct us. But, once the decision is reached, we accept the verdict of the majority. [Applause.]

We may differ among ourselves, but there is no division in our loyalty to our country or our determination to protect the security of our people. We are one people; an undaunted people, determined that real Americanism shall not disappear from the earth. [Applause.]

Mr. BLOOM. Mr. Speaker, I yield 5 minutes to the majority leader, the gentleman from Massachusetts [Mr. McCORMACK].

Mr. McCORMACK. Mr. Speaker, what has just been said by my distinguished friend the gentleman from Massachusetts [Mr. MARTIN] is what we knew he would state when the time was yielded to him to speak at this stage of the bill.



and I join with the distinguished gentleman in his plea for national unity. My friend from Massachusetts just indicated, as we of America know, but those of some foreign countries do not know, that legislation goes through various channels in America. A bill is first introduced in the House, then goes to a committee, and public hearings are held upon the bill. Changes are very frequently made there and the bill comes back into the House for debate. Amendments are offered, and amendments adopted, and the bill then goes to the Senate and the Senate acts. That is all a part of our method of legislating under our form of government. Legislation must take that journey, and oftentimes legislation has been perfected from the time it is introduced until it reaches its final stage. Many people abroad overlook the fact that Members of Congress and Americans may differ while a bill is pending in either one of the two branches of Congress, but that, as the gentleman from Massachusetts [Mr. MARTIN] well said, when the majority has spoken and the bill is in its final stage and about to be enacted into law and after it is enacted into law we all stand behind the Chief Executive, whomever he may be, in enforcing the provisions of the bill. [Applause.]

I want to compliment the minority leader for the fine speech he has just made. It is one that will have tremendous, favorable effect.

While this bill was in the House the debate on the bill was conducted along a high plane. The debate on the bill in the House, in my opinion, is second to none of the great debates that have occurred on any legislation in this body during our entire constitutional history.

Now, on the final action on this bill, all of us as Americans, without regard to our views on the bill or any part of the bill, should now rally behind the enforcement of the law to the end that it will accomplish the purposes that the Congress has in mind in enacting it, to build up and provide for the national defense of our country and to keep our country out of war by keeping war away from our shores. [Applause.]

As I view the bill, it is a peace measure—a measure aimed for the peace of the United States. My friend the gentleman from Massachusetts [Mr. MARTIN] referred to the totalitarian governments with their new ideology, challenging a civilization that is thousands of years old, a civilization that has as its origin belief in God and love of God and the love of neighbor. The new challenge with its belief that power starts in man instead of being derived from God Himself, starts on earth with a message of hate, a new challenge to our civilization. German nazi-ism and Russian communism are essentially the same. German nazi-ism, the unnatural offspring of communism, both the same ideologies, trying to impose their vicious and pagan policies upon all the peoples of the world. I agree with the gentleman from Massachusetts in his references to the totalitarian governments, to the vicious dictators, and their destructive policies and practices. Joining my friend from Mas-

sachusetts as I do in his plea for national unity, which I know will prevail, I reiterate what I have said before—this bill is a peace measure for our country. It is a necessary part of our national defense, but, over and above that, it is a step in the direction of preserving the civilization that we believe in, the American way of life—the way of life that democracies believe in. As I see it, it is a bill aimed to prevent our getting into war by keeping war from our shores and to prevent the vicious forces of paganism from dominating all of the peoples of the world.

We of this Congress, and the people of our country, should respond to the plea of the gentleman from Massachusetts [Mr. MARTIN] so nobly made, the plea of Senator WILEY and the plea of Senator VANDENBERG, who opposed, but now that the bill is about to become law, and after it has become law, to support the President of the United States in the enforcement of the bill, for the purpose of assuring to our people peace; to collaborate with him in enforcing the law along those lines that will assure peace for our people by preventing war in the future coming to our shores; and to enforce the provisions of the bill so that the vicious totalitarian governments of the world will not make further progress in their conquest of religious and liberty loving people. Let us rally behind our courageous President now that the bill is to become law, not as Democrats, not as Republicans, but as Americans. [Applause.]

[Here the gavel fell.]

Mr. FISH. Mr. Speaker, I yield myself 10 minutes.

Mr. Speaker, those of us who opposed this legislation have no alibis, have no excuses, and no apologies, nor have we any regrets. We opposed the legislation very largely because we believed that, as it passed the House, it was an excessive delegation of power, a dangerous and unconstitutional delegation of power to the President, and that under that power the President became a virtual dictator in America, and could, if he wanted to, not only destroy our free institutions and representative government, but socialize and nationalize industry. The power granted in the bill is so vast that there is almost nothing that the President cannot do. In the name of defense he could take over and operate American industries, factories, mines, and farms. He could take over the railroads, radio, telephone, and telegraph companies, and generally socialize American industry and American business. Very few people back home realize how far this bill goes. Ninety percent of the Members of the House are in favor of aid to Great Britain and have been in favor of aid to Great Britain from the beginning. The responsibility for the delay in the enactment of this legislation does not rest with the minority, but rests squarely with the administration and the President himself for asking such excessive and extraordinary powers. We on the minority side were willing, and a goodly number of Democrats also, to vote a huge sum of money to the President—\$2,000,000,000 or more—for aid to Great Britain, at least 7 or 8 weeks ago, at which time we were told that speed was the essence of

this legislation. We were ready then to vote upon that aid and to turn it over, without restriction, to the President. If he had that power it might have been some help to Greece in its valiant and heroic struggle for liberty and independence. It might have played some part in the disturbing conditions in the Balkans. But the responsibility for the delay is not upon those who opposed the legislation, for we at no time opposed aid to Great Britain.

When Secretary Hull came before the Committee on Foreign Affairs 8 weeks ago tomorrow he said, just as Majority Leader McCORMACK said today, "This is a peace measure and its purpose is to keep us out of war." Secretary Hull, referring to H. R. 1776, said:

It is the best possible assurance in the state of danger confronting us from different angles against being drawn into war.

On the basis of maintaining peace and of aid to Britain we were ready to act, but we refused to vote to delegate the control of the war-making powers and of the purse strings to the President. I am in favor of all the amendments that were adopted in the Senate. All of them improved the bill, but there is one—the Byrd amendment—that is highly important, for it restores to the Congress the control of the purse strings. This amendment is by far the most important amendment written into the bill, and it means that from now on every appropriation for aid to Great Britain must be passed upon specifically by the Congress.

When the House of Representatives passed H. R. 1776 and abdicated the power over the control of the purse strings, we destroyed to a large extent representative government in the United States.

For over 700 years, since Magna Carta, a struggle has been waged between the people and the Parliament on the one side and the King on the other for the control of the purse strings. John Hampden, of England, is a hero to most young Americans. We thought that great issue had been settled in the civil war in England when King Charles lost his head; we thought it had been determined then and forever that the Parliament—and in our case, Congress—would never give up the control of the purse strings and the appropriating powers. Without the Byrd amendment, those of us who opposed the bill felt we were delegating away the very legislative lifeblood of the Congress itself. The Byrd amendment is not only important but it actually serves to restore the appropriating powers to the Congress and takes them away from the President, and thereby prevents to some extent the establishment of a dictatorial and totalitarian system in America. It is too bad that the amendments to restore the war-making powers were not likewise passed. Eight weeks ago, when the hearings began before the Committee on Foreign Affairs, Secretary Hull and other members of the Cabinet testified there would be a crisis in 60 or 90 days, and that speed was of the essence. Again I repeat, no member of the minority tried to delay the consideration of the bill—certainly not in the House of



Representatives. I am taking this time for a specific purpose, not only to make an appeal for unity, because this bill will be passed in a short time and signed by the President tomorrow, and when it becomes the law of the land it is the duty of everybody, Republicans and Democrats alike, to support the law. [Applause.] That does not mean that we will give any green light to involvement in foreign wars. I am taking this time for the specific purpose of placing in the RECORD what was said in the consideration of the bill as a peace measure.

Every person who advocated the lend-lease bill either before the committee or upon the floor of the House stated that it was a peace measure and aimed to keep us out of war. Now the responsibility is squarely upon the President, upon Secretary Hull, and upon the Congress, and particularly on the majority party. The responsibility no longer rests with the minority. We have now reached, free from all consideration of aid to Britain, of national defense, and the neutrality law, the single greatest issue before the American people: Shall we go into this war or shall we keep out? This issue transcends all party lines. It is greater than the Republican Party and the Democratic Party combined, it is the one issue the American people back home are thinking about when they read the morning newspapers at their breakfast tables; and listen over their radios in the evening. Now, thank God, for the first time in 2 years this issue will be taken squarely to the American public for their decision free from confusing side issues.

[Here the gavel fell.]

Mr. FISH. Mr. Speaker, I yield myself 5 additional minutes.

It should be made crystal clear, and the American people must decide for themselves whether they want to go into this war or stay out. This war abroad is an entirely different kind of war from what we had 23 years ago. That war was a mere picnic to what this will be if we become involved in it. When we went into the other war 23 years ago all our troops had to do was to get into our transports protected by all the navies of the world, land in France, take their time to march up to the front line protected by the British Army, by the French Army, by the Italian Army, and by 20 other nations that were on our side at that time, including Japan. Today if we become involved in war it would mean fighting Germany, Italy, and Japan, and maybe half of Europe. It may last a generation, it may require 10,000,000 or 20,000,000 soldiers to be sent to foreign nations to fight in China, in Africa, and in Europe. The American people know no such thing as a half-way war. The only kind of war they know is a total war. Much as I am opposed to war—and I will do everything in my power to keep this country out of war unless attacked by some foreign foe—yet, if we get into the war then I too am for total war, for waging war to final victory. However, the day we get into war we have lost—the very first day, although we may attain victory in 5, 10, or 20 years at the expense of a million lives—hundreds of billions of dollars; and even

then there is no guarantee that we shall win.

In addition to that, war means a black-out of American liberty, of our free institutions, and the creation of a dictatorship overnight, as well as bankruptcy and the impoverishment of the American people.

The issue is now squarely divorced from aid to Britain and is war or peace.

Let us see what the President of the United States has to say—and I prefer to accept his own words and pledges to the American people. I do not believe what these commentators like Jay Franklin and others are saying—that we will be in the war by April 1, through an undeclared war by the President. Such charges are unfair and unjust against the President of the United States. I prefer to believe what the President himself said, therefore I want to place his statements in the RECORD so that he who runs may read.

On October 26, 1939, the President had this to say:

In and out of Congress we have heard orators and commentators and others beating their breasts and proclaiming against sending the boys of American mothers to fight on the battlefields of Europe. That I do not hesitate to label as one of the worst fakes in current history. It is a deliberate setting up of an imaginary bogeyman. The simple truth is that no person in any responsible place in the national administration in Washington, or in any State government, or in any city government, or in any county government has ever suggested in any shape, manner, or form of the remotest possibility of sending the boys of American mothers to fight on the battlefields of Europe. That is why I label that argument a shameless and dishonest fake.

Then, speaking before the Teamsters' Union on September 11, 1940, the President stated:

I hate war, now more than ever. I have one supreme determination—to do all that I can to keep war away from these shores for all time. I stand, with my party, and outside of my party as President of all the people, on the platform the wording that was adopted in Chicago less than 2 months ago. It said:

"We will not participate in foreign wars, and we will not send our Army, naval or air forces to fight in foreign lands outside of the Americas, except in case of attack."

[Here the gavel fell.]

Mr. FISH. Mr. Speaker, I yield myself 10 additional minutes.

Mr. Speaker, on October 30, 1940, the President said at Boston Garden, as follows:

Your boys are not going to be sent into any foreign wars.

They are going into training to form a force so strong that, by its very existence, it will keep the threat of war far away from our shores.

The purpose of our defense is defense.

Then again on December 29, 1940, in his fireside chat he stated:

There is no demand for sending an American Expeditionary Force outside our own borders. There is no intention by any member of your Government to send such a force. You can, therefore, nail any talk about sending armies to Europe as deliberate untruth.

Mr. Speaker, those are some of the statements made by the President of the United States; that he was opposed to

war; that he was in favor of peace; that he would exert his great powers to maintain peace, and keep this Nation out of war.

This is what he said in regard to the passage of this legislation on March 10, to the League of Women Voters:

In acknowledging my appreciation of the league's position, I am glad to reiterate the assurance that the policy under which the measure would be operated would not be a war policy, but the contrary.

Mr. O'CONNOR. Will the gentleman yield?

Mr. FISH. I yield to the gentleman from Montana.

Mr. O'CONNOR. In view of the parliamentary situation that we have no chance to vote on the bill as amended by the Senate, what course is there open for those of us who opposed the passage of the bill in the House to pursue as to these amendments? I may say, however, if I had the opportunity to vote upon the bill, as amended, I would vote against it.

Mr. FISH. I am glad the gentleman has asked that question. There really should be no confusion on either side with reference to the parliamentary situation. All we are considering are the Senate amendments. We are not considering the bill either directly or indirectly. We are considering the amendments en bloc, all of which improve the bill, and a vote will come upon those Senate amendments just the way a vote would be had on amendments offered in the House. A vote cast for those Senate amendments is not a vote for or against the bill, and I hope the reporters and the newspapers will make it clear to the American public that this in no way can be construed as a vote for or against the bill, if a roll call is demanded upon these Senate amendments.

I propose to vote for all the Senate amendments. I think everyone must decide that for himself. There are members on the minority side who are fearful there will be some confusion in the minds of their constituents that they might be turning around and voting for a bill now that they opposed a month ago, but, as a matter of fact, that is not so because we are voting only on the amendments to the bill.

Mr. AUGUST H. ANDRESEN. Will the gentleman yield?

Mr. FISH. I yield to the gentleman from Minnesota.

Mr. AUGUST H. ANDRESEN. The gentleman has expressed himself to the effect that the Senate amendments, particularly the Byrd amendment, are more in line with the effort sought by the minority here in the House when the bill was under consideration. The Byrd amendment is a limitation upon the authority of the President, is that correct?

Mr. FISH. Why, certainly. It restores to Congress the control of the purse strings.

Mr. BENDER. Will the gentleman yield?

Mr. FISH. I yield to the gentleman from Ohio.

Mr. BENDER. In order to keep the record straight, as I understand the gentleman's statement in reply to the gentleman from Montana, we have not got



the bill before us again. All we are considering are these amendments that were put in the bill by the Senate. We are not considering the bill itself, is that correct?

Mr. FISH. That is absolutely correct.

Mr. BLOOM. Will the gentleman yield?

Mr. FISH. I yield to the gentleman from New York?

Mr. BLOOM. I did not understand what the gentleman said about restoring to the Congress control of the purse strings.

Mr. FISH. The Byrd amendment does that on future appropriations.

Mr. BLOOM. Is that right?

Mr. FISH. Yes.

Mr. BLOOM. I would like to have the gentleman explain that a little further. I would like to know how he understands it that way. I do not understand it that way.

Mr. FISH. I will be very glad to explain it if the gentleman does not know it by this time. I think everybody else in the House understands it. I would be very glad to explain it to the gentleman.

The Byrd amendment simply states that all future appropriations by the Congress of money to be spent for aid to Great Britain must be specific, and the President must ask for those appropriations. Without the Byrd amendment, the President could take this money and spend it without any specific authorization whatever for that purpose.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield?

Mr. FISH. I yield to the gentleman from Michigan.

Mr. HOFFMAN. After this vote, if these amendments are adopted, do we get a vote on the bill again?

Mr. FISH. No.

Mr. HOFFMAN. Then why would not a vote in favor of these amendments be construed in favor of a vote for the bill?

Mr. FISH. Because it is not a fact. Anybody can construe anything any way he wants, but this has nothing to do with the bill directly or indirectly. These are merely Senate amendments, and the situation is the same as if you were voting for or against an amendment in the House. You are not voting for the bill.

Mr. CASE of South Dakota. Mr. Speaker, will the gentleman yield?

Mr. FISH. I yield to the gentleman from South Dakota.

Mr. CASE of South Dakota. It seems to me the question is clearly answered by reverting to the words of the resolution before us. The vote will come on a "yes" or "no" vote on this resolution, which states that upon the adoption of this resolution the bill H. R. 1776 shall be taken from the Speaker's desk, to the end that all Senate amendments be, and the same are hereby, agreed to.

Mr. FISH. That is all there is to it.

Mr. CASE of South Dakota. The proposition is simply a "yes" or "no" vote on agreeing to the Senate amendments.

Mr. FISH. There is no reason for this confusion. This is a very simple resolution. There is nothing before you except the vote on the amendments.

There is no possible way to construe it in any other way, unless the press does it.

Mr. ANDREWS. Mr. Speaker, will the gentleman yield?

Mr. FISH. I yield to the gentleman from New York.

Mr. ANDREWS. Referring to the statement made just now by the gentleman from South Dakota, it seems to me that an "aye" vote now is a vote for the bill with these amendments.

Mr. FISH. It has nothing at all to do with the bill. The gentleman is completely wrong.

Mr. Speaker, I hold in my hand a release from the Committee to Defend America by Aiding the Allies. I suppose every Member of Congress has received a copy of it. It states this:

Does the bill give the President the power to:

Send American ships into the war zone? No.

Convoy shipping with American warships? No.

Declare war? No.

Send American troops to Europe? No.

Seize foreign ships in our ports? No.

I agree with that in every detail. There is no power given to the President in the bill to use convoys, to declare war, to send American shipping into the war zone, or to send troops to Europe. If the President exerts any power that has not been given to him by the Congress, then the President would be taking us into war. Secretary Knox himself said that using convoys would be an act of war. If the President practically in defiance of the Congress—and I do not believe he is going to do it—uses any powers he may have or assumes to have to use convoys, then we will be in the war before the summer is over.

Mr. Speaker, there is only one issue now before the country. The lend-lease bill is about to go through. There is only one issue, war or peace. The American people themselves must decide it. I am willing to accept the word of the President that he stands for peace and is going to try to keep us out of war. But if the President uses convoys or if he attempts to send troops and Navy to Singapore, that in itself would involve us in war. Then there can be no national unity. I am for national unity with the President to keep this country out of war. I am going to do everything in my power to support the President in his declared policy and to uphold this bill and advocate national unity, except on one issue, and that issue is our involvement in war. Ninety percent of the American people are against foreign wars, and they must make the decision through the Congress and not one man. It makes no difference whether that man is a Republican or Democrat or a good, bad, or indifferent President. As far as my vote is concerned, I shall continue to do everything within my power to keep this country out of war, unless attacked by some foreign foe. [Applause.]

[Here the gavel fell.]

Mr. FISH. Mr. Speaker, I yield 3 minutes to the gentleman from Massachusetts [Mr. TREADWAY].

Mr. TREADWAY. Mr. Speaker, the remarks made by both the majority and

minority leaders are so much in accord with my own views and so nearly follow the memorandum I have before me that I hesitate to take the time of the House to express my thoughts on this great occasion.

The Senate has passed the lend-lease bill, with certain amendments, and these amendments are now before the House. They are, in fact, all we have before the House, as has been so well explained by the gentleman from New York, since the basic issue has been settled by a large majority in both branches. It is not a question of voting for or against the bill, but is purely a matter of agreeing to the Senate amendments, which, in my opinion, very greatly improve the bill.

There is no question now of division between the Republicans and Democrats, or between proponents and opponents of different methods of giving aid to the democracies. The verdict has been given, and we should and will accept it. We are all united and stand together directly behind the President in his effort to carry out the avowed purpose of the bill, H. R. 1776, namely, to keep this country out of war. [Applause.] In unity there is strength. The differences between the minority and the majority or between those for and those against this measure have passed. That time has gone by. Therefore it is our duty as American citizens representing the American people to stand directly behind the measure and do everything in our individual power and in our power as representatives of our constituents to aid in carrying out the purposes of the bill, which the President has guaranteed will be an effort on his part to keep this country out of war. That has been the stated purpose of the legislation from the start.

The President has been given vast and unprecedented powers under the bill in addition to the already vast powers he holds as Commander in Chief of the Army and Navy. We hope and trust that the President will exercise his broad authority with wisdom and discretion. Congress will continue to exercise such restraints as it may through the appropriation power and otherwise. Of course it has authority to terminate his powers by majority vote at any time.

As has been well said, practically 90 percent of the Members here, and probably more, favor Great Britain and her allies. Both opponents and proponents of the pending measure had the single purpose of keeping this country out of war. They simply differed as to the method by which this was to be accomplished. One method now having been selected over the other by the vote of a majority of both branches, that question is settled. Therefore it is incumbent upon us to carry out the provisions of the bill, which has passed both branches, and is here now simply for us to ratify the amendments agreed to in the Senate. [Applause.]

Mr. FISH. Mr. Speaker, I yield 5 minutes to the gentleman from South Dakota [Mr. MUNDT].

Mr. MUNDT. Mr. Speaker, we are not here today to debate the merits of the lend-lease bill or to vote upon that legislation in any sense, because, as has been



repeatedly stated, the question before this House is whether or not we approve of the amendments passed by the United States Senate. I reread the words from the resolution which we are to act upon. They are:

That immediately upon the adoption of this resolution the bill H. R. 1776, an act further to promote the defense of the United States, and for other purposes, with Senate amendments thereto, be, and the same is hereby, taken from the Speaker's table to the end that all Senate amendments be, and the same are hereby, agreed to.

Mr. Speaker, the very grammar used in this resolution should set at rest any doubts or confusion as to what this resolution means. The subject is plural and refers to the amendments, using the language "are hereby agreed to." If we were voting on the bill, instead of the amendments, the language would have to read, to be grammatically correct, "is hereby agreed to."

I think it is unfortunate that some Members feel that because of confusion they must vote against the dictates of their own consciences, because I think every Member in the House believes that the Senate amendments have made an improvement in the bill. While many of us feel that the Senate amendments do not go far enough, and while many of us, if we had a chance to vote on the bill today, would still oppose it in spite of the Senate amendments, I think it is unfortunate that some Members feel they should vote against these meritorious amendments because they believe that the press and the radio of the country will misrepresent the vote.

Mr. Speaker, I have confidence in the press of the country. I believe they will tell the true story to our constituents. I feel that not the Members of the House but, if you please, the gentlemen in the Press Gallery and the radio commentators are "on the spot" in today's situation, because they have the responsibility of telling the country clearly and cogently that what we are voting upon today is simply whether or not we accept the Senate amendments. In no sense of the word are we voting to approve or disapprove of H. R. 1776.

Mr. Speaker, as a member of the House Foreign Affairs Committee charged with handling this bill in the House, and as one of the members who signed the minority report opposing H. R. 1776, I wanted to make doubly sure just what the parliamentary situation is that now confronts us. I wanted it to be clear beyond all possibility of misunderstanding just what our vote today involves, and the exact and true meaning and purport of either a "yes" vote or a "no" vote on the resolution upon which we shall soon have a roll call. For that reason I have asked Mr. William Tyler Page to set down in writing exactly what the parliamentary procedure which now confronts us is.

As you know, William Tyler Page has served six terms as Clerk of the House, and for more than 60 years he has served as an employee of the House in one responsible position after another. There is no better posted authority than Mr.

Page on matters of parliamentary procedure in the United States House of Representatives. Mr. Page's statement is as follows:

If the House were to disagree to the Senate amendments and agree to the conference asked by the Senate, the conferees could then consider only the 11 Senate amendments and could not disturb the original text of the bill as agreed to by both Houses. If the Senate amendments were sent to conference, the conferees might agree to some of the amendments, agree to some with amendments, and eliminate others altogether, including the so-called Byrd amendments regarded as the most salutary and substantial of all the Senate amendments, in that it tends to safeguard the powers of Congress over the purse strings, and to that extent is a curtailment of the powers delegated to the President in the bill as it passed the House. The conference report when made to the House would be indivisible and would have to be voted on as an entirety. Under such circumstances the last estate of those who opposed the original House bill and who oppose the Senate amendments might be worse than the first. The Senate amendments as they are now before the House perfect and improve the bill insofar as they go, but if they were sent to conference they become subject to such changes by the conferees as might make them less desirable, not to say obnoxious.

Mr. Speaker, I repeat there should be no confusion in this House as to what we are voting on today, and there should be no doubt but what honest and able newspaper reporters will convey the true picture to citizens throughout the country. We are no longer privileged to vote for or against H. R. 1776; we are no longer privileged to vote for or against the original text of the lend-lease bill. The Senate has already accepted that text as passed by the House, and our only opportunity today is to express ourselves for or against the Senate amendments. If we accept these amendments we vote to strengthen the power of Congress to the degree that these amendments rescue back some of the powers the bill delegated to the President as passed by the House. If we vote to oppose these amendments, we encourage the Senate to recede from their amendments and give approval to the lend-lease bill as passed by the House, thus depriving Congress of the gains made by the Senate amendments, which, small as they are, at least give eloquent testimony to the fact that the legislative branch of government has at long last come to sense the danger in such a vast delegation of power to the President.

In short, a "yes" vote on today's proposition is a vote expressing your approval of the increased curtailment of Presidential discretion as written in by the Senate amendments; a "no" vote is, in fact, a vote against this curtailment of Presidential powers and may well enough result in the repeal of those Senate amendments, should a negative vote prevail, and thus foist upon the country a form of the lend-lease bill even more dangerous and dictatorial than the one approved by the Senate. Unfortunately, today there is no way by any vote that any Member can express his disapproval of the lend-lease bill in toto or in which a Member can vote to defeat or further modify H. R. 1776. We are prevented by

a parliamentary maneuver from making any vote today which could serve to register disapproval of H. R. 1776.

Mr. ANDREWS. Mr. Speaker, will the gentleman yield?

Mr. MUNDT. I am sorry, but I have only a few minutes, and I have some other statements I want to make.

Now, a word or two about the delay. It has been stated that this bill has been in the legislative process for about 60 days. It is true it has taken 60 days to bring it to the final point of passage, but I want to emphasize the point that whatever delay there has been must be chargeable to those who insisted upon incorporating in this bill a great centralization of power in the office of the Presidency of the United States. It would have been simple and easy to implement immediate aid to England 7 weeks ago; and 7 weeks ago aid to England such as was incorporated in the bill which I introduced in the House—H. R. 2790—and which other Members in the House favored, making immediately available purchasing power, might have made a tremendous difference in the recent happenings in the Balkans.

Let me point out, furthermore, that suggestions made by Members of the minority to give immediate aid to England through providing purchasing power were suggestions which were in harmony with what the British Government and its associates wanted from this country at this time. I quote from page 43 of the Senate hearings, Senator NYE questioning Secretary Morgenthau:

Senator NYE. Does Britain very definitely ask for the aid that is contemplated under this bill?

Secretary MORGENTHAU. No. What the British Treasury does is simply this—as a matter of fact, the late British Ambassador, Lord Lothian, was the man who made the first announcement as to their needs, and simply put at our disposal the cold, hard facts—they are not in any way hysterical about it, but they simply say, "Gentlemen, here are the facts as to the amount of dollars that we can raise; and we do not want to place orders in this country that we cannot pay for; and we have reached the limit of our dollar resources. But we are desirous of placing additional orders, because this is the only place that we can come to as we can no longer get supplies from France, and we would like to place the orders here to make it possible for us to continue fighting."

That is the situation. That is the situation that the Congress of the United States has to weigh very carefully, and it has to decide whether it wants Great Britain, Greece, and China to continue to fight.

Mr. Speaker, let the record be clear and the facts unclouded on the fundamental issues involved in H. R. 1776. Those of us who have consistently opposed this unprecedented legislation did so not to give aid to totalitarianism abroad but we did so to avoid the upsurge of totalitarianism at home. We offered a concrete and practical program for implementing immediate aid to Britain and her associates which could have gone in operation nearly 2 months ago, which protected our system of coordinate government, which did not take us one single step closer to involvement in war, and which was, in fact, more to the liking of



the British themselves than this legislation which makes the President of the United States the director general of a war in which the existence of the British Empire is at stake.

Let me repeat here the four American objectives I reviewed in my speeches during the House debate on H. R. 1776, when we were debating the issue on February 5, 6, 7, and 8. I said then, and I reiterate now, that America almost unanimously desires that four objectives be implemented by this Congress at this time. These are, first, that America stay out of the war; second, that we extend all aid short of war to Britain and her associates; third, that we build and protect our own military establishments so as to make this country impregnable; and fourth, that we preserve in this country our American system of representative government in which the executive, the legislative, and judicial branches share coordinate power. H. R. 1776 may do one, some or all of these things but, Mr. Speaker, H. R. 1776 is not an essential to any of them. Contrariwise, H. R. 1776 may fail to do one, some, or all of these things, and it is a dangerous gamble with America's future that failure to obtain all four of these objectives may circumvent human happiness on this continent for generations to come. It is for this reason that I voted against H. R. 1776 when the bill was before us last month. It is for this reason I would vote against it again today if the opportunity were given us to cast such a vote. Since we have no such opportunity, I shall vote for the approval of the Senate amendments because, sadly inadequate and woefully weak as they are, they do help in their small way to secure some of the four objectives which America is pleading for today.

But, Mr. Speaker, the country should know, and history will reveal, how easy it would have been, through the adoption of some such program as my bill, H. R. 2790, or Senator TAFT's proposal in the Senate, to implement immediate, effective aid to Britain without weakening our own defenses, without jeopardizing our own peace, and without surrendering congressional powers by delegating to the Executive the extreme powers over our domestic and foreign activities which are incorporated in the lend-lease bill. It was for such a sound and peace-protecting program that the minority has battled, and while we have lost the fight it is gratifying to know that this unfaltering opposition has resulted in writing into the bill a total of nearly 20 amendments, some of which, at least, have helped to strip from the legislation the all-cut, all-time, all-inclusive delegations of authority which were found in the original language of H. R. 1776 as first sent to Congress by the White House. Some of these amendments, too, have given expression to the strong congressional desire for peace.

The amendments do not protect America as I would like to have them do, but at least some of the Senate amendments do warn the President that Congress is not totally supine and that there are many in both Houses of Congress who will watch his administration of this legisla-

tion with insistence that he carry out the peace-protecting and peace-promoting pledges which he and his lieutenants have so frequently and so fervently made in driving this bill through to final passage.

[Here the gavel fell.]

Mr. FISH. Mr. Speaker, I yield the gentleman 1 additional minute.

Mr. MUNDT. I mention this simply because when historians of the future refer to this debate to determine whether or not it was necessary to incorporate in a bill this tremendous grab of Executive power in order to give England the type of assistance which seemed necessary, I think the testimony of Lord Lothian himself is sufficient to refute that argument. The aid which Britain said she needed could have been provided 7 weeks ago by virtually a unanimous vote of Congress had the war-making and power-centralizing features of this bill not been insisted upon by the administration.

I believe all Members of the House, whether favoring the bill or not, are justified in voting for the amendments, which, so far as they go, at least tend to circumscribe Presidential powers. I do not believe they go far enough, but, certainly, they are better than no step at all in that direction.

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. MUNDT. I yield to the gentleman.

Mr. RICH. By any stretch of the imagination can a vote for this amendment be considered as a vote for the bill?

Mr. MUNDT. By no stretch of the imagination and by no type of honest recording either by newspaper reporters or radio commentators can such a construction be placed upon an affirmative vote for these amendments. [Applause.]

In conclusion let me say Cabinet officer after Cabinet officer has assured the country, in advocating passage of this act, that the powers conveyed in it will be used to keep America out of the war. The President has repeatedly promised and pledged that he would exercise this authority to keep America out of the war. The majority leader only today has called this a "peace measure" and has pledged his honor to see that it so remains. The chairmen of the Foreign Affairs Committees of both House and Senate have publicly pledged that this bill would not be used to edge America into the war. No administration in American history has ever pledged so often or so clearly its determination to perpetuate our peace as has this Roosevelt administration in its campaign to win support for the passage of this bill. Again and again and again the people of America have been told that nothing will be done under this act to involve us in the war; that no soldiers or sailors will be sent into battle areas or danger zones; that the solemn campaign pledges and platform promises preceding election and the oft-repeated peace pledges used to promote this legislation will be faithfully fulfilled.

If, after all this, President Roosevelt should recklessly abandon his position for peace, it would mark an all-time record for infidelity to a public trust. I pray God to give him courage and character to

keep faith with those to whom he has given his public promise and his private pledge that he will not use the vast powers of this bill to push this country toward inevitable involvement in another foreign war. A united America will support his every move toward peace.

I pledge my own efforts here and now, at any time of the day and night, to help the President in any manner that I can to protect America against the fearful fate which would be the lot of uncountried millions if this peaceful Republic should become an active participant in the hateful and bloody business of active warfare. I hope that peace and freedom, both at home and abroad, may soon become the order of the day to the end that Christian civilization may assert itself and men can have a rendezvous with right and reason once again. [Applause.]

Mr. FISH. Mr. Speaker, I yield 5 minutes to the gentlewoman from Massachusetts [Mrs. ROGERS].

Mrs. ROGERS of Massachusetts. Mr. Speaker, no Member of this House today will ever forget the responsibility of this moment. Many Members here and in the Senate, particularly my colleagues on the Foreign Affairs Committee, have spent many long hours searching out facts pertinent to this lend-lease bill, H. R. 1776. I have worked hard, talked with many officers of the Government, with men whose duty is to know. I have talked with officials of other governments, for whom the "for other purposes" of this bill is the doorway to their assistance, in order to know their real feelings and point of view. I have talked with many persons whose ability I greatly respect. I have read thousands of letters, some of which were extremely well and thoughtfully and constructively written, expressing different points of view.

I have thought, analyzed, weighed the good points against the bad. I have studied the values to America to be gained and lost. I have tried every possible method to secure information and to know all that is available to know. I have done this because I believe this bill represents the most important legislation concerning the future of my country and your country during the twentieth century. I have made this study and this effort in order to try to reach a wise conclusion. Such is my duty, and I try always to perform my duty.

My conclusion regarding this bill was not reached until the very day of the final vote, a few weeks ago, when it was last before this House. Since then the Senate has improved and safeguarded the legislation with several amendments. I am glad to give my support to those amendments and I shall vote for them. The approval or disapproval of these amendments is the issue requiring our vote today. I ask and plead with my colleagues to vote for these amendments, for in doing so you will help improve this legislation.

To all my colleagues here, to the wonderful people in my district and State, and to my friends throughout the Nation, I want to make it very clear that I want England to prevail. I want victory for England, for in such a victory I hope there is benefit for America.



I have tried to help perfect legislation that would help England. I have prayed for England. As an American I worked with the gallant English in 1917. Always fresh and vivid in my memory are those tragic days in England and France of 1917. But far and above this desire, Mr. Speaker, I want America, our United States of America, to prevail. I love my country. My debt, my responsibility, is very great. I have served my country. My ancestors fought for it. Some died for it. I am willing to die for it also. I want America strong, and I have voted for every measure presented to Congress that would make it strong. I have tried to build carefully and well for the future of America. We must make America the strongest nation in the world, and to keep America strong it must be free. Many times in my years of service in the Congress I have voted to keep America free, to keep the ideal of freedom alive and to preserve our democratic form of government. Yes; I want America to prevail. I want our free form of government to live on and on. I want it to be so strong and perfect that it will inspire the demand for freedom and the democratic form of government by the people of all nations in the world. America must keep alive this flame of freedom.

The SPEAKER. The time of the gentleman from Massachusetts has expired.

Mr. FISH. Mr. Speaker, I yield the gentleman 1 minute more.

Mrs. ROGERS of Massachusetts. Oh, Mr. Speaker, sometime in the long distant sunrise I want this great land of ours to be truly everything in greatness, everything in splendor, everything in ideals, everything in fineness, everything in progress, everything in freedom that we hope and dream and pray it will be. In that distant day of the future I hope the Americans of that time will say of us here now, "During those strenuous days of 1941 they were wise and added greatly to the strength and glory of our country." Just as I try to be worthy of the toil and work and hardship and blood and tears and tragedy and happiness of our forefathers, I pray the future generations of our hopeful, true Americans will have reason to be inspired by the toil and work and sweat and foresight of their forefathers of this day. May they know this was our finest hour. Yes; I love America and I want America and all that America stands for to prevail. To prevail we must strive against war and its total devastation. To prevail we must build our defenses so strong that we are not dependent on any other country. To prevail we must have faith and confidence in our own defenses and in our own Government. To prevail we must value freedom more than things mortal. To prevail we must keep the Stars and Stripes at the top of the mast. To prevail we must march forward as a nation, united and unafraid. [Applause.]

Mr. FISH. Mr. Speaker, I yield 3 minutes to the gentleman from Ohio [Mr. VORYS].

Mr. VORYS of Ohio. Mr. Speaker, I think every one of us here today is deeply conscious that we are making history. Our country is taking a new and

untried step, and none of us knows where that step will lead. At this point, however, let us not forget that these amendments which are so overwhelmingly approved today are the result of 2 months of hammering by the despised and ridiculed "opposition." These ideas that are now so unanimously accepted in this House were just as sound a few weeks ago when they were turned down in this House, in committee and on this floor. Those of us who are voting for these restricting, limiting, and American amendments today are thoroughly consistent with the fight that we made only a few weeks ago on this floor, when the majority was insisting that this bill should be put through without these safeguards. This is the only hope of those of us who feel this bill is a blunder and a terrible mistake, that the majority is not yet completely and permanently blind to suggestions from the opposition.

Often when a controversial bill has passed we can unite to carry out the policy that has been decided by the new law. However, in this instance no policy is decided by this law. We were aiding Great Britain before. This bill says nothing about aid to Britain. This is not a new policy, but merely a place for a policy to happen, a new way of determining policies. We all hope that the policies decided upon under this bill will be good policies, as we go forward with this program where so much depends upon the President. We are all going to support the President and this is the way I intend to support him. We are not going to support the President's new deals in lease lending sight unseen, nor approve in advance secret policies that we know nothing about, but we are going to continue to support the President by suggestions that may be repudiated for the moment, but will later be adopted as sound policy, just as these once-rejected amendments are today being adopted in this House. The President will have my support in every wise and good policy. The opposition, as long as it is permitted to function, will continue the struggle against war and dictatorship. [Applause.]

Mr. FISH. Mr. Speaker. I yield 2 minutes to the gentleman from Montana [Mr. O'CONNOR].

Mr. O'CONNOR. Mr. Speaker and Members of the House, I am mighty glad to see the Members of the House so intent on listening to debate on whether or not this bill with amendments should be agreed to. In the short time that I have I want to say that I opposed this bill and I oppose it now as amended by the Senate. I opposed it because I did not and do not think it will help keep us out of war. I hope and pray to God now that it will keep us out of war, as I know that it will become law. I hope that the boys that we have seen grow up, that we know as young men, will not be buried in France or Germany or some other foreign country fighting in this foreign war as a result of this bill. I hope our sailors and ships will not be sunk as a result of this bill. I hope and pray that the administration will carry out the provisions of the bill in the light of what has been claimed for it by its

friends on the floor, that it is a peace measure and will keep us out of war. I hope that is what it will prove to be. That is my prayer and I think that is the prayer of the people of the entire United States. I do not think there is a Member of the House on either side of the aisle that would have cast a vote against this bill if he thought that it was a peace measure. When this bill becomes law, then it is the duty of us all to help make it work to the end that we can save our boys and our country.

Mr. FISH. Mr. Speaker, I yield 1 minute to the gentleman from Michigan [Mr. HOFFMAN].

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include certain newspaper articles.

The SPEAKER. Without objection, it is so ordered.

Mr. HOFFMAN. Mr. Speaker, the legislative procedure offered today is so devised as to give the country the impression that the House is now behind the bill as amended. The vote today is the last legislative hurdle to the passage of H. R. 1776, and, for one, I do not propose to be caught in a position where anyone can say that I sanctioned H. R. 1776 or voted for it or for any amended form of it, or for legislation which will permit the President to carry on a war anywhere in the world.

Some seem to think that with the passage of this bill all danger to our Republic will be over; that ultimately, though great sacrifices may be necessary, we will free ourselves from any danger that may threaten from abroad. Of that I have no doubt, but the thing that worries many of our people is the danger that threatens from within, and of which we seem to be unaware, or, realizing its seriousness, we make no effort to meet and overcome it.

The press this noon tells us that 6 new walkouts raises the number of strikes in industries having defense contracts to 32; that 3 of the strikes caused yesterday involved contracts for armaments.

Here in Washington at the Medical Center the teamsters union this afternoon refused to deliver steel to the Army quartermaster who is constructing the barracks.

When the Navy and the Army can be defied, as they are being defied, by those interested in preventing preparation for defense and aid to Britain, Congress will not have performed its full duty until it enacts legislation to remedy the situation.

The recent statement by high administration officials that no new legislation was needed to curb strike activities affecting national defense and aid to Britain might be sound if our present laws were enforced.

Unfortunately, although the right to work is, under the decisions of the Supreme Court, a property right, in practice it has not been protected by either State or Federal authorities under the due process clause of the Constitution. Coercion, intimidation, violence, and threat of violence have not been successfully prevented in labor disputes.



No reasonable person expects that any law or any administrative authority can prevent or punish all violations of law or afford a remedy for all injuries.

However, in labor disputes, instances of coercion, intimidation, and violence have become so common and so widespread as to amount in many instances to civil strife, due to a complete break down of the law-enforcing agencies in some localities.

In view of the long history of serious violence resulting in the loss of millions of dollars in wages, the destruction of millions of dollars' worth of property, serious injury to many people, and too often, in death, it is evident that, lacking any indication of better law enforcement, the problem can only be solved by the enactment of new legislation administered by a different agency, compelled to act.

Much as some of us are opposed to any further extension of Federal authority, so much power has already been conferred upon organizations of employees by Federal statute, that circumstances force us to the conclusion that the power granted must either be circumscribed, reduced, or new legislation compelling its equitable use enacted.

The N. L. R. A. placed in the hands of a board, which the Smith committee report has shown acted unjustly and arbitrarily, power which has been used to force employees to join unions. The result is that we have back of the legitimate organizing drives of the unions, the support to a class of the Federal Government and its agencies. Many of the strikes since 1936 have grown out of these organizing drives.

Unless it be the purpose of Congress to compel every employee to become a member of a union, the N. L. R. A. should be amended.

The morning press carries the statement that—

Two highly placed defense officials, both of whom declined to be quoted by name, admitted that the administration might have to consider using the powers of the act [Selective Service Act] to commandeer the plant [Allis-Chalmers] if a final mediation attempt scheduled in the near future fails to obtain a resumption of operations.

This statement, if made by responsible officials of this administration, is a vicious, cowardly, dastardly attack on the A. F. of L., the employees of the Allis-Chalmers Co., and that corporation itself. It is a threat to force the Allis-Chalmers Co. to yield to the demands of the Communist, Harold Christoffel, that every man employed by the Allis-Chalmers Co. must join the union headed by him and pay dues to that organization.

These two Government officials, if they have any common sense at all, know very well that, while the administration, under the act cited, may take over the Allis-Chalmers plant, neither they nor other available Government officials know enough, have ability enough, to operate it efficiently.

Recently Mrs. Roosevelt said that the President could take over Henry Ford. What she meant was—and it was true—that the President could take over the Ford industries.

Unfortunately, for the administration planners, the Government cannot take over the ability, the determination, the brains, of either Henry Ford or the executive officials of the Allis-Chalmers Co. If it could, governmental meddling would undoubtedly render the exercise of those qualities ineffective.

When the Allis-Chalmers representatives were down to Washington sometime ago, they finally agreed to accept a mediation clause used by Defense Council member, Sidney Hillman, in the bargaining negotiations of the unions represented by him.

The Allis-Chalmers Co. is firm in its determination to protect the God-given, the constitutional right of every American citizen to work. Sidney Hillman is determined to destroy that right; hence, the present controversy.

The Allis-Chalmers Co., when it accepted the arbitration clause, knowing what was in the mind of Hillman—who, by the way, in his present capacity is attempting to serve two masters—insisted that Hillman give it an interpretation or his understanding of that clause. Hillman gave it that interpretation. Hillman, before this committee, read that interpretation. That interpretation was, in effect and substance, that there was nothing in the proposed agreement which required the company to submit the question of a closed shop to arbitration. The company officials accepted the proposed agreement and returned to Milwaukee.

The Milwaukee press carries the information that upon the return of the representatives of the company and the union to that city Richard Frankenstein, long notorious where strikes and violence and destruction of property were occurring, and who was in Milwaukee, was notified by Hillman's subordinate, Owen, that the proposal did require the submission to an arbitrator of the closed-shop question.

The continuation of the strike at the Allis-Chalmers Co. is due to the failure of Sidney Hillman to abide by his written interpretation of the arbitration clause and to his underhanded attempts, through his subordinate, Owen, to deprive the workers of Milwaukee of their right to employment until they have joined a union.

The present threat is but the carrying out of that attempt. The fact that it interferes with and delays our national-defense program seems to weigh not at all in the minds of these union-minded officials.

Though it was matter of common knowledge that thousands of men were being compelled to buy work permits in order to work on Government defense projects, though millions of dollars were collected, Congress did not take any action to prevent the abuse.

Now there is a deliberate effort in the Allis-Chalmers strike to sabotage our aid-to-Britain program, and those who insisted upon the passage of H. R. 1776 can do no less than get behind legislation which will render possible a continuation of the work on national defense.

[Here the gavel fell.]

Mr. FISH. Mr. Speaker, I yield 2 minutes to the gentleman from Wisconsin [Mr. KEEFE].

Mr. KEEFE. Mr. Speaker, I opposed the lease-lend bill and have no apology to make to any man. I realize that the pending bill will soon become law. I shall vote against the pending resolution not because I oppose the amendments adopted in the Senate but because I do not intend by my vote to place my stamp of final approval upon this lease-lend bill. I am a devout and firm believer in representative government. When the majority in our system of government has spoken, that decision becomes the law of the land. In this drama the majority has spoken and, right or wrong, has charted the future course of the Nation. Belief in representative government compels me to bow to that decision. Upon the signing of this bill by the President the course of every good American citizen, it seems to me, is clear. We must stand together, united in a common purpose, to protect, preserve, and defend our Nation in every way compatible with the retention of our system of representative government. Above all, we must not relax our vigilance. We must continue the battle to preserve this Nation at peace. We must continue to fight the forces of intolerance, greed, and corruption, that are urging this Nation into participation in foreign war. We must face the future, whatever it may be, undismayed, undefeated, and unafraid. We must renew our faith in the future of America and in its traditions, and, united in purpose, give assurance to crushed and worried people everywhere that democracy still lives and that freedom, liberty, justice, tolerance, and equality shall be restored and preserved. [Applause.]

[Here the gavel fell.]

Mr. FISH. Mr. Speaker, I yield 2 minutes to the gentleman from North Dakota [Mr. BURDICK].

Mr. BURDICK. Mr. Speaker, the only reason I rise at this time is to try to make clear just what the situation is before the House. The bill has been passed by this House and by the Senate. That is the bill. Now, suppose we were to reject the Senate amendments; the bill would then go back to the Senate, and if the Senate withdrew its amendments, we would have the same identical bill that passed this House some weeks ago. It seems to me that those who opposed this bill, as I did, ought to be mighty glad for a chance to make the bill better by accepting the amendments offered by the Senate. [Applause.]

[Here the gavel fell.]

Mr. FISH. Mr. Speaker, I yield to the gentleman from Kansas [Mr. LAMBERTSON] such time as he may desire.

Mr. LAMBERTSON. Mr. Speaker, I do not accept the philosophy of the gentleman who just spoke ahead of me because if we could send this bill to conference and defeat the amendments and the conferees brought in the same report we would have a chance to vote against the bill. A vote against these amendments is a chance to vote against the bill on the conference report.

I want to close by quoting from the remarks of Hon. HIRAM W. JOHNSON, of California, in the CONGRESSIONAL RECORD, February 25, 1941:

Keep before you, O ye Americans, this is a question of war or peace. Forego not the



fallacies that have been dinned into us. Remember, oh remember, that you are not a party to this war, and you will be in it without knowing how you got there, if you permit this bill to pass. In a pamphlet that I received the other day was a copy of Mark Twain's formula for war, and I quote it to you here:

[From the Mysterious Stranger]

"I can see a million years ahead, and this rule will never change in so many as half a dozen instances. The loud little handful—as usual—will shout for the war.

"The pulpit will warily object at first. The great, big, dull bulk of the Nation will rub its sleepy eyes and try to make out why there should be a war, and will say earnestly and indignantly, 'It is unjust and dishonorable, and there is no necessity for it.' Then the handful will shout louder.

"A few fair men on the other side will argue and reason against the war with speech and pen, and at first will have a hearing and be applauded, but it will not last long. Those others will shout them, and presently the antiwar audiences will thin out and lose popularity.

"Before long you will see this curious thing: The speakers stoned from the platform and free speech strangled by hordes of furious men who in their secret hearts are still at one with those stoned speakers—as earlier—but do not dare to say so. And now the whole Nation—pulpit and all—will take up the war cry and shout itself hoarse and mob any honest man who ventures to open his mouth. And presently such mouths will cease to open.

"Next the statesmen will invent cheap lies, putting the blame upon the nation that is attacked, and every man will be glad of those conscience-soothing falsities, and will diligently study them; and thus he will by and by convince himself that the war is just, and will thank God for the better sleep he enjoys after this process of grotesque self-deception."

Mr. FISH. Mr. Speaker, I yield to the gentleman from New Jersey [Mr. KEAN] such time as he may desire.

Mr. KEAN. Mr. Speaker, I cannot see the logic of those who would vote against this resolution. What we are asked to do today is merely to approve the changes made in the House bill by the Senate. All of these amendments restrict the extraordinary power given to the President and, in my opinion, improve the bill. If this resolution is not passed, the bill will then go to conference and when the conference report comes back to the House, in all probability many of the desirable Senate amendments might be eliminated.

Tomorrow the provisions of this bill will be the law. In spite of attacks by certain columnists, who while screaming for democracy do not really believe in the democratic way, the passage of this bill has been secured by methods which are in full accord with the traditions of our Republic.

From its inception it was evident there was overwhelming support for the aid to Great Britain, which I have always favored, and by their votes more than 90 percent of the Members of the House and a like percentage in the Senate, supported substantial aid. The only quarrel was as to the method to be pursued.

A large majority of the peoples' representatives preferred the method which this bill provides. As the law of the land, it will be our duty to carry it out to the fullest extent. What the future

holds, no one can tell; but now that the discussion is over we must stand shoulder to shoulder in the sight of the world in support of the policy which we have adopted.

Mr. FISH. Mr. Speaker, I yield to the gentleman from Ohio [Mr. SMITH] such time as he may desire.

Mr. SMITH of Ohio. Mr. Speaker, I must vote against this resolution. I am not going to be duped by any parliamentary trickery. In my opinion, a vote for this measure is in effect a vote for the lease-lend bill, because it sanctions not only the amendments themselves but also the whole bill as passed by the Senate. I consider a vote for the lease-lend bill a vote for dictatorship, war, and national bankruptcy.

Mr. FISH. Mr. Speaker, I yield to the gentleman from Illinois [Mr. CHIPERFIELD] such time as he may desire.

Mr. CHIPERFIELD. Mr. Speaker, when H. R. 1776 was on the floor of the House for final passage I voted against this bill as amended. During the course of the debate and in my extension of remarks on February 13, 1941, I pointed out the reasons for my opposition to this measure. I felt it was a dangerous bill and that the amendments obviously did not cure the defects in it.

I am against this bill as amended by the Senate. After careful consideration and analysis of the additional amendments added in the Senate version of the bill, I still am of the opinion that it places too much power in the hands of one man and, if not carefully and cautiously administered, will very likely involve us in war.

I am still vigorously opposed to this measure even with the added amendments. I am therefore going to vote against concurring in the Senate amendments, because I believe they are absolutely ineffective in curing the defects of this bill.

Mr. FISH. Mr. Speaker, I yield to the gentleman from Michigan [Mr. WOODRUFF] such time as he may desire.

Mr. WOODRUFF of Michigan. Mr. Speaker, those who intend to vote "aye" on the proposition before us argue, and I refer especially to those who have been opposed to the lease-lend bill from the very first, that the only thing involved in their vote is as to whether or not the Senate amendments to the bill will be approved by the House. Of course, that is only a very small part of the things involved in our vote. The vote which will be taken in a very few minutes will determine whether or not H. R. 1776, with all its implications and incorporating all the powers given to the President in the original bill, will be sent to the White House for the President's signature. Every one of us knows the measure will be signed as quickly as it reaches the Chief Executive.

It is conceded by the proponents of the bill that the Senate amendments do not even remotely touch the powers granted to the President in the original form, nor do they prevent him from doing anything he desires to do and which he could do under the original bill. Time after time have the proponents of the measure in the House and in the Senate voted down amendments under which, if

they had been adopted, every necessary aid could have been extended to Britain, Greece, and China without placing in the hands of the President powers far beyond those given any other President of the United States during either peace or war and which, if exercised, will make of him a dictator in fact.

I have heard Members argue that they were opposed to the bill and propose to vote only for the amendments to the bill.

Mr. Speaker, they overlook the fact that the vote we cast will be the last vote cast by either the House or Senate on this measure. After we have voted, the Speaker will very promptly sign the measure. It will then be sent to the Senate, where the Vice President will sign it. It will then go to the White House for the Presidential signature. In view of these facts, it must be clear to any reasonable person that the vote cast is a vote either for or against the bill as amended by the Senate, and those voting "aye" on the roll call to come will be voting on the final passage of the bill itself. Regardless of what those voting in the affirmative say, and regardless of what they think, their vote will help put this iniquitous measure on the statute books of this country.

Mr. Speaker, I was opposed to the lease-lend bill and voted against it when it was before the House. I am and will remain opposed to it. I want the Members of this House and the people of my district to know that I want no part of it and shall vote against it. [Applause.]

Mr. Speaker, under permission to extend my remarks, I wish to say that within a few minutes after the above-discussed bill passed the House, the President let it be known that he was immediately asking for appropriations in the amount of \$7,000,000,000 for aid to the British. This, my friends, is the first, and no doubt will prove, in the light of later demands, to be a modest one.

Mr. FISH. Mr. Speaker, I yield such time as he may desire to the gentleman from Iowa [Mr. JENSEN].

Mr. JENSEN. Mr. Speaker, with fear and trembling we see this so-called lease-lend bill forced through Congress, the primary purpose of which is to give the President unprecedented control over the lives, liberties, and property of every American citizen to carry out a certain domestic and foreign policy which, to many of us, appears most dangerous.

Not a single American citizen, nor a single Congressman, can say definitely just where we go from here, but every thinking American in and out of Congress does know that this bill gives the President the green light to exercise almost unlimited war-making powers provided in this bill as he pleases, regardless of the will of any or all our people or of the Congress of the United States. Pray God our President will use these powers wisely.

Pray God that the American people now, of all times since this bill has now passed, will brace their feet solidly against all propaganda which will surely be let loose upon us to push us bodily into active participation in another bloody war across the seas. Pray God that every American will keep his mind from being



beclouded by words and deeds from those among us whose purpose will be to unduly arouse our hatred against other peoples of this troubled world, thus fanning America into a war frenzy as was the case in 1916 and 1917, which always means war, because the will of the majority will finally prevail—remember that. So, in all the sincerity in my heart, I beg of every good American to watch his step.

Mr. Speaker, as you know and as all my colleagues here know, and as the people whom I represent know, I have opposed this bill with all my heart and might. I have voted for every amendment which I thought would improve the bill.

Now, today we are considering the Senate amendments, which, to my way of thinking, are all good; I am glad the Senate adopted them; I am heartily in favor of them all and shall so cast my vote. Yet I shall vote against the bill as a whole if we are called upon to vote on that question again today. Even though I am strongly in favor of material aid to England, which they would get without the passage of this bill, as has been proven without question, I am not now, nor never have been, in favor of any law that in my studied judgment gives this President or any President the "green light" to do as he alone pleases regarding the vital and far-reaching problems confronting our country today. Such decisions might very easily plunge us into a war not of our own making, the effect of which would be the suffering and loss of life of millions of our American mothers' sons and daughters on some foreign battlefield soaked red with perpetual wars of centuries, as will be the case for centuries to come, with or without our participation now or in the future.

Mr. Speaker, if we become actively involved in this war, who dare say it does not mean the total destruction of our great form of government, our liberties, and our happiness. So again I plead with every good patriotic American with this admonition, "Let's all keep our heads now."

Mr. FISH. Mr. Speaker, I yield such time as he may desire to the gentleman from Pennsylvania [Mr. RICH].

Mr. RICH. Mr. Speaker, I opposed this bill when it was first before us, because I did not believe in giving to the President the power this bill gives him. I was and am for Congress to assume their duties. The time for us to assert ourselves, in my opinion, is before we enact legislation like this and oppose it up to the very last minute. You cannot make a bad egg fit to eat, nor can you amend a bad bill to make it good until you amend it right. This bill was bad and is bad as amended.

I believe this bill to be wrong, notwithstanding the amendments which have been made. A vote for these amendments now is a vote to put into the hands of the President the power to get us into war. I am against any war of aggression in Europe or Asia. The world is in great trouble and in terrible warfare. Our country is in great danger from without, but I am not so much worried from an attack from or by some foreign country as I am from subversive activities within our own country. I shall vote against the amendments

because it is still a bad bill for our country; the amendments do not make it a good bill. I will not take the chance on having any of my constituents believe I am for the bill as is, notwithstanding the wording and interpretations that have been given the resolution here this afternoon. The bill is dangerous and always was.

Mr. BLOOM. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their own remarks in the Record on this bill.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. BLOOM. Mr. Speaker, I yield such time as he may desire to the gentleman from Vermont [Mr. PLUMLEY].

Mr. PLUMLEY. Mr. Speaker, I especially appreciate the courtesy extended me by the chairman of the committee, inasmuch as I was promised time on my own side and did not get it.

I hate to inject into this debate at this time anything which would seem to show lack of unity or anything of the kind; but if you will read the Record tomorrow and examine the lines of those who have preceded me, you will find that I am the only man who has stood in this well today who voted originally for the bill 1776. That is the real reason, if you want to know, why the chairman of the committee would not recognize me to talk to you. [Applause.]

Mr. BLOOM. The gentleman certainly does not mean that, does he? I am the gentleman's friend.

Mr. PLUMLEY. I meant to refer to the ranking minority Member. I apologize to the chairman. [Laughter.] All right; it is all right for some of you to holler for a vote. I have all the time I need or wish to take. You may holler for a vote, but you are not going to get it until I get through. You were not so anxious once, were you?

I wanted to say this, and I am going to say it despite the treatment that has been accorded me by those who desire to vote now but did not vote right before: When the gentleman from New York, the ranking member of this Foreign Affairs Committee, seeks to talk here or elsewhere, he may have all the time he may ask for or take out of my time, because no braver man stands on two feet in this House than he, and I know whereof I speak. He may not have received all the medals that Congress might well have granted him for daring deeds of bravery during the first World War. I know whereof I speak, and I make no challenge with respect to his patriotism, although I do think and insist that in declining to give me time he agreed to give me he was a man of very poor judgment. [Laughter and applause.]

UNITED WE STAND—DIVIDED WE FALL

Mr. Speaker, I do not propose to take up much time but I do wish to go on record again, and now.

The bill, H. R. 1776, comes back to us admittedly somewhat improved by the amendments in which we are about to concur.

The bill, as it finally will become a law, provides that the President can lease or lend but cannot deliver.

The grant of power to convoy—if anybody could find any grant of power in the bill which the President did not have already—has been definitely defined and positively restricted.

Congress must approve any and all appropriations necessary to carry out the purpose of the bill and reserves the right to determine and to limit the amount of material to be loaned or leased. Both the power of the purse and the power of the sword are reserved by and retained in the people through their representatives, in their own interest, and in order to protect and defend their own safety.

Congress can at will terminate the duration of its delegation and grant of power.

#### DUST OF DEBATE

After all the dust of debate has settled the truth will stand out like an oasis. The bill as it originally passed the House in substance did all that it now does. The amendments are explanatory, limiting, and definitive. They remove some questions that bothered some people. They improve the bill therefore insofar as such language as is added can do so. The amendments ought to make it possible for brethren to dwell together in unity as they all vote to concur.

#### PURPOSE AND INTENT

The clear purpose and intent of the bill is to make it possible for us to prevent manpower involvement by furnishing materials unlimitedly—to keep our men out of the war. Prejudice, partisanship, pacifism out of the window, that is the purpose and intent of the bill.

As was well said by the senior Senator from Vermont, this bill (see p. 1612, CONGRESSIONAL RECORD)—

Has nothing whatever to do with anything whatever except things. \* \* \* The bill is probably one of the narrowest bills Congress has had to deal with for it deals only in defense articles; that is, things, not men, not strategy, not the disposal of the Navy or of the armed forces of the United States—nothing but things.

No manpower involvement in the bill.

The senior Senator from Illinois adverted to the above statement when he said (see p. 1612, CONGRESSIONAL RECORD):

The able Senator from Vermont is perfectly correct, as I view it. \* \* \* It does deal with things and not with the rights and the liberties of people.

No question about it.

#### SENATOR WHITE'S ANALYSIS

One of the clearest statements, and a most complete, comprehensive, and unanswerable analysis of the bill was made, in the debate that took place in the other body, by Senator WHITE, of Maine. Let me quote at random. He said that the bill—

Does not surrender our American system. It does not abandon legislative rights and responsibilities. It does not enthrone dictatorial powers

Positive, but correct and unanswerable; else I would vote against concurrence.

Mr. President—

He said—

I am persuaded that closer to their hearts than other wishes is the desire of the people of the country that we should avoid active



participation in war. That hope I share. I could not vote for this bill if I held the belief that it meant war. I cannot conceive that I would vote for war unless the enemies of the Republic were at our very gates. Mr. President, the future is obscure. One cannot know what it holds. I believe this bill gives greater assurance of peace than is to be found in vacillation and timidity.

I subscribe to that statement 100 percent.

He went on to say:

It is charged that the passage of this legislation means that our warships will convoy our merchant vessels. The direct answer to this assertion is that the bill gives no such power. On the contrary, it says in terms that nothing in the act shall be construed to confer this right.

He is right.

I have said that there are risks in the powers conferred by this legislation—

Continued Senator WHITE—

But, Mr. President, there are other risks. There is the danger of totalitarian victory with all its threats and all its evils. In such victory there would follow methods of production and trade that would rob us of our world markets, tear down our wage scales, take from labor all its gains through the long years, wreck the economy of our country, and lower the living standards of all America. Worse still, in the victory of Hitlerism is a threat to every political and social concept of America, a challenge to our institutions and our fundamental beliefs.

Who doubts it?

I suggest that you read Senator WHITE's remarks in full as they appear in the RECORD on page 1798 and the following.

#### DEMOCRACY CAN AND WILL SAVE ITSELF

I am anxious to hear my name called and to vote for concurrence in order that this Republic may prove to the world that democracy can and will function to save itself. [Applause.]

Mr. BLOOM. Mr. Speaker, I yield such time as he may desire to the gentleman from West Virginia [Mr. KEE].

Mr. KEE. Mr. Speaker, when this House, as it will within a few moments, concurs in the amendments to the pending bill proposed by the other body of Congress, the passage of the bill will be completed and we will have made to the world a declaration of high resolve. We will, by this action, serve notice to all the aggressor nations on earth that we, as a united Nation of free people, are willing to back a righteous cause—the cause of liberty, democracy, and decency—with something more effective than empty words of sympathy.

Above and beyond this, Mr. Speaker, we will have announced to the world in no uncertain terms that this, our country—this land of story and tradition, this the mecca of those with hope in their hearts and the home of those to whom freedom is precious—is to be defended against all the forces of evil. By our action today we will broadcast to every people in every land the assurance that all the resources of this great country, all of its wealth and power and all of the strength of its manhood and womanhood are pledged to our national defense and to the cause of all nations whose defense is vital to our own.

Mr. BLOOM. Mr. Speaker, I now yield 5 minutes to the gentleman from Texas [Mr. LUTHER A. JOHNSON].

Mr. LUTHER A. JOHNSON. Mr. Speaker, sensing the temper of the House, I shall not detain the membership. I think they know my position on this bill. I take this time, however, to answer somewhat some of the statements that have been made that I think are not justified by the record insofar as the amendments are concerned.

One of the speakers said the amendments entirely changed the purpose and effect of the bill, that had those amendments been accepted during consideration of the bill in the House there might have been more votes for the bill. I submit that an analysis of the amendments as presented by the chairman of our committee, the gentleman from New York [Mr. BLOOM], which you heard and which you will read in the RECORD, refutes any contention that the House has surrendered the position we took and believed in when this bill was voted upon in this body.

I submit furthermore, Mr. Speaker, that every one of the 12 Senate amendments upon which we are voting now were accepted by the sponsors and friends of the bill in the Senate under the leadership of the Senator from Georgia, the chairman of the Foreign Relations Committee. It cannot therefore be well believed that these amendments emasculate or change the purpose or effect of the bill. In the main they merely explain and make more certain the intent of Congress and elaborate certain provisions for that purpose.

I especially resent the statement made that the Byrd amendment restores to Congress the constitutional powers which the House took away from Congress. I submit in the first place that the House would not have the power if it wanted to, to take away from Congress its constitutional powers with reference to the purse strings; and if it did, the Senate would not have the power by a mere amendment to restore the constitutional power. I say, Mr. Speaker, that the Byrd amendment does not have the effect attributed to it; in other words, that the House bill did not require it, because we did not surrender our constitutional powers, that section 6 of the bill as it passed the House provided that appropriations must be made before any money could be spent. The bill, as it passed the House, did not surrender the purse strings or the power of Congress to appropriate, and the RECORD of the debate in the House shows that in answer to questions I repeatedly stated and other members of our committee likewise stated that the bill was an authorization bill, and that no money could be spent by the President until appropriations were made by Congress.

Mr. Speaker, I am not going to detain the House longer. We have heard talk about delay in the passage of the bill. Apologies have been made and some explanations given, but I am willing to let the proceedings themselves in the CONGRESSIONAL RECORD stand, that from it future historians may determine whether the sponsors and proponents of the bill or the opponents of the bill have caused

the delay in its passage. I am willing to rest the verdict upon that record and not upon my opinion or the opinion of any Member of this House.

I believe the position the House took when it passed the bill was right. As some of the opponents said, I have no apology to make, because, after all of the smoke screen concerning the charges that have been made against this bill has been cleared up and after it has been brought down to its final analysis, Mr. Speaker, this bill is needed, and needed now, for our own national defense.

I shall not detain the House longer, for in this critical hour time is of the essence. I am glad that at long last final congressional approval is to be given to this measure, which, in my judgment, is necessary for the safety and the defense of the United States of America and for the preservation of peace. I am happy that we now send this bill to the President for his approval. [Applause.]

Mr. BLOOM. Mr. Speaker, this bill, H. R. 1776, is the voice of an aroused America sounding the trumpet call to victory for free government everywhere. By this action the United States gives the lie to the cowardly defeatist cry that democracy is powerless in the face of aggression. We are now proving, Mr. Speaker, that democracy can and will unite to carry into effect Lincoln's high resolve that government of the people, by the people, and for the people shall not perish from the earth. [Applause.]

Mr. Speaker, I do not desire to use any more time nor to yield any additional time, so I ask for a vote on the resolution.

Mr. MARTIN J. KENNEDY. Mr. Speaker, a point of order.

The SPEAKER. The gentleman will state it.

Mr. MARTIN J. KENNEDY. Mr. Speaker, the House is proceeding in its consideration of the Senate amendments to H. R. 1776 under a unanimous-consent agreement granted yesterday—Monday, March 10. The minutes of this action may be found on pages 2142 and 2143 of the CONGRESSIONAL RECORD. I was present in the House at the time the request was made and, because of the understanding as to the division of time, I did not object.

The following is a transcript of the discussion which took place in connection with the fixing of time for debate:

#### PROMOTION OF THE NATIONAL DEFENSE

Mr. COOPER. Mr. Speaker, I ask unanimous consent that on Tuesday next, March 11, it shall be in order in the House to consider House Resolution 131; that debate on said resolution shall continue not to exceed 2 hours, one-half of such time to be controlled by the gentleman from New York [Mr. BLOOM] and one-half by the gentleman from New York [Mr. FISH]; and that at the conclusion of such debate the previous question shall be considered as ordered on the adoption of the resolution.

For the information of the House I send the resolution to the Clerk's desk and ask that it be read.

The SPEAKER. The Clerk will report the resolution for the information of the House.

The Clerk read as follows:

#### "House Resolution 131

"Resolved, That immediately upon the adoption of this resolution the bill (H. R. 1776), an act further to promote the defense



of the United States, and for other purposes, with Senate amendments thereto, be, and the same is hereby, taken from the Speaker's table to the end that all Senate amendments be, and the same are hereby, agreed to."

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

Mr. MARTIN of Massachusetts. Reserving the right to object, Mr. Speaker, I appreciate the fact that the gentleman could bring in a rule to achieve his desire if he wished. It is not my purpose to put him to that necessity. I am agreeable to having a single vote on the amendments because each one of these amendments improves the bill from the standpoint of one who sought restrictions. Being in favor of the amendments, I am willing to have them adopted by a single vote. We have also been allowed 2 hours of debate, and that is all we would get if the legislation was brought to the floor through a rule. Therefore, Mr. Speaker, I shall not object.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee? There was no objection.

Under the rules of the House, a proceeding by unanimous consent cannot be dissolved except by unanimous consent of the House. Therefore, the time of 2 hours, fixed for debate, not having elapsed, and with a proper request for time not being granted by the gentleman in charge of the time—the chairman of the Committee on Foreign Affairs—I make a point of order that the action of the chairman of the Committee on Foreign Affairs in moving the previous question prior to the expiration of the agreed time of only 2 hours is not in order and comes prematurely.

The SPEAKER. The unanimous-consent request agreed to yesterday left control of the time in the hands of the gentleman from New York [Mr. Bloom] and the gentleman from New York [Mr. Fish]. At any time those gentleman do not desire to yield further time, compliance with the request has been had.

Mr. MARTIN J. KENNEDY. Mr. Speaker, may I be heard further?

The SPEAKER. The Chair has ruled upon the point of order.

Mr. MARTIN J. KENNEDY. Mr. Speaker, I wish to submit another point of order. This point of order may not be found in the Book of Rules, but there is a rule among gentlemen which is more binding than any expressly set forth as the rules of the House in the Book of Rules. Yesterday, the gentleman in charge of the time on our side—chairman of the committee—gave me the distinct impression that I would be recognized for 5 minutes. Up to this minute, not a single Member suspected of being in opposition to the bill has been recognized on our side of the Chamber, and that failure in spite of the fact that almost half of the time remains unused. In my opinion, this is a flagrant violation of the rules of the House, as well as of a gentleman's agreement. [Applause.]

The SPEAKER. That is hardly a parliamentary inquiry or a point of order either. The question is on agreeing to the resolution.

Mr. LESINSKI and Mr. McKEOUGH demanded the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 317, nays 71, answered "present" 1, not voting 40, as follows:

## [Roll No. 24]

## YEAS—317

Allen, La.	Ford, Leland M.	Mills, Ark.
Anderson, N. Mex.	Ford, Miss.	Mills, La.
Andresen	Ford, Thomas F.	Mitchell
August H.	Fulmer	Monroney
Andrews	Gale	Mott
Angell	Gamble	Mundt
Arnold	Gathings	Murdoch
Barden	Gavagan	Myers, Pa.
Barnes	Gearhart	Nelson
Bates, Ky.	Gehrmann	Nichols
Baumhart	Gibson	Norrell
Beckworth	Gifford	Norton
Beiter	Gilchrist	O'Brien, N. Y.
Bell	Gore	O'Hara
Bender	Gossett	O'Neal
Bland	Graham	Osmer
Bloom	Granger	O'Toole
Boehne	Grant, Ala.	Pace
Boggs	Green	Patman
Boland	Gwynne	Patrick
Bolton	Haines	Patton
Bonner	Hall	Pearson
Boren	Edwin Arthur	Peterson, Fla.
Boykin	Hall	Peterson, Ga.
Brooks	Leonard W.	Pfeifer
Brown, Ga.	Hancock	Joseph L.
Brown, Ohio	Hare	Pheiffer
Bryson	Harris	William T.
Buck	Hart	Pittenger
Buckley, N. Y.	Harter	Plauché
Bulwinkle	Hartley	Plumley
Burch	Healey	Poage
Burdick	Heffernan	Powers
Burgin	Hendricks	Priest
Byrne	Hess	Ramsay
Camp	Hill, Colo.	Ramspeck
Canfield	Hill, Wash.	Randolph
Cannon, Fla.	Hinshaw	Rankin, Miss.
Cannon, Mo.	Hobbs	Reece, Tenn.
Capozzoli	Holbrook	Reed, Ill.
Carlson	Holmes	Richards
Carter	Hope	Rivers
Cartwright	Houston	Rizley
Case, S. Dak.	Howell	Robertson
Chapman	Hull	N. Dak.
Chenoweth	Hunter	Robertson, Va.
Clark	Izac	Robinson, Utah
Clason	Jackson	Rodgers, Pa.
Claypool	Jarman	Rogers, Mass.
Clevenger	Jarrett	Rogers, Okla.
Cochran	Jenkins, Ohio	Rolph
Coffee, Nebr.	Jennings	Romjue
Coffee, Wash.	Jensen	Russell
Cole, Md.	Johnson, Calif.	Rutherford
Cole, N. Y.	Johnson	Sabath
Colmer	Luther A.	Sacks
Connery	Johnson, Okla.	Sanders
Cooley	Johnson, W. Va.	Sasser
Cooper	Kean	Satterfield
Cope and	Kee	Sauthoff
Courtney	Kefauver	Scanlon
Cox	Kelley, Pa.	Schuetz
Cravens	Kennedy	Schulte
Creal	Michael J.	Schwert
Crosser	Keogh	Scott
Culkin	Kerr	Secrest
Cunningham	Kilburn	Sikes
D'Alesandro	Kilday	Simpson
Davis, Ohio	Kinzer	Smith, Conn.
Davis, Tenn.	Kirwan	Smith, Maine
DeLaney	Kociakowski	Smith, Pa.
Dies	Koppelman	Smith, Va.
Dingell	Kramer	Smith, Wash.
Disney	Kunkel	Smith, W. Va.
Ditter	Lanham	Snyder
Domengaux	Larrabee	Somers, N. Y.
Doughton	Lea	South
Douglas	Leavy	Sparkman
Downs	LeCompte	Spence
Doxey	Lesinski	Starnes, Ala.
Drewry	Lewis	Steagall
Duncan	Lynch	Stearns, N. H.
Durham	McCormack	Sullivan
Eaton	McGehee	Summers, Tex.
Eberharter	McGranery	Taber
Edelstein	McGregor	Talle
Edmiston	McIntyre	Tarver
Elliot, Mass.	McKeough	Terry
Elliot, Calif.	McLaughlin	Thom
Elston	McLean	Thomas, Tex.
Englebright	McMillan	Thomason
Faddis	Maciejewski	Tibbott
Fellows	Maciora	Traynor
Fenton	Magnuson	Treadway
Fish	Mahon	Van Zandt
Fitzgerald	Mansfield	Vincent, Ky.
Fitzpatrick	Martin, Iowa	Vinson, Ga.
Flannagan	Martin, Mass.	Voorhis, Calif.
Flannery	Mason	Vorvis, Ohio
Fogarty	May	Vreeland
Folger	Merritt	Wadsworth
Forand	Meyer, Md.	Walter
	Michener	Ward

Wasielowski	Whittington	Woodrum, Va.
Weaver	Wigglesworth	Worley
Weiss	Williams	Wright
Wene	Winter	Young
West	Wolcott	Zimmerman
Whelchel	Wolverton, N. J.	

## NAYS—71

Allen, Ill.	Halleck	Rankin, Mont.
Andersen	Harness	Reed, N. Y.
H. Carl	Harrington	Rees, Kans.
Arends	Heldinger	Rich
Barry	Hoffman	Rockefeller
Bennett	Johns	Shafer, Mich.
Bishop	Johnson, Ill.	Shanley
Bradley, Mich.	Jones	Short
Buckler, Minn.	Jonkman	Smith, Ohio
Chipfield	Keefe	Springer
Costello	Knutson	Stefan
Crawford	Lambertson	Stevenson
Crowther	Landis	Stratton
Curtis	Ludlow	Sumner, Ill.
Day	McArdle	Sweeney
Dewey	Marcantonio	Tenerowicz
Dirksen	Murray	Thill
Dondero	O'Brien, Mich.	Tolan
Dworshak	O'Connor	Welch
Engel	O'Leary	Wheat
Geyer, Calif.	Oliver	White
Gillie	Paddock	Wilson
Grant, Ind.	Ploesser	Woodruff, Mich.
Guyer, Kans.	Rabaut	Youngdahl

## ANSWERED "PRESENT"—1

Kennedy, Martin J.

## NOT VOTING—40

Anderson, Calif.	Gerlach	O'Day
Bates, Mass.	Gregory	Pierce
Beam	Hébert	Robison, Ky.
Blackney	Hook	Schaefer, Ill.
Bolles	Imhoff	Scrugham
Bradley, Pa.	Jacobsen	Shannon
Casey, Mass.	Jenks, N. H.	Sheppard
Celler	Johnson, Ind.	Sheridan
Cluett	Johnson	Sutphin
Collins	Lyndon B.	Taylor
Cullen	Kelly, Ill.	Thomas, N. J.
Dickstein	Kleberg	Tinkham
Ellis	Maas	Wolfenden, Pa.
Flaherty	Moser	

So the resolution was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Cullen for, with Mr. Martin J. Kennedy against.

Mrs. O'Day for, with Mr. Bolles against.

Mr. Casey of Massachusetts for, with Mr. Johnson of Indiana against.

Mr. Thomas of New Jersey for, with Mr. Moser against.

## General pairs:

Mr. Sutphin with Mr. Wolfenden of Pennsylvania.

Mr. Dickstein with Mr. Robison of Kentucky.

Mr. Beam with Mr. Maas.

Mr. Kelly of Illinois with Mr. Cluett.

Mr. Sheppard with Mr. Bates of Massachusetts.

Mr. Imhoff with Mr. Jenks of New Hampshire.

Mr. Bradley of Pennsylvania with Mr. Tinkham.

Mr. Kleberg with Mr. Blackney.

Mr. Celler with Mr. Anderson of California.

Mr. Collins with Mr. Gerlach.

Mr. Gregory with Mr. Pierce.

Mr. Ellis with Mr. Hébert.

Mr. Scrugham with Mr. Hook.

Mr. Flaherty with Mr. Jacobsen.

Mr. Sheridan with Mr. Taylor.

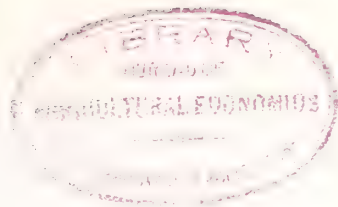
Mr. Lyndon B. Johnson with Mr. Schaefer of Illinois.

Mr. MARTIN J. KENNEDY. Mr. Speaker, I have a pair with the gentleman from New York, Mr. CULLEN, on this vote. If he were here he would vote "yea." I voted "nay." I withdraw my vote and vote "present."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.





[PUBLIC LAW 11—77TH CONGRESS]

[CHAPTER 11—1ST SESSION]

[H. R. 1776]

AN ACT

Further to promote the defense of the United States, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That this Act may be cited as “An Act to Promote the Defense of the United States”.

SEC. 2. As used in this Act—

(a) The term “defense article” means—

- (1) Any weapon, munition, aircraft, vessel, or boat;
- (2) Any machinery, facility, tool, material, or supply necessary for the manufacture, production, processing, repair, servicing, or operation of any article described in this subsection;
- (3) Any component material or part of or equipment for any article described in this subsection;
- (4) Any agricultural, industrial or other commodity or article for defense.

Such term “defense article” includes any article described in this subsection: Manufactured or procured pursuant to section 3, or to which the United States or any foreign government has or hereafter acquires title, possession, or control.

(b) The term “defense information” means any plan, specification, design, prototype, or information pertaining to any defense article.

SEC. 3. (a) Notwithstanding the provisions of any other law, the President may, from time to time, when he deems it in the interest of national defense, authorize the Secretary of War, the Secretary of the Navy, or the head of any other department or agency of the Government—

(1) To manufacture in arsenals, factories, and shipyards under their jurisdiction, or otherwise procure, to the extent to which funds are made available therefor, or contracts are authorized from time to time by the Congress, or both, any defense article for the government of any country whose defense the President deems vital to the defense of the United States.

(2) To sell, transfer title to, exchange, lease, lend, or otherwise dispose of, to any such government any defense article, but no defense article not manufactured or procured under paragraph (1) shall in any way be disposed of under this paragraph, except after consultation with the Chief of Staff of the Army or the Chief of Naval Operations of the Navy, or both. The value of defense articles disposed of in any way under authority of this paragraph, and procured from funds heretofore appropriated, shall not exceed \$1,300,000,000. The value of such defense articles



shall be determined by the head of the department or agency concerned or such other department, agency or officer as shall be designated in the manner provided in the rules and regulations issued hereunder. Defense articles procured from funds hereafter appropriated to any department or agency of the Government, other than from funds authorized to be appropriated under this Act, shall not be disposed of in any way under authority of this paragraph except to the extent hereafter authorized by the Congress in the Acts appropriating such funds or otherwise.

(3) To test, inspect, prove, repair, outfit, recondition, or otherwise to place in good working order, to the extent to which funds are made available therefor, or contracts are authorized from time to time by the Congress, or both, any defense article for any such government, or to procure any or all such services by private contract.

(4) To communicate to any such government any defense information, pertaining to any defense article furnished to such government under paragraph (2) of this subsection.

(5) To release for export any defense article disposed of in any way under this subsection to any such government.

(b) The terms and conditions upon which any such foreign government receives any aid authorized under subsection (a) shall be those which the President deems satisfactory, and the benefit to the United States may be payment or repayment in kind or property, or any other direct or indirect benefit which the President deems satisfactory.

(c) After June 30, 1943, or after the passage of a concurrent resolution by the two Houses before June 30, 1943, which declares that the powers conferred by or pursuant to subsection (a) are no longer necessary to promote the defense of the United States, neither the President nor the head of any department or agency shall exercise any of the powers conferred by or pursuant to subsection (a): except that until July 1, 1946, any of such powers may be exercised to the extent necessary to carry out a contract or agreement with such a foreign government made before July 1, 1943, or before the passage of such concurrent resolution, whichever is the earlier.

(d) Nothing in this Act shall be construed to authorize or to permit the authorization of conveying vessels by naval vessels of the United States.

(e) Nothing in this Act shall be construed to authorize or to permit the authorization of the entry of any American vessel into a combat area in violation of section 3 of the Neutrality Act of 1939.

SEC. 4. All contracts or agreements made for the disposition of any defense article or defense information pursuant to section 3 shall contain a clause by which the foreign government undertakes that it will not, without the consent of the President, transfer title to or possession of such defense article or defense information by gift, sale, or otherwise, or permit its use by anyone not an officer, employee, or agent of such foreign government.

SEC. 5. (a) The Secretary of War, the Secretary of the Navy, or the head of any other department or agency of the Government involved shall, when any such defense article or defense information is exported, immediately inform the department or agency designated



by the President to administer section 6 of the Act of July 2, 1940 (54 Stat. 714), of the quantities, character, value, terms of disposition, and destination of the article and information so exported.

(b) The President from time to time, but not less frequently than once every ninety days, shall transmit to the Congress a report of operations under this Act except such information as he deems incompatible with the public interest to disclose. Reports provided for under this subsection shall be transmitted to the Secretary of the Senate or the Clerk of the House of Representatives, as the case may be, if the Senate or the House of Representatives, as the case may be, is not in session.

SEC. 6. (a) There is hereby authorized to be appropriated from time to time, out of any money in the Treasury not otherwise appropriated, such amounts as may be necessary to carry out the provisions and accomplish the purposes of this Act.

(b) All money and all property which is converted into money received under section 3 from any government shall, with the approval of the Director of the Budget, revert to the respective appropriation or appropriations out of which funds were expended with respect to the defense article or defense information for which such consideration is received, and shall be available for expenditure for the purpose for which such expended funds were appropriated by law, during the fiscal year in which such funds are received and the ensuing fiscal year; but in no event shall any funds so received be available for expenditure after June 30, 1946.

SEC. 7. The Secretary of War, the Secretary of the Navy, and the head of the department or agency shall in all contracts or agreements for the disposition of any defense article or defense information fully protect the rights of all citizens of the United States who have patent rights in and to any such article or information which is hereby authorized to be disposed of and the payments collected for royalties on such patents shall be paid to the owners and holders of such patents.

SEC. 8. The Secretaries of War and of the Navy are hereby authorized to purchase or otherwise acquire arms, ammunition, and implements of war produced within the jurisdiction of any country to which section 3 is applicable, whenever the President deems such purchase or acquisition to be necessary in the interests of the defense of the United States.

SEC. 9. The President may, from time to time, promulgate such rules and regulations as may be necessary and proper to carry out any of the provisions of this Act; and he may exercise any power or authority conferred on him by this Act through such department, agency, or officer as he shall direct.

SEC. 10. Nothing in this Act shall be construed to change existing law relating to the use of the land and naval forces of the United States, except insofar as such use relates to the manufacture, procurement, and repair of defense articles, the communication of information and other noncombatant purposes enumerated in this Act.

SEC. 11. If any provision of this Act or the application of such provision to any circumstance shall be held invalid, the validity of the remainder of the Act and the applicability of such provision to other circumstances shall not be affected thereby.

Approved, March 11, 1941.







24/2







ESTIMATE, IN THE AMOUNT OF \$7,000,000,000, TO CARRY  
OUT PROVISIONS OF H. R. 1776

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LETTER

FROM

THE PRESIDENT OF THE UNITED STATES

TRANSMITTING

AN ESTIMATE, IN THE AMOUNT OF \$7,000,000,000, TO CARRY OUT  
PROVISIONS OF H. R. 1776 OF THE SEVENTY-SEVENTH CONGRESS

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MARCH 12, 1941.—Referred to the Committee on Appropriations and ordered to  
be printed

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THE WHITE HOUSE,  
Washington, March 12, 1941.

HON. SAM RAYBURN,  
*Speaker, House of Representatives,*  
*Washington, D. C.*

MY DEAR MR. SPEAKER: This Nation has felt that it was imperative to the security of America that we encourage the democracies' heroic resistance to aggressions, by not only maintaining but also increasing the flow of material assistance from this country. Therefore, the Congress has enacted and I have signed H. R. 1776.

Through this legislation our country has determined to do its full part in creating an adequate arsenal of democracy. This great arsenal will be here in this country. It will be a bulwark of our own defense. It will be the source of the tools of defense for all democracies who are fighting to preserve themselves against aggression.

While the defense equipment produced under H. R. 1776 remains under the control of the United States until it is ready for disposition, it is the fixed policy of this Government to make for democracies every gun, plane, and munition of war that we possibly can.

To accomplish these objectives I am transmitting an estimate in the amount of \$7,000,000,000, the details of which are set forth in the accompanying letter from the Director of the Bureau of the Budget. I strongly urge the immediate enactment of this appropriation.

Respectfully,

FRANKLIN D. ROOSEVELT



EXECUTIVE OFFICE OF THE PRESIDENT,  
BUREAU OF THE BUDGET,  
Washington, D. C., March 12, 1941.

The PRESIDENT,  
*The White House.*

SIR: I have the honor to submit for your consideration an estimate of appropriation to carry out the provisions of the act entitled "An Act to Promote the Defense of the United States," approved March 11, 1941, Public, No. 11, in the amount of \$7,000,000,000, as follows:

SPECIAL DEFENSE FUND

To enable the President, through such departments or agencies of the Government as he may designate, to carry out the provisions of the Act entitled "An Act to promote the defense of the United States," approved March 11, 1941, and for each and every purpose incident to or necessary therefor there is hereby appropriated out of any money in the Treasury not otherwise appropriated:

- (a) For the procurement, by manufacture or otherwise, of defense articles for the government of any country whose defense the President deems vital to the defense of the United States, including services and expenses in connection therewith, as follows:
- |  |                 |
|--|-----------------|
| Ordnance and ordnance stores, supplies, spare parts, and materials, including armor and ammunition and components thereof.....   | \$1,343,000,000 |
| Aircraft and aeronautical material, including engines, spare parts, and accessories.....   | 2,054,000,000   |
| Tanks, armored cars, automobiles, trucks, and other automotive vehicles, spare parts, and accessories.....   | 362,000,000     |
| Vessels, ships, boats, and other watercraft, and equipage, supplies, materials, spare parts, and accessories.....  | 629,000,000     |
| Miscellaneous military equipment, supplies and materials.....  | 260,000,000     |
| Facilities and equipment for the manufacture or production of defense articles, including the construction, acquisition, maintenance and operation thereof, and the acquisition of land..... | 752,000,000     |
| Agricultural, industrial, and other commodities and articles.....  | 1,350,000,000   |
- (b) For testing, inspecting, proving, repairing, outfitting, reconditioning, or otherwise placing in good working order any defense articles for the government of any country whose defense the President deems vital to the defense of the United States..... 200,000,000

*Provided*, That not to exceed 20 per centum of any of the foregoing appropriations may be transferred by the President to any other such appropriation, but no appropriation shall be increased more than 30 per centum thereby: *And provided further*, That any defense articles procured under the foregoing appropriations may be allocated by the President to any department or agency of this Government for the use of such department or agency.

- (c) For necessary services and expenses for carrying out the purposes of said Act not specified or included in the foregoing..... 40,000,000
- (d) For administrative expenses..... 10,000,000



In all \$7,000,000,000, to remain available until June 30, 1943: *Provided*, That the President may transfer from the foregoing appropriations to appropriate current appropriations of any department or agency amounts equivalent to the value of defense articles disposed of by such department or agency to the government of any country whose defense the President deems vital to the defense of the United States, not exceeding in total \$1,300,000,000.

I recommend that the estimate be transmitted to Congress.

Very respectfully,

HAROLD D. SMITH,  
*Director of the Bureau of the Budget.*

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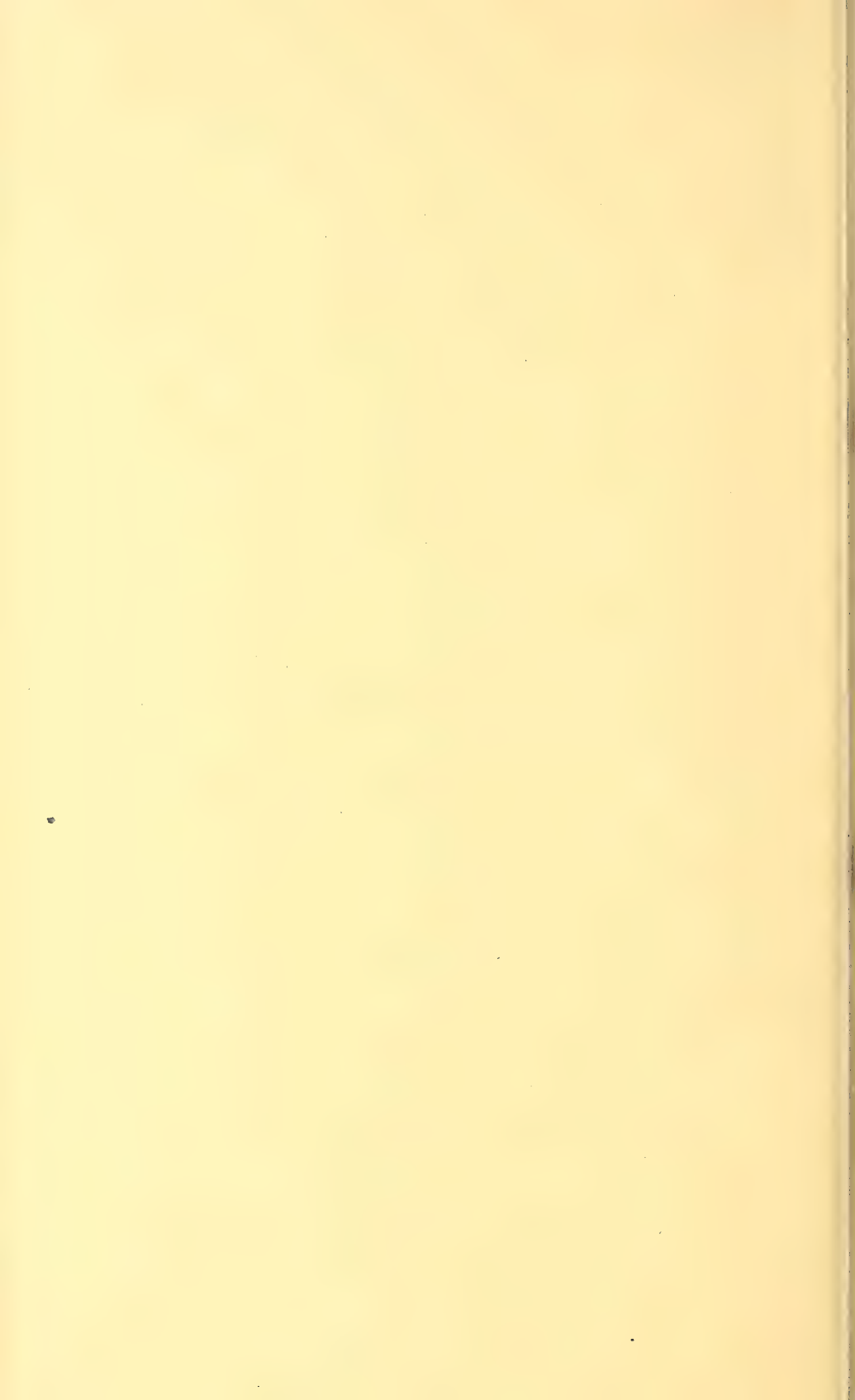




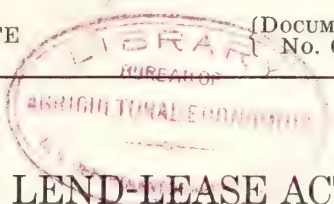












# OPERATIONS UNDER LEND-LEASE ACT

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## MESSAGE

FROM THE

## PRESIDENT OF THE UNITED STATES

TRANSMITTING

PURSUANT TO LAW, FIRST REPORT UNDER  
THE ACT OF MARCH 11, 1941, PUBLIC LAW 11,  
SEVENTY-SEVENTH CONGRESS, ENTITLED  
"AN ACT FURTHER TO PROMOTE THE DE-  
FENSE OF THE UNITED STATES,  
AND FOR OTHER PURPOSES"



JUNE 11 (legislative day, JUNE 10), 1941.—Read; referred to the  
Committee on Foreign Relations and ordered to be  
printed with illustrations

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UNITED STATES  
GOVERNMENT PRINTING OFFICE  
WASHINGTON : 1941







## LETTER OF TRANSMITTAL

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*To the Congress of the United States.*

Section 5 (b) of Public Law No. 11, Seventy-seventh Congress, approved by me on March 11, 1941, provides in part as follows:

"The President from time to time, but not less frequently than once every ninety days, shall transmit to the Congress a report of operations under this Act except such information as he deems incompatible with the public interest to disclose."

In compliance with this provision, I am submitting this report.

We have supplied, and we will supply, planes, guns, ammunition, and other defense articles in ever increasing quantities to Britain, China, and other democracies resisting aggression.

Wars are not won by guns alone, but wars are not won without guns. We all know this full well now. Beginning with the outbreak of the war, the American public began to realize that it was in our own national interest and security to help Britain, China, and the other democratic nations.

Beginning with the outbreak of the war, British and French orders began to be placed. But dollars could not be immediately turned into airplanes and ships and guns and ammunition.

In those dark days when France was falling, it was clear that this Government, to carry out the will of the people, had to render aid over and above the matériel coming off the assembly line. This Government, therefore, made available all that it possibly could out of its surplus stocks of munitions. In June of 1940, the British Government received from our surplus stocks rifles, machine guns, field artillery, ammunition, and aircraft in a value of more than 43 million dollars. This was equipment that would have taken months and months to produce and which, with the exception of the aircraft, cost about 300 million dollars to produce during the World War period. Most of this matériel would not have been usable if we had kept it much longer. This equipment arrived in Britain after the retreat from Dunkirk, where the British had lost great quantities of guns and other military supplies. No one can appraise what effect the delivery of these supplies had upon the successful British resistance in the summer and fall of 1940 when they were fighting against such terrific odds.



Since June 1940, this Government has continued to supply war matériel from its surplus stocks, in addition to the matériel produced by private manufacturers. The 50 over-age destroyers which Britain received in exchange for the defense bases were a part of the aid supplied by the Government.

By the turn of the year 1941, the British commitments in this country for defense articles had reached the limit of their future dollar resources. Their striking power required the assurance that their munitions and equipment would steadily and certainly be augmented, not curtailed.

The will of our people, as expressed through the Congress, was to meet this problem, not only by the passage of the Lend-Lease Act, but by the appropriation of 7 billion dollars made on March 27th of this year to carry out this task.

In the ninety days since the Lend-Lease Act was passed, and in the seventy-four days since the funds were appropriated, we have started in motion the vast supply program which is essential to the defeat of the axis powers.

In these seventy-four days, more than  $4\frac{1}{4}$  billion dollars out of the 7 billion dollars have been allocated to the War, Navy, Agriculture, and Treasury Departments and to the Maritime Commission to procure the aid authorized. Contracts have been let for long-range bombers, ships, tanks, and the other sinews of war that will be needed for the defense of the democracies. The balance of less than  $2\frac{3}{4}$  billion is being rapidly allocated.

To be effective, the aid rendered by us must be many-sided. Ships are necessary to carry the munitions and the food. We are immediately making available to Britain 2 million gross tons of cargo ships and oil tankers.

But this is not enough. Adequate shipping for every day to come must be reasonably assured. Since the Appropriation Act was passed, 550 million dollars has been allocated for the construction of new ships under the Lend-Lease Act. Contracts have been let and the new ways required to build these ships are now nearing completion. Allied ships are being repaired by us. Allied ships are being equipped by us to protect them from mines, and are being armed by us to protect them as much as possible against raiders. Naval vessels of Britain are being repaired by us so that they can return quickly to their naval tasks.

The training program of seven thousand British pilots in our schools in this country is under way. Valuable information is being communicated, and other material assistance is being rendered in a mounting benefit to the democracies.



Millions of pounds of food are being and will be sent. Iron and steel, machine tools, and the other essentials to maintain and increase the production of war materials in Britain are being sent and received in larger quantities day by day.

Since September 1939, the war goods sent to Britain have risen steadily. The over-all total exports to the British Empire have greatly increased in 1941 over 1940. What is more important, the exports of those things which are necessary for fighting have increased far beyond our other exports. In the first five months of this year, we have sent more than twelve times as many airplanes to Britain as we did in the first five months of 1940. And as the rate of aircraft production increases, relatively more and more heavy bombers and medium bombers are being sent. At the same time, we have sent more than ten times as many aircraft engines in the first five months of 1941 as we did in the first five months of 1940. For the first four months of this year, the dollar value of explosives sent to the British Empire was about seventeen times as much as for the first four months of 1940. Ninety times as much in dollar value of firearms and ammunition was sent to Britain during the first four months of this year as for the first four months of 1940.

With our natural resources, our productive capacity, and the genius of our people for mass production, we will help Britain to outstrip the axis powers in munitions of war, and we will see to it that these munitions get to the places where they can be effectively used to weaken and defeat the aggressors.

In the report that follows, facts and figures are given to the extent advisable without disclosing military secrets to benefit the axis powers. These facts describe the past and portray the present status of our aid to those nations so gallantly fighting the aggressors. They do not present the most important fact of all—the strong will of our people to see to it that these forces of aggression shall not rule the world.

We have before us a constant purpose not of present safety alone but, equally, of future survival.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE,

*June 10, 1941.*







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# FIRST REPORT UNDER THE ACT OF MARCH 11, 1941 (LEND-LEASE ACT)

## CHAPTER I

### SUMMARY OF LEND-LEASE LEGISLATION

#### 1. THE LEND-LEASE ACT

Ninety days ago, the Congress enacted the Lend-Lease Act—the Act of March 11, 1941.<sup>1</sup>

The main object of this Act is to promote the defense of the United States by supplying material aid to those nations whose defense is vital to our defense. Unlike prior methods, it focuses directly on the aid to be rendered rather than upon the dollar sign ultimately to be translated into war material.

The material aid which can be rendered under the Act is of several kinds. Guns, tanks, planes and other defense articles in stock or procured from appropriations made prior to March 11, 1941, can be lend-leased or otherwise disposed of after consultation with the Chief of Staff of the Army or the Chief of Naval Operations of the Navy, or both, to the extent of \$1,300,000,000. Defense information—plans, specifications or other information—relating to defense articles turned over can be communicated to those nations resisting the aggressors.

Plants can be erected or expanded, and defense articles can be manufactured or procured on behalf of such foreign nations when Congress authorizes it or appropriates the necessary funds. Ships and other defense articles can be repaired, tested, inspected or put into good working condition for those foreign nations whose defense is vital to ours when Congress provides the necessary funds or contract authorizations.

Protection of our national interest is specifically provided for in the Act by requiring any nation to which defense articles or defense information is transferred to obtain the consent of the President before turning them over to any other foreign nation or anyone not an agent, officer or employee of such government.

Protection and furtherance of our own defense is also assured by the Act by reason of the fact that this Government—particularly the

<sup>1</sup> A copy of the Act is contained in the Appendix.



War and Navy Departments—controls and merges our own production and procurement program with that on behalf of those nations whose defense vitally affects ours. By a fused production and procurement program based on as high a degree of standardization of our own and foreign specifications as possible, we are in a position sooner to have a productive capacity that can outstrip our potential enemies. By reason of the fact that we retain control of the defense plants and of the defense articles until they are manufactured and ready for disposition, we also safeguard our defense. In the event that our own use of the defense articles procured under the Lend-Lease Act will further our national defense more than disposing of them to those countries whose defense is vital to ours, we can so use them.

## 2. THE DEFENSE AID APPROPRIATION ACT

Seventy-four days ago, the Congress enacted the Defense Aid Supplemental Appropriation Act—the Act of March 27, 1941.<sup>2</sup>

This Act appropriated \$7,000,000,000 to carry out those provisions of the organic Lend-Lease Act which require additional Congressional authority or appropriations. In the main these funds were appropriated for: The construction or expansion of plant facilities to manufacture or repair, test, or prove defense articles on behalf of any foreign nation whose defense is vital to ours; the new procurement of guns, aircraft, tanks, vessels, food and other defense articles; and the services and expenses necessary to carry out the Lend-Lease Act.

The organic Lend-Lease Act empowers the President, when Congress appropriates the requisite funds, to execute these powers of plant construction, repairing and new procurement through the Secretary of War, the Secretary of the Navy or the head of any other department or agency concerned. The Appropriation Act contemplates that the President will allocate the necessary funds to those departments and agencies of the Government, such as the War, Navy and Agriculture Departments, the Maritime Commission and the Procurement Division of the Treasury Department, most experienced in procuring the particular defense articles desired.

Power is given to the President by the Appropriation Act to reimburse to the extent of \$1,300,000,000 those departments and agencies which dispose under the Lend-Lease Act of defense articles procured from appropriations made prior to March 11, 1941.

Power is also given to the President to turn over to the War, Navy or any other department or agency of the United States Government any defense article procured out of the 7 billion dollar appropriation if he deems it in the interest of our defense to do so.

<sup>2</sup> A copy of this Act is contained in the Appendix.



## 3. LEND-LEASE PRIORITIES—THE VINSON BILL

The Lend-Lease Act provided for the placement of all orders for defense articles by the War and Navy Departments and such other departments and agencies of the United States Government as are designated by the President. The orders placed by the Army and Navy—by far the major part of the orders to be placed under the Lend-Lease Act—could doubtless have been given statutory priority over all deliveries for private account or for export under the Act of June 28, 1940 (Public No. 671—76th Congress).

To eliminate any doubt on this score and to enable regular defense and lend-lease orders of the other departments and agencies of the Government, such as the Maritime Commission, the Coast Guard, the Procurement Division of the Treasury Department, etc., to have statutory priority, the Congress enacted the Vinson Priorities Bill (Act of May 31, 1941, Public No. 89—77th Congress).<sup>3</sup> At the present time, therefore, all lend-lease orders can be given statutory priority.

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<sup>3</sup> A copy of this Act is contained in the Appendix.



## CHAPTER II

### OPERATIONS

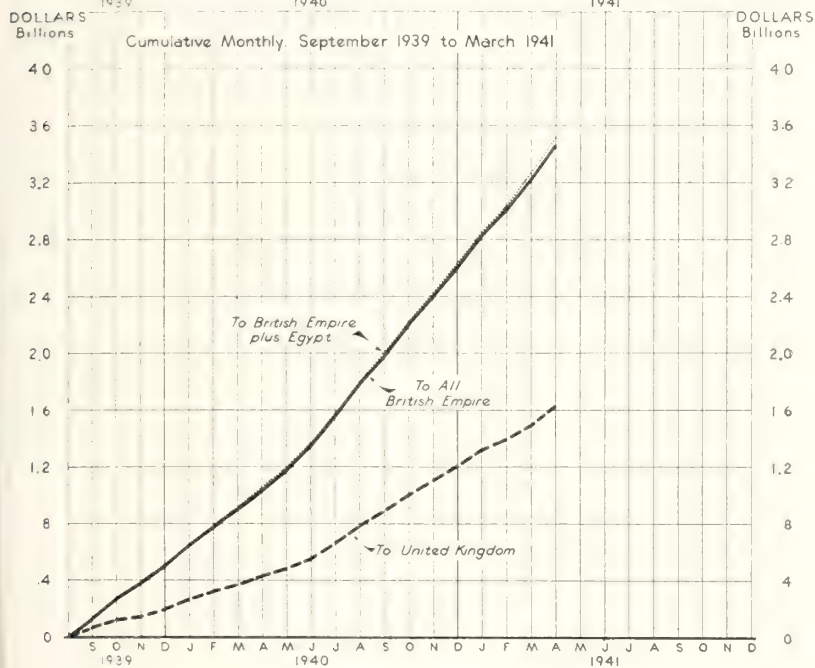
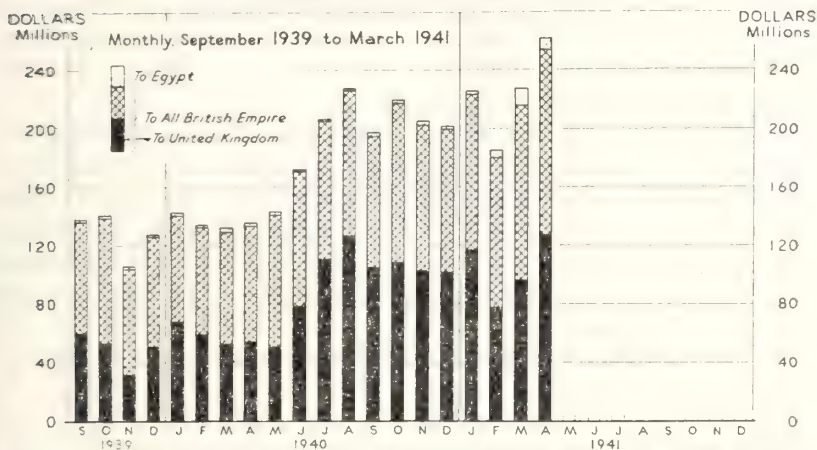
#### 1. GENERAL

It should be noted that lend-lease orders placed now with deliveries coming in the future are the necessary complement to the British orders placed last year, the deliveries from which are the principal source of British exports. These current exports, however, must be maintained and increased by whatever defense articles can be released from Army and Navy stocks, as well as by the release of equipment from the production lines of tomorrow.

Since September of 1939 when the war started, the United States has played an ever increasingly active part in helping the United Kingdom and its allies to secure planes, guns, ammunition, and other implements of war. The total exports from the United States to the British Empire have steadily increased during this period. For instance, the total dollar value of all exports to the British Empire for the first quarter of 1941 was nearly two and one-half times the value for the first quarter of 1939 and over half again higher than the value for the same period of 1940. The following table reflects graphically the increase in United States exports to the British Empire, to the British Empire and Egypt, and to the United Kingdom.



# UNITED STATES EXPORTS\* TO THE BRITISH EMPIRE AND EGYPT



\*Including reexports



## 2. SUMMARY OF LEND-LEASE OPERATIONS

During the period from March 11 to May 31, 1941, inclusive, defense articles of all kinds amounting to a little over \$75,000,000 have been transferred under the Lend-Lease Act. Of this total value, about \$64,000,000 of defense articles, procured from appropriations made prior to March 11, 1941, and about \$11,000,000 of defense articles, procured from appropriations under the Defense Aid Supplemental Appropriation Act, were transferred.

In connection with the dollar value of articles authorized for transfer, it should be emphasized that in all cases this value is an *estimated* value and may in many cases represent an approximate evaluation placed upon a specific article after depreciation, obsolescence, deterioration, etc., have been taken into account. A formal valuation procedure has been established to survey all transfers and determine true valuations.

Summary statements of defense articles transferred as of May 31, 1941 appear on the opposite page.



Defense articles transferred by departments under the Lend-Lease Act as of May 31, 1941

Department or agency	From appropriations made prior to March 11, 1941	From Defense Aid Supplemental Appropriation Act	Total
War-----	\$34,963,187.38	\$421,777.55	\$35,384,964.93
Navy-----	7,086,246.38	845.39	7,087,091.77
Maritime Commission-----	10,492,908.01	-----	10,492,908.01
Treasury-----	11,930,400.00	2,308,799.49	14,239,199.49
Agriculture-----	-----	7,998,261.67	7,998,261.67
Total-----	\$64,472,741.77	\$10,729,684.10	\$75,202,425.87

Defense articles transferred under the Lend-Lease Act as of May 31, 1941

Classification	From appropriations made prior to March 11, 1941	From Defense Aid Supplemental Ap- propriation Act	Total
Ammunition for small arms and artillery, explosives, etc-----	\$9,760,361.08	-----	\$9,760,361.08
Ordnance; arms and miscellaneous-----	20,580,109.13	-----	20,580,109.13
Aircraft-----	2,572,570.67	\$1,455,726.16	4,028,296.83
Vehicles-----	3,005,807.00	399,911.45	3,405,718.45
Watercraft, etc-----	26,155,193.89	27,000.00	26,182,193.89
Clothing and medical supplies, etc-----	616,000.00	-----	616,000.00
Signal and chemical equipment, etc-----	1,782,700.00	21,866.10	1,804,566.10
Agricultural products-----	-----	7,998,261.67	7,998,261.67
Machinery, etc-----	-----	242,181.28	242,181.28
Raw materials and metals-----	-----	497,806.82	497,806.82
Miscellaneous-----	-----	86,930.62	86,930.62
Total-----	64,472,741.77	10,729,684.10	75,202,425.87



The Lend-Lease Act coupled with the Defense Aid Supplemental Appropriation Act of March 27th made possible the placement of orders on the basis of requirements submitted by those countries the defense of which the President deemed vital to the United States.<sup>1</sup>

As of May 31, 1941, over \$4,200,000,000 equal to 60 per cent of the \$7,000,000,000 appropriated by Congress for lend-lease orders have been allocated for specific purposes. Over 2,000 requisitions setting forth specific requirements have been received for the procurement of defense articles during the period March 11 to June 1, 1941. All requisitions have been carefully studied by those government departments or agencies best qualified to survey them, and allocations have been made by the President on the basis of such departmental or agency recommendations as were approved by the Division of Defense Aid Reports and the Director of the Bureau of the Budget.

In addition, allocations amounting to approximately \$137,000,000 have been made for facilities necessary to back up the procurement program. The breakdown of the allocations made, by departments and by classifications, are summarized in the following tables:

*Allocations by departments under the Defense Aid Supplemental Appropriation Act, 1941, as of May 31, 1941*

<i>Department or agency</i>	<i>Allocations</i>
War -----	\$2, 890, 620, 953. 00
Navy -----	589, 339, 958. 00
Maritime Commission -----	562, 354, 800. 00
Treasury -----	180, 085, 863. 50
Agriculture -----	54, 886, 305. 00
Executive Office of the President -----	25, 000. 00
Office for Emergency Management -----	100, 000. 00
 Total -----	 4, 277, 412, 879. 50

<sup>1</sup> It should be noted in this connection that lend-lease orders, although based on the requirements of a foreign government, are actually United States Government orders and are treated the same as any other United States defense contract. Defense articles delivered from lend-lease contracts can only be transferred to the custody of a foreign government with the consent of the President.



*Summary of allocations by appropriations under the Defense Aid Supplemental Appropriation Act, 1941, as of May 31, 1941*

Ordnance and ordnance stores	\$880,176,863.00
Aircraft and aeronautical material	1,938,823,489.00
Tanks and other vehicles	318,502,800.00
Vessels and other watercraft	551,414,140.00
Miscellaneous military equipment	119,172,013.00
Facilities and equipment	137,134,818.00
Agricultural, industrial, and other commodities	280,314,697.50
Testing, reconditioning, etc., of defense articles	48,385,880.00
Services and expenses	3,042,605.00
Administrative expenses	445,574.00
<b>Total</b>	<b>4,277,412,879.50</b>

*Statement of allocations by appropriation and purpose under the Defense Aid Supplemental Appropriation Act, 1941, as of May 31, 1941*

**Ordnance and ordnance stores:**

**Ammunition:**

Small-arms ammunition	\$38,359,000.00
Artillery ammunition	235,139,150.00
Aircraft bombs and pyrotechnics	52,330,000.00
Explosives, propellant powders, and miscellaneous ammunition	4,432,194.00

**Subtotal** 330,260,344.00

**Ordnance material:**

Small arms and infantry weapons	81,264,000.00
Artillery material	21,348,550.00
Antiaircraft material	222,063,000.00
Aircraft armament	164,601,250.00
Miscellaneous fire control	5,257,911.00
Torpedo equipment	647,000.00
Mine equipment	8,000,000.00
Miscellaneous ordnance and ordnance stores	15,000,000.00

**Subtotal** 518,181,711.00

**Unclassified ordnance allocations** 31,734,808.00

**Total** 880,176,863.00

**Aircraft and aeronautical material:**

**Aircraft:**

Bombardment	1,396,063,000.00
Pursuit, interceptor, and fighter	232,330,000.00
Transport, utility, and other	2,640,000.00
Training	76,800,000.00

**Subtotal** 1,707,833,000.00



*Statement of allocations by appropriation and purpose under the Defense Aid Supplemental Appropriation Act, 1941, as of May 31, 1941—Continued*

Aircraft and aeronautical material—Continued.

Aircraft engines, spare parts, and accessories:

Spare engines and engine parts.....	\$117, 625, 014. 00
Spare propellers and spare propeller parts.....	22, 060, 000. 00
Accessories and other parts.....	10, 000, 000. 00

Subtotal.....	149, 685, 014. 00
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General aeronautical supplies and equipment.....	10, 231, 868. 00
Modernization and reconditioning of completed aircraft.....	25, 000, 000. 00
Unclassified aircraft allocations.....	46, 073, 607. 00

Total.....	1, 938, 823, 489. 00
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Tanks and other vehicles:

Ordnance vehicles:

Tanks .....	138, 810, 000. 00
Other ordnance combat vehicles (except tanks) .....	80, 767, 000. 00
Miscellaneous ordnance automotive supplies.....	22, 397, 000. 00

Subtotal.....	241, 974, 000. 00
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Other than ordnance vehicles:

Trucks.....	46, 004, 000. 00
Automobiles.....	3, 710, 200. 00
Other automotive supplies.....	2, 055, 000. 00
Miscellaneous automotive supplies.....	8, 272, 800. 00

Subtotal.....	60, 042, 000. 00
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Unclassified vehicle allocations.....	16, 486, 800. 00
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Total .....	318, 502, 800. 00
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Vessels and equipment for vessels:

Watercraft:

Combatant .....	12, 750, 000. 00
Naval auxiliary and small craft.....	29, 447, 000. 00
Merchant.....	500, 011, 800. 00

Subtotal.....	542, 208, 800. 00
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Equipage.....	4, 560, 140. 00
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Unclassified vessel allocations.....	4, 645, 200. 00
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Total .....	551, 414, 140. 00
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*Statement of allocations by appropriation and purpose under the Defense Aid Supplemental Appropriation Act, 1941, as of May 31, 1941—Continued*

**Miscellaneous military equipment, supplies, and material:**

**Quartermaster equipment, supplies, and material:**

Clothing-----	\$1, 499, 393. 00
Equipage-----	4, 686, 804. 00
Kitchen, mess, and field baking equipment-----	557, 335. 00
Fuel-----	5, 164, 000. 00
Provisions-----	600, 000. 00
Miscellaneous quartermaster supplies-----	9, 810, 972. 00
Subtotal-----	22, 318, 504. 00

Signal equipment, supplies, and material-----	75, 592, 895. 00
Chemical warfare equipment, supplies, and material-----	5, 739, 800. 00
Engineer equipment, supplies, and material-----	9, 752, 394. 00
Aircraft equipment, supplies, and material-----	1, 668, 420. 00
Unclassified equipment-----	4, 100, 000. 00

Total-----	119, 172, 013. 00
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<b>Facilities and equipment for production, total-----</b>	<b>137, 134, 818. 00</b>
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**Agricultural, industrial, and other commodities:**

**Agricultural products—Foodstuffs:**

Dairy products and eggs-----	31, 658, 000. 00
Meat, fish, fowl-----	6, 055, 400. 00
Fruits, vegetables, and nuts-----	5, 960, 000. 00
Grain and cereal products-----	3, 090, 000. 00
Lard, fats, and oils-----	3, 577, 000. 00
Other foodstuffs not classified above-----	1, 543, 600. 00

Subtotal-----	51, 884, 000. 00
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<b>Agricultural products—Other than foodstuffs-----</b>	<b>3, 000, 000. 00</b>
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**Machinery, equipment, materials, and supplies:**

Agricultural implements-----	1, 258, 814. 00
Road-building equipment, materials, and supplies-----	2, 650, 054. 00
Electrical equipment, materials, and supplies-----	1, 796, 480. 00
Fire-fighting equipment, materials, and supplies-----	770, 000. 00
Other-----	2, 781, 973. 00

Subtotal-----	9, 257, 321. 00
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**Metallic minerals:**

Iron and steel-----	95, 314, 000. 00
Copper and brass-----	15, 925, 000. 00
Zinc-----	20, 907, 500. 00
Lead-----	936, 000. 00
Other metals and alloys-----	2, 712, 096. 00

Subtotal-----	135, 794, 596. 00
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*Statement of allocations by appropriation and purpose under the Defense Aid Supplemental Appropriation Act, 1941, as of May 31, 1941—Continued*

**Agricultural, industrial, and other commodities—Continued.**

**Nonmetallic minerals:**

Nitrates.....	\$500,000.00
Phosphates.....	750,000.00
Subtotal.....	1,250,000.00
Petroleum and coal products.....	2,898,400.00
Miscellaneous and unclassified equipment and materials..	76,230,380.50
Total.....	280,314,697.50

**Testing, reconditioning, etc., of defense articles:**

**Servicing of defense articles:**

Vessels.....	26,856,000.00
Stores, etc.....	13,918,880.00
Subtotal.....	40,774,880.00
Unclassified services.....	7,611,000.00
Total.....	48,385,880.00

Services and expenses.....	3,042,605.00
Administrative expenses.....	445,574.00
Grand total.....	4,277,412,879.50



## CHAPTER III

### AGREEMENTS AND ASSURANCES

Section 4 of the Lend-Lease Act provides as follows :

All contracts or agreements made for the disposition of any defense article or defense information pursuant to section 3 shall contain a clause by which the foreign government undertakes that it will not, without the consent of the President, transfer title to or possession of such defense article or defense information by gift, sale, or otherwise, or permit its use by anyone not an officer, employee, or agent of such foreign government.

Section 7 of the Lend-Lease Act provides as follows :

The Secretary of War, the Secretary of the Navy, and the head of the department or agency shall in all contracts or agreements for the disposition of any defense article or defense information fully protect the rights of all citizens of the United States who have patent rights in and to any such article or information which is hereby authorized to be disposed of and the payments collected for royalties on such patents shall be paid to the owners and holders of such patents.

Before any defense articles were transferred, the Ambassador or the duly accredited officer of the foreign government receiving the defense articles was required to make the necessary agreement and give the requisite assurances that his government would comply with Sections 4 and 7 of the Act of March 11, 1941. These agreements and assurances provide in substance that no defense article or defense information received by the foreign nation under the Lend-Lease Act will be turned over to anyone not an agent, officer or employee of such government without first obtaining the consent of the President. These agreements also provide that when called upon to do so by the United States they will take the requisite steps and make such payments as are necessary to protect the rights of American patent holders as provided in Section 7.

Section 3 (b) of the Lend-Lease Act provides as follows :

The terms and conditions upon which any such foreign government receives any aid authorized under subsection (a) shall be those which the President deems satisfactory, and the benefit to the United States may be payment or repayment in kind or property or any other direct or indirect benefit which the President deems satisfactory.

Work has started on the agreements to fix the terms and conditions, under Section 3 (b), upon which the foreign governments receive the aid.



## CHAPTER IV

### ORGANIZATION AND PROCEDURE

On May 2, 1941, the President issued an Executive Order establishing the Division of Defense Aid Reports in the Office for Emergency Management of the Executive Office of the President.<sup>1</sup>

In accordance with this order, the President subsequently, on May 6th, designated by military order an Executive Officer of the Division of Defense Aid Reports to administer the functions described in the Executive Order.

It was specifically provided in the Order of May 2nd that the Division of Defense Aid Reports should provide a central channel for the clearance of transactions and reports; that it should coordinate the processing of requests for aid under the Lend-Lease Act; that it should maintain a system of reports and accounts, approved by the Bureau of the Budget; and that it should serve as a clearing house of information for agencies participating in the lend-lease program.

Although its formal organization was not established until May 2nd, approximately six weeks after the passage of the Lend-Lease Act, defense aid operations were carried on during that interim period by the group which had performed the administrative functions of the President's Liaison Committee for the coordination of foreign and domestic military purchases during the preceding twelve months.

Under the Lend-Lease Act, actual purchasing operations are conducted by the various governmental departments or agencies best qualified to do any specific procurement job. Actual procurement negotiations are carried on by each department operating in its own field in the same manner and in the same way as negotiations are carried out for any defense contract. Up to the present time, the War Department, the Navy Department, the Treasury Department, the Department of Agriculture, and the Maritime Commission have all participated directly as procurement agencies under the Lend-Lease Act. In addition, the Office of Production Management, the Department of Commerce, the Department of State, the Department of Justice, and the Department of Interior have all contributed to the defense aid program in an advisory capacity.

<sup>1</sup> Copy of this Executive Order is contained in the Appendix.



The Division of Defense Aid Reports serves as a channel for the processing of defense aid requests, as a control point for the coordination of such requests, and as a repository for the over-all records and accounts required by law. The work of the Division of Defense Aid Reports falls normally into six categories—namely, processing of requirements, fiscal accounts, statistical operations, transportation coordination, liaison between governmental agencies and foreign governments, and legal problems. In addition, because of the complex problems which arise, it is becoming increasingly necessary to utilize the services of special analysts and attorneys to devote full time to studying the varied and complicated ramifications of the defense aid program.

The first step in the furnishing of defense aid to a foreign government must necessarily be the determination of specific requirements. In most instances, such a determination requires a series of conferences and negotiations between the military and technical representatives of the department or agency of the United States Government which is best qualified to deal with any specific purchasing program. To expedite this determination of requirements, the War Department, for instance, has instituted a Division of Defense Aid in the office of the Under Secretary of War. In addition, the War Department established Defense Aid Requirements Committees which included in their membership representatives of foreign governments receiving defense aid.<sup>2</sup> In the case of the other procuring agencies, similar steps have been taken to expedite the flow of defense aid and to maintain adequate records of defense aid transactions.

In order that the Division of Defense Aid Reports might adequately perform its functions, every foreign government desiring defense aid under the provisions of the Lend-Lease Act has been requested to submit to the Division formal signed requisitions for specific defense articles or defense services. These requests are prepared on standard requisition forms and submitted to the Division of Defense Aid Reports from which they are forwarded to the procuring agency of the United States Government best qualified to make a recommendation as to whether the specific item should be supplied.<sup>3</sup> When these requisitions are received by a procuring agency, they are studied from the point of view as to whether the items called for can be supplied from stock on hand, whether they can be diverted from existing contracts, or whether they will have to be ordered for future delivery. The recommendation of the Department with respect to every requisition is forwarded to the Division of Defense Aid Reports for further processing and approval.<sup>4</sup>

<sup>2</sup> The detailed organization of War Department defense aid operations is contained in the Appendix.

<sup>3</sup> A standard requisition form is contained in the Appendix.

<sup>4</sup> A standard recommendation form is contained in the Appendix.



If a specific item to be supplied can be released from stock or diverted from contracts placed with appropriations made prior to March 11, 1941, the Division of Defense Aid Reports secures a Presidential directive authorizing the agency in question to transfer the defense articles to the foreign government. If the item recommended to be supplied involves the placement of a new order, it is the responsibility of the Division, if it approves, to secure an allocation of funds so that the procuring agency may actually place the contract. It should be noted, however, that an allocation of funds for the placement of a defense aid contract may not necessarily include the power to transfer the defense articles produced to the foreign government which filed the original requisition.

In order that proper accounting and fiscal reports may be compiled, a fiscal unit was established in the Division and a system for financial defense aid reports initiated, which has the approval of the President, the Secretary of the Treasury, the Comptroller-General and the Director of the Bureau of the Budget. These records reflect every angle of defense aid financial operations, expressed both in terms of dollars and in terms of quantities. Specific records cover the status of appropriations, the acquisition and disposition of defense articles, defense aid services, defense aid facilities, the consideration received from foreign governments, and the receipts for defense articles transferred to foreign governments. Complete financial and accounting reports are received from all the procuring agencies semi-monthly and are used as one of the bases for compiling the operating reports of the Division.

In addition to the standard forms for requisitions and recommendations and in addition to the specified fiscal and accounting reports, individual case histories of requisitions are being compiled. These case histories provide a complete historical record of each specific item, and a controlling system for the coordination of requirements and programs, procurement between purchasing agencies, procurement between foreign governments, and for expediting action on recommendations, the placement of orders and the delivery of goods.

The great mass of detailed information contained in the various operating forms, in the case histories, and in the fiscal reports are summarized by an operations analysis unit. These statistical summaries are compiled on a current basis and are used for controlling internal operations and for providing complete information on defense aid operations.



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## APPENDIX

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# THE LEND-LEASE ACT

[PUBLIC LAW 11—77TH CONGRESS]

[CHAPTER 11—1ST SESSION]

[H. R. 1776]

AN ACT

Further to promote the defense of the United States, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That this Act may be cited as "An Act to Promote the Defense of the United States".

SEC. 2. As used in this Act—

(a) The term "defense article" means—

- (1) Any weapon, munition, aircraft, vessel, or boat;
- (2) Any machinery, facility, tool, material, or supply necessary for the manufacture, production, processing, repair, servicing, or operation of any article described in this subsection;
- (3) Any component material or part of or equipment for any article described in this subsection;
- (4) Any agricultural, industrial or other commodity or article for defense.

Such term "defense article" includes any article described in this subsection: Manufactured or procured pursuant to section 3, or to which the United States or any foreign government has or hereafter acquires title, possession, or control.

(b) The term "defense information" means any plan, specification, design, prototype, or information pertaining to any defense article.

SEC. 3. (a) Notwithstanding the provisions of any other law, the President may, from time to time, when he deems it in the interest of national defense, authorize the Secretary of War, the Secretary of the Navy, or the head of any other department or agency of the Government—

(1) To manufacture in arsenals, factories, and shipyards under their jurisdiction, or otherwise procure, to the extent to which funds are made available therefor, or contracts are authorized from time to time by the Congress, or both, any defense article for the government of any country whose defense the President deems vital to the defense of the United States.

(2) To sell, transfer title to, exchange, lease, lend, or otherwise dispose of, to any such government any defense article, but no defense article not manufactured or procured under paragraph (1) shall in any way be disposed of under this paragraph, except after consultation with the Chief of Staff of the Army or the Chief of Naval Operations of the Navy, or both. The value of defense articles disposed of in any way under authority of this



paragraph, and procured from funds heretofore appropriated, shall not exceed \$1,300,000,000. The value of such defense articles shall be determined by the head of the department or agency concerned or such other department, agency or officer as shall be designated in the manner provided in the rules and regulations issued hereunder. Defense articles procured from funds hereafter appropriated to any department or agency of the Government, other than from funds authorized to be appropriated under this Act, shall not be disposed of in any way under authority of this paragraph except to the extent hereafter authorized by the Congress in the Acts appropriating such funds or otherwise.

(3) To test, inspect, prove, repair, outfit, recondition, or otherwise to place in good working order, to the extent to which funds are made available therefor, or contracts are authorized from time to time by the Congress, or both, any defense article for any such government, or to procure any or all such services by private contract.

(4) To communicate to any such government any defense information, pertaining to any defense article furnished to such government under paragraph (2) of this subsection.

(5) To release for export any defense article disposed of in any way under this subsection to any such government.

(b) The terms and conditions upon which any such foreign government receives any aid authorized under subsection (a) shall be those which the President deems satisfactory, and the benefit to the United States may be payment or repayment in kind or property, or any other direct or indirect benefit which the President deems satisfactory.

(c) After June 30, 1943, or after the passage of a concurrent resolution by the two Houses before June 30, 1943, which declares that the powers conferred by or pursuant to subsection (a) are no longer necessary to promote the defense of the United States, neither the President nor the head of any department or agency shall exercise any of the powers conferred by or pursuant to subsection (a); except that until July 1, 1946, any of such powers may be exercised to the extent necessary to carry out a contract or agreement with such a foreign government made before July 1, 1943, or before the passage of such concurrent resolution, whichever is the earlier.

(d) Nothing in this Act shall be construed to authorize or to permit the authorization of convoying vessels by naval vessels of the United States.

(e) Nothing in this Act shall be construed to authorize or to permit the authorization of the entry of any American vessel into a combat area in violation of section 3 of the Neutrality Act of 1939.

SEC. 4. All contracts or agreements made for the disposition of any defense article or defense information pursuant to section 3 shall contain a clause by which the foreign government undertakes that it will not, without the consent of the President, transfer title to or possession of such defense article or defense information by gift, sale, or otherwise, or permit its use by anyone not an officer, employee, or agent of such foreign government.

SEC. 5. (a) The Secretary of War, the Secretary of the Navy, or the head of any other department or agency of the Government involved shall, when any such defense article or defense information



is exported, immediately inform the department or agency designated by the President to administer section 6 of the Act of July 2, 1940 (54 Stat. 714), of the quantities, character, value, terms of disposition, and destination of the article and information so exported.

(b) The President from time to time, but not less frequently than once every ninety days, shall transmit to the Congress a report of operations under this Act except such information as he deems incompatible with the public interest to disclose. Reports provided for under this subsection shall be transmitted to the Secretary of the Senate or the Clerk of the House of Representatives, as the case may be, if the Senate or the House of Representatives, as the case may be, is not in session.

SEC. 6. (a) There is hereby authorized to be appropriated from time to time, out of any money in the Treasury not otherwise appropriated, such amounts as may be necessary to carry out the provisions and accomplish the purposes of this Act.

(b) All money and all property which is converted into money received under section 3 from any government shall, with the approval of the Director of the Budget, revert to the respective appropriation or appropriations out of which funds were expended with respect to the defense article or defense information for which such consideration is received, and shall be available for expenditure for the purpose for which such expended funds were appropriated by law, during the fiscal year in which such funds are received and the ensuing fiscal year; but in no event shall any funds so received be available for expenditure after June 30, 1946.

SEC. 7. The Secretary of War, the Secretary of the Navy, and the head of the department or agency shall in all contracts or agreements for the disposition of any defense article or defense information fully protect the rights of all citizens of the United States who have patent rights in and to any such article or information which is hereby authorized to be disposed of and the payments collected for royalties on such patents shall be paid to the owners and holders of such patents.

SEC. 8. The Secretaries of War and of the Navy are hereby authorized to purchase or otherwise acquire arms, ammunition, and implements of war produced within the jurisdiction of any country to which section 3 is applicable, whenever the President deems such purchase or acquisition to be necessary in the interests of the defense of the United States.

SEC. 9. The President may, from time to time, promulgate such rules and regulations as may be necessary and proper to carry out any of the provisions of this Act; and he may exercise any power or authority conferred on him by this Act through such department, agency, or officer as he shall direct.

SEC. 10. Nothing in this Act shall be construed to change existing law relating to the use of the land and naval forces of the United States, except insofar as such use relates to the manufacture, procurement, and repair of defense articles, the communication of information and other noncombatant purposes enumerated in this Act.

SEC. 11. If any provision of this Act or the application of such provision to any circumstance shall be held invalid, the validity of the remainder of the Act and the applicability of such provision to other circumstances shall not be affected thereby.

Approved, March 11, 1941.



DEFENSE AID SUPPLEMENTAL APPROPRIATION ACT,  
1941

[PUBLIC LAW 23—77TH CONGRESS]

[CHAPTER 30—1ST SESSION]

[H. R. 4050]

AN ACT

Making supplemental appropriations for the national defense to provide aid to the government of any country whose defense the President deems vital to the defense of the United States, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That to enable the President, through such departments or agencies of the Government as he may designate, to carry out the provisions of An Act to Promote the Defense of the United States, approved March 11, 1941, and for each and every purpose incident to or necessary therefor, there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the following sums for the following respective purposes, namely:*

(a) For the procurement, by manufacture or otherwise, of defense articles for the government of any country whose defense the President deems vital to the defense of the United States, including services and expenses in connection therewith, as follows:

(1) Ordnance and ordnance stores, supplies, spare parts, and materials, including armor and ammunition and components thereof, \$1,343,000,000.

(2) Aircraft and aeronautical material, including engines, spare parts, and accessories, \$2,054,000,000.

(3) Tanks, armored cars, automobiles, trucks, and other automotive vehicles, spare parts, and accessories, \$362,000,000.

(4) Vessels, ships, boats, and other watercraft, and equipage, supplies, materials, spare parts, and accessories, \$629,000,000.

(5) Miscellaneous military equipment, supplies, and materials, \$260,000,000.

(6) Facilities and equipment, for the manufacture or production of defense articles, by construction or acquisition, including the acquisition of land, and the maintenance and operation of such facilities and equipment, \$752,000,000.

(7) Agricultural, industrial, and other commodities and articles, \$1,350,000,000.

(b) For testing, inspecting, proving, repairing, outfitting, reconditioning, or otherwise placing in good working order any defense articles for the government of any country whose defense the President deems vital to the defense of the United States, including services and expenses in connection therewith, \$200,000,000.



(c) Not to exceed 20 per centum of any of the foregoing eight appropriations may be transferred by the President to any other such appropriation, but no appropriation shall be increased by more than 30 per centum.

(d) For necessary services and expenses for carrying out the purposes of such Act not specified or included in the foregoing, \$40,000,000.

(e) For administrative expenses, \$10,000,000.

(f) In all, \$7,000,000,000, to remain available until June 30, 1943.

SEC. 2. If any defense article procured from an appropriation made before March 11, 1941, is disposed of, under such Act of March 11, 1941, by any department or agency to the government of any country whose defense the President deemed vital to the defense of the United States, the President may transfer, from the appropriations made by this Act to the appropriate appropriation of such department or agency, an amount equivalent to the value (as computed for the purposes of the \$1,300,000,000 limitation contained in section 3 (a) (2) of such Act of March 11, 1941) of the defense article so disposed of, but not to exceed in the aggregate \$1,300,000,000.

SEC. 3. Any defense article procured from an appropriation made by this Act shall be retained by or transferred to and for the use of such department or agency of the United States as the President may determine, in lieu of being disposed of to a foreign government, whenever in the judgment of the President the defense of the United States will be best served thereby.

SEC. 4. No part of any appropriation contained in this Act shall be used to pay the salary or wages of any person who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided*, That for the purposes hereof an affidavit shall be considered prima facie evidence that the person making the affidavit does not advocate, and is not a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided further*, That any person who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence and accepts employment the salary or wages for which are paid from any appropriation in this Act shall be guilty of a felony and, upon conviction, shall be fined not more than \$1,000 or imprisoned for not more than one year, or both: *Provided further*, That the above penalty clause shall be in addition to, and not in substitution for, any other provisions of existing law.

SEC. 5. This Act may be cited as the "Defense Aid Supplemental Appropriation Act, 1941".

Approved, March 27, 1941, 10:50 a. m., E. S. T.



# VINSON PRIORITIES ACT

[PUBLIC LAW 89—77TH CONGRESS]

[CHAPTER 157—1ST SESSION]

[H. R. 4534]

## AN ACT

To amend the Act approved June 28, 1940, entitled "An Act to expedite the national defense, and for other purposes", in order to extend the power to establish priorities and allocate material.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 2 of the Act approved June 28, 1940 (Public, Numbered 671, Seventy-sixth Congress), as amended, is amended by inserting "(1)" after "SEC. 2. (a)" and by adding at the end of subsection (a) thereof the following:

"(2) Deliveries of material to which priority may be assigned pursuant to paragraph (1) shall include, in addition to deliveries of material under contracts or orders of the Army or Navy, deliveries of material under—

"(A) contracts or orders for the Government of any country whose defense the President deems vital to the defense of the United States under the terms of the Act of March 11, 1941, entitled 'An Act to promote the defense of the United States';

"(B) contracts or orders which the President shall deem necessary or appropriate to promote the defense of the United States; and

"(C) subcontracts or suborders which the President shall deem necessary or appropriate to the fulfillment of any contract or order as specified in this section.

Deliveries under any contract or order specified in this section may be assigned priority over deliveries under any other contract or order. Whenever the President is satisfied that the fulfillment of requirements for the defense of the United States will result in a shortage in the supply of any material for defense or for private account or for export, the President may allocate such material in such manner and to such extent as he shall deem necessary or appropriate in the public interest and to promote the national defense. The President shall be entitled to obtain such information from, require such reports by, and make such inspection of the premises of, any person, firm, or corporation as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this section. No person, firm, or corporation shall be held liable for damages or penalties for any default under any contract or order which shall result directly or indirectly from his compliance with any rule, regulation, or order issued under this section. The President may exercise any power, authority, or discretion conferred on him by this section, through such department, agency, or officer of the Government as he may direct and in conformity with any rules and regulations which he may prescribe."

Approved, May 31, 1941.



## EXECUTIVE ORDER

### ESTABLISHING THE DIVISION OF DEFENSE AID REPORTS IN THE OFFICE FOR EMERGENCY MANAGEMENT OF THE EXECUTIVE OFFICE OF THE PRESIDENT

By virtue of the authority vested in me by the Constitution and Statutes and by the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (hereafter referred to as the Act), in order to define further the functions and duties of the Office for Emergency Management of the Executive Office of the President in respect to the national emergency as declared by the President on September 8, 1939, and in order to provide for the effective administration of said Act in the interest of national defense, it is hereby ordered as follows:

1. There is established within the Office for Emergency Management of the Executive Office of the President the Division of Defense Aid Reports, at the head of which shall be an Executive Officer appointed by the President. The Executive Officer shall receive compensation at such rate as the President shall approve and, in addition, shall be entitled to actual and necessary transportation, subsistence, and other expenses incidental to the performance of his duties.

2. Subject to such policies and directions as the President may from time to time prescribe, the Division of Defense Aid Reports shall perform and discharge the following described duties and responsibilities:

a. Provide a central channel for the clearance of transactions and reports, and coordinate the processing or requests for aid under the Act.

b. Maintain such system of records and summary accounts to be approved by the Bureau of the Budget, as may be necessary for adequate administrative and financial control over operations under the Act and as will currently reflect the status of all such operations.

c. Prepare such reports as may be necessary to keep the President informed of progress under the Act; assist in the preparation of reports pursuant to Section 5b of the Act; and serve generally as a clearing house of information for agencies participating in the program.

d. Perform such other duties relating to defense aid activities as the President may from time to time prescribe.

3. Within the limitation of such funds as may be allocated for the Division of Defense Aid Reports by the President, the Executive Officer may employ necessary personnel and make provision for the necessary supplies, facilities, and services. In so far as practicable, the Division of Defense Aid Reports shall use such general business services and facilities as may be made available to it through the Office for Emergency Management or other agencies of the Government.

FRANKLIN D. ROOSEVELT

THE WHITE HOUSE,

*May 2, 1941.*



## MILITARY ORDER

By virtue of the authority vested in me as President of the United States and as Commander in Chief of the Army and Navy of the United States, I hereby designate Major General James H. Burns, of the United States Army, as Executive Officer of the Division of Defense Aid Reports in the Office for Emergency Management, to administer the functions described in the Executive Order establishing said Division, which functions are essentially of a military character, under the direction and supervision of the President as Commander in Chief of the Army and Navy of the United States.

FRANKLIN D. ROOSEVELT

THE WHITE HOUSE,  
*May 6, 1941*



# WAR DEPARTMENT

## THE ADJUTANT GENERAL'S OFFICE

WASHINGTON

AG 020.1 (3-29-41) M-M

APRIL 10, 1941.

Subject: Procedure Under the Lend-Lease Act.

To: The Chiefs of Arms and Services and the Divisions of the War Department General Staff.

The following letter from the Secretary of War is quoted for your information and guidance:

1. The Act of March 11, 1941 (Lend-Lease Act) imposes heavy responsibilities on the War Department which must be met with promptness and dispatch if the purposes of the Congress and the orders of the President are to be consummated. Strategic results affecting the defense of this country may depend upon the speed with which this Act is administered in the Department. I therefore desire to impress upon all concerned the necessity for prompt action in all matters relating to the Act.

2. Every effort has been made to set up the administration of this Act in the Department so as to apply to the lend-lease program the normal procedure of our procurement agencies. I am confident that our present organization, increased by the augmentation of such personnel as may be necessary, can fully meet the additional responsibilities to be imposed upon it. It appears necessary, however, to set up in the Office of the Under Secretary of War a division to be called the Defense Aid Division with duties as shown in Exhibit 1 herewith and I have, accordingly, directed that such an organization be created. This division will be concerned mainly with the coordination and acceleration of all phases of the lend-lease program within the Department. It is my desire that all papers pertaining to the program be handled in the "immediate action" category.

3. Attached hereto as Exhibit 2 is an outline of the routine which will, in general, be followed within the War Department. The desired budgetary procedure is shown in Exhibit 3.

4. To deal with questions of substance which we can foresee will arise under the Act, Defense Aid Committees, whose functions are set forth in Exhibit 4, will be organized. No new committee has been set up for aircraft inasmuch as the Joint Aircraft Committee, which has heretofore been in operation, is in a position to perform the functions prescribed for the Defense Aid Committees in Exhibits 3 and 4 and, subject to the principles and procedure outlined in such Exhibits, the War Department members of the Joint Aircraft Committee are hereby empowered, in addition to the powers heretofore exercised by them on the Joint Aircraft Committee, to perform with the British, or other representatives concerned, the functions of the Defense Aid Committees.

5. War Department agencies are authorized to issue necessary regulations, not inconsistent with the policies outlined herein, to administer their activities under the Act.

6. Close contacts between the personnel of the War Department and the accredited foreign representatives concerned with transactions under the Act shall be sought and encouraged at all times.

7. The organization herein provided for is solely designed to expedite, not to complicate, the work of the existing procurement agencies. It is always subject to change if in the light of experience it does not fulfill its function.

(S) HENRY L. STIMSON,  
*Secretary of War.*

BY ORDER OF THE SECRETARY OF WAR:

J. A. ULIO,  
*Brigadier General,*  
*Acting The Adjutant General.*



[EXHIBIT 1]

APRIL 8, 1941.

OFFICE ORDER:

1. In order to coordinate the functioning of the War Department in its relation to the Act of March 11, 1941 (Public 11, 77th Congress), there is hereby created a division in the office of the Under Secretary of War to be known as the Defense Aid Division.

2. The duties of the Defense Aid Division will be as follows:

*a.* To maintain liaison on matters relating to the Act of March 11, 1941, with the following:

(1) Such agency or agencies as may be designated by the President to administer the Act.

(2) Other government agencies.

(3) Foreign governments.

(4) Arms and Services of the War Department and the War Department General Staff.

*b.* To coordinate requests for aid from foreign governments with interested agencies of the War Department.

*c.* To coordinate the procurement under appropriations provided to implement the Act, in collaboration with the Production Branch and the Purchase and Contracts Branch, Office of the Under Secretary of War; G-4 Division War Department General Staff; and the Office of Production Management.

*d.* To coordinate the distribution of the items to foreign governments, in collaboration with the G-4 Division, War Department General Staff.

*e.* To coordinate the activities authorized in Section 3 (a) (3) of the Act, in collaboration with the interested agencies of the War Department.

*f.* To supply foreign governments with defense information pertaining to defense articles, in collaboration with the G-2 Division of the War Department General Staff.

*g.* To report to the Administrator of Export Control the defense articles and defense information released to foreign governments.

*h.* To furnish information concerning the transactions of the War Department to the agency designated by the President for the preparation of the quarterly report required by the Act of March 11, 1941.

*i.* To coordinate importation of arms, ammunition, and implements of war.

*j.* To initiate requests for priorities for materials, equipment, and machine tools for foreign orders for military equipment and supplies through the Priorities Committee, Army and Navy Munitions Board, and the Priorities Administrator, Office of Production Management.

*k.* To clear preliminary negotiation reports for procurement of military equipment and supplies for foreign governments other than beneficiaries of the Act of March 11, 1941.

*l.* To prepare staff action for the approval of the Secretary of War, on all matters pertaining to the Act.



*m.* To clear items for export on the basis of military secrecy, in collaboration with the G-2 Division of the War Department General Staff.

*n.* To maintain the office of record for all transactions of the War Department under the Act of March 11, 1941.

*o.* To furnish such statistical information as may be required, in collaboration with the Statistics Branch, Office Under Secretary of War.

*p.* To participate in the functions of the Joint Advisory Board on American Republics.

*q.* To discharge such additional duties pertaining to the Act of March 11, 1941, as may be prescribed by the Under Secretary of War.

3. To provide personnel for the Defense Aid Division, I hereby transfer the commissioned and civilian personnel of the Army Section, Clearance Committee, Army and Navy Munitions Board, to the Defense Aid Division.

(S) HENRY L. STIMSON,  
*Secretary of War.*



[EXHIBIT 21]

OUTLINE OF WAR DEPARTMENT PROCEDURE—LEND-LEASE ACT

WAR DEPARTMENT ACTION

1. Requests for assistance received from foreign governments whose defense is deemed vital to the defense of the United States under the terms of the Act, to be referred to the Secretary of War.

2. Referred to the Defense Aid Division, O. U. S. W., for recommendation.

3. Defense Aid Division informally to consult G-4 and, if advisable, other interested War Department agencies and prepare recommendation for signature of Chief of Staff. To obtain the basis for recommendation, Defense Aid Division to route requests through the appropriate Defense Aid Requirements Committee, calling for definite recommendations as to disposition of materiel or placement of orders.

4. Reply of Chief of Staff forwarded to Secretary of War for approval.

5. After approval, forwarded to White House.

WHITE HOUSE ACTION

6. President issues directive to Secretary of War.

WAR DEPARTMENT ACTION

7. Directive turned over to Defense Aid Division for preparation of appropriate instructions to War Department agencies, and submittal to the Secretary of War, through Executive, O. U. S. W. and G-4, for signature, with copy of original action by Chief of Staff (paragraphs 4 and 5 above). Copies of directives will also be furnished to B. O. W. D.

8. War Department agencies concerned in executing approved action, including B. O. W. D., to maintain informal contacts with the Defense Aid Division during process of execution and render report to Defense Aid Division on completion.

9. Defense Aid Division to be office of record for Lend-Lease Act transactions and to prepare such reports as the President and/or the Secretary of War may prescribe.



[EXHIBIT 3]

OUTLINE OF BUDGETARY PROCEDURE UNDER LEND-  
LEASE ACT

WAR DEPARTMENT

Upon receipt of approved expenditure programs or requests for services in the Defense Aid Division of the Office of the Under Secretary of War, they will be transmitted to the Budget Officer of the War Department who will make application for allocations to the War Department of the necessary funds for the approved purposes.

Upon receipt of such allocations, the Budget Officer of the War Department will make apportionments to agencies within the War Department in accordance with the approved expenditure programs or requests for services, informing the Defense Aid Division of this action.

The existing accounting methods within the War Department will be utilized in accounting for Lend-Lease funds.

The preparation of expenditure programs and requests for services, as well as the administration of any funds set up for administrative expenses, will follow present procedure.

In case future appropriations are required for Lend-Lease purposes, the normal estimating cycle will be completed.



[EXHIBIT 4]

DEFENSE AID COMMITTEES

REQUIREMENTS COMMITTEES

There will be created within the War Department committees to be known as the Defense Aid Requirements Committees.

The function of these Committees within the War Department will be the determination under the Defense Aid program of materiel requirements as to type, quantity and destination. In carrying out this function, the Committees will follow such policies as may be prescribed, from time to time, by the Chief of Staff, subject to such redetermination, if any, as may later be made by the President.

In performing their function, the Committees may be compelled to plan for the diversion of materiel to uses not contemplated at the time of the placing of the orders.

In dealing with this problem, the Committees may propose plans for somewhat distant objectives. However, recommendations for actual diversion should normally be made only sufficiently far in advance to permit arrangements to be made for the effective use of the diverted materiel at the completion of production.

The Committees will be organized for each of the following supply arms and services, i. e.,

Ordnance  
Chemical  
Signal  
Engineer  
Quartermaster

In order to provide continuity and unity of direction to these Committees, they will include a nucleus of personnel which will have membership on all the Committees. This nucleus will be composed of the following:

G-4 War Department, Chairman  
Representative of the Under Secretary of War  
Representative of the Clearance Committee of the Army and Navy Munitions Board, and  
Representative of the Foreign Supply Service (in case of the British, the Chairman of the British Supply Council).

United States and foreign representatives of the arm or service concerned and of the user of the items under consideration shall be members of the respective Committees. In appropriate situations the Training Division or War Plans Division of the War Department General Staff will be represented. The Committee decisions will be signed by the senior representative of each concurring group. Minority views, if any, will be submitted by the senior member of any non-concurring group. These will be submitted to the Chief of Staff to assist him to consult with the President under the provisions of the Lend-Lease Act.



## FACILITIES COMMITTEE

Under the Lend-Lease Act and pending War Department appropriations, there is approximately \$1,300,000,000 provided for new facilities and a committee consisting of six general officers has been selected under the authority of the Under Secretary of War to control the facilities program. To consult with this Committee appropriate representatives of the British Supply Council will be appointed with opportunity to present their dissenting views, if any, on matters relating to the necessity for and priority of additional facilities being created, to the Under Secretary of War.



## OPERATIONS UNDER LEND-LEASE ACT

<b>ROUTING</b> (NOT TO BE FILLED IN BY REQUISITIONER) <input type="checkbox"/> WAR <input type="checkbox"/> NAVY <input type="checkbox"/> OPM <input type="checkbox"/> AGRICULTURE <input type="checkbox"/> MARITIME COMM. <input type="checkbox"/> STATE <input type="checkbox"/> TREASURY _____	<b>FORM 1</b>  <b>REQUISITION FOR DEFENSE ARTICLES</b> (UNDER THE ACT OF MARCH 11, 1941)	NO. _____  DATE _____  REQUISITIONER _____
--	---	--

1. WILL ORDERS PLACED BY THE UNITED STATES GOVERNMENT FOR THE MATERIAL REQUISITIONED HEREIN BE COVERED BY DIRECT CASH REIMBURSEMENT TO THE UNITED STATES GOVERNMENT? \_\_\_\_\_
  
2. ARTICLES (IF POSSIBLE, USE CONTINUATION SHEET(S) FOR DETAILED SPECIFICATIONS; OTHERWISE ATTACH ONE COMPLETE SET OF DRAWINGS AND SPECIFICATIONS TO EACH COPY OF FORM):
  - A. QUANTITY AND DESCRIPTION (INCLUDE MARK, MODEL, OR OTHER IDENTIFYING DESIGNATION): \_\_\_\_\_
  
  - B. SPECIFICATIONS \_\_\_\_\_ C. USE \_\_\_\_\_  

U.S., BRITISH, OTHER
ARMY, NAVY, AIR, COMMERCIAL
  
3. IF THE ARTICLES REQUISITIONED HEREIN ARE TO BE INSTALLED IN OR USED IN THE CONSTRUCTION OF SOME OTHER ARTICLE(S), NAME AND IDENTIFY THE BASIC ARTICLE(S), INDICATE NUMBER OF REQUISITION (FORM 1 OR 2) OR FNR NUMBER, OR BOTH, COVERING REQUEST FOR BASIC ARTICLE(S), AND INDICATE CONTRACT NUMBER IF CONTRACT HAS BEEN NEGOTIATED FOR BASIC ARTICLE(S).
  - A. NAME AND IDENTIFICATION OF BASIC ARTICLE(S): \_\_\_\_\_
  
  - B. REQUISITION NO. \_\_\_\_\_ C. PNR NO. \_\_\_\_\_ D. CONTRACT NO. \_\_\_\_\_
  
4. DELIVERY DESIRED (BY CHECK [✓] OR, IF POSSIBLE, BY QUANTITATIVE BREAKDOWN)
 

1941	2ND QUARTER	3RD QUARTER	4TH QUARTER	1942	1ST QUARTER	2ND QUARTER	3RD QUARTER	4TH QUARTER
------	-------------	-------------	-------------	------	-------------	-------------	-------------	-------------
  
5. REMARKS (JUSTIFICATION OF REQUEST, URGENCY, GENERAL INFORMATION, ETC.):

(SIGNED) \_\_\_\_\_  
 (TITLE) \_\_\_\_\_

**GOVERNMENT OF THE UNITED STATES**



FORM Ia (CONTINUATION SHEET)

## REQUISITION FOR DEFENSE ARTICLES

(UNDER THE ACT OF MARCH 11, 1941)

NO. \_\_\_\_\_

DATE \_\_\_\_\_

SECTION	ADDITIONAL INFORMATION
	<p data-bbox="319 1332 609 1354">GOVERNMENT OF THE UNITED STATES</p>



<p>ROUTING (NOT TO BE FILLED IN BY REQUISITIONER)</p> <p><input type="checkbox"/> WAR <input type="checkbox"/> NAVY <input type="checkbox"/> OPM <input type="checkbox"/> AGRICULTURE <input type="checkbox"/> MARITIME COMM. <input type="checkbox"/> STATE <input type="checkbox"/> TREASURY</p>	<p>FORM 1b - AMENDMENT</p> <p>REQUISITION FOR DEFENSE ARTICLES (UNDER THE ACT OF MARCH 11, 1941)</p>	<p>NO. _____</p> <p>DATE _____</p> <p>REQUISITIONER _____</p>
SECTION	DESCRIBE FULLY NATURE OF AMENDMENT DESIRED; STATE WHETHER SUBSTITUTION, ADDITION, CANCELLATION, ETC.	
	<p>(SIGNED) _____</p> <p>(TITLE) _____</p> <p>GOVERNMENT OF THE UNITED STATES</p>	







## OPERATIONS UNDER LEND-LEASE ACT

(Form LLA 3—Continued)

2a. It is recommended that the following items on the requisition not be supplied:

*Quantity**Description*

2b. Reason for nonsupply of requisitioned items:

3. Allocation of funds is requested in the amount of \$\_\_\_\_\_ to cover new order(s) to be placed under this requisition for which funds have not yet been allocated by the President. It is suggested that this allocation be made from funds appropriated under Section \_\_\_\_\_, entitled \_\_\_\_\_ of the Defense Aid Supplemental Appropriation Act, 1941.

4. Authorization (is) (is not) requested to transfer material and/or services procured to fill this requisition to the Government of \_\_\_\_\_

(Approved) _____
(Title) _____
(Dept.) _____
(Date) _____

(Signed) \_\_\_\_\_  
 (Title) \_\_\_\_\_  
 (Dept.) \_\_\_\_\_  
 (Date) \_\_\_\_\_

Government of the United States



DETAIL SHEET FOR FORM LLA 3											
Detail Sheet No. ....		Req. No. ....									
(Quantity)		(Description)									
SOURCE	QUANTITY	DELIVERY SCHEDULE (CALENDAR QUARTERS)								ESTIMATED VALUE	
		1941				1942					
		3d Quarter	4th Quarter	1st Quarter	2d Quarter	3d Quarter	4th Quarter				
1. From stock on hand procured from appropriations made prior to March 11, 1941.....											
2. From orders placed under appropriations made prior to March 11, 1941.....											
Supplier .....											
Contract No. ....											
Supplier .....											
Contract No. ....											
3. From new orders to be placed.....											
4. TOTAL.....											

1 (a) Reimbursement (will) (will not) be requested to cover procurement from Source 1 (stock on hand). Approximate amount .....

2 (a) Reimbursement (will) (will not) be requested to cover procurement from Source 2. Approximate amount .....

3 (a) Funds to cover procurement from Source 3 (have) (have not) been allocated by the President. Allocation letter number ..... dated .....

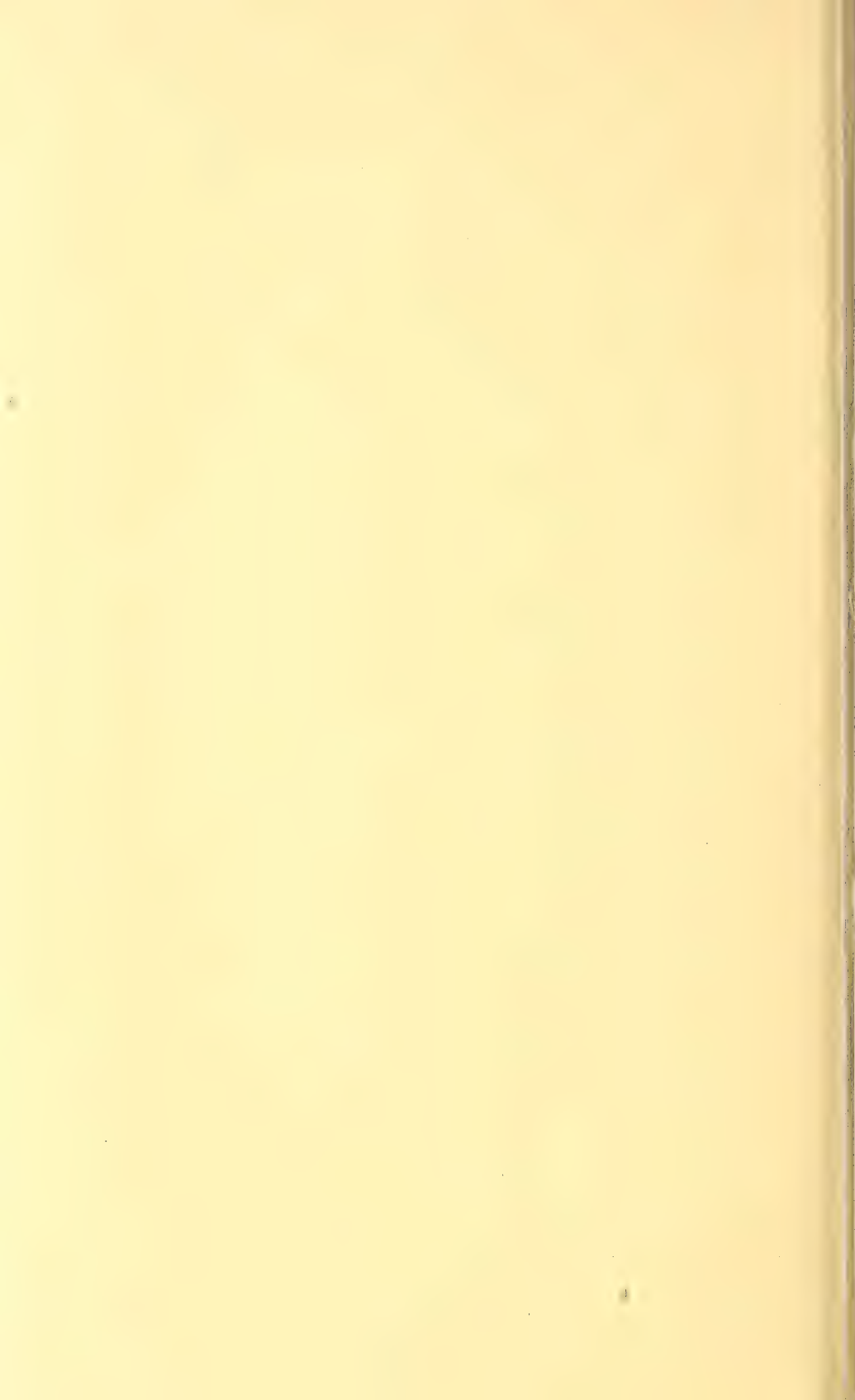






Sept. 1







# OPERATIONS UNDER LEND-LEASE ACT

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## MESSAGE

FROM THE

## PRESIDENT OF THE UNITED STATES

TRANSMITTING

PURSUANT TO LAW, THE SECOND REPORT UNDER  
THE ACT OF MARCH 11, 1941, PUBLIC LAW 11,  
SEVENTY-SEVENTH CONGRESS, ENTITLED "AN  
ACT FURTHER TO PROMOTE THE DEFENSE OF  
THE UNITED STATES, AND FOR  
OTHER PURPOSES"



SEPTEMBER 15, 1941.—Read; referred to the Committee on  
Foreign Relations and ordered to be printed with illustrations

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UNITED STATES  
GOVERNMENT PRINTING OFFICE  
WASHINGTON : 1941







## LETTER OF TRANSMITTAL

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THE PRESIDENT OF THE SENATE.

THE SPEAKER OF THE HOUSE OF REPRESENTATIVES.

I am submitting this report pursuant to Section 5 (b) of the Lend-Lease Act of March 11, 1941, which provides that the President report to the Congress every 90 days on the operations under that act.

The Lend-Lease Act was passed by the Congress just 183 days ago. One hundred and sixty-seven days ago, the Congress appropriated 7 billion dollars to carry out our national policy of giving every possible material assistance to the countries resisting aggression.

The effective expenditure of this large sum in furtherance of our announced policy has presented tasks of large proportions. We have surveyed the needs of the countries we are aiding. We have correlated this program of aid with the procurement programs of our own Army and Navy. We have arranged with our industries for the production of the great quantities of material involved.

The War Department, the Navy Department, the Treasury Department, the Agriculture Department, and the Maritime Commission are the agencies principally charged with the actual procurement of the supplies. They are now far along with their task.

Over 6¼ of the 7 billion dollars appropriated have now been allocated, upon the recommendation of these agencies, for specific materials and services. Their procurement machinery has been constantly at work, locating producers and placing contracts. Over 3½ billion dollars of legal commitments have already been made. Contracts will soon be placed for the entire 7 billion dollar appropriation.

Contracts have been placed and work has started on nearly a billion dollars of bombardment aircraft. New ways have been started and work is in progress for about one-half a billion dollars of new merchant shipping. New facilities to speed the production of guns, ammunition, and other defense articles have been started under contracts totaling about \$262,000,000. Over \$430,000,000 has been allocated, and over \$250,000,000 has been obligated, for the purchase of milk, eggs, and other agricultural products.

Daily the aid being rendered is growing. Through the month of August the total dollar value of defense articles transferred and defense services rendered, plus expenditures for other lend-lease purposes, amounted to \$486,721,838.



#### IV

Food and steel and machinery and guns and planes have been supplied in increasing quantities. Agricultural commodities worth \$110,606,550 have been transferred to the countries we are aiding. We have transferred to the United Kingdom more than 44 million pounds of cheese, more than 54 million pounds of eggs, more than 89 million pounds of cured pork, more than 110 million pounds of dried beans, and more than 114 million pounds of lard. We have transferred to them more than 3 million barrels of gasoline and oil. We have sent them many tanks. Merchant and naval ships and other transportation equipment are being transferred in growing amounts.

A substantial number of cargo ships and tankers have been chartered to the use of those countries whose defense is vital to our own. Our yards are repairing allied merchant ships. We are equipping allied ships to protect them from mines; and we are arming them, as much as possible, against aircraft, submarines, and raiders.

We have also, by repairing and outfitting their warships, helped the British and allied navies keep clear the vital sea lanes upon which depends continued resistance to Axis piracy. The repair of the battleship *Malaya* and the aircraft carrier *Illustrious* are outstanding examples of this naval assistance.

Over the whole range of technical and material assistance required by modern warfare, we are, under the lend-lease program, rendering effective help. Important defense information is being supplied to Britain and the other nations fighting the Axis powers. Our technicians are instructing the Allies in the assembly, operation, and maintenance of the tools coming from our factories. Across the United States and across Africa, our plane ferry service is linking the arsenals of America with democracy's outposts in the Middle East. On our airfields, thousands of British pilots are being, and will continue to be, trained, and already we are preparing a similar program to help the Chinese.

We have supplied equipment for the Yunnan-Burma Railroad and for the Burma Road in order to speed the flow of arms and materials to the heroic Chinese people. In addition to materials of war, we are furnishing China with medicine and technical assistance to fight the ravages of malaria. A military mission has also been dispatched to China in connection with the supplying of lend-lease aid.

The 7 billion dollars appropriated for purchasing defense articles has been available less than 6 months, and actual transfers from these funds have necessarily been limited to articles which could be purchased in a finished state or produced in that time. The speed with which future lend-lease transfers will be made depends largely on the speed with which our industries deliver the goods. The rate of our production must be accelerated, and every step to achieve that end must and will be taken.



These lend-lease deliveries are not, of course, the only materials which have been moving from our shores to the countries resisting aggression. Prior to the Lend-Lease Act, large contracts were placed here by Great Britain and by other countries from their own resources. Deliveries under these contracts are moving across the sea along with lend-lease articles. The true measure of the volume of war supplies moving from our shores is reflected in our total exports. Thus, since the beginning of the war, about \$4,400,000,000 worth of goods have been exported to the British Empire.

Figures alone cannot show the significance of our help. Americans may be justly proud of the way in which the tools they have forged are standing up when tested under fire. An American-made flying-boat spotted the *Bismarck* and American-made bombers blasted the *Scharnhorst* and the *Gneisenau*, and they have helped make possible the great raids of the R. A. F. in the Battle of Germany. In the wars of the Western Desert, fighter planes from our factories are in the vanguard of the attack and hundreds of our tanks stand ready to help rout the Nazi scourge from the African continent.

The British Empire has received the bulk of our aid. But we have also extended assistance to the many other countries engaged in the same struggle. China and the Dutch East Indies are receiving ever increasing quantities of supplies. The exiled governments of the countries under the Nazi yoke are sharing in the program. We are already outfitting Polish troops who are training in Canada for action overseas. We are also providing, directly or indirectly, aid for the Dutch, the Norwegians, the Greeks, the Belgians, and the Yugoslavs. We know that every group which yields to or collaborates with the Nazis makes our own defense that much more difficult. Likewise each group that resists Nazi aggression helps to keep the war from our own hemisphere.

The defense of the Western Hemisphere has been a prime consideration in our lend-lease program. Not only are we helping the European countries which stand athwart the Nazi path toward the Western Hemisphere, but we are also giving direct lend-lease aid to the countries of this hemisphere. We are strengthening Iceland, where our troops and ships now stand guard over the approaches of the North Atlantic, and we have already embarked upon a comprehensive program of material aid to the countries of Central and South America to strengthen the common defense of our good neighborhood.

The gallant resistance of the Russian people has been of enormous help to all peoples resisting the Nazi war machine. It has completely upset the Nazi time schedule and has destroyed the myth of Nazi invincibility. We are using the energies of our Government to make available supplies which are urgently needed by Russia. By speeding deliveries and by arranging the quickest transportation of American



materials, we are moving to strengthen the important Russian front. The Soviet Government's purchases here are being made with its own funds through its regular purchasing agency.

The people of the United States know that we cannot live in a world dominated by Hitlerism. They realize that there can be no real peace, no secure freedom until we have destroyed the evil forces which seek to work us woe. Through their chosen representatives, they have declared a firm and unalterable policy to build up an impregnable defense for this hemisphere, and to furnish unstinted material aid to the countries fighting against Nazi aggression and tyranny.

We are not furnishing this aid as an act of charity or sympathy, but as a means of defending America. We offer it because we know that piecemeal resistance to aggression is doomed to failure; because the ruthless war machine which now bestrides the continent of Europe can be combatted only by the combined efforts of all free peoples and at all strategic points where the aggressor may strike.

The lend-lease program is no mere side issue to our program of arming for defense. It is an integral part, a keystone, in our great national effort to preserve our national security for generations to come, by crushing the disturbers of our peace.

To those peoples who are gallantly shedding their blood in the front lines of this struggle, we must offer not only a shield but a sword, not merely the means to permit the stalemate of protracted defense, but the tools of a final and total victory.

This country has evolved the greatest and most efficient industrial system in history. It is our task to turn the workshops of our industry into mighty forges of war—to outbuild the aggressors in every category of modern arms. Only in this way can we build the arsenal of democracy.

On this task we are now engaged with ever increasing vigor. Planes, tanks, guns, and ships have begun to flow from our factories and yards, and the flow will accelerate from day to day, until the stream becomes a river, and the river a torrent, engulfing this totalitarian tyranny which seeks to dominate the world.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE,  
*September 11, 1941.*



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**SECOND REPORT**  
**UNDER**  
**THE ACT OF MARCH 11, 1941**  
**(LEND-LEASE ACT)**

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(VII)







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## CHAPTER I

### THE MEASURE OF AID

This is the second 90-day report to the Congress on operations under the Lend-Lease Act. It describes the position of lend-lease with respect to exports of defense aid rendered; it gives a general summary of lend-lease operations as well as an account of defense aid received by various countries for our defense; further, it describes the scope of lend-lease aid rendered.

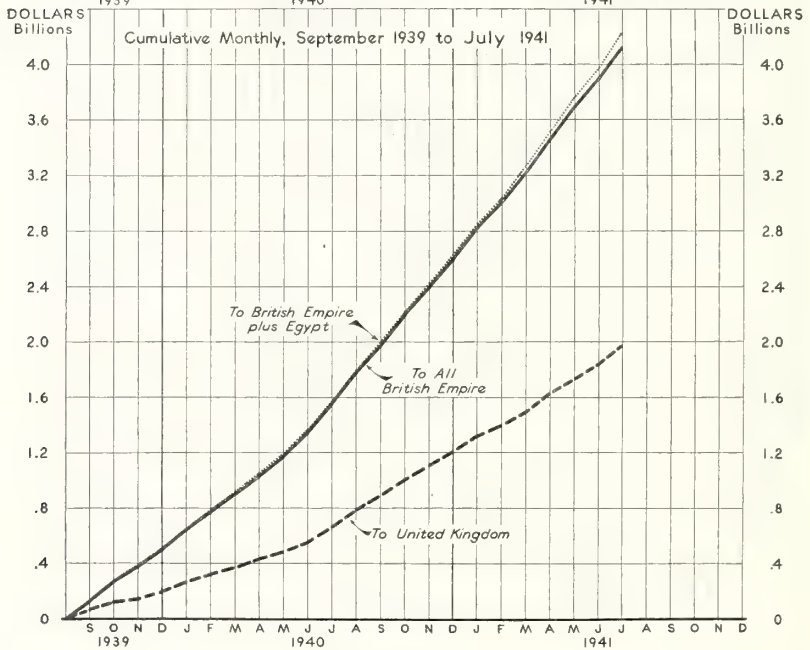
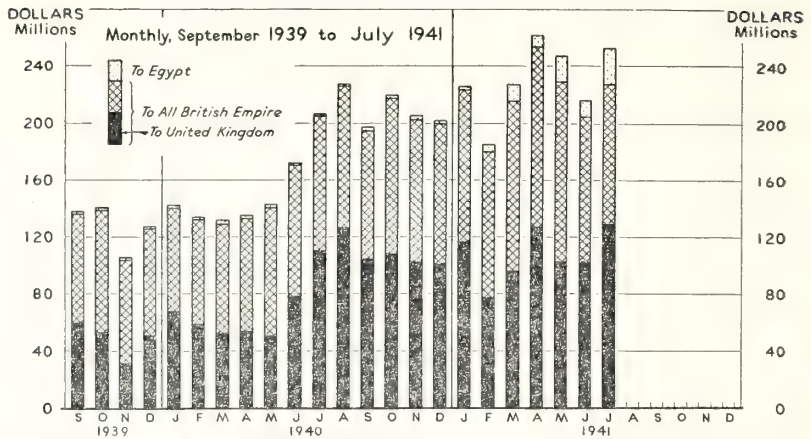
Prior to the passage of the Lend-Lease Act, the British and other foreign governments had placed contracts with American suppliers for the production of planes, tanks, guns, machine tools, and other defense articles. Large sums of money were expended for the expansion of existing facilities and for the creation of new plants. By January 1941 over 3 billion dollars of British contracts alone had been placed in the United States. These foreign orders strengthened our own defense by increasing our productive armament capacity.

The process of elimination of European countries on a "one by one" basis created a danger which the United States could not afford to ignore. As the threat of aggression pressed ever closer to our security, experience demonstrated that only through the united efforts and united resources of the remaining free nations of the world could our own freedom be preserved. By the passage of the Lend-Lease Act on March 11, 1941, this country proclaimed its intention to supply defense articles to any nation which, in using them, could contribute effectively to the defense of the United States.

Present operations under the Lend-Lease Act cannot alone give a true picture of the part being played by the United States in strengthening resistance to aggression wherever it is found. Today, the true measure of the aid rendered by American shops and farms to the countries resisting aggression is represented by the combination of aid under the Lend-Lease Act and of materials delivered pursuant to contracts placed by the governments of the countries from their own resources. The following charts are illustrative of this aid:



# UNITED STATES EXPORTS\* TO THE BRITISH EMPIRE AND EGYPT



\*Including reexports



## CHAPTER II

### GENERAL SUMMARY OF LEND-LEASE OPERATIONS

Much progress has been made in implementing the objectives of the Lend-Lease Act since March 11, 1941. As of August 31, 5,373 requests for defense articles and services had been received by the Division of Defense Aid Reports from 12 different countries.

Tables showing requisitions received, by countries, and distribution of requisitions received, by cognizant United States agencies, follow:

#### *Requisitions received through Aug. 31, 1941*

Country	Requisitions received		
	Lend-Lease	Cash reimbursement	Total
Belgium.....	18		18
Brazil.....	46	10	56
Chile.....	22		22
China.....	320		320
Colombia.....	1		1
Cuba.....	49		49
Dominican Republic.....	41	27	68
Greece.....	16		16
Netherlands.....	7	29	36
Norway.....	7	1	8
Poland.....	32		32
United Kingdom.....	4,736	11	4,747
Total.....	5,295	78	5,373

#### *Distribution of requisitions by cognizant United States agencies*

Country	War	Treasury	Maritime Commission	Navy	Joint Aircraft Committee	Agriculture	Other <sup>1</sup>	Total
Belgium.....	18							18
Brazil.....	55			1				56
Chile.....	22							22
China.....	159	134	17		8		2	320
Colombia.....				1				1
Cuba.....	33			11	5			49
Dominican Republic.....	39			29				68
Greece.....	7		2				7	16
Netherlands.....	29			6			1	36
Norway.....	4			3	1			8
Poland.....	32							32
United Kingdom.....	2,634	891	448	374	213	158	29	4,747
Total.....	3,032	1,025	467	425	227	158	39	5,373

<sup>1</sup> Includes requisitions cancelled and held.



All requests for lend-lease aid are carefully scrutinized and checked by the Division of Defense Aid Reports, by the Bureau of the Budget, and by the staff of the procuring agency concerned, i. e., either the Army, Navy, Maritime Commission, Department of Agriculture, or Treasury Procurement Division. All items not essential to the successful prosecution of the war effort are eliminated. The governments receiving lend-lease aid have been scrupulous to limit their requests to vital needs. No requests for such items as living or administrative expenses of any foreign purchasing commission or agency have been made.

Total allocations under the Lend-Lease Act which amounted to \$4,277,412,879 as of May 31, had increased to \$6,281,237,421 by August 31, or from 61 percent to 90 percent of the available appropriation. Thus, 90 percent of the appropriation has been allocated on the basis of specific requisitions and has passed from the stage of planning into active procurement operations. Within 6 weeks no funds should remain to meet requests which already total much in excess of unallocated balances.

Obligations as of August 31 totaled \$3,555,587,895, or three and one-half times the May 31 figure of \$995,015,322. Furthermore, whereas on May 31 obligations were only 23 percent of allocations, on August 31, 57 percent of allocations had been obligated.

Exports of defense articles provided under lend-lease during the 3 months ended August 31, 1941, totaled eight times such exports in the period between March 11 and May 31, 1941, indicating the steadily accelerating pace of defense aid.

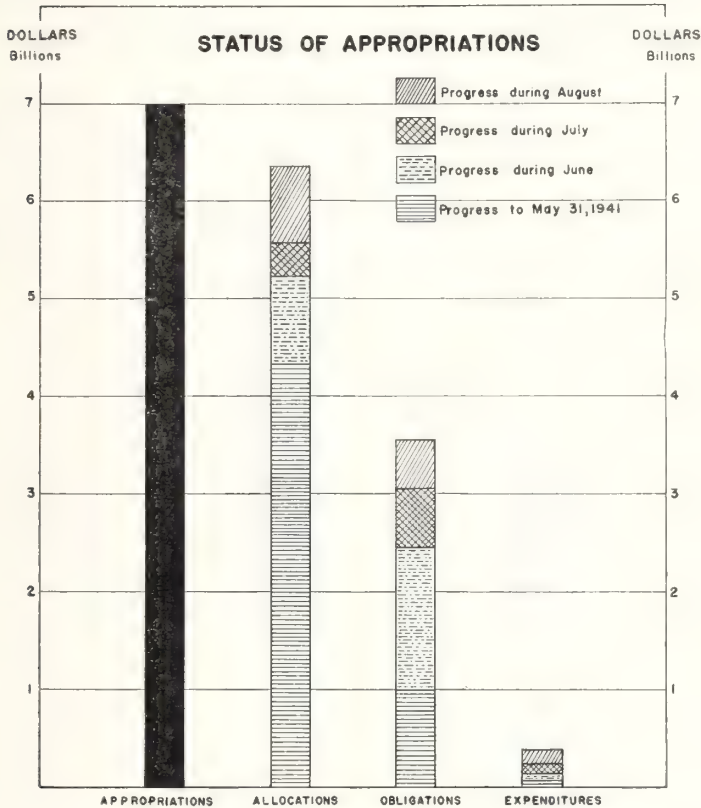
Total defense articles exported under the act during the period from March 11 through August 31, 1941, were valued at \$190,447,670, of which 89 percent were exported in the 90 days ended August 31. During the period from March 11 to June 1, 1941, exports amounted to only 29 percent of transfers made. During the period of June 1 through August 31, 1941, however, exports were 98 percent of transfers made. This demonstrates the fact that lend-lease goods are now being transported and absorbed by shipping very nearly as rapidly as they are being made available.

A graphic presentation of progress under the Lend-Lease Act and of the relationship of exports to transfers is given in the pages following.



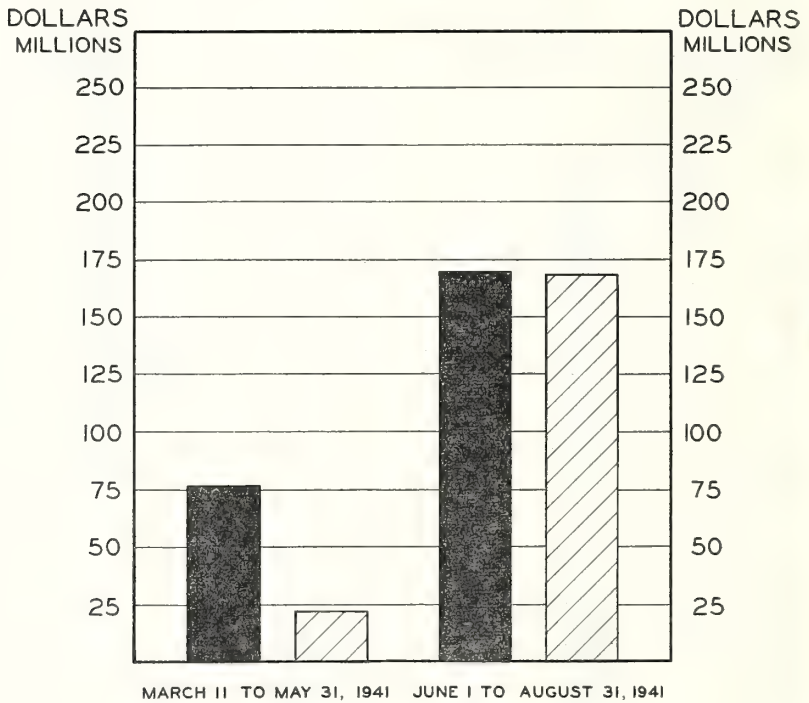
# CHART OF PROGRESS

UNDER AN ACT TO PROMOTE THE DEFENSE OF THE UNITED STATES





# TRANSFERS AND EXPORTS UNDER LEND-LEASE ACT



TRANSFERS



EXPORTS



## CHAPTER III

### LEND-LEASE OPERATIONS

#### 1. PROCUREMENT PROCEDURES

The administration of the Lend-Lease Act and its related activities is the duty of the Division of Defense Aid Reports in the Office for Emergency Management of the Executive Office of the President. Through this office flow the actual requisitions for defense articles, the recommendations of the various operating departments, as well as the control records of all allocations, transfers, contracts, and shipments.

If a requisition is approved and an allocation of funds is made by the President, procurement is undertaken by the department concerned in accordance with its normal procurement procedure. The necessary priorities to insure prompt delivery are arranged through the procuring agency. Additions to facilities, if necessary, are worked out with the appropriate authorities, and the transportation of the finished goods is planned with the assistance of transportation specialists in various fields. Official action on such requisitions can only be taken if, on the one hand, a formal request has been made by the properly accredited representative of the foreign government, and, on the other, a formal recommendation with respect to this request has been submitted by the United States Government agency best qualified to deal with the particular item.

In addition to the foregoing, a foreign country in the lend-lease area may file a requisition with the Division of Defense Aid Reports for the purchase of a specific item on a "cash reimbursement" basis. This system of purchasing provides for the procurement of an item in precisely the same way as that used for other lend-lease operations, with the exception that the foreign government deposits cash with the United States Treasury against the value of the goods to be purchased.

The use of the lend-lease mechanism for the making of such purchases is beneficial to the United States defense program because, under such a system, foreign orders, even though paid for in advance, become United States Government contracts under the supervision and control of United States Government agencies. This obviates the need for separate foreign priority ratings as well as limiting the chances for conflicting production, exorbitant prices, and the misuse of raw materials, labor, and plant facilities.



During the 3 months ended August 31, 1941, there occurred the first so-called "cash reimbursement" transactions under the Lend-Lease Act. A total of \$4,206,440 was deposited with the United States Treasury during the period by four countries to cover purchases of defense articles procured for them by United States Government agencies. These deposits were distributed by countries and by procuring United States Government departments as follows:

Country	Cognizant department		Total
	War	Navy	
Brazil.....	\$1, 170, 000. 00		\$1, 170, 000. 00
Canada.....		\$597, 900. 00	597, 900. 00
Dominican Republic.....		126, 766. 22	126, 766. 22
The Netherlands.....	1, 660, 090. 65	651, 684. 00	2, 311, 774. 65
Total.....	2, 830, 090. 65	1, 376, 350. 22	4, 206, 440. 87

Besides these two procurement operations under the provisions of the Lend-Lease Act, the Division of Defense Aid Reports has assisted foreign governments in the lend-lease area in making direct cash contracts with American suppliers for the purchase of defense articles. Certain countries, such as the Netherlands East Indies and China, have continued to place cash orders in the United States.

In order that such direct cash operations may be made more effective, foreign governments file a Purchase Negotiation Report for the purpose of securing an allocation of production capacity, adequate priority ratings, and information as to sources of supply. The Division of Defense Aid Reports clears all Purchase Negotiation Reports with the Office of Production Management which, in turn, coordinates the views of the War and Navy Departments with its own, so that a composite recommendation may be made to the foreign government requesting such help.

During the period since March 11th close to 1,200 Purchase Negotiation Reports were received by the Division of Defense Aid Reports. Of these, around two-thirds were filed on behalf of The Netherlands, around 10 percent on behalf of China, and the remainder by other countries.

In connection with the foregoing, it should be pointed out that in some instances Purchase Negotiation Reports are filed by such countries as the United Kingdom and China where the particular items involved may not be "lend-leasable" or where as an administrative matter a direct cash transaction is desirable.



## 2. ALLOCATIONS, OBLIGATIONS, AND EXPENDITURES

Allocations of defense-aid funds are made on the basis of recommendations from the cognizant United States Government agencies. The agencies are then empowered to obligate the money so provided for the procurement contemplated by the related requisitions. The Defense Aid Supplemental Appropriation Act, 1941, made \$7,000,000,000 available for lend-lease purposes.<sup>1</sup> Of this amount, \$6,281,237,421, or approximately 90 percent, had been allocated and \$3,555,587,895 obligated by August 31, 1941. On May 31 expenditures totaled \$68,078,942 and increased to \$388,912,155 on August 31.<sup>2</sup>

Total allocations, obligations, and expenditures at August 31 by individual agencies and by appropriation categories are shown in the tables below:

*Allocations, obligations, and expenditures under the Defense Aid Supplemental Appropriation Act, 1941, by departments, as of Aug. 31, 1941*

Department or agency	Allocations	Obligations	Expenditures
War Department.....	\$3,741,418,274	\$2,247,892,241.87	\$45,210,506.45
Navy Department.....	1,105,743,081	318,568,905.12	34,541,071.31
Maritime Commission.....	651,864,023	617,149,075.43	183,931,680.65
Treasury Department.....	348,495,118	120,453,401.55	14,568,804.21
Department of Agriculture.....	433,411,925	251,442,610.43	110,609,049.89
Federal Security Agency.....	140,000		
Department of State.....	15,000		
Executive Office of the President.....	25,000	5,480.89	5,270.89
Office for Emergency Management.....	100,000	73,557.36	43,108.90
Bureau of the Budget.....	25,000	2,622.75	2,622.75
Total.....	6,281,237,421	3,555,587,895.40	388,912,115.05

*Allocations, obligations, and expenditures under the Defense Aid Supplemental Appropriation Act, 1941, by appropriation categories, as of Aug. 31, 1941*

Appropriation category	Allocations	Obligations	Expenditures
Ordnance and ordnance stores.....	\$1,422,145,460	\$584,476,115.46	\$16,663,550.79
Aircraft and aeronautical material.....	2,027,398,269	1,347,140,839.54	19,297,791.66
Tanks and other vehicles.....	394,032,238	222,247,262.50	9,252,525.81
Vessels and other watercraft.....	699,496,490	588,277,440.71	109,617,971.87
Miscellaneous military equipment.....	112,741,205	55,862,860.69	6,290,855.73
Facilities and equipment.....	501,913,530	262,160,386.01	41,202,695.68
Agricultural, industrial, and other commodities.....	975,008,578	428,471,283.00	152,476,446.07
Testing, reconditioning, etc., of defense articles.....	130,092,571	65,163,231.89	32,672,182.33
Services and expenses.....	13,350,506	1,463,123.44	1,231,670.37
Administrative expenses.....	5,058,574	325,352.16	206,424.74
Total.....	6,281,237,421	3,555,587,895.40	388,912,115.05

<sup>1</sup> Of this amount, \$13,000,000 was used to reimburse the Treasury Department for Coast Guard vessels transferred to the United Kingdom, leaving \$6,987,000,000 available for allocation.

<sup>2</sup> Expenditures represent that part of obligated funds to which a claim has been established by a supplier on the basis of articles or services either completed or in process.



The significance of these allocations and obligations can best be illustrated by an analysis of the variety and types of defense articles to which they relate. For example, a billion and a quarter dollars has been allocated for bombers; over a half billion for ammunition; over a half billion for merchant shipping; over \$350,000,000 for food; and over \$200,000,000 for tanks and combat vehicles. About \$440,000,000 has been allocated for the development of facilities for the production and distribution of defense articles, which will be a permanent addition to our defense plant.

Almost a billion has already been obligated for the production of bombers; almost a half billion for merchant shipping; over a quarter billion for ammunition; and over \$125,000,000 for tanks.

The following table shows how lend-lease funds have been allocated and obligated for various types of equipment, commodities, and services.

*Allocations, obligations, and expenditures under the Defense Aid Supplemental Appropriation Act, 1941, by appropriation categories and purpose classifications, as of Aug. 31, 1941*

Appropriation category and purpose classification	Allocations	Obligations	Expenditures
<b>Ordnance and stores:</b>			
<b>Ammunition:</b>			
Small-arms ammunition.....	\$113,349,476.00	\$69,542,589.48	\$610.36
Artillery ammunition.....	439,331,951.00	181,394,905.43	5,407,006.58
Aircraft bombs and pyrotechnics.....	20,161,560.00	4,673,942.77	836,722.80
Torpedoes.....	7,000,000.00		
Explosives, propellant powders, and miscellaneous ammunition.....	19,944,430.00	4,032,195.68	810,244.46
<b>Subtotal.....</b>	<b>599,787,417.00</b>	<b>259,643,633.36</b>	<b>7,054,584.20</b>
<b>Ordnance material:</b>			
Small arms and infantry weapons.....	121,888,772.00	36,019,754.92	1,958,552.83
Artillery material.....	90,623,426.00	52,396,396.03	90,789.67
Antiaircraft material.....	357,480,500.00	112,442,242.21	4,278,514.00
Aircraft armament.....	132,525,250.00	87,149,657.93	1,126,033.83
Miscellaneous fire control.....	32,062,554.00	2,590,241.73	
Naval guns.....	15,208,850.00	30,000,000.00	
Torpedo equipment.....	2,932,000.00	286,300.00	
Mine equipment.....	4,506,000.00	3,896,628.25	719,491.81
Miscellaneous ordnance and ordnance stores.....	1,170,766.00		
<b>Subtotal.....</b>	<b>758,398,118.00</b>	<b>324,781,221.07</b>	<b>8,173,382.14</b>
<b>Armor (naval).....</b>	<b>15,000,000.00</b>		
<b>Stock fund and shop expense—Army (net).....</b>		<b>51,261.03</b>	<b>11,240.59</b>
<b>General procurement expense.....</b>	<b>6,831,000.00</b>		
<b>Working fund for emergency purchases.....</b>	<b>400,000.00</b>		
<b>Undistributed.....</b>	<b>41,728,925.00</b>		<b>1,424,343.86</b>
<b>Total.....</b>	<b>1,422,145,460.00</b>	<b>584,476,115.46</b>	<b>16,663,550.79</b>



*Allocations, obligations, and expenditures under the Defense Aid Supplemental Appropriation Act, 1941, by appropriation categories and purpose classifications, as of Aug. 31, 1941—Continued*

Appropriation category and purpose classification	Allocations	Obligations	Expenditures
<b>Aircraft and aeronautical material:</b>			
<b>Aircraft:</b>			
Bombardment.....	\$1,286,175,700.00	\$913,878,518.12	\$3,995,034.94
Pursuit, interceptor and fighter.....	241,672,000.00	174,708,990.06	6,948.12
Observation.....	19,823,000.00	26,314,548.00	-----
Transport, utility, and other.....	50,147,000.00	48,896,797.46	2,548,934.36
Training.....	112,147,070.00	71,044,250.28	209,103.12
Subtotal.....	1,709,964,770.00	1,234,843,103.92	6,760,020.54
<b>Aircraft—Engines, spare parts and accessories:</b>			
Spare engines and engine parts.....	98,828,346.00	55,096,411.06	302,634.79
Spare propellers and spare propeller parts.....	47,000,000.00	30,074,172.09	1,210,756.96
Accessories and other parts.....	11,170,191.00	5,591,602.38	1,352,755.63
Subtotal.....	156,998,537.00	90,762,185.53	2,866,147.38
General aeronautical supplies and equipment.....	24,177,000.00	15,447,233.34	446,371.61
Construction for storage of materials, etc.....	14,583,500.00	3,080,775.43	272.90
Modernization and reconditioning of completed aircraft.....	25,000,000.00	3,007,541.32	96,406.43
General procurement expense.....	-----	-----	-----
Undistributed.....	96,674,462.00	-----	9,128,572.80
Total.....	2,027,398,269.00	1,347,140,839.54	19,297,791.66
<b>Tanks and other vehicles:</b>			
<b>Ordnance vehicles:</b>			
Tanks.....	182,173,000.00	128,783,277.00	-----
Other ordnance combat vehicles (except tanks).....	18,215,000.00	13,885,600.00	-----
Ordnance tractors and special vehicles.....	6,405,400.00	1,422.31	-----
Miscellaneous ordnance automotive supplies, spare parts, components, accessories, etc. (for ordnance combat and noncombat vehicles).....	50,371,064.00	18,549,604.22	2,344,753.40
Subtotal.....	257,164,464.00	161,219,903.53	2,344,753.40
<b>Other than ordnance vehicles:</b>			
Trucks.....	81,663,625.00	50,471,694.52	4,624,916.38
Automobiles.....	865,499.00	554,918.27	-----
Other automotive vehicles.....	7,583,150.00	5,475,562.44	491,559.80
Miscellaneous automotive supplies, spare parts, components, accessories, etc. (for other than ordnance vehicles).....	15,469,913.00	4,525,183.74	369,555.73
Storage—Handling and packing of defense articles.....	182,592.00	-----	-----
Subtotal.....	105,764,779.00	61,027,358.97	5,486,031.91
General procurement expense.....	2,277,000.00	-----	-----
Undistributed.....	28,825,995.00	-----	1,421,740.50
Total.....	394,032,238.00	222,247,262.50	9,252,525.81



*Allocations, obligations, and expenditures under the Defense Aid Supplemental Appropriation Act, 1941, by appropriation categories and purpose classifications, as of Aug. 31, 1941—Continued*

Appropriation category and purpose classification	Allocations	Obligations	Expenditures
<b>Vessels and equipment for vessels:</b>			
<b>Watercraft:</b>			
Combatant.....	\$14,854,000.00	\$557.01	\$557.01
Naval auxiliary and small craft.....	92,642,000.00	31,440,244.94	863,027.62
Merchant.....	508,422,800.00	493,913,344.54	69,211,833.54
Subtotal.....	615,918,800.00	525,354,146.49	70,075,418.17
<b>Equipage.....</b>	47,457,690.00	28,134,594.22	4,753,853.70
Rental charter of vessels.....	35,711,500.00	34,788,700.00	34,788,700.00
Working fund for emergency purchases.....	400,000.00		
Undistributed.....	8,500.00		
<b>Total.....</b>	699,496,490.00	588,277,440.71	109,617,971.87
<b>Miscellaneous military equipment, supplies and materials, quartermaster equipment, supplies, and materials:</b>			
Clothing.....	1,509,193.00	630,389.88	3,014.49
Equipage.....	4,701,579.00	3,769,253.57	1,137,523.80
Kitchen, mess, and field baking equipment.....	557,335.00	451,997.60	4,110.50
Tractor cranes.....	1,158,637.00		
Fuel.....	5,012,700.00	25,034.43	25,034.43
Provisions.....	570,000.00	1,616.68	1,616.68
Storage—Handling and packing of defense articles.....	459,809.00	2,730.79	2,730.79
Miscellaneous quartermaster supplies.....	10,544,670.00	3,390,595.96	54,990.32
Subtotal.....	24,513,923.00	8,271,618.91	1,229,021.01
<b>Medical equipment, supplies and material.....</b>	830,538.00		
Signal equipment, supplies and material.....	62,894,159.00	39,996,083.14	1,912,921.65
Chemical warfare equipment, supplies and material.....	6,266,536.00	4,223,891.06	874,490.34
Engineer equipment, supplies and material.....	8,631,201.00	3,371,267.58	300,361.95
Air Corps equipment, supplies and material.....	3,567,664.00		
Undistributed.....	6,037,184.00		1,974,060.78
<b>Total.....</b>	112,741,205.00	55,862,860.69	6,290,855.73
<b>Facilities and equipment for production:</b>			
Acquisition of land and appurtenances.....	56,640,133.00	49,194,005.79	39,531,080.74
Rental of appurtenances and facilities.....	23,000.00		
<b>Buildings:</b>			
On Government-owned property.....	126,645,729.00	114,429,952.22	
On other than Government-owned property.....	504,138.00	504,138.00	
Subtotal.....	127,149,867.00	114,934,090.22	
<b>Machinery and equipment including that for transfer.....</b>	65,378,757.00	38,095,518.09	306,911.21
Investment in facilities not owned by agency:			
Investment in facilities owned by Defense Plant Corporation.....	53,294,189.00	53,294,189.00	
General procurement expense.....			
Undistributed.....	199,427,584.00	6,642,582.91	1,364,703.73
<b>Total.....</b>	501,913,530.00	262,160,386.01	41,202,695.68



*Allocations, obligations, and expenditures under the Defense Aid Supplemental Appropriation Act, 1941, by appropriation categories and purpose classifications, as of Aug. 31, 1941—Continued*

Appropriation category and purpose classification	Allocations	Obligations	Expenditures
<b>Agricultural, industrial, and other commodities and articles:</b>			
<b>Agricultural products—Foodstuffs:</b>			
Dairy products and eggs.....	\$98,373,500.00	\$62,790,066.33	\$33,921,408.81
Meat, fish, fowl.....	121,048,300.00	66,900,300.00	26,367,807.80
Fruits, vegetables, and nuts.....	83,306,000.00	26,011,812.24	12,107,641.19
Grain and cereal products.....	10,438,500.00	7,728,312.80	4,774,233.12
Sugar, chocolate, and saccharine products.....	263,800.00	245,800.00	180,313.44
Lard, fats, and oils.....	29,150,000.00	16,164,945.47	11,784,428.32
Other foodstuffs not classified above.....	12,795,600.00	4,213,643.96	981,775.18
Subtotal.....	355,375,700.00	184,054,880.80	90,117,587.86
<b>Agricultural products—Other than foodstuffs:</b>			
Cotton.....	37,758,000.00	29,490,400.00	6,897,040.00
Tobacco.....	37,427,920.00	37,427,920.00	13,591,922.40
Other.....	614,595.00	150,000.00	.....
Subtotal.....	75,800,515.00	67,068,320.00	20,488,962.40
<b>Machinery, equipment, materials, and supplies:</b>			
Machine tools.....	66,900.00	6,376.80	.....
Agricultural implements.....	7,263,714.00	4,235,267.07	226,086.47
Road building equipment, materials, and supplies.....	6,788,694.00	5,052,443.40	829,848.58
Electrical equipment, materials, and supplies.....	5,580,123.00	764,075.26	37,744.59
Fire-fighting equipment, materials, and supplies.....	1,492,920.00	629,061.79	335,631.37
Railroad equipment, materials, and supplies.....	16,360,000.00	598,612.43	84,736.40
Other.....	13,085,301.10	5,151,047.57	18,446.80
Undistributed.....	1,678,750.00	4,958.00	4,303.00
Subtotal.....	52,316,402.10	16,441,842.32	1,536,797.21
<b>Minerals:</b>			
Iron and steel.....	128,783,948.40	53,460,341.40	5,206,102.82
Copper and brass.....	17,974,766.00	1,761,001.58	574,880.03
Aluminum.....	1,178,162.00	147,326.10	4,823.96
Zinc.....	20,907,500.00	3,759,728.67	1,848,947.46
Lead.....	936,000.00	689,011.14	170,011.14
Other metals and alloys.....	13,713,896.00	6,947,241.48	579,294.62
Nonmetallic minerals.....	8,430,500.00	.....	.....
Subtotal.....	191,924,772.40	66,764,650.37	8,384,060.03
<b>Chemicals:</b>			
Nitrates.....	500,000.00	.....	.....
Phosphates.....	12,850,000.00	4,446,047.72	636,057.37
Other.....	13,912,041.00	6,939,583.19	667,415.58
Subtotal.....	27,262,041.00	11,385,630.91	1,303,472.95
Petroleum and coal products.....	65,037,199.00	28,942,720.02	6,455,673.82
Timber products.....	13,937,480.00	2,993,726.86	.....
Equipment, materials, and other charges for naval and military bases.....	88,790,000.00	24,587,209.90	11,734,998.06
Civilian medical supplies.....	3,954,483.00	1,221,100.50	141,120.00



*Allocations, obligations, and expenditures under the Defense Aid Supplemental Appropriation Act, 1941, by appropriation categories and purpose classifications, as of Aug. 31, 1941—Continued*

Appropriation category and purpose classification	Allocations	Obligations	Expenditures
All other commodities and articles not otherwise classified.....	\$10,507,708.50	\$12,429,641.79	\$261,045.02
Training of personnel.....	764,820.00		
Outfitting vessels.....	16,378,120.00	11,862,627.12	11,862,627.12
Working fund for emergency purchases.....	10,000,000.00	718,932.41	190,101.60
General procurement expense.....	10,000.00		
Undistributed.....	32,949,337.00		
<b>Total.....</b>	<b>975,008,578.00</b>	<b>428,471,283.00</b>	<b>152,476,446.07</b>
<b>Servicing of defense articles:</b>			
Vessels.....	99,052,903.00	63,344,243.85	32,084,513.24
Other defense articles.....	20,976,468.00	90,000.00	43,358.16
Defense-aid stores.....	10,000,000.00	1,728,988.04	544,310.93
Undistributed.....	63,200.00		
<b>Total.....</b>	<b>130,092,571.00</b>	<b>65,163,231.89</b>	<b>32,672,182.33</b>
<b>Miscellaneous services and expenses:</b>			
Transportation and freight.....	3,394,700.00	1,208,470.39	1,028,228.57
Miscellaneous and contingent expenses.....	5,570,806.00	253,104.95	192,699.18
Survey of port facilities.....	25,000.00	1,548.10	300.00
Undistributed.....	4,360,000.00		10,442.62
<b>Total.....</b>	<b>13,350,506.00</b>	<b>1,463,123.44</b>	<b>1,231,670.37</b>
Administrative expenses.....	5,058,574.00	325,352.16	206,424.74
<b>Grand total.....</b>	<b>6,281,237,421.00</b>	<b>3,555,587,895.40</b>	<b>388,912,115.05</b>

As noted in the table above, during the period from March 11 through August 31, 1941, \$501,913,530 was allocated for facilities and equipment, of which \$61,431,593 was allocated for the procurement of machine tools needed by Britain and China.

Funds for additional facilities were distributed among the War Department, Navy Department, Treasury Department, and the Maritime Commission, and covered a total of 86 projects in this country plus tools for export. The distribution of these funds and projects among the several departments was as follows:

Department	Amount allocated	Number of projects
<b>FACILITIES IN THE UNITED STATES</b>		
Maritime.....	\$50,000,000	15
Navy.....	97,980,000	33
War.....	292,501,937	38
<b>MACHINE TOOLS FOR EXPORT</b>		
Treasury.....	278,591	-----
War.....	61,153,002	-----
<b>Total.....</b>	<b>501,913,530</b>	<b>86</b>



An analysis of allocations for facilities, by agencies and subclassifications follows:

#### ALLOCATIONS FOR FACILITIES

##### War Department:

Ordnance Department.....	\$152, 330, 000	
Air Corps.....	102, 141, 737	
Chemical Warfare.....	16, 677, 200	
Corps of Engineers.....	6, 000, 000	
Quartermaster Corps.....	15, 000, 000	
Machine tools.....	61, 153, 002	
Transportation items.....	353, 000	
		\$353, 654, 939

##### Navy Department:

Bureau of Ordnance.....	57, 720, 000	
Bureau of Ships.....	2, 685, 000	
Bureau of Yards and Docks.....	575, 000	
Bureau of Aeronautics.....	37, 000, 000	
		97, 980, 000

##### Maritime Commission:

Additional shipways.....	49, 200, 000	
Plant for turbines.....	800, 000	
		50, 000, 000

##### Treasury Department:

Machine tools.....	278, 591	
		278, 591

Total.....		501, 913, 530
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With the help of lend-lease funds, the productive capacity of this country has thus been increased tremendously. Facilities for bombs, for planes, and for ships are now being built. Shipways in nine States are now under construction and are scheduled for completion by the end of this year.

### 3. TRANSFERS

Defense articles transferred to foreign governments totaled \$246,-394,372 at August 31, 1941, in contrast to only \$75,202,426 at May 31, 1941. These figures include defense articles procured under the Defense Aid Supplemental Appropriation Act, 1941, and defense articles procured with appropriations made prior to March 11, 1941. Summary of such transfers by departments and categories is as follows:



*Defense articles transferred under the Lend-Lease Act, by departments, as of Aug. 31, 1941*

Department or agency	From appropriations made prior to Mar. 11, 1941	From Defense Aid Supplemental Appropriation Act	Total
War Department.....	\$60,377,531.52	\$14,024,216.07	\$74,401,747.59
Navy Department.....	13,683,283.39	7,358,646.18	21,041,929.57
Maritime Commission.....	10,492,908.01	2,057,124.83	12,550,032.84
Treasury Department.....	13,256,000.00	14,538,111.41	27,794,111.41
Department of Agriculture.....		110,606,550.26	110,606,550.26
Total.....	97,809,722.92	148,584,648.75	246,394,371.67

*Defense articles transferred under the Lend-Lease Act, by appropriation categories, as of Aug. 31, 1941*

Appropriation category	From appropriations made prior to Mar. 11, 1941	From Defense Aid Supplemental Appropriation Act	Total
Ordnance and ordnance stores.....	\$41,791,789.90	\$3,314,651.24	\$45,106,441.14
Aircraft and aeronautical material.....	3,924,025.14	4,952,704.43	8,876,729.57
Tanks and other vehicles.....	16,570,807.18	7,830,785.31	24,401,592.49
Vessels and other watercraft.....	31,936,636.71	1,889,004.46	33,825,641.17
Miscellaneous military equipment.....	3,531,837.81	1,157,934.51	4,689,772.32
Facilities and equipment.....		318,671.56	318,671.56
Agricultural, industrial, and other commodities.....		128,465,806.41	128,465,806.41
Testing, reconditioning, etc., of defense articles.....	54,626.18	641,140.83	695,767.01
Services and expenses.....		13,950.00	13,950.00
Total.....	97,809,722.92	148,584,648.75	246,394,371.67

To maintain an accurate record of defense articles transferred to other nations, the Division of Defense Aid Reports has established a standard procedure for all cooperating departments and agencies with respect to receipts required from foreign governments in connection with such transfers.

In addition to transfers of defense articles amounting to \$246,394,371, the aid already rendered has included completed defense services and partial transfers on defense projects totaling \$78,169,377. This aid is made up of the following items:

Item	Amount
(1) Testing and reconditioning of vessels and other defense articles.....	\$15,211,683.89
(2) Outfitting vessels with agricultural, industrial, and other commodities.....	11,862,627.12
(3) Equipment, supplies, and material for vessels.....	4,571,368.78
(4) Rental and charter hire of vessels.....	34,788,700.00
(5) Military and naval bases.....	11,734,998.06
Total.....	78,169,377.85



The nature of these items is such that their true importance cannot be gained from a mere examination of their titles and value. Accordingly, a fuller description is given in Chapter V of such of these items as may be appropriately discussed, consideration being had for the necessity of withholding information of military value.

#### 4. EXPORTS

Defense articles have been exported to the theaters of war, and to the industrial centers of the nations resisting aggression throughout the world. While 70 percent of total exports have gone to the United Kingdom, substantial assistance has also been given to the allied fighting forces in the Middle East. In summary, the value of defense articles exported to the various areas was as follows:

*Exports of lend-lease cargoes, Aug. 31, 1941*

Category	United Kingdom, Middle East, and Africa	Western Hemisphere	Others	Total
Ordnance and ordnance stores.....	\$35,498,809	\$3,000	\$273,712	\$35,775,521
Aircraft and aeronautical material.....	6,016,145			6,016,145
Tanks and other vehicles.....	26,260,631		1,903,098	28,163,729
Vessels and other watercraft.....	2,313,720			2,313,720
Miscellaneous military equipment.....	104,017			104,017
Agricultural, industrial, and other commodities.....	115,760,348	256,088	2,058,102	118,074,538
Total.....	185,953,670	259,088	4,234,912	190,447,670

During the month of August 1941, 574,671 tons of lend-lease cargoes cleared United States ports for the United Kingdom and the Middle East.



## CHAPTER IV

### DISTRIBUTION OF LEND-LEASE MATERIALS ABROAD

The policy of the Division of Defense Aid Reports in regard to the use and distribution of lend-lease materials which have been delivered to a foreign country has been carefully explored.

The practical application of this policy has been the subject of friendly negotiation for several weeks with His Majesty's Government in the United Kingdom. On September 10, 1941, a formal memorandum covering the agreement reached between our two governments was handed to our Ambassador by Mr. Anthony Eden.<sup>1</sup>

This memorandum contains two basic assurances by the British. The first assurance is that lend-lease materials which might be available for reexport have been and will be used within the Empire, and then only for needs essential to the war effort. This assurance was required and freely given because it was the will of Congress and the American people that goods lend-leased to a country should be used by that country in the war effort. It has, therefore, been the policy, and His Majesty's Government have assured us that lend-lease articles themselves have not, and will not be, reexported.

The second basic assurance contained in this memorandum is that the British will not permit exports of materials similar to those lend-leased to them, in any manner which will enable their exporters to enter new markets or to extend their trade at the expense of United States exporters. The entire British export trade is restricted to the irreducible minimum necessary to supply or obtain materials essential to the war effort. Additional restrictions are imposed upon the export of materials similar to those obtained by the British under the Lend-Lease Act where there is a shortage of such materials in the United States.

We have recognized that the United States cannot supply the British Empire through lend-lease with everything that Britain needs for its war effort. There are essential articles that the British must obtain here which do not come within the scope of the act and there are also many things which they must obtain in other countries. Payment for these necessities can only be made through the medium of British exports. Lend-lease policy, as expressed in the September

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<sup>1</sup> The full text of the memorandum agreement is set forth in the appendix.



10 memorandum, recognizes this necessity, while at the same time affording the maximum protection to the interests of the United States.

Despite this policy, charges have been made, particularly in the three or four months after the passage of the act on March 11, 1941, that the British have been using lend-lease materials to compete with United States exporters in foreign markets, particularly in South America. These charges are without foundation, as a few facts will help to demonstrate.

The Defense Aid Supplemental Appropriation Act, 1941, was enacted on March 27, 1941. Requests for raw materials and articles available for re-export were not filed for some considerable time thereafter and shipments of such articles, e. g., semifinished steel, tinplate, etc., did not begin until mid-July or later. Thus it is almost impossible that lend-lease materials could have been fabricated and re-exported when these charges were made. The competition complained of was clearly competition from Britain's own products, and occurred at a time when Britain was rapidly depleting her own capital resources in America in order to pay for her war supplies.

This competition is steadily decreasing. British exports have declined precipitately in volume since 1937. For example, United Kingdom exports of iron and steel manufactures to points outside the Empire dropped 70 percent from 1937 to 1940. Exports of machinery and cotton piece goods each dropped 60 percent in the same period. The first 6 months of 1941 showed an even more drastic decline. For this period exports of iron and steel manufactures dropped a further 51 percent from the already low level of 1940, exports of machinery dropped a further 46 percent, and exports of cotton piece goods dropped a further 55 percent. Thus in the first 6 months of 1941 the exports of these three major categories of articles were only 14.7, 21.6, and 18.2 percent, respectively, of their 1937 level.

The memorandum of September 10, 1941, also deals with another aspect of the distribution of lend-lease materials abroad as to which the Division of Defense Aid Reports has felt a responsibility.

It has been the policy of the Division that lend-lease goods are not to be used to further any private or local interests in the countries to which they are transferred. In the great majority of cases this possibility of private gain is not present, since most types of defense articles are used or distributed directly by the government to which they are transferred. In a number of cases, however, e. g., spare parts for tractors, trucks, and machinery, etc., ordinary commercial



channels of distribution are used. It would be unwise and impracticable to superimpose a new system of government distribution upon existing commercial distribution systems, merely to take care of a relatively small portion of items being supplied under lend-lease.

In cases of commercial distribution, the Division requires, not only that existing commercial channels of distribution provide the most efficient and economical method of transmitting the defense materials to the persons by whom they are to be used, but also that no profiteering will be permitted and that there will be no discrimination against United States firms. Moreover, in the special case of food, free distribution is to be made through Government agencies wherever this is practicable. This policy, which has been consistently followed, was officially recognized in the September 10 memorandum of agreement.



## CHAPTER V

### SCOPE OF LEND-LEASE AID RENDERED

A mere recital of figures indicative of the over-all progress of the Defense Aid Program obscures the variety of assistance which has been rendered to nations whose war effort is contributing directly to the security of the United States. Only by translating these figures into food, and ships, and vital raw materials, and an infinite variety of necessary services, as well as into airplanes, and guns, and tanks, and shells, can there come a full realization of the impact of this program on the present world struggle against oppression.

#### 1. BRITISH FOOD PROGRAM

In the case of the United Kingdom, for instance, hundreds of thousands of tons of food have gone safely across the North Atlantic to maintain the health and stamina of British workingmen and British soldiers. The army of today, more than ever before, depends upon the workingmen behind the lines who produce the instruments of modern war. The American farmers have contributed much to the maintenance and expansion of Britain's war effort and through this to the defense of the United States.

The food program reflects interesting changes in the United Kingdom's sources of supply of agricultural products since the war began. In the pre-war period, the United States supplied to the United Kingdom primarily such items as tobacco, cotton, and fresh fruits. Now, however, with the Northern European sources of food cut off, the United States is being called upon for more of the essential food-stuffs such as fats and protein foods. Because of the shipping situation, including the shortage of refrigerated space, emphasis is on concentrates, and thus dried or canned fruits are shipped rather than the fresh products.

Some of the more important items delivered through August 31, were:

	<i>Amount delivered</i>
Cheese.....	44,538,120 pounds.
Dried eggs.....	2,877,317 pounds.
Frozen eggs.....	23,124,750 pounds.
Dry skim milk.....	12,590,617 pounds.
Evaporated milk.....	2,957,796 cases.
Canned meat.....	21,541,281 pounds.
Cured pork.....	89,741,480 pounds.
Dried beans.....	110,948,900 pounds.

One of the chief problems in this field has been the difficulty in supplying to the United Kingdom large quantities of commodities not



ordinarily produced in excess of our own domestic requirements. In a number of cases the United States has in the past depended upon substantial imports of such commodities for its own use. The Department of Agriculture has proceeded on the assumption that this problem must be solved through increased production and has, therefore, embarked on an energetic campaign to this end.

## 2. SHIPPING ACTIVITIES

Food and other products, however, cannot reach the United Kingdom or her fighting forces in other parts of the world unless transportation is provided. Ships are being made available to Great Britain and China from the American merchant marine, operated in some cases by American companies and American seamen where the Neutrality Act allows. Vessels of Great Britain, Greece, Norway, Belgium, and Yugoslavia, have been repaired, fueled, provisioned, and fitted out with mine protection and defense equipment to enable them to transport defense articles.

On April 14, the President, under the Lend-Lease Act, authorized the Maritime Commission to expend \$500,000,000 for the construction of new ships and \$50,000,000 for shipbuilding facilities. The Commission promptly thereafter entered into contracts to build 212 vessels, including 112 of the Liberty type, 72 tankers, and 28 fast cargo vessels of different sizes and speeds, adapted to the needs of American foreign commerce and designed by the Maritime Commission under its long-range construction program. Since the original allocation, the 72 tankers contracted for under lend-lease have been increased to 87. In addition to the larger cargo vessels and tankers, the Commission is also currently negotiating lend-lease contracts for 36 small coastwise vessels, 16 small tankers, and 26 harbor tugs.

It is estimated that the entire lend-lease ship construction program will be completed by the end of December 1943, with the heaviest deliveries occurring in the second, third, and fourth quarters of 1942, and the first quarter of 1943, during which time lend-lease vessel deliveries will average one a day. The lend-lease program, of course, is separate from the Maritime Commission's other emergency programs under which there are being constructed 1,090 cargo vessels and tankers.<sup>1</sup>

Through charter and freighting arrangements, there had also been made available out of the American merchant marine a large number of cargo vessels and tankers for the transportation of defense articles under lend-lease up to September 1, 1941.

<sup>1</sup> The First Supplemental Appropriation Act for the fiscal year 1942 empowers the Maritime Commission to acquire and construct merchant vessels through appropriations and contract authorizations in a total amount of \$1,698,650,000. This appropriation act also empowers the President, when he deems it in the interest of the defense of the United States, to lease under the provisions of the Lend-Lease Act any of the ships acquired or constructed under such authorization or appropriation.



### 3. VARIETY OF AID MADE AVAILABLE

These vessels have carried many cargoes, since the achievement of a maximum war effort requires far more in the way of supplies than merely arms and ammunition. The supplying of essential machine tools or critical raw materials to British users may well result in 10 or 100 times their value in terms of arms and ammunition eventually finding its way to Britain's battle fronts. To this end, critical examination has been and is being made of the war effort of the entire British Empire, so that the most efficient use possible may be made of United States resources in promoting its defense through maintaining the productive capacity of others.

In the strictly military field, the United States has benefited through the military secrets which have been freely disclosed to this Nation. From such information have been evolved jointly designed weapons, combining the best thought of the armed forces of this country and of Great Britain, and incorporating the result of actual combat experience which otherwise it would be impossible to secure.

Through the Lend-Lease Act we have also helped to break down the barriers of time and space which obstruct the prompt delivery of the products of our factories to the battle front. The Air Corps Ferrying Command, financed with lend-lease funds, has undertaken the task of flying the bombers and pursuit planes which our factories are producing under British and lend-lease contracts to points in the east where the bombers are taken over by the British for flight to England, and the smaller craft are broken down for shipment.

The work of lend-lease funds in delivering the implements of war is not confined to this continent. Planes are soon to be ferried to the Middle East and an air transport service is to be established to return the ferry personnel and carry the spare parts and materials necessary for the effective delivery of these aircraft.

As more and more airplanes are made available to the Royal Air Force by increased production here and in the British Empire, the need for pilots mounts steadily. Arrangements have been made to train thousands of young British pilots here in the United States, so that when they return to England they can take their places in the front lines and be fully equipped to fly modern American planes. This training has already begun. It will be carried on in Army, Navy, and private air schools, and the aircraft, fuel, and equipment are being provided through lend-lease.

### 4. CHINA

In the case of China, as with Britain, a major task has been to improve, extend, and make secure the long communication lines over which defense articles must be delivered. Cargo vessels have been supplied by the United States Maritime Commission to carry needed



goods over the long voyage to Rangoon, Burma, the principal remaining port of entry into Free China.

Overland transport into Free China requires the use of highways, railroads, waterways, and airlines. Fundamental steps have been taken to strengthen these vital routes. Paving materials have been delivered and applied to the resurfacing of China's life-line, the Burma Road, and a growing fleet of lend-lease trucks is in operation on Chinese arteries of military and essential civilian supply. Regular shipments of gasoline, motor oils, spare parts, and tires are being provided to service these trucks and other vehicles.

China's virtually limitless manpower, which built the Burma Road unaided, is now harnessed to lend-lease equipment and materials, in the tremendous job of rushing a railroad through malarial Yunnan Province. Under the direction of the United States Public Health Service, a mission is being sent to protect the lives and health of workers on this vital project.

The protection of China's highways and railroads, her airfields and cities from wanton aerial attack requires fleets of modern fighter planes. Lend-lease contracts have been concluded during the past quarter to reinforce the Chinese Air Force by early shipments of this class of equipment.

To advise and consult with Chinese authorities concerning the use of the defense articles already provided them under lend-lease procedure, as well as those scheduled for future delivery, there has been organized a military mission, which is even now proceeding to Free China. It is expected that the observations of this mission, and conferences with the leaders of the armed forces of China, will determine the types of defense equipment best adapted to the actual conditions of warfare in that country, and will insure the effective use of the equipment provided.

## 5. GOVERNMENTS IN EXILE

In providing for our defense, full consideration has also been given to the requirements of those European countries now occupied by the aggressor. These nations are represented politically by governments in exile; physically, by civilian workers, soldiers, and sailors operating throughout the world for a common cause.

Poland stands out as the first country overrun by the invader. Poles from the United States and Canada are joining together in a Canadian training camp, preparing to take their part in their country's fight. And from this country, guns, ammunition, and clothing are being supplied to the Polish Government for this venture under the terms of the act. Also, the Polish merchant marine has received the equipment necessary to carry on under the dangerous conditions imposed by modern warfare at sea.



Greek troops, after the brave defense of their country, managed to escape in some numbers to British territory in the Middle East. Here they are re-forming their units, re-equipping themselves with the United States material now reaching that area in increasing quantity and preparing to meet the enemy anew.

Yugoslavia is also represented by a Middle East Legion, toughened by experience and ready to use the military and naval equipment as made available to it under the Lend-Lease Act.

Norway is represented principally by her merchant sailors. American degaussing cable today protects Norwegian ships against mines, United States-supplied guns have been installed on decks against aircraft and submarine attack, and in shipyards from the Caribbean to Maine, Norwegian ships are today being repaired after suffering bomb and shell damage in the vital job of transporting the goods.

#### 6. BELGIUM

Only in the case of Belgium and the Netherlands, among the occupied nations, does there still exist free national soil which these governments can defend. The Belgian Congo has obtained from this country scout cars, machine guns, aircraft, and hospital equipment, among other items, for the use, not only of its troops regularly stationed there, but of free Belgians who are re-forming their lines in that free territory.

#### 7. THE NETHERLANDS

The Netherlands is showing that in her colonies in the East and West Indies, and in Surinam, there is being maintained the spirit of stolid resistance which the world has come to expect of this people. The Netherlands East Indies are a strong force for peace in the Pacific. Furthermore, the world looks to this Empire for a large part of its supplies of rubber; of bauxite, from which comes the aluminum for our airplanes; of tin; and of quinine. To enable these territories to protect themselves, we have made available to The Netherlands Government the use of our strained productive facilities. For such products as The Netherlands have obtained they have paid in cash. There have been shipped to the Indies from the United States arms and ammunition of all kinds; bomber, fighter, and trainer aircraft; naval boats and tanks; as well as a wide assortment of commercial goods urgently needed for the minimum existence level of this island territory cut off from its home source of supplies.

#### 8. THE AMERICAN REPUBLICS

In furtherance of the strategic requirements for adequate defense of this Nation through complete defense of the Western Hemisphere, steps are being taken to provide the other American Republics with the equipment and materials vitally needed as insurance against



aggression. This decision follows an extensive analysis of the various essential requirements of each individual country, as well as of its relative position in the total defense of the Western Hemisphere.

Naturally, the bulk of current production must go to those nations which are now actively resisting aggression and to the building up of the defenses of the United States. Yet, it has been found necessary to develop a broad program of aid to the American Republics which will assure to them the material required for the development of a dynamic defense.

Through the cooperation of the Departments of State, War, and Navy, these programs are rapidly being reduced to lend-lease requisitions, and these requisitions will be implemented by the necessary allocations of funds and placement of orders as rapidly as possible.

In this connection it should be noted that two of the American Republics, Brazil and the Dominican Republic, have already utilized lend-lease facilities and paid over a million and a quarter dollars to secure military supplies on a cash reimbursement basis.

#### 9. FOREIGN REPRESENTATION

The Division of Defense Aid Reports maintains constant relations with the representatives of those countries whose defense the President has found to be essential to that of the United States. Programs of those nations for the continuous expansion of their war effort are constantly before us for integration with the United States program as a whole, and the lend-lease program in particular.

To carry out a program as large and as broad in scope as the lend-lease program would be impossible without the benefit of "on the spot" reports from competent United States representatives. In the administration of the lend-lease program, liberal use has been made of the diplomatic, military, and naval missions abroad. In addition, there have been established in the United States Embassy at London, and at the United States Legation at Cairo, Egypt, full-time representatives serving the lend-lease program. These sources of information will shortly be augmented by the military mission which is now en route to China.



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## APPENDICES

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## APPENDIX I

### MEMORANDUM ON DISTRIBUTION OF LEND-LEASE MATERIALS ABROAD

FOREIGN OFFICE, S. W. 1,  
10th September, 1941.

MY DEAR AMBASSADOR: With reference to the conversations about lend-lease material which have recently taken place in London and in which you have participated, I enclose a memorandum on the policy of His Majesty's Government in the United Kingdom with regard to exports from this country and with regard to the distribution here of lend-lease material. I shall be glad if you will transmit it to your Government.

Yours sincerely,

ANTHONY EDEN.

His Excellency The Honourable John G. Winant.

LONDON, September 10, 1941.

DEAR MR. EDEN: Thank you for your letter of September 10th, enclosing a memorandum on United Kingdom export policy and on the distribution of lend-lease material. I have caused the memorandum to be transmitted immediately to Washington for the information of my Government.

Sincerely yours,

JOHN G. WINANT.

The Right Honorable Anthony Eden, M. C. M. P., etc., etc., etc., Foreign Office, S. W. 1.

### MEMORANDUM

1. All materials which we obtain under the Lend-Lease Act are required for the prosecution of the war effort. This principle governs all questions of the distribution and use of such goods and His Majesty's Government have taken and will continue to take action to secure that these goods are not in any case diverted to the furtherance of private interests.

#### Export Policy

2. Lend-lease materials sent to this country have not been used for export and every effort will be made in the future to ensure that they are not used for export, subject to the principle that where complete physical segregation of lend-lease materials is impracticable domestic consumption of the material in question shall be at least equal to the amounts received under lend-lease.

3. His Majesty's Government have not applied and will not apply any materials similar to those supplied under lend-lease in such a way as to enable their exporters to enter new markets or to extend their export trade at the expense of United States exporters. Owing to the need to devote all available capacity and man-power to war production, the United Kingdom export trade is restricted to the irreducible minimum necessary to supply or obtain materials essential to the war effort.

4. For some time past, exports from the United Kingdom have been more and more confined to those essential (I) for the supply of vital requirements of overseas countries, particularly in the sterling empire; (II) for the acquisition of foreign exchange, particularly in the Western Hemisphere. His Majesty's Government have adopted the policy summarized below:



(I) No materials of a type the use of which is being restricted in the United States on the grounds of short supply and of which we obtain supplies from the United States either by payment or on Lend-Lease terms will be used in exports with the exception of the following special cases:

(a) Material which is needed overseas in connection with supplies essential to the war effort for ourselves and our Allies, and which cannot be obtained from the United States.

(b) Small quantities of such materials needed as minor though essential components of exports which otherwise are composed of materials not in short supply in the United States.

(c) Repair parts for British machinery and plant now in use, and machinery and plant needed, to complete installations now under construction, so long as they have already been contracted for.

Steps have been taken to prevent the export (except to Empire and Allied territories) of such goods which do not come within the exceptions referred to in (a), (b), and (c) above.

(II) Materials similar to those being provided under lend-lease which are not in short supply in the United States will not be used for export in quantities greater than those which we ourselves produce or buy from any source.

#### **Distribution in the United Kingdom of Lend-Lease Goods**

5. The general principle followed in this matter is that the remuneration received by the distributors, whatever the method of distribution, is controlled and will be no more than a fair return for the services rendered in the work of distribution. The arrangements rigorously exclude any opportunity for a speculative profit by private interests from dealing in lend-leased goods. In most cases, lend-leased supplies will be distributed through organizations acting as agents of His Majesty's Government in the strict sense of the term and not as principals. Where for strong practical reasons this cannot be done a full explanation will be supplied to the United States administration and their concurrence sought beforehand in any alternative arrangements proposed. The justification for retaining existing channels of distribution operating under strict Government control, is that the creation of elaborate new organizations in their place would inevitably result in loss of efficiency and the wasteful use of manpower, and retard the war effort. In the distribution of lend-lease goods there will be no discrimination against United States firms.

6. Food is a special case. Only some 5 or 6 percent in tonnage of the total British food supply is coming from the United States and without great practical complications it would be impossible to have a separate system for the distribution of lend-leased food. Food distribution is carried out in the United Kingdom by wholesalers, to whom the Government sells food as principals. In fact, the Ministry of Food has established a close control over all distributive margins so that neither the wholesalers nor the retailers receive any greater remuneration than is adequate to cover the cost of the services performed. No food obtained on lend-lease terms is or will be sold at uncontrolled prices. Thus the general arrangements as regards the issue of lend-leased food fit into His Majesty's Government's policy of stabilizing the whole price level of foodstuffs, a policy to which the Government contributes £100 millions a year.

7. In some cases direct free distribution is practicable and will be adopted. For example, some milk products (including lend-leased supplies from the United States) are distributed direct and free of charge to children and others in need through schools, clinics and hospitals. The distribution is undertaken by State agencies and the cost of the distribution is borne by the Government.

September 10, 1941.



## APPENDIX II

### METHODS EVOLVED TO EXPEDITE DEFENSE AID

Included in the first report to the Congress by the Division of Defense Aid Reports was a comprehensive description of the procedure being followed in carrying out the Lend-Lease Act, together with samples of the principal forms being used. Since the first report, there has been careful consideration of additional methods which would expedite the supplying of aid to countries resisting aggression. Among recent developments in procedure are the following:

#### Revolving Funds

Modern war moves with increasing rapidity and the theaters of war change overnight. With these changes come urgent requirements for new types of material and new weapons.

To meet these critical requirements, whether it be a machine tool to replace one destroyed by enemy action, or special equipment for desert operations, there have been established by the direction of the President revolving funds for the War, Navy, and Treasury Departments with which to finance immediately such urgent requests as are recommended for approval by the cognizant departments and endorsed by the Executive Officer of the Division of Defense Aid Reports.

By this authorization it is possible to initiate procurement with lend-lease funds within 24 hours after an urgent request is received from a country desiring lend-lease aid.

#### Blanket Allocations

Included in the lend-lease program are approved projects for supplying vast quantities of the same general type of defense articles. These include programs for basic raw materials such as steel which maintain the tempo of production abroad; for ship repairs which keep in service merchant and combat vessels; and for aircraft accessories which maintain the fighting efficiency of the combat air forces. These requirements cannot be particularized in advance even though the program as a whole can be closely estimated.

To provide funds for immediate action, as such requirements are made known by cable and overseas telephone, a series of blanket allocations has been made to various departments, carefully restricted as to total amount and purpose, but so established that the recipient of lend-lease aid can draw down these supplies or services as needed by direct application to the cognizant department.

#### Accelerated Transfer Directive Procedure

In accordance with the act of March 11, 1941, defense articles remain in the custody of the United States Government during the period of production and may not be transferred to a foreign government without the specific authorization of the President. Careful controls have been established so that such directives are issued only for limited periods and they are therefore subject to regular review by the President.

However, the exigencies of war and the availability of shipping space often make it imperative that transfer authorization be issued more quickly than would



be possible if the requests were processed completely. To meet this requirement the President has delegated to the Executive Officer of the Division of Defense Aid Reports authority in urgent cases to authorize the transfer of all but a limited list of especially critical items.

This power has, of course, been used sparingly, but its existence has been invaluable in the few times that it has been necessary to invoke it.

### **Simplified Adjustment Technique**

In the operation of a program as large and as broad in scope as the lend-lease program, productive efficiency and the rate of delivery can often be improved by minor adjustments upward or downward in the quantity of specific items being procured. To process such adjustments through the same procedure as the original authorization would work a tremendous hardship on the cognizant departments and discourage their efforts in the direction of accelerating the program as a whole.

To encourage the use of such adjustments by simplifying the manner in which they can be made, the President has authorized the Executive Officer of the Division of Defense Aid Reports to approve such adjustments.





















# OPERATIONS UNDER LEND-LEASE ACT

## MESSAGE

FROM THE

## PRESIDENT OF THE UNITED STATES

TRANSMITTING

PURSUANT TO LAW, THE THIRD REPORT UNDER  
THE ACT OF MARCH 11, 1941, PUBLIC LAW 11,  
SEVENTY-SEVENTH CONGRESS, ENTITLED "AN  
ACT FURTHER TO PROMOTE THE DEFENSE OF  
THE UNITED STATES, AND FOR  
OTHER PURPOSES"



DECEMBER 15, 1941.—Read; referred to the Committee on  
Foreign Relations and ordered to be printed with illustrations

UNITED STATES  
GOVERNMENT PRINTING OFFICE  
WASHINGTON : 1941







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## PRESIDENT'S LETTER OF TRANSMITTAL

THE PRESIDENT OF THE SENATE,  
THE SPEAKER OF THE HOUSE OF REPRESENTATIVES:

I am transmitting herewith to the Congress the third report of the aid which our Government has rendered under the Lend-Lease Act to the nations opposing the Axis.

We are now engaged in a total war against a group of Axis powers led by Nazi Germany and bent on world domination. Their strategy is world-wide. Ours also must be world-wide.

Underlying the Lend-Lease Act was the conception that those who were fighting the aggression of the Axis powers were fighting our potential enemies. The Axis powers now have openly declared themselves to be our enemies. We must not only help others to defeat them. We must fight them, with all the forces we have and can get.

The world-wide strategy of the Axis powers must be met with equal strategy on the part of all the nations who are joined together in resisting their aggression. Accordingly we must use the weapons from the arsenal of the democracies where they can be employed most effectively. And that means we must let Britain, Russia, China, and other nations, including those of this Hemisphere, use the weapons from that arsenal so that they can put them to most effective use. Too much is at stake in this greatest of all wars for us to neglect peoples who are or may be attacked by our common enemies.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE,  
December 12, 1941.







## Chapter 1

### LEND-LEASE PROGRESS

The Lend-Lease Administration is responsible for coordinating and expediting the procurement and delivery of Lend-Lease goods and services and operates with the assistance of the War and Navy Departments, the Maritime Commission, the Treasury Department, and the Department of Agriculture. These and other Government departments and agencies such as the State Department and the Economic Defense Board work together in the administration of the Lend-Lease program. In the past ninety days steps have been taken which have greatly accelerated the rendering of Lend-Lease aid.

This report, to the extent that the defense policy will permit, discloses the facts concerning Lend-Lease operations to November 30, 1941.

#### What Congress Has Appropriated.

To enable the President to carry out the provisions of the Lend-Lease Act, Congress has passed two appropriation acts calling for \$7,000,000,000 and \$5,985,000,000, respectively. How the money is to be spent is indicated in Table No. 1 on the following page.



## Allocations and Obligations.

Allocation of the 7 billion dollars appropriated under the first appropriation act was completed on November 13, 1941. Allocation of the second appropriation is proceeding at an accelerated rate; over 2 billion dollars, or more than one-third of the amount appropriated, has already been allocated.

Chart No. 1 shows the progress to date in allocating funds provided by the Lend-Lease appropriation acts.

### LEND-LEASE APPROPRIATIONS

First Appropriation Act—March 27, 1941

Second Appropriation Act—October 28, 1941

Millions of Dollars

Category	First Appropriation Act			Second Appropriation Act	Total First and Second Acts
	As Appropriated	Adjustment (+ or -)*	As Adjusted		
Ordnance and ordnance stores..	1,343	+117	1,460	1,190	2,650
Aircraft and aeronautical mat'l	2,054	-29	2,025	685	2,710
Tanks and other vehicles.....	362	+100	462	385	847
Ships.....	629	+149	778	850	1,628
Misc. military equipment.....	260	+16	276	155	431
Production facilities in U. S. ....	752	-150	602	375	977
Agric. and indust. commodities..	1,350	-182	1,168	1,875	3,043
Servicing, repair of ships, etc....	200	-34	166	175	341
Services and expenses.....	40	.....	40	285	325
Administrative expenses.....	10	.....	10	10	20
Total	7,000	-13	6,987	5,985	12,972

Table No. 1

\*The adjustments in connection with the first appropriation act were made in accordance with the provision of the act that permitted the transfer of not to exceed 20 percent of the amount appropriated in one category to the amount appropriated in another, so long as no appropriation was increased by more than 30 percent. The \$13,000,000 net adjustment represents the sum used to reimburse the Treasury Department for Coast Guard vessels transferred to the United Kingdom, leaving \$6,987,000,000 available for allocation to the procurement agencies.



After requests for aid from the various Lend-Lease countries have been carefully reviewed by the Lend-Lease Administration and the other Government agencies concerned, the necessary funds are allocated to the proper procurement agencies. As soon as funds are allocated, the procurement agencies proceed with the letting of contracts to suppliers for the designated goods and services. (See Chapter 6—How the Lend-Lease Program Works.)

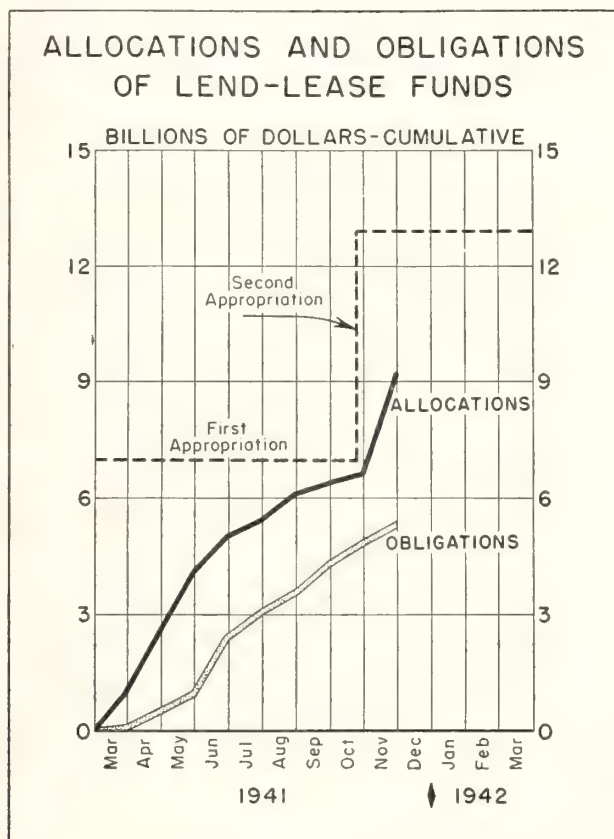


Chart No. 1

Contracts have been let for nearly two-thirds of the amount of funds allocated, and the remainder is being obligated as rapidly as possible.

Progress in the allocation and obligation of funds provided by Lend-Lease appropriations is shown in Table No. 2. The table presents the information by procurement agencies and by appropriation categories.



**ALLOCATIONS AND OBLIGATIONS**  
**Under Lend-Lease Appropriation Acts**  
**To November 30, 1941**  
 Millions of Dollars

BY PROCURING AGENCY		
Procuring Agency	Allocations	Obligations
War Department.....	5,099	2,979
Navy Department.....	2,032	819
Maritime Commission.....	788	732
Treasury Department.....	436	260
Department of Agriculture.....	831	453
Total	9,186	5,243

BY APPROPRIATION CATEGORY		
Category	Allocations	Obligations
Ordnance and ordnance stores.....	2,215	947
Aircraft and aeronautical material.....	2,040	1,727
Tanks and other vehicles.....	628	316
Ships.....	1,303	713
Miscellaneous military equipment.....	311	70
Production facilities.....	757	427
Agricultural and indust. commodities.....	1,665	930
Servicing, repair of ships, etc.....	167	109
Services and expenses.....	95	3
Administrative expenses.....	5	1
Total	9,186	5,243

Table No. 2



## Total Lend-Lease Aid.

Lend-Lease aid cannot be adequately reflected by figures alone. It includes the repair of hundreds of ships and the 2,000,000 tons of American shipping that have been made available to carry defense goods. It includes the shipways that will produce Lend-Lease ships and the training of airplane pilots for Lend-Lease countries. It includes the goods which have been completed and the facilities that are being expanded to produce more goods. It includes the raw materials and machine tools that have made it possible for the Lend-Lease countries to step up their production of war material. It includes the hundreds of things that are being done which are described in subsequent chapters.

## QUANTITIES OF NONMILITARY GOODS TRANSFERRED

To November 30, 1941

Commodity	Quantity
Meat and fish products .....	535,742,451 pounds
Milk products.....	343,301,116 pounds
Egg products.....	87,438,813 pounds
Fruits and vegetables.....	548,091,424 pounds
Grain and cereal products.....	719,834,984 pounds
Sugar and related products.....	6,058,740 pounds
Cotton linters.....	13,094,955 pounds
Raw cotton .....	439,619 bales
Leaf tobacco .....	120,822 hogsheads
Petroleum products.....	30,546,999 barrels
Fertilizer .....	447,162 tons
Iron and steel.....	1,361,492 tons
Nonferrous metals .....	63,012 tons

Table No. 3



Indicative of the magnitude of aid rendered thus far is the physical volume of nonmilitary articles transferred. Transfers of some of the more important nonmilitary items are shown in Table No. 3.

In terms of dollars, total Lend-Lease aid to November 30, 1941, amounted to more than 1.2 billion dollars, or approximately 15 percent of our total defense expenditures since the Lend-Lease Act was enacted. This figure is comprised of two things—the value of articles transferred from other than Lend-Lease appropriations,\* and expenditures under the two Lend-Lease appropriation acts. As of November 30th, the value of goods transferred from other than Lend-Lease appro-

## TOTAL LEND-LEASE AID

Millions of Dollars

Type of Aid	Cumulative to Nov. 30, 1941	Month of November 1941
Defense articles transferred.....	723	168
Articles awaiting transfer or use.....	140	40
Articles in process of manufacture.....	92	9
Servicing and repair of ships.....	79	23
Rental and charter of ships, etc.....	92	32
Production facilities in U. S.....	75	11
Miscellaneous expenses.....	1	..
Total	1,202	283

Table No. 4

priations was 138 million dollars and the total of expenditures for goods, services and production facilities, under the first and second Lend-Lease appropriation acts was 1.1 billion dollars, bringing the total of Lend-Lease aid to more than 1.2 billion dollars.

\*Section 3 of the Lend-Lease Act provides that a maximum of \$1,300,000,000 of goods procured from appropriations made prior to March 11, the date of the Lend-Lease Act, may be transferred to Lend-Lease countries.



Table No. 4 summarizes total Lend-Lease aid by principal types. "Defense Articles Transferred" represents the value of goods which have actually been transferred to the different Lend-Lease countries. "Articles Awaiting Transfer or Use" are finished articles ready to be transferred to a Lend-Lease country or to be used in the manufacture of other articles for such countries; in this category would be a finished airplane ready to be flown to the point of transfer. "Articles in Process" represents expenditures for items such as ships, upon which payment is made by the Government as the work progresses; this category does not include the great majority of Lend-Lease articles in process of manufacture which are not paid for until the finished goods are delivered. "Servicing and Repair of Ships" includes the cost of repairing, servicing and reconditioning the

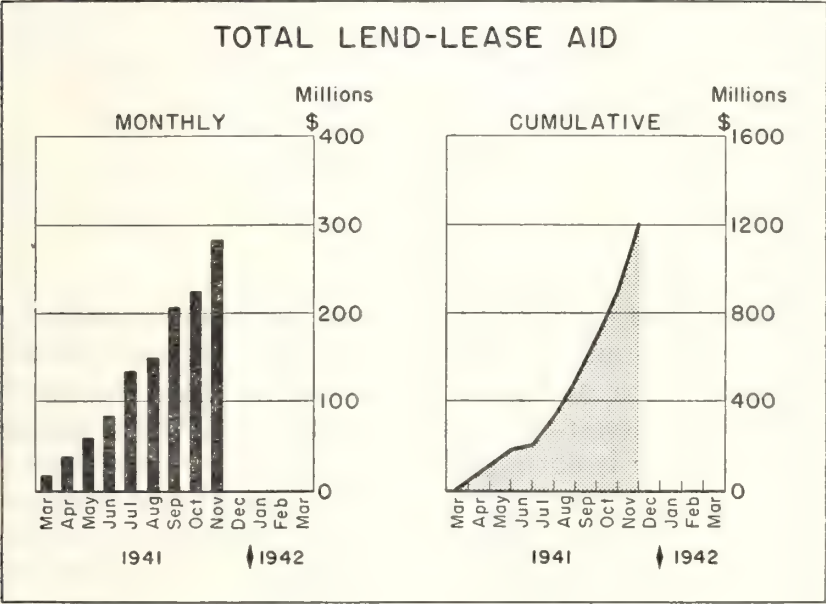


Chart No. 2

ships of Lend-Lease countries in United States ports. "Rental and Charter of Ships, etc.," represents the cost of transporting Lend-Lease cargoes to foreign countries. "Production Facilities in United States" represents production facilities being built in this country for the manufacture of Lend-Lease goods.



“Miscellaneous Expenses” includes the cost of administration and other items not otherwise classifiable.

## Acceleration in Lend-Lease Aid.

Chart No. 2 shows how Lend-Lease aid has grown. Aid each month has exceeded that of the preceding month and reached a high of 283 million dollars in November. The actual monthly amounts of aid are shown in Table No. 5.

### LEND-LEASE AID EACH MONTH

Millions of Dollars

Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.
18	40	60	85	134	150	207	225	283

Table No. 5

## Exports.

The value of exports of Lend-Lease items to November 30, 1941, was 595 million dollars. The difference between this figure and the total value of articles transferred is principally due to three facts: First, the amount of transfers under the ships category is not included in the exports figure; second, certain goods are transferred to Lend-Lease countries for use in the United States, such as equipment and supplies for airplane pilot training programs; and, third, it is necessary to maintain some inventory of stocks of finished articles at the various warehouses at the points of export, so that there always will be plenty of material ready to be loaded as shipping space becomes available.

Lend-Lease aid alone is only a part of our total aid to those fighting the aggressors. Thus, since the beginning of the war, our exports to the British alone have amounted to nearly  $5\frac{3}{4}$  billion dollars, most of which was financed by the British with their own dollars.



Chart No. 3 shows exports to the British, by months, broken down by direct purchase exports and exports under



Chart No. 3

Lend-Lease. One of the purposes of the Lend-Lease Act was to take up the slack resulting from the completion of current British contracts. The black area in the chart may be expected to increase rapidly, whereas the shaded area will tend to decline. The important consideration is to keep total exports at steadily increasing levels.



## LEND-LEASE COUNTRIES

Descriptions of allocations and expenditures of funds cannot give an adequate impression of Lend-Lease activities. The Lend-Lease program must be viewed as it actually operates throughout the world. The defenses of 32 countries and the British Empire have been declared vital to the defense of the United States. Steps have been taken or programs are being formulated to strengthen the defenses of these countries.

## LEND-LEASE COUNTRIES

Argentina	Egypt	Nicaragua
Bolivia	El Salvador	Norway
Brazil	Free Belgium	Panama
British Empire	Free France	Paraguay
Chile	Greece	Peru
China	Guatemala	Poland
Colombia	Haiti	Russia
Costa Rica	Honduras	Turkey
Cuba	Iceland	Uruguay
Dominican Republic	Mexico	Venezuela
Ecuador	The Netherlands	Yugoslavia

Some of these countries have not as yet received Lend-Lease aid.

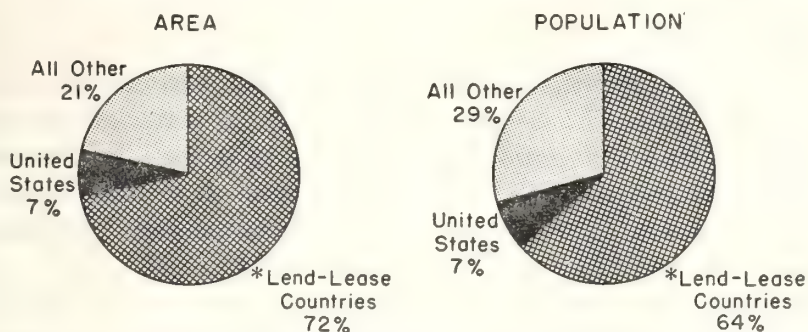
The fight from the British Isles is supported by men and ships from Norway, Poland, Belgium, Greece, the Netherlands, Yugoslavia, and Free France. Linking the war zones of Russia and North Africa are the strategic defenses of Turkey. Greeks and Yugoslavs in Egypt and Greek ships in the Mediterranean are aiding the British forces in North Africa. Free French and Belgian troops stand ready in French Equatorial Africa and the Belgian Congo to check any attempted Axis drive southward in Africa. In the Far East stand the combined forces of China, the Netherlands East Indies, Australia, New Zealand, and India.

Lend-Lease countries, as shown by Chart No. 4, cover two-thirds of the earth's surface and contain nearly two-thirds of its population.

The task of Lend-Lease is to supply the millions of men who are resisting or stand ready to resist Axis aggression with the tools to make that resistance effective. The task is gigan-



## DISTRIBUTION OF WORLD LAND AREA AND POPULATION



\*Include occupied territory of following governments which receive Lend-Lease aid: Greece, Holland, Norway, Poland, Yugo-Slavia, and countries which are eligible for, but have not yet received, Lend-Lease aid.

Chart No. 4

tic; only in America are there the raw material resources, the productive capacity and the manpower to complete the job. There must be guns and tanks and planes in quantities beyond any production we have yet accomplished or planned.

Although a vastly increased program of aid is required, Lend-Lease activities have already contributed substantial support to the fight in the air, on sea, and on land.



# THE FIGHT ON LAND AND IN THE AIR

### British Empire.

The defense of the British Isles and the effectiveness of the forces in Lybia have been strengthened by materials of all kinds. Guns, ammunition, airplanes, tanks, fire-control instruments, scout cars, supply trucks, communications equipment, gasoline, oil, fire-fighting equipment, medical supplies and other military supplies shipped under Lend-Lease have aided Britain's home defenses. Tractors, earth-moving equipment, paving materials and the like have provided means for strengthening air bases and military supply lines.

Besides contributing finished military supplies, much has been done under Lend-Lease to increase British production of war materials. Iron and steel and other metals have been supplied to British tank and gun factories. Chemicals have been provided for the manufacture of explosives. Lumber, raw and semifinished materials, machine tools, and construction equipment have kept British war production at full operation.

In increasing measure, the productive enterprise of the British Isles is being coordinated with production here. A careful study of British machine tool requirements and operations has provided a basis for determining where our limited supply can be most effectively used. In all fields of production we are benefiting from a constant exchange of technical information arising from actual operations.

Similar support is being given to other parts of the British Empire where a coordinated scheme of war production is being carried out. In the main the Dominions are manufacturing their own war materials. Machine tools, raw materials, and construction material have been sent to Australia, New Zealand, India, and South Africa to increase their wartime production.

### Russia.

Even before Lend-Lease shipments were sent to Russia in November, representatives of this Government had assisted in expediting Russian purchases here. Tanks, airplanes, guns,



and ammunition have been provided and materials have been sent for the maintenance of Russia's lines of transportation and communication. Metals, materials for explosives, construction equipment, furnaces, machine tools, and other supplies have been furnished to Russian war industries. Large quantities of gasoline and other petroleum products are fueling Russia's war machine. Medical supplies and equipment are being provided. Under our agreement to provide one billion dollars worth of Lend-Lease aid by June 1942, additional assistance is being given.

## China.

With Lend-Lease assistance and with the \$100,000,000 she has borrowed from the Export-Import Bank since 1934, China is adding to her defenses and strengthening her important supply line, the Burma Road. In large degree the main work of aiding China to date has centered around the transport problems of this lifeline. American equipment and personnel have done much to improve this line of supply and thousands of American trucks are now moving over it, supplied with Lend-Lease fuel and oil.

With the improvement of transport facilities well advanced, future Lend-Lease assistance will include more and more direct aid to the Chinese Army. The army has already been supplied with rifles, machine guns, field guns, airplanes, ammunition, telephone and radio equipment, combat vehicles, and signal and engineering equipment.

## Other Nations.

Countries overrun by the aggressors still have large areas and large numbers of men free of subjugation. They are receiving Lend-Lease aid in the fight against the Axis. The Netherlands East Indies and Dutch Guiana are receiving military and naval equipment and machinery for war production. Poland has a troop-training center in Canada which is being outfitted under the Lend-Lease program. Belgian troops in the Belgian Congo, who are collaborating with the British in the Middle East, have been furnished combat vehicles and field guns. The Free French troops in French Equatorial Africa have been provided with tanks and are to receive numer-



ous trucks needed to meet their supply problems. Turkey, which is today outside the conflict, is having her defenses strengthened under Lend-Lease. A substantial program of aid to countries of the Western Hemisphere is under way.



## Chapter 4

# THE FIGHT ON THE SEA

The production of arms is not enough; the arms must be delivered to the fighting men at the front. The quantities of materials to be transported are enormous and they must be carried to fighting forces all over the world. Supplies must be delivered over many thousands of miles of water—to Britain, to Suez, to Burma, to the Arctic Ocean, to Siberia, to the Persian Gulf. No supply problem of this magnitude has ever been encountered before.

Hundreds of ships carrying airplanes and guns and food and machines and other cargoes are required for each supply route. Some indication of the work to be done and of the transportation problems involved is given by the quantities which can be included in a typical loading of a small cargo steamer: 24 pursuit planes; 12 medium tanks; 8 light tanks; 140 tons of ammunition; 200 trucks; 1,000 drums of petroleum products; 170 tons of barbed wire; 200 tons of explosives; 100 tons of chemicals; 500 tons of metals.

The service of supply means more than merely loading and dispatching vessels. It means the construction of a vast new fleet—"the bridge of ships"—to replace losses and to furnish the increased tonnage needed for carrying the mountains of material which will pile up when the production program attains its full stride. It means repairing and refitting damaged vessels, installing protective equipment and additional gear on many ships, and constructing new facilities in ports of debarkation.

### Construction of Merchant Ships.

First in the battle for the seas is the battle of the shipyards. The greatest ship construction program in history is rapidly taking shape.

On the East and West Coasts, on the Gulf and on the Great Lakes, 26 shipyards in 18 States are at work building Lend-Lease ships. The total Lend-Lease construction program calls for an expenditure of \$530,750,000 to build 292 new merchant vessels including 213 large cargo vessels and tankers, 45 small freighters, 8 coastal tankers, and 26 harbor tugs. Already about 70 keels have been laid and it is estimated that the



first Lend-Lease vessels will be delivered in the early part of 1942. New facilities are being added under Lend-Lease to speed this construction. Fifty-six new shipways costing some \$55,000,000 are being built at 14 shipyards, and increased plants for the production of marine engines are under construction.

Lend-Lease construction supplements our own emergency program for greatly enlarging the American Merchant Marine. Under this emergency program there are under contract 707 ships, in addition to the 292 being constructed with Lend-Lease funds. We are now launching two ships every week; by the middle of 1942 we will be launching two every day.

## Shipping Aid.

Although ships being built under the Lend-Lease program have not yet been completed for delivery, we have given substantial aid from our merchant fleet to the fleets of the countries we are aiding. Under the control of the Maritime Commission, 2 million tons of United States owned shipping have been made available along with 36 interned Axis ships. Vital cargoes of war materials are being hauled to the Red Sea, to Burma, to Russia, to Iceland, and the British Isles. Despite all hazards involved, our ships continue their steady transport of war supplies.

The ever-increasing quantities of Lend-Lease materials being shipped to the fighting fronts are straining our shipping service to the utmost. The effectiveness of the entire Lend-Lease program may well depend upon the ability of American shipbuilders to expedite and expand their construction of ships.

## Repair and Outfitting of War and Merchant Ships.

Under the Lend-Lease program war and merchant ships continuously put into American ports for repair of battle damage, overhauling, provisioning, or outfitting. Many British warships, including battleships, cruisers, destroyers, submarines, aircraft carriers, and other naval craft have been serviced in our shipyards. The Free French submarine *Surcouf*, the largest in the world, was overhauled as part of the same program. Some British warships are presently under repair. In order to expedite the return of



ships to sea, special types of equipment peculiar to British ships have been assembled at our navy yards.

Alterations and repairs have been made on hundreds of merchant ships. Included among these were British, Dutch, Norwegian, Greek, and Russian vessels, and also interned Axis ships. Damage caused by heavy weather, by fire, and by enemy action through aerial, submarine, and surface attack, has been repaired. General overhauling has included re-gunning and re-tubing of boilers and condensers and repairs to main and auxiliary machinery. High-speed marine engines, electric generators, sets of radio equipment, and gyro-compasses have been installed.

Lend-Lease is fueling, provisioning, and loading a constant stream of vessels, carrying supplies to the war fronts. Clothing and food for the men and fuel and ship stores of every description for the ships have been provided. Hundreds of vessels have been furnished these services.



## Chapter 5

### THE FOOD FRONT

Within recent weeks Lend-Lease foods marked "Produce of the U. S. A." are beginning to appear in sizable quantities on grocers' shelves and in the kitchens of Great Britain. Since the last report to the Congress, Lend-Lease food has moved steadily and in increasing quantities over the bridge of ships, bringing new strength to the bodies and new hope to the minds and spirits of the British people.

To appreciate Britain's urgent need of foodstuffs it is necessary to understand the serious plight of a nation which before September 1939, had imported 63 percent of her foodstuffs and which saw her sources of supply cut off one by one by enemy occupation or reduced by submarine warfare. Britain was faced a year ago with a quarter less animal protein foods than she had before the war. Had this continued, the health and the working and fighting efficiency of her people would have been undermined.

Since the beginning of Lend-Lease, we have shipped to the British food and farm produce totalling 2,796,000,000 pounds with a value of \$292,000,000. Of this total, 1,892,000,000 pounds with a value of \$181,000,000 have been supplied in the last three months. The steady increase of our aid is shown by the fact that the tonnage provided in the last three months is twice as great as that provided in the preceding six months.

The British are expanding their production of bulky foods, such as wheat and potatoes, and have greatly increased their truck gardening. Since 1939, acres under cultivation have increased from 12,000,000 to 16,000,000 and some further expansion is expected. To aid this source of production, tractors and other farm equipment have been supplied by Lend-Lease and deliveries of seed are planned.

So far as food is concerned the British are better off today than a year ago. But their food allowances remain at a low level. In a country highly geared for war production, having an average industrial working week of 56 hours, nutrition has a special relation to the war effort.



## British Food Allowances.

British food allowances for important food items have been affected by arrival of Lend-Lease cargoes. The present British rationing system includes most of the important protein foods. The weekly allowance of bacon is 4 ounces, half of average pre-war consumption. Civilians can have 3 ounces of cheese a week while farm workers and miners are permitted 12 ounces. The weekly fat ration has recently been increased by 2 ounces to 10 ounces.

Increasing quantities of Lend-Lease food shipments make themselves felt in many ways. In certain instances, as in the case of bacon, the already low ration would have had to be reduced but for Lend-Lease assistance. Other shipments have permitted increases in the rations. Canned meats and canned fish, because of supplies we have furnished, are now appearing on the ration lists for the first time. In the month of December, the housewife will be able to buy with one person's monthly allowance a half pound of canned meat, a quarter pound of canned fish and a pound tin of pork and beans.

Lend-Lease is supplementing the shortage of fresh milk through shipments of canned evaporated milk and skim milk powder.

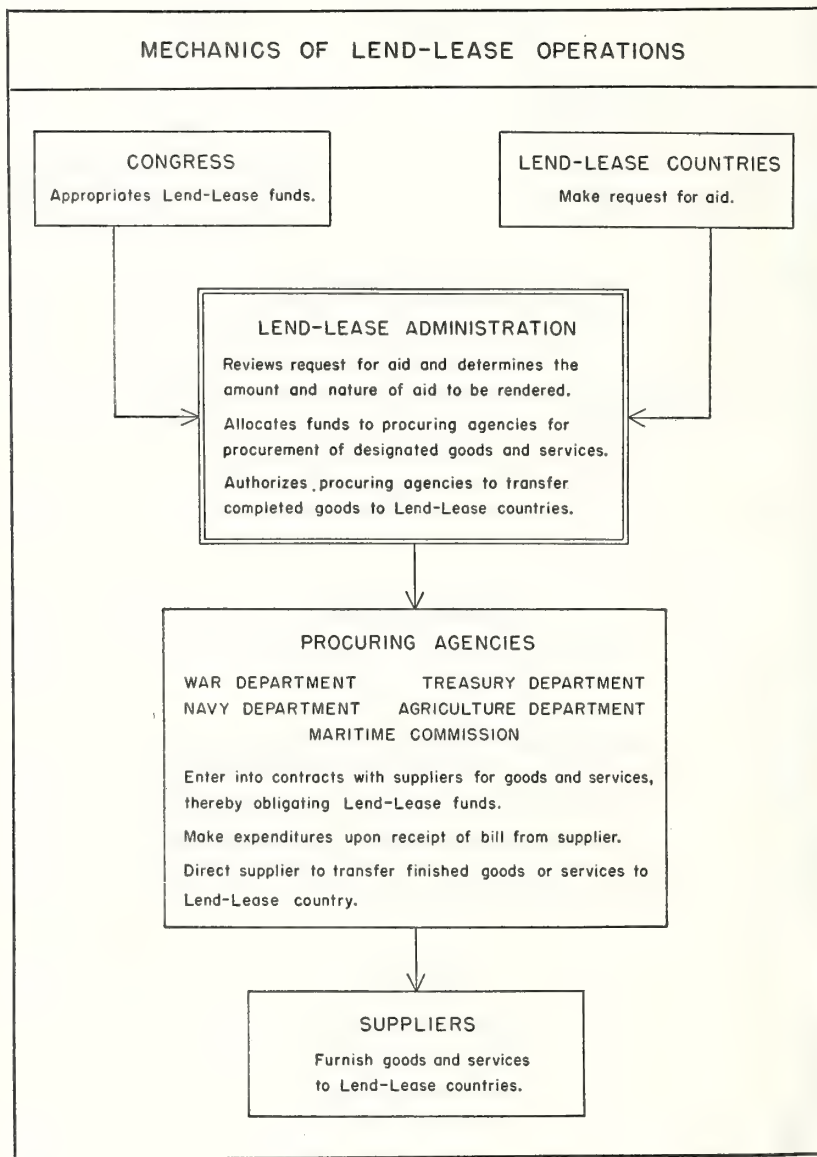
Outside the rationed articles, there are two types of foods: Foods such as bread and potatoes which are plentiful; and certain foods so scarce that even the smallest amounts cannot be guaranteed to everyone.

Eggs are being allocated so that a Britisher can get from 2 to 3 a month instead of the 14 eggs which represented average pre-war consumption. Shipping and packaging difficulties have prevented our giving any great addition to the low British supply of shell eggs, but sizable quantities of dried and frozen eggs are being supplied.

We have made no more important contribution on the food front than our shipments of concentrated vitamins, which, being small in bulk, have frequently been transported to Britain by bomber. Supplemented by supplies of concentrated fruit juices from the United States, these vitamin shipments are largely responsible for a new project of free distri-



bution of vitamins to children under 2 years of age. Beginning in December, over 1,300,000 small children are receiving, through maternity and child-welfare clinics and local food officers, a regular supply of concentrated orange or black-currant juice, and of cod liver oil compound.





# HOW THE LEND-LEASE PROGRAM WORKS

The Lend-Lease Administration is responsible for coordinating and expediting the procurement and delivery of Lend-Lease goods and services. In carrying out the Lend-Lease program, however, the Lend-Lease Administration acts with the assistance of other Government agencies, which may be classified as follows:

(1) The procurement agencies, consisting of the War Department, the Navy Department, the Department of Agriculture, the Procurement Division of the Treasury Department, and the Maritime Commission. These agencies procure the defense articles and services to be transferred to countries we are aiding.

(2) The advisory agencies, consisting primarily of the State Department, the Economic Defense Board, and the Office of Production Management. These agencies regularly participate in the making of Lend-Lease decisions which impinge on their respective fields of responsibility.

(3) The special service agencies which are called in from time to time for assistance on special problems peculiar to their fields. For example, the Public Health Service of the Federal Security Agency arranged for the sending of medicine and a medical mission to combat malaria on the Burma Road.

The Lend-Lease Administration does not buy anything. Its task is to coordinate and expedite the Lend-Lease program. The task of the procurement agencies is to obtain materials and services with funds allotted by the Lend-Lease Administration and to see that they get to the places where they will do the most good. In this way the program is administered with a minimum of duplicating effort, and with the fullest possible use of existing procurement facilities.

When the Lend-Lease program was first put into operation, all allocations of funds to the procurement agencies and all directives to these agencies to transfer Lend-Lease goods were signed by the President. Gradually, as policies were formulated and as the requests for assistance multiplied, it became advisable to delegate these functions. On October 28th,



therefore, the Office of Lend-Lease Administration was established by Executive Order, and there was delegated to Mr. Edward R. Stettinius, Jr., as the first Lend-Lease Administrator, the function of allocating the Lend-Lease appropriations to the various procurement agencies and of authorizing these agencies to transfer defense articles and services to the countries whose defense the President should find to be vital to the defense of the United States.\*

Under the Executive Order, the President retains the authority to determine what nations shall receive aid under the Lend-Lease Act, and he continues to determine all major policies for the guidance of the Lend-Lease Administrator. The State Department is authorized to negotiate the master agreements† setting forth the general terms and conditions under which countries receive Lend-Lease aid, with the advice of the Economic Defense Board and the Lend-Lease Administration. All matters affecting the economic defense of the United States are brought to the attention of the Economic Defense Board. Procurement of strategic and critical materials is subject to the review of the Office of Production Management. Provision is thus made for insuring that the Lend-Lease program will be in accord with latest developments in America's foreign policy, its economic defense, and its strategic production situation.

Within this frame work, the Lend-Lease Administrator has been delegated full authority to carry out the Lend-Lease program. This delegation has materially speeded up the operation of that program. It has obviated the necessity of forwarding to the White House hundreds of documents which previously had to be signed by the President.

A similar speeding-up of Lend-Lease procedure has recently been effected in the administrative handling of the requests for defense aid by the Lend-Lease Administration and the various procurement agencies. Substantial reduction has been made under the new procedure in the time which elapses between the filing of a request for Lend-Lease aid and the granting of authority to the procuring agency to place the order. This procedure has been designed so as to combine a maximum of care in examining requests for aid with a mini-

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\* The Executive Order is set forth in Appendix IV.

† See Chapter 7.



imum of delay in getting the tools of war into the hands of the fighting forces.

Allocations of funds to the procurement agencies are now handled in two ways.

First, allocations are made on a program basis to cover items the need for which can be readily foreseen. Under the procedure recently adopted, these programs are submitted to the Lend-Lease Administration by the various agencies in collaboration with representatives of the Lend-Lease countries. If a program is approved by the Lend-Lease Administration, the funds required to put it into operation are allocated to the appropriate agency. The submission and review of programs in this manner have the great advantage of presenting the needs of the Lend-Lease countries in their proper perspective. An airplane program or a steel program for 6 months, for example, can be more quickly and more accurately evaluated, in terms of need, available funds and available supplies, than can piecemeal and recurring requests for small quantities of defense articles.

Second, blanket allocations are made to cover the cost of the many items which cannot readily be planned in advance on a program basis, such as emergency ship repairs. These items must be handled separately, from day to day, as critical needs arise. These blanket allocations are available to the procurement agencies for "spot" and other rush purchases and are replenished from time to time as they are depleted.

In either case, a requisition must be filed with the Lend-Lease Administration by the country seeking aid. This requisition must set forth the use to which the requested article or service is to be put and the reason why it is needed. No items are approved, whether on a program or an individual basis, unless the following conditions are met:

*One.* The Lend-Lease aid requested must be for a use essential to the war or defense effort of a country whose defense the President has found vital to the defense of the United States.

*Two.* Lend-Lease funds must be available to supply the requested Lend-Lease aid or it must be available for transfer from appropriations made prior to March 11, 1941.

*Three.* The requested Lend-Lease aid must come within the legal scope of the Lend-Lease Act.



*Four.* The defense aid requested must not be obtainable, as a practical matter, by payment therefor in American dollars or other currency available to the requisitioning country.

*Five.* The requested Lend-Lease aid must be of the most economical and efficient type suitable for the intended use.

If the requisition meets these conditions, it is approved by the Lend-Lease Administration and sent to the procurement agency to buy the goods or services. These agencies do not, as previously, have to come back to Lend-Lease for funds, since they have already been made available. If for any reason the agency does not feel that it should procure a particular article—for example, because it believes the article should be retained in this country for our own defense—the agency will notify the Lend-Lease Administration and the matter will be worked out in consultation between them. In almost all cases, however, as has already been pointed out, these matters will have been thoroughly checked and agreed upon in advance and the agency will be prepared immediately to proceed with procuring the defense articles or services.

The Office of Production Management plays a very considerable role with respect to the consideration of requests for strategic and critical materials. Accordingly, there is close collaboration between the Office of Production Management, the procuring agencies, and the Lend-Lease Administration, to insure that our own defense and civilian needs are properly coordinated with the Lend-Lease program.

Once a requisition is approved, the procurement agency designated buys the articles and services just as it would buy them for its own purposes. In almost all cases, the Lend-Lease Administration now authorizes the transfer of these articles at the time it approves the requisition. The department or agency charged with procuring the articles bears the responsibility of obtaining the goods and assuring that they are delivered. The grants of authority to the various procuring agencies to procure and to transfer articles manufactured or supplied with funds already allocated are thus combined in one operation.

The Lend-Lease Administration obtains reports from the procuring agencies showing when defense aid contracts are placed, the progress being made under them, the date on



which delivery of the finished articles will be made, and the time, method, and other details of their actual shipment. In this way it keeps in close touch with the procurement process and can carry out its function of coordinating and expediting Lend-Lease aid.

Once articles are transferred to a Lend-Lease country, they may not be retransferred, either to private individuals or to other countries, without the consent of the Lend-Lease Administration. This consent is granted only where it will further the total war effort so to permit such retransfers.

Even after the goods are sent, the Lend-Lease Administration is making every effort to keep in touch with their use. It is our determination to see that the material assistance being provided by the United States under the Lend-Lease Act will be made available in the shortest possible time and will be used in the most effective possible manner.



# LEND-LEASE AGREEMENTS

We have already negotiated Lend-Lease agreements with some of the nations we are aiding and other agreements are in process of negotiation. These agreements embody the general terms and conditions upon which Lend-Lease assistance is given.

The agreements also confirm certain preliminary obligations undertaken by each foreign government before any Lend-Lease aid is transferred to it. Those obligations include an undertaking not to permit the use of any Lend-Lease material or information by anyone not an officer, employee, or agent of the transferee government without our consent. They also include an undertaking to protect the rights of all citizens of the United States who have patent rights in and to any articles or information transferred under the Lend-Lease Act.

Lend-Lease agreements and Lend-Lease aid have, of course, created certain problems for our export trade. These problems are receiving continued study, with the view to protecting American interests in foreign trade so far as is compatible with the war effort. Policies relating to some of these problems were announced in the British White Paper of September 10, 1941 (Eden Memorandum) the text of which is included in Appendix V. Policies and procedures for meeting all of the repercussions of the Lend-Lease program on our foreign trade are being developed and will be fully discussed in the next Lend-Lease report.

## Great Britain.

The agreement with Great Britain will rest on principles of common defense and mutual assistance which have been dominant in Anglo-American relationships since long before the enactment of the Lend-Lease Act. Over a year ago, Great Britain, in return for 50 over-age destroyers, gave the United States the right to establish defense outposts and naval bases on British island possessions in the North Atlantic. Since then, the Lend-Lease program has made it possible for the United States to fill out its ring of strategic North Atlantic bases. Under that program we have aided in the construction of new naval bases. We have also obtained from the British



defense information invaluable to our own armed forces. We have received new plans and new designs for guns and planes which are enabling us to improve the efficiency of our latest models.

The agreement now in process of negotiation with Great Britain will set forth the terms and conditions under which Lend-Lease aid is being rendered. Discussions regarding the British agreement have been going forward both here and in London. These discussions have covered a wide range of subjects. The two governments have exchanged statements of the basic principles which they believe to be applicable, and, as a result of further discussion of their views, substantial progress has been made toward a mutually satisfactory formulation. In view of the pending discussions, a more detailed report would not be advisable at this time.

### Iceland.

Recently the defense of Iceland was declared to be vital to the defense of the United States. A Lend-Lease agreement was concluded, providing that Iceland could, through Lend-Lease, procure on a cash reimbursement basis its vital requirements within this country. Supplementary arrangements were made in order to furnish Iceland the necessary dollar exchange and to supply the British with foodstuffs available in Iceland. Under these arrangements the United States will purchase Iceland's fish and fish oil for dollars. The dollar exchange representing the purchase price will be credited to Iceland's dollar balance in the United States and will be used by Iceland to pay for its purchases here. The fish and fish oil purchased by the United States will be transferred to the British as defense aid. As a result of the Lend-Lease agreement and these arrangements, we shall fulfill our pledge to supply Iceland with its vital necessities and essential shipping space will be conserved by supplying Britain from a source near her shores.

### Russia.

In exchange for the war supplies now being furnished her under the Lend-Lease Act, the Soviet Government has agreed to reimburse the United States in dollars or in materials over a 10-year period to begin 5 years after the war is over. The



Soviet Union has also agreed to expedite sales of raw materials vital to our defense.

## The Netherlands

We have recently concluded an agreement with the Dutch under which they are paying us in advance dollar for dollar for the Lend-Lease articles we are supplying them. They in turn sell to us from the Dutch East Indies large quantities of such vital products as rubber, tin, quinine, and petroleum. Most of our bauxite, the basic material from which aluminum is made, comes from Dutch Guiana, situated at the northern tip of South America, where our troops, at the invitation of the Dutch Government, have just established another important military base. In addition, the Netherlands government is working together with Great Britain and the United States to establish a collaborative system of export control.

## The Western Hemisphere

At the Inter-American Conference which was held in Lima, Peru, in 1939, the 21 American republics, in their Declaration of the Principles of Solidarity of America expressed their common concern and determination to make effective their solidarity in the face of any threat to the peace, security, or territorial integrity of any one of the American republics. Since that conference, the governments of the American republics have collaborated to translate that declaration into effective action.

Collaboration is proceeding with a single immediate objective—to mobilize the resources of this hemisphere for the struggle against aggression. Under that policy, we are developing a broad program of Lend-Lease deliveries of military and naval supplies to the countries of the Western Hemisphere. In connection with that program we have concluded agreements with Bolivia, Brazil, Cuba, the Dominican Republic, Haiti, Nicaragua, and Paraguay, and are negotiating agreements with various other American republics. All of the agreements which have been concluded provide that the country receiving defense aid shall pay some proportion of the cost of the defense articles transferred. These proportions vary in accordance with the varying economic positions of the countries involved.



These Lend-Lease agreements are merely one strand in a larger pattern of hemispheric unity and hemispheric defense. Accordingly, the benefits from our hemispheric Lend-Lease program cannot be measured simply in terms of the commitments embodied in formal agreements. Many of the valuable defense measures adopted by the other American republics, even though not required by a Lend-Lease agreement, undoubtedly flow from our Lend-Lease program and the hemispheric unity which it promotes. These measures all add up to a broad and growing program of military and economic defense for this hemisphere.

A number of countries have given permission for our naval vessels to make use of their ports under appropriate conditions. The construction and expansion of important airports by Pan American Airways has been made possible only by the consent of several American republics.

Supplementing these measures, there has been significant cooperation on the part of the other American republics in a broad program of economic defense. This program assumes more and more importance as production, commerce, and finance become increasingly the tools of defense. In order to make materials available to us and to prevent their leakage to those with purposes hostile to the welfare of this hemisphere, these republics have instituted systems of export control. In addition, the other American republics have concluded or are negotiating with the Federal Loan Agency arrangements whereby \$500,000,000 of strategic materials will be imported into the United States annually. As a result, we are securing vital supplies of antimony, copper, lead, mercury, tungsten, zinc, and other important materials.

All of the American republics have recently adopted a plan for placing into service the Axis ships immobilized in this hemisphere. This action has added a substantial number of vessels to the active merchant marine of this hemisphere and will permit the release of other vessels for supplying other demands.

Many of these republics are also actively cooperating with our Proclaimed List program whose underlying purpose is to eliminate Axis influence in the social and economic life of this hemisphere.

Through the Lend-Lease program we are establishing ties of friendship and cooperation with the other free nations of the world, nations which are willing to subordinate individual interests to the common interest of all.



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## APPENDICES

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# Appendix I

## LEND-LEASE ACT

Further to promote the defense of the United States, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That this Act may be cited as "An Act to Promote the Defense of the United States".

### Section 2.

As used in this Act—

(a) The term "defense article" means—

- (1) Any weapon, munition, aircraft, vessel, or boat;
- (2) Any machinery, facility, tool, material, or supply necessary for the manufacture, production, processing, repair, servicing, or operation of any article described in this subsection;
- (3) Any component material or part of or equipment for any article described in this subsection;
- (4) Any agricultural, industrial or other commodity or article for defense.

Such term "defense article" includes any article described in this subsection: Manufactured or procured pursuant to section 3, or to which the United States or any foreign government has or hereafter acquires title, possession, or control.

(b) The term "defense information" means any plan, specification, design, prototype, or information pertaining to any defense article.

### Section 3.

(a) Notwithstanding the provisions of any other law, the President may, from time to time, when he deems it in the interest of national defense, authorize the Secretary of War, the Secretary of the Navy, or the head of any other department or agency of the Government—

(1) To manufacture in arsenals, factories, and shipyards under their jurisdiction, or otherwise procure, to the extent to which funds are made available therefor, or contracts are authorized from time to time by the Congress, or both, any defense article for the government of any country whose defense the President deems vital to the defense of the United States.

(2) To sell, transfer title to, exchange, lease, lend, or otherwise dispose of, to any such government any defense article, but no defense article not manufactured or procured under paragraph (1) shall in any way be disposed of under this paragraph, except after consultation with the Chief of Staff of the Army or the Chief of Naval Operations of the Navy, or both. The value of defense articles disposed of in any way under authority of this paragraph, and procured from funds heretofore appropriated, shall not exceed \$1,300,000,000. The value of such defense articles shall be determined by the head of the department or agency concerned or such other department, agency or officer as shall be designated in the manner provided in the rules and regulations issued hereunder. Defense articles procured from funds hereafter appropriated to any department or agency of the Government, other



than from funds authorized to be appropriated under this Act, shall not be disposed of in any way under authority of this paragraph except to the extent hereafter authorized by the Congress in the Acts appropriating such funds or otherwise.

(3) To test, inspect, prove, repair, outfit, recondition, or otherwise to place in good working order, to the extent to which funds are made available therefor, or contracts are authorized from time to time by the Congress, or both, any defense article for any such government, or to procure any or all such services by private contract.

(4) To communicate to any such government any defense information, pertaining to any defense article furnished to such government under paragraph (2) of this subsection.

(5) To release for export any defense article disposed of in any way under this subsection to any such government.

(b) The terms and conditions upon which any such foreign government receives any aid authorized under subsection (a) shall be those which the President deems satisfactory, and the benefit to the United States may be payment or repayment in kind or property, or any other direct or indirect benefit which the President deems satisfactory.

(c) After June 30, 1943, or after the passage of a concurrent resolution by the two Houses before June 30, 1943, which declares that the powers conferred by or pursuant to subsection (a) are no longer necessary to promote the defense of the United States, neither the President nor the head of any department or agency shall exercise any of the powers conferred by or pursuant to subsection (a); except that until July 1, 1946, any of such powers may be exercised to the extent necessary to carry out a contract or agreement with such a foreign government made before July 1, 1943, or before the passage of such concurrent resolution, whichever is the earlier.

(d) Nothing in this Act shall be construed to authorize or to permit the authorization of conveying vessels by naval vessels of the United States.

(e) Nothing in this Act shall be construed to authorize or to permit the authorization of the entry of any American vessel into a combat area in violation of section 3 of the Neutrality Act of 1939.

#### Section 4.

All contracts or agreements made for the disposition of any defense article or defense information pursuant to section 3 shall contain a clause by which the foreign government undertakes that it will not, without the consent of the President, transfer title to or possession of such defense article or defense information by gift, sale, or otherwise, or permit its use by anyone not an officer, employee, or agent of such foreign government.

#### Section 5.

(a) The Secretary of War, the Secretary of the Navy, or the head of any other department or agency of the Government involved shall, when any such defense article or defense information is exported, immediately inform the department or agency designated by the President to administer section 6 of the Act of July 2, 1940 (54 Stat. 714), of the quantities, character, value, terms of disposition, and destination of the article and information so exported.

(b) The President from time to time, but not less frequently than once every ninety days, shall transmit to the Congress a report of operations under this Act except such information as he deems incompatible with the

public interest to disclose. Reports provided for under this subsection shall be transmitted to the Secretary of the Senate or the Clerk of the House of Representatives, as the case may be, if the Senate or the House of Representatives, as the case may be, is not in session.

#### Section 6.

(a) There is hereby authorized to be appropriated from time to time, out of any money in the Treasury not otherwise appropriated, such amounts as may be necessary to carry out the provisions and accomplish the purposes of this Act.

(b) All money and all property which is converted into money received under section 3 from any government shall, with the approval of the Director of the Budget, revert to the respective appropriation or appropriations out of which funds were expended with respect to the defense article or defense information for which such consideration is received, and shall be available for expenditure for the purpose for which such expended funds were appropriated by law, during the fiscal year in which such funds are received and the ensuing fiscal year; but in no event shall any funds so received be available for expenditure after June 30, 1946.

#### Section 7.

The Secretary of War, the Secretary of the Navy, and the head of the department or agency shall in all contracts or agreements for the disposition of any defense article or defense information fully protect the rights of all citizens of the United States who have patent rights in and to any such article or information which is hereby authorized to be disposed of and the payments collected for royalties on such patents shall be paid to the owners and holders of such patents.

#### Section 8.

The Secretaries of War and of the Navy are hereby authorized to purchase or otherwise acquire arms, ammunition, and implements of war produced within the jurisdiction of any country to which section 3 is applicable, whenever the President deems such purchase or acquisition to be necessary in the interests of the defense of the United States.

#### Section 9.

The President may, from time to time, promulgate such rules and regulations as may be necessary and proper to carry out any of the provisions of this Act; and he may exercise any power or authority conferred on him by this Act through such department, agency, or officer as he shall direct.

#### Section 10.

Nothing in this Act shall be construed to change existing law relating to the use of the land and naval forces of the United States, except insofar as such use relates to the manufacture, procurement, and repair of defense articles, the communication of information and other noncombatant purposes enumerated in this Act.

#### Section 11.

If any provision of this Act or the application of such provision to any circumstance shall be held invalid, the validity of the remainder of the Act and the applicability of such provision to other circumstances shall not be affected thereby.

APPROVED, March 11, 1941.



## Appendix II

### FIRST LEND-LEASE APPROPRIATION ACT

Making supplemental appropriations for the national defense to provide aid to the government of any country whose defense the President deems vital to the defense of the United States, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That to enable the President, through such departments or agencies of the Government as he may designate, to carry out the provisions of An Act to Promote the Defense of the United States, approved March 11, 1941, and for each and every purpose incident to or necessary therefor, there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the following sums for the following respective purposes, namely:

(a) For the procurement, by manufacture or otherwise, of defense articles for the government of any country whose defense the President deems vital to the defense of the United States, including services and expenses in connection therewith, as follows:

(1) Ordnance and ordnance stores, supplies, spare parts, and materials, including armor and ammunition and components thereof, \$1,343,000,000.

(2) Aircraft and aeronautical material, including engines, spare parts, and accessories, \$2,054,000,000.

(3) Tanks, armored cars, automobiles, trucks, and other automotive vehicles, spare parts, and accessories, \$362,000,000.

(4) Vessels, ships, boats, and other watercraft, and equipage, supplies, materials, spare parts, and accessories, \$629,000,000.

(5) Miscellaneous military equipment, supplies, and materials, \$260,000,000.

(6) Facilities and equipment, for the manufacture or production of defense articles, by construction or acquisition, including the acquisition of land, and the maintenance and operation of such facilities and equipment, \$752,000,000.

(7) Agricultural, industrial, and other commodities and articles, \$1,350,000,000.

(b) For testing, inspecting, proving, repairing, outfitting, reconditioning, or otherwise placing in good working order any defense articles for the government of any country whose defense the President deems vital to the defense of the United States, including services and expenses in connection therewith, \$200,000,000.

(c) Not to exceed 20 per centum of any of the foregoing eight appropriations may be transferred by the President to any other such appropriation, but no appropriation shall be increased by more than 30 per centum.

(d) For necessary services and expenses for carrying out the purposes of such Act not specified or included in the foregoing, \$40,000,000.

(e) For administrative expenses, \$10,000,000.

(f) In all, \$7,000,000,000, to remain available until June 30, 1943.

#### Section 2.

If any defense article procured from an appropriation made before March 11, 1941, is disposed of, under such Act of March 11, 1941, by any depart-

ment or agency to the government of any country whose defense the President deemed vital to the defense of the United States, the President may transfer, from the appropriations made by this Act to the appropriate appropriation of such department or agency, an amount equivalent to the value (as computed for the purposes of the \$1,300,000,000 limitation contained in section 3 (a) (2) of such Act of March 11, 1941) of the defense article so disposed of, but not to exceed in the aggregate \$1,300,000,000.

### Section 3.

Any defense article procured from an appropriation made by this Act shall be retained by or transferred to and for the use of such department or agency of the United States as the President may determine, in lieu of being disposed of to a foreign government, whenever in the judgment of the President the defense of the United States will be best served thereby.

### Section 4.

No part of any appropriation contained in this Act shall be used to pay the salary or wages of any person who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided*, That for the purposes hereof an affidavit shall be considered prima facie evidence that the person making the affidavit does not advocate, and is not a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided further*, That any person who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence and accepts employment the salary or wages for which are paid from any appropriation in this Act shall be guilty of a felony and, upon conviction, shall be fined not more than \$1,000 or imprisoned for not more than one year, or both: *Provided further*, That the above penalty clause shall be in addition to, and not in substitution for, any other provisions of existing law.

### Section 5.

This Act may be cited as the "Defense Aid Supplemental Appropriation Act, 1941".

APPROVED, March 27, 1941.

## Appendix III

### SECOND LEND-LEASE APPROPRIATION ACT

Making supplemental appropriations for the national defense for the fiscal years ending June 30, 1942, and June 30, 1943, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the national defense for the fiscal years ending June 30, 1942, and June 30, 1943, and for other purposes, namely:

### Section 101.

To enable the President, through such departments or agencies of the Government as he may designate, further to carry out the provisions of an



Act to promote the defense of the United States, approved March 11, 1941, and for each and every purpose incident to or necessary therefor, the following sums for the following respective purposes, namely:

(a) For the procurement, by manufacture or otherwise, of defense articles, information and services, for the government of any country whose defense the President deems vital to the defense of the United States, and the disposition thereof, including all necessary expenses in connection therewith, as follows:

(1) Ordnance and ordnance stores, supplies, spare parts, and materials, including armor and ammunition and components thereof, \$1,190,000,000.

(2) Aircraft and aeronautical material, including engines, spare parts, and accessories, \$685,000,000.

(3) Tanks, armored cars, automobiles, trucks, and other automotive vehicles, spare parts, and accessories, \$385,000,000.

(4) Vessels, ships, boats, and other watercraft, including the hire or other temporary use thereof, and equipage, supplies, materials, spare parts, and accessories, \$850,000,000.

(5) Miscellaneous military and naval equipment, supplies, and materials, \$155,000,000.

(6) Facilities and equipment for the manufacture, production, or operation of defense articles and for otherwise carrying out the purposes of the Act of March 11, 1941, including the acquisition of land, and the maintenance and operation of such facilities and equipment, \$375,000,000.

(7) Agricultural, industrial, and other commodities and articles, \$1,875,000,000.

✓(b) For testing, inspecting, proving, repairing, outfitting, reconditioning, or otherwise placing in good working order any defense articles for the government of any country whose defense the President deems vital to the defense of the United States, including services and expenses in connection therewith, \$175,000,000.

(c) For necessary services and expenses for carrying out the purposes of the Act of March 11, 1941, not specified or included in the foregoing, \$285,000,000.

(d) For administrative expenses, \$10,000,000.

(e) In all, \$5,985,000,000, to remain available until June 30, 1943.

(f) Each of the foregoing appropriations shall be additional to, and consolidated with, the appropriation for the same purpose contained in sections 1 (a), 1 (b), 1 (d), and 1 (e), respectively, of the Defense Aid Supplemental Appropriation Act, 1941: *Provided*, That, with the exception of the appropriation for administrative expenses, not to exceed 20 per centum of any such consolidated appropriations may be transferred by the President to any other of such consolidated appropriations, but no such consolidated appropriation shall be increased more than 30 per centum thereby.

## Section 102.

The President may, from time to time, when he deems it in the interest of national defense, authorize the head of any department or agency of the Government, to enter into contracts for the procurement of defense articles, information, or services for the government of any country whose defense

the President deems vital to the defense of the United States, to the extent that such government agrees to pay the United States for such defense articles, information, or services prior to the receipt thereof and to make such payments from time to time as the President may require to protect the interests of the United States; and, upon payment of the full cost, the President may dispose of such articles, information, or services to such government: *Provided*, That the total amount of the outstanding contracts under this section, less the amounts which have been paid to the United States under such contracts, shall at no time exceed \$600,000,000.

### Section 103.

Any defense article procured pursuant to this title shall be retained by or transferred to and for the use of such department or agency of the United States as the President may determine, in lieu of being disposed of to a foreign government, whenever in the judgment of the President the defense of the United States will be best served thereby.

### Section 104.

This title may be cited as the "Defense Aid Supplemental Appropriation Act, 1942."

APPROVED, October 28, 1941.

NOTE.—The above is a reprint of Title I of the Act, the part having to do with Lend-Lease operations.

## Appendix IV

# EXECUTIVE ORDER ESTABLISHING OFFICE OF LEND-LEASE ADMINISTRATION

By virtue of the authority vested in me by the Constitution and statutes of the United States, and particularly by the Act of March 11, 1941, entitled "An Act further to promote the defense of the United States and for other purposes" (hereafter referred to as the Act), and by the Defense Aid Supplemental Appropriation Act, 1941, approved March 27, 1941, and acts amendatory or supplemental thereto, in order to define further the functions and duties of the Office for Emergency Management of the Executive Office of the President in respect to the national emergency as declared by the President on May 27, 1941, and in order to provide for the more effective administration of those Acts in the interests of national defense, it is hereby ordered as follows:

1. There shall be in the Office for Emergency Management of the Executive Office of the President an Office of Lend-Lease Administration, at the head of which shall be an Administrator, appointed by the President, who shall receive compensation at such rate as the President shall approve and, in addition, shall be entitled to actual and necessary transportation, subsistence, and other expenses incidental to the performance of his duties.

2. Subject to such policies as the President may from time to time prescribe, the Administrator is hereby authorized and directed, pursuant to Section 9 of the Act, to exercise any power or authority conferred upon the President by the Act and by the Defense Aid Supplemental Appropriation Act, 1941 and any acts amendatory or supplemental thereto, with respect



to any nation whose defense the President shall have found to be vital to the defense of the United States: *Provided*, That the master agreement with each nation receiving lend-lease aid, setting forth the general terms and conditions under which such nation is to receive such aid, shall be negotiated by the State Department, with the advice of the Economic Defense Board and the Office of Lend-Lease Administration.

3. The Administrator shall make appropriate arrangements with the Economic Defense Board for the review and clearance of lend-lease transactions which affect the economic defense of the United States as defined in Executive Order No. 8839 of July 30, 1941.

4. Within the limitation of such funds as may be made available for that purpose, the Administrator may appoint one or more Deputy or Assistant Administrators and other personnel, delegate to such Deputy or Assistant Administrators any power or authority conferred by these orders, and make provision for such supplies, facilities, and services as shall be necessary to carry out the provisions of this Order. In so far as practicable, the Office of Lend-Lease Administration shall use such general business services and facilities as may be made available to it through the Office for Emergency Management.

5. Executive Order No. 8751 of May 2, 1941, establishing the Division of Defense Aid Reports and defining its functions and duties, is hereby revoked.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE,

October 28, 1941.

## Appendix V

### BRITISH WHITE PAPER OF SEPTEMBER 10, 1941

FOREIGN OFFICE, S. W. 1,

10th September, 1941.

MY DEAR AMBASSADOR: With reference to the conversations about lend-lease material which have recently taken place in London and in which you have participated, I enclose a memorandum on the policy of His Majesty's Government in the United Kingdom with regard to exports from this country and with regard to the distribution here of lend-lease material. I shall be glad if you will transmit it to your Government.

Yours sincerely,

ANTHONY EDEN.

His Excellency The Honourable John G. Winant.

#### Memorandum.

1. All materials which we obtain under the Lend-Lease Act are required for the prosecution of the war effort. This principle governs all questions of the distribution and use of such goods and His Majesty's Government have taken and will continue to take action to secure that these goods are not in any case diverted to the furtherance of private interests.

2. Lend-lease materials sent to this country have not been used for export and every effort will be made in the future to ensure that they are not used

for export, subject to the principle that where complete physical segregation of lend-lease materials is impracticable domestic consumption of the material in question shall be at least equal to the amounts received under lend-lease.

3. His Majesty's Government have not applied and will not apply any materials similar to those supplied under lend-lease in such a way as to enable their exporters to enter new markets or to extend their export trade at the expense of United States exporters. Owing to the need to devote all available capacity and man-power to war production, the United Kingdom export trade is restricted to the irreducible minimum necessary to supply or obtain materials essential to the war effort.

4. For some time past, exports from the United Kingdom have been more and more confined to those essential (I) for the supply of vital requirements of overseas countries, particularly in the sterling empire; (II) for the acquisition of foreign exchange, particularly in the Western Hemisphere. His Majesty's Government have adopted the policy summarized below:

(I) No materials of a type the use of which is being restricted in the United States on the grounds of short supply and of which we obtain supplies from the United States either by payment or on Lend-Lease terms will be used in exports with the exception of the following special cases:

(a) Material which is needed overseas in connection with supplies essential to the war effort for ourselves and our Allies, and which cannot be obtained from the United States.

(b) Small quantities of such materials needed as minor though essential components of exports which otherwise are composed of materials not in short supply in the United States.

(c) Repair parts for British machinery and plant now in use, and machinery and plant needed, to complete installations now under construction, so long as they have already been contracted for.

Steps have been taken to prevent the export (except to Empire and Allied territories) of such goods which do not come within the exceptions referred to in (a), (b), and (c) above.

(II) Materials similar to those being provided under lend-lease which are not in short supply in the United States will not be used for export in quantities greater than those which we ourselves produce or buy from any source.

5. The general principle followed in this matter is that the remuneration received by the distributors, whatever the method of distribution, is controlled and will be no more than a fair return for the services rendered in the work of distribution. The arrangements rigorously exclude any opportunity for a speculative profit by private interests from dealing in lend-leased goods. In most cases, lend-leased supplies will be distributed through organizations acting as agents of His Majesty's Government in the strict sense of the term and not as principals. Where for strong practical reasons this cannot be done a full explanation will be supplied to the United States administration and their concurrence sought beforehand in any alternative arrangements proposed. The justification for retaining existing channels of distribution operating under strict Government control, is that the creation of elaborate new organizations in their place would inevitably result in loss of efficiency and the wasteful use of man-



power, and retard the war effort. In the distribution of lend-lease goods there will be no discrimination against United States firms.

6. Food is a special case. Only some 5 or 6 percent in tonnage of the total British food supply is coming from the United States and without great practical complications it would be impossible to have a separate system for the distribution of lend-leased food. Food distribution is carried out in the United Kingdom by wholesalers, to whom the Government sells food as principals. In fact, the Ministry of Food has established a close control over all distributive margins so that neither the wholesalers nor the retailers receive any greater remuneration than is adequate to cover the cost of the services performed. No food obtained on lend-lease terms is or will be sold at uncontrolled prices. Thus the general arrangements as regards the issue of lend-leased food fit into His Majesty's Government's policy of stabilizing the whole price level of foodstuffs, a policy to which the Government contributes £100 millions a year.

7. In some cases direct free distribution is practicable and will be adopted. For example, some milk products (including lend-leased supplies from the United States) are distributed direct and free of charge to children and others in need through schools, clinics and hospitals. The distribution is undertaken by State agencies and the cost of the distribution is borne by the Government.

## Acknowledgment.

LONDON, *September 10, 1941.*

DEAR MR. EDEN: Thank you for your letter of September 10th, enclosing a memorandum on United Kingdom export policy and on the distribution of lend-lease material. I have caused the memorandum to be transmitted immediately to Washington for the information of my Government.

Sincerely yours,

JOHN G. WINANT.

The Right Honorable Anthony Eden, M. C. M. P., etc., etc., etc.,  
Foreign Office, S. W. I.

September 10, 1941.

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